HAYS COUNTY Commissioners Court

Agenda Packet

SEPTEMBER 1, 2009

Commissioners Court -September 1, 2009 NOTICE OF A MEETING OF THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNONS TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at **9:00 A.M.** on the 1ST day of **September, 2009**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

INVOCATION:

PLEDGE OF ALLEGIANCE - Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag CALL TO ORDER /ROLL CALL

	PRESENTATIONS & PROCLAMATIONS				
1	5-6	Adopt a resolution declaring September 2009 to be National Preparedness Month in the Capital Area Council of Governments region. CONLEY/SUMTER			

PUBLIC COMMENTS

At this time <u>3-MINUTE</u> comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/ Witness Form to the County Clerk. <u>Please Complete the Public Participation/ Witness Form in its Entirety</u>.

NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS.

		
		CONSENT ITEMS The following may be acted upon in one motion. A <u>Commissioner, the County Judge, or a Citizen</u> May request items be pulled for separate discussion and/or action
2	7	Approve payments of county invoices. HERZOG
3	8-32	Approve Commissioner Court Minutes of August 11 TH ,12 TH ,18 TH & 25 TH 2009.
4	33-37	Approve the renewal contract for Mr. John Carson, R.Ph to provide Pharmacy services to Hays County Personal Health Department. SUMTER/HARGRAVES
5	38-40	Approve award of Bid #2009-B18 Removal & Installation of New Roof for the Hays County Law Enforcement Center to Texas Fifth Wall Roofing. INGALSBE/HERZOG/MAIORKA
6	41-42	Approve the renewal of the Triple "O" contract for \$63,535.00 with the Texas Department of State Health Services for the RLSS-Local Public Health Services grant and the Hays County Public Health Department. SUMTER/HARGRAVES
7	43	Approve the renewal of the annual Provider agreement between Hays County Personal Health Department and Community Action, Inc. of Hays, Caldwell, and Blanco counties. SUMTER/HARGRAVES
8	44-47	Amend the budget for the TJPC Diversionary Grant to reflect additional funding from the granting agency. SUMTER/HERZOG/COOPER
9	48-51	Approve Commercial OSSF Permit for NABI LLC, (Jason Momin) to serve a Grocery Store and Retail Shops located at 1095 Windy Hill Road, Buda, TX, in Precinct 2. BARTON/POPE

ACTION ITEMS

<u>ROADS</u>

	 Discussion and possible action to release the fiscal surety for re-vegetation of the street and drainage improvements in the Mount Olive Ranch subdivision. CONLEY/BORCHERDING
11	Discussion and possible action to consider the release of the maintenance bonds and accept for maintenance all road and drainage improvements within County ROW for Shadow Creek subdivision, phase 1,2,3,and 4. BARTON/BORCHERDING

SUBDIVISIONS

12	59-62	09-4-13 Gatlin Prairie Subdivision. Discussion and possible action to consider approval of preliminary plan. FORD/GARZA					
13	63-66	09-4-26 Read Subdivision. Discussion and possible action to consider approval of preliminary plan. FORD/GARZA					
14	67-71	09-4-25 Re-plat of Lots 15 and 16, Block A, Howard Ranch Subdivision, Section 2. Discussion and possible action to consider waiver of preliminary plan and public notice, and approve final plat. FORD/GARZA					
15	72-74	09-4-24 Re-subdivision of Lot 6, Legend Oaks, Section 2. Discussion and possible action to consider approval of preliminary plan and call for public hearing on September 29, 2009. FORD/GARZA					
16	75-76	09-3-22 Oak Run Estates. Discussion and possible action to consider approval of preliminary plan. CONLEY/GARZA					
17	77-78	09-3-20 Re-plat of Lots 239 and 243, Woodcreek, Section 25. Discussion and possible action to consider waiver of preliminary plan, a variance from Hays County minimum lot size standards, and approval of final plat. CONLEY/GARZA					
18	79-81	09-4-27 Roberts Corner Subdivision. Discussion and possible action to consider approval of preliminary plan. FORD/GARZA					

MISCELLANEOUS

	SCELLANE	<u> </u>			
19	82-104	Discussion and possible action to recommend the adoption of the Capital Area Metropolitan Planning Organization Bylaws and dissolve the Joint Powers Agreement. SUMTER			
20	105	Discussion and possible action to accept donations to the Hays County Historical Commission for the Jack C. Hays documentary film and amend the budget accordingly. SUMTER/HERZOG			
21	106-107	Discussion and possible action to authorize the County Judge to execute the modified resolution to the Governor's Office, Criminal Justice Division for the Recovery Act: Edward Byrne Memorial Justice Assistance Formula Grant Program. SUMTER/RATLIFF/HAUFF			
22	108-112	Discussion and possible action to authorize the County Judge to execute a License Agreement with the City of San Marcos for use of the drive inlets on the Northwest side of the Old County Courthouse (Hopkins Street) between the hours of 8 p.m. and 4 a.m. INGALSBE/CONLEY			
23	113-116	Discussion and possible action to approve the purchase of new software for jury selection and amend the budget accordingly and authorize the County Judge to sign the Software License and Professional Services Agreement and amendment to existing Software Maintenance Agreement. SUMTER/HERZOG/MCGILL			
24	117	Discussion and possible action to modify and /or terminate existing interlocal agreements for review of subdivisions in the Extra Territorial Jurisdictions to accommodate the New Hays County Development Regulations. SUMTER			
25	118-119	Discussion and possible action to approve an Order establishing an Alternative Dispute Resolution System; authorize collection of fees relative to dispute resolution; and authorize the County Judge to negotiate and execute an agreement with Central Texas Alternative Dispute Resolution, Inc, utilizing the Discretionary Exemption of the Bidding Process, Local Government Code 262.024. SUMTER			
26	120-122	Discussion and possible action to authorize the County Judge to execute the 1 st Amendment to Agreement for the Exchange of Real Property Pursuant to 263.006 of the Texas Local Government Code, originally executed between Hays County and W.C. Carson on or about July 31, 2007; and to authorize the preparation and execution of associated Closing documents. INGALSBE			
27	123	Discussion and possible action to authorize the County Judge to sign a payroll account acknowledgement agreement changing the Flexible Benefit Plan (Section 125, Premium Only Plan) from fiscal year (10/1) to a plan year of 10/1/09 through 12/31/09 and then from 1/1/2010 to 12/31/2010. SUMTER/BAEN/HERZOG			
28	124-130	Discussion and possible action to authorize the County Judge to execute a Joint Election Agreement with the Driftwood Economic Development Municipal Management District. SUMTER/COWAN			

WORKSHOP

110	TATABLIOF			
29	131-140	1PM San Marcos CISD and the Diamond Standard presented by Dr. Patty Shafer,		
		Superintendent of Schools. SUMTER		
30	141	2PM Update by Jeff Hauff of Park Bond approved funding - the projects, funding and		
		where they are in construction or acquisition process.		

EXECUTIVE SESSIONS

The Commissioners Court will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The Commissioners' Court may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

31	142	Executive Session pursuant to 551.072 of the Texas Government Code to deliberate the
		purchase, exchange, lease, or value of real property identified as a possible venue for a
		firearms shooting range in Hays County, Texas. CONLEY

STANDING AGENDA ITEM

32	Discussion of issues related to proposed capital construction projects in Hays Co including but not limited to the government center; precinct offices; Resources Prote Transportation and Planning Department; and space needs projections for the Hays Co Jail and related criminal justice analysis. Possible action may follow. INGALSBE			
33	144	Discussion of issues related to the road bond projects, including updates from Mike Weaver, Prime Strategies and Jeff Curren, HDR. Possible action may follow. SUMTER		

ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 28TH day of August, 2009.

COMMISSIONERS COURT, HAYS COUNTY, TEXAS

CLERK OF THE COURT

Hays County encourages compliance with the Americans with Disabilities Act (ADA) in the conduct of all public meetings. To that end, persons with disabilities who plan to attend this meeting and who may need auxiliary aids such as an interpreter for a person who is hearing impaired are requested to contact the Hays County Judge's Office at (512) 393-2205 as soon as the meeting is posted (72 hours before the meeting) or as soon as practical so that appropriate arrangements can be made. While it would be helpful to receive as much advance notice as possible, Hays County will make every reasonable effort to accommodate any valid request regardless of when it is received. Braille is not available.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Preparedness Mo	Approve proclamation proclaiming September 2009 National nth.
CHECK ONE:	☐ CONSENT X☐ ACTION ☐ EXECUTIVE SESSION
	☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION
PREFERRED MEE	ETING DATE REQUESTED: September 1, 2009
AMOUNT REQUI	RED:
LINE ITEM NUMI	BER OF FUNDS REQUIRED:
REQUESTED BY:	
SPONSORED BY:	SUMTER
SUMMARY: Attached	



WHEREAS, the Capital Area Council of Governments (CAPCOG) facilitates planning with local emergency management agencies, first responders, and other stakeholders to prepare for, mitigate against, respond to, and recover from disasters; and

WHEREAS, in the Capital Area Council of Governments region and throughout the nation preparedness and homeland security are essential to save lives and protect property; and

WHEREAS, the federal government is joining with states and local governments to change perceptions about emergency preparedness and help Americans understand what it truly means to be "Ready"; and

WHEREAS, preparedness goes beyond fire alarms, smoke detectors, dead-bolt locks and extra food in the pantry; and

WHEREAS, families and businesses can be better prepared by:

- > Assembling a preparedness kit to include important documents, emergency supplies, food, medications, and other necessities needed during a disaster;
- Creating an emergency preparedness plan that includes such activities as evacuation procedures, and methods of contacting family and authorities during emergencies;
- > Being informed about the different types of emergencies that can happen where you live and the appropriate ways to respond to them;
- Volunteering in their local communities through local Citizen Corps Programs and other volunteer agencies.

NOW THEREFORE, Hays County Commissioners hereby proclaim the month of September as **NATIONAL PREPAREDNESS MONTH** in CAPCOG region. All citizens are urged to take time this September to incorporate preparedness efforts in their personal and business activities in order to make our communities safer, stronger, and better prepared.

PASSED AND ADOPTED this the 1st day of September, 2009.

	beth "Liz" Sumter s County Judge
Debbie Ingalsbe Commissioner Precinct One	Jeff Barton Commissioner Precinct Two
Will Conley Commissioner Precinct Three	Karen Ford Commissioner Precinct Four
ATTEST:	
Linda Fritsche, County Clerk	

Agenda Item Request Form

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no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve payment of county invoices.				
CHECK ONE:	X CONSENT ACTION EXECUTIVE SESSION			
	\square WORKSHOP \square PROCLAMATION \square PRESENTATION			
PREFERRED MEH	ETING DATE REQUESTED: 9/1/09			
AMOUNT REQUII	RED: None			
LINE ITEM NUMB	BER OF FUNDS REQUIRED: As attached.			
REQUESTED BY:				
SPONSORED BY:	Bill Herzog Aff			
SUMMARY:				

Agenda Item Request Form

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no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: / & 25, 2009	APPROVE COMMIS	SIONERS COURT MINU	JTES OF AUGUST 11, 12, 18
·			
	=* 00=10=1=		
CHECK ONE:	X CONSENT	\square ACTION \square EX	ECUTIVE SESSION
	☐ WORKSHOP	☐ PROCLAMATION	
		ESTED: SEPTEMBER 1	, 2009
AMOUNT REQUI			
	BER OF FUNDS REC)UIRED:	
REQUESTED BY:			
SPONSORED BY:	SUMTER		
SUMMARY:			



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AUGUST 11, 2009

STATE OF TEXAS * COUNTY OF HAYS *

ON THIS THE 11^{TH} DAY OF AUGUST A.D., 2009, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER

DEBBIE GONZALES INGALSBE

JEFFERSON W. BARTON

WILL CONLEY

KAREN FORD

LINDA C. FRITSCHE

COUNTY JUDGE

COMMISSIONER, PCT. 1

COMMISSIONER, PCT. 3

COMMISSIONER, PCT. 4

COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ford led the court in a moment of silence and prayer and Commissioner Barton led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order. Human Resources Director Dee Dee Baen introduced new employees.

PRESENTATION BY GEORGE HERNANDEZ OF THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (ADULT PROBATION)

George Hernandez advised that he will be retiring. He introduced new Director Rochelle Thomas, Deputy Director of Hays County Lisa Pacheco, and Program Division Director Michael Hartman. Mr. Hernandez provided a handout showing number of staff in Hays County, caseloads, fees collected, and information regarding community restitution. He spoke of funding received from the State of Texas.

PRESENTATION FROM THE HOME BUILDERS ASSOCIATION OF GREATER AUSTIN ON HB2833 $\Pi^{1.225}$

Hank Smith spoke of House Bill 2833 which makes provisions for counties to require building code compliance in unincorporated portions of the county. There are three options for the court to consider and he requested that the court adopt a resolution selecting one of these three options. A county must pass a resolution for HB2833 provisions to apply and if they do not pass a resolution for the provisions to apply, no code is required by statute. The county would not provide enforcement, only record repository for public information. Jerry Borcherding, RPTP Director, advised that he would not need any additional staff – they would file the paperwork in the same file as the septic permit. Lisa Wright, Hays County Planning Director, advised that she would work up a resolution for adoption by the court.

26327 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$1,749,536.06 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

26328 APPROVE COMMISSIONER COURT MINUTES OF AUGUST 4, 2009

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Commissioner Court Minutes of August 4, 2009 as presented by the County Clerk. All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO EXECUTE A GRANT ADJUSTMENT WITH THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT FOR THE HOMELAND SECURITY GRANT PROGRAM, TO INCREASE THE TOTAL AWARD AMOUNT FROM \$8,759.95 TO \$28,609.95

A motion was made by Commissioner Barton, seconded by Commissioner Ford to authorize the County Judge to execute a grant adjustment with the Governor's Division of Emergency Management for the Homeland Security Grant Program to increase the total award amount from \$8,759.95 to \$28,609.95. All voting "Aye". MOTION PASSED

AUGUST 11, 2009

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APPROVE RENEWAL OF BID #2007-B09 "FUEL" FOR ONE ADDITIONAL YEAR AS PROVIDED FOR IN THE ORIGINAL BID

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve renewal of bid #2007-B09 "Fuel" for one additional year as provided for in the original bid. All voting "Aye". MOTION PASSED

26331 APPROVE PURCHASE OF A USPS APPROVED SALSBURY 3300 SERIES CLUSTER BOX UNIT (CBU) FOR MAIL DELIVERY AT THE PCT. 4 OFFICE

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve purchase of a USPS approved Salsbury 3300 Series Cluster Box Unit (CBU) for mail delivery at the Pct. 4 Office to be paid out of Precinct 4 special projects line item. All voting "Aye". MOTION PASSED

26332 APPROVE CONTRACT FOR DR. BARRETT RANDALL BLAUE, MD TO PROVIDE SERVICES FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve contract for Dr. Barrett Randall Bluae, MD to provide services for the Hays County Personal Health Department. All voting "Aye". MOTION PASSED

APPROVE RENEWAL OF CONTRACT WITH AUSTIN COMMUNITY COLLEGE FOR ACCREDITATION FOR HAYS COUNTY SHERIFFS TRAINING SET TO EXPIRE AUGUST 31, 2009

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve renewal of contract with Austin Community College for accreditation for Hays County Sheriffs Training Set to expire August 31, 2009. All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE INTERLOCAL CONTRACT FOR ENHANCED 9-1-1 DATABASE PROGRAM WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS

A motion was made by Commissioner Barton, seconded by Commissioner Ford to authorize the County Judge to execute the Interlocal Contract for Enhanced 9-1-1 Database Program with the Capital Area Council of Governments. All voting "Aye". MOTION PASSED

26335 APPROVE INSTITUTIONAL OSSF PERMIT FOR A DENTAL OFFICE AND GENERAL OFFICE SPACE LOCATED AT 4189 W US290, DRIPPING SPRINGS, IN PRECINCT

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve institutional OSSF Permit for a Dental Office and General Office space located at 4189 W US 290, Dripping Springs, in Precinct 4. All voting "Aye". MOTION PASSED

26336 APPROVE RETIREE COMMITTEE RECOMMENDATIONS DATED AUGUST 4, 2009

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve retiree committee recommendations dated August 4, 2009. All voting "Aye". MOTION PASSED

26337 APPROVE AWARD OF BID #2009-B15 "FIVE MILE DAM PARK PHASE 2" (SITE)
TO HARRIS ROAD COMPANY

Grants Administrator Jeff Hauff explained Phase 2 of the project. A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve award of bid #2009-B15 "Five Mile Dam Park Phase 2" (site) to Harris Road Company. All voting "Aye". MOTION PASSED

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APPROVE AWARD OF BID #2009-B17 "FIVE MILE DAM PARK PHASE 2" (IRRIGATION) TO LOWDEN EXCAVATING, INC

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve award of Bid #2009-B17 "Five Mile Dam Park Phase 2" (irrigation) to Lowden Excavating, Inc. All voting "Aye". MOTION PASSED

APPROVE HEALTH SERVICE AGREEMENT BETWEEN HAYS COUNTY PERSONAL HEALTH DEPARTMENT AND COMMUNITY ACTION, INC. OF HAYS, CALDWELL AND BLANCO COUNTIES

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Health Service Agreement between Hays County Personal Health Department and Community Action, Inc. of Hays, Caldwell and Blanco Counties. All voting "Aye". MOTION PASSED

26340 CALL FOR A PUBLIC HEARING ON AUGUST 25, 2009 TO ESTABLISH TRAFFIC REGULATIONS IN HERITAGE OAKS SUBDIVISION [71-769]

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to call for a public hearing on August 25, 2009 to establish traffic regulations in Heritage Oaks Subdivision. All voting "Aye". MOTION PASSED

26341 RELEASE THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR BUSH RANCH (A.K.A. LEDGESTONE) SUBDIVISION, PHASE 1 [71-776]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to release the Maintenance Bond and accept for Maintenance all road and drainage improvements within County ROW for Bush Ranch Subdivision Phase 1 (aka Ledgestone) to be limited to the first 865 feet from the entrance road. All voting "Aye". MOTION PASSED

ACCEPT OWL HOLLOW ROAD AND EAST OWL HOLLOW ROAD INTO THE COUNTY MAINTENANCE SYSTEM PENDING A SUCCESSFUL ELECTION BY RESIDENTS TO PAY FOR MATERIAL COSTS [T1-818]

Commissioner Ford spoke of need for an election to allow property owners to vote on acceptance and equal distribution of the cost of materials in the amount of \$54,650. A motion was made by Commissioner Ford, seconded by Commissioner Conley to accept Owl Hollow Road and East Owl Hollow Road into the County Maintenance System pending a successful election by residents to pay for material costs. All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE LETTER OF AGREEMENT BETWEEN TEXHEALTH CENTRAL TEXAS, INC AND HAYS COUNTY AND TO FUND THE PROGRAM [T1-950]

Jim Rodriguez, President & CEO of TexHealth Central Texas Inc., spoke. This is a pilot program that will assist existing small businesses to have access to affordable health care. This is a three county program [Williamson, Hays & Travis]. www.texhealthcentraltex.org A motion was made by Judge Sumter, seconded by Commissioner Conley to authorize the County Judge to execute the Letter of Agreement between TexHealth Central Texas, Inc and Hays County and to fund the program in the amount of \$32,550 from contingencies. All voting "Aye". MOTION PASSED

APPROVE THE CREATION OF A MURAL IN THE JUSTICE CENTER, INVOLVING COMMUNITY CHILDREN AND PARENTS, TO BE UNVEILED ON NOVEMBER 19TH, WORLD DAY FOR THE PREVENTION OF CHILD ABUSE. SPACE AVAILABLE ON THE CORRIDOR LEADING TOWARDS COURTROOM 4 [T1-1225]

The Hays Caldwell Women's Center Director appeared before the court and spoke of World Day for Prevention of Child Abuse. District Clerk Cecelia Adair, a member of the Women's Center Board, spoke in support of placement of a mural in the Justice Center. A motion was made by Judged Sumter, seconded by Commissioner Contey to approve the creation of a mural in the Justice Center, involving community children and parents, to be unveiled on November 19th, World Day for the prevention of child abuse to be placed on the corridor leading towards Courtroom 4. All voting "Aye". MOTION PASSED

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DISCUSSION AND ACTION REGARDING APPOINTMENT OF A COUNTY COURT AT LAW JUDGE #1 [T1-1330]

David Mendoza (candidate for CCL#1 Judge position) presented a written request and CCL#2 Judge Linda Rodriguez submitted a letter to members of the court. Letters of Interest and Resumes from Anna Martinez Boling and David Scott Glickler have been submitted to the County Judge for appointment to the position. Judge Sumter spoke in support of Anna Martinez Boling. Commissioner Conley spoke of David Scott B. Glickler being a qualified person and he read a letter of interest from Attorney Jim Pape. Commissioner Barton spoke of need to establish a process for consideration. He spoke of possibly having a bar association review. Judge Sumter asked that anyone interested in this position needs to submit their resumes as quickly as possible. Commissioner Ford spoke of need to set a deadline for submission of letters of interest/resumes and make an appointment as soon as possible. Judge Sumter suggested a special meeting on Thursday August 27 Special Counsel Mark Kennedy spoke of length of the appointment - to terminate in November 2010. [t1-2086] A motion was made by Commissioner Barton, seconded by Commissioner Ford to set a deadline of August 18, 2009 at noon to submit to the County Judge's office written or electronic letters of interest and resumes, and a list of 3 to 5 references, from individuals interested in appointment as County Court at Law #1 Judge position and to furthermore accept those letters of interest and resumes that have already been submitted by Anna Martinez Boling, David Scott Glickler and James Pape. All voting "Ave". MOTION PASSED.

26346

APROVE A STANDARD FORM FOR A HAYS COUNTY POSSESSION AND USE AGREEMENT AND TO SET A MINIMUM PAYMENT POLICY FOR THE PROPERTY OWNER UPON EXECUTION OF THE AGREEMENT BASED ON THE APPROVED APPRAISED VALUE FOR RIGHT-OF-WAY ACQUISITION IN BOTH THE PASS-THROUGH FINANCE PROGRAM AND THE PRIORITY ROADS PROGRAM [1-1-2243]

Mike Weaver, Prime Strategies, explained the process and agreement. A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve a standard form for a Hays County Possession and Use Agreement and to set a minimum payment policy for the property owner upon execution of the Agreement based on the approved appraised value for Right-of-Way acquisition in both the Pass-Through Finance Program and the Priority Roads Program for State Highway Projects. [T1-2452] . All voting "Aye". MOTION PASSED

APPROVE WORK AUTHORIZATION #5 WITH CURRENT AMENDMENT PREPARED BY HNTB FOR THE RM 12 SAFETY IMPROVEMENT PROJECT [71-2545]

To be funded from ROW line item in the Road Department budget. A motion was made by Commissioner Conley, seconded by Judge Sumter to approve Work Authorization #5 with current amendments prepared by HNTB for the RM 12 safety improvement project using ROW funding from Road Dept. budget line item #03-460-5386 and authorize Commissioner Will Conley to sign the work authorization. All voting "Aye". MOTION PASSED

FORM A COMMITTEE TO REVIEW AND RECOMMEND A PRE-CERTIFIED FIRM FOR UTILITY COORDINATION FOR THE ROAD BOND PROJECTS [[1-2670]

Mike Weaver [Prime Strategies] and Jeff Curren [HDR] spoke. [T1-3055] A motion was made by Commissioner Ford, seconded by Commissioner Barton to form a committee consisting of a representative from Prime Strategies and HDR Inc. and RPTP Director Jerry Borcherding to review and recommend two pre-certified firms for utility coordination for the 2008 Road Bond Projects. (pass through and priority projects) and recognizing that Commissioners can utilize someone on this list if they are already working with them on a road bond project, and come back next week with the recommendations. All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH ROLANDO L. RIOS AND ASSOCIATES, PLLC FOR THE 2010 REDISTRICTING PROCESS [T1-3206]

Commissioner Ingalsbe spoke of presentation previously given by Rolando Rios. Commissioner Ford advised that she would like to go out for an RFP. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute a contract with Rolando L. Rios and Associates, PLLC for the 2010 redistricting process. Commissioner Ingalsbe and Commissioner Barton voting "Aye" and Commissioner Ford and Judge Sumter voting "No". MOTION FAILED

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AUGUST 11, 2009

26350

AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND EXECUTE A GRANT AGREEMENT WITH THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT FOR THE FY2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$22,000 [71-3316]

A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize the County Judge to accept and execute a Grant Agreement with the Governor's Division of Emergency Management for the FY2009 Emergency Management Performance Grant in the amount of \$22,000. All voting "Aye". MOTION PASSED

26351 APPROVE THE EARLY VOTING SCHEDULE FOR NOVEMBER 3, 2009 ELECTION

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve the early voting schedule for November 3, 2009 election as submitted. All voting "Aye". MOTION PASSED

ACCEPT DONATIONS TO THE HAYS COUNTY HISTORICAL COMMISSION FOR THE JACK C. HAYS DOCUMENTARY FILM AND AMEND THE BUDGET ACCORDINGLY [T1-3412]

County Auditor Bill Herzog spoke of additional donations to be accepted. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to accept donations to the Hays County Historical Commission for the Jack C. Hays Documentary Film and amend the budget accordingly. All voting "Aye". MOTION PASSED

26353 APPOINT NAOMI HARRIS FROM PRECINCT 1 TO THE PARKS AND OPEN SPACE BOARD | | 11-3461

A motion was made by Commissioner Ingaisbe, seconded by Commissioner Ford to appoint Naomi Harris from Pct 1 to the Parks and Open space Board. All voting "Aye". MOTION PASSED

26354 AMEND THE NEW WORLD FINANCIAL SOFTWARE CONTRACT DUE TO A NEEDED SOFTWARE MODIFICATION/ENHANCEMENT [T1-3480]

County Auditor Bill Herzog explained amendment to the contract – no additional funds required. A motion was made by Commissioner Barton. seconded by Commissioner Ingalsbe to amend the New World Financial Software Contract due to a needed software modification/enhancement. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING PURCHASE OF BUSHMASTER CARBINE BCWA3F1M4 RIFLES FOR THE CONSTABLE OFFICES AND AMEND THE BUDGET ACCORDINGLY [72-30]

Purchasing Department has verified three quotes and L.M. Burney is the lowest quote and is on the state bid contract. Some of the Constables have been able to find funds in their current budgets, however money will need to be found for others. Jimmy Skipton and Mark Key made public comment. Commissioner Conley advised that he would provide funds from his budget for Constable Pct. 3. Commissioner Ford spoke of options. Constable Pct. 3 Darrell Ayres and Constable Pct. 4 Ron Hood spoke.

WORKSHOP WITH HDR ENGINEERING TO REVIEW PROPOSED PLANNING AREA BOUNDARIES RELATED TO THE HAYS COUNTY WATER AND WASTEWATER REGIONAL FACILITIES PLAN

Tony Bagwell [HDR] gave a powerpoint presentation providing an update on project status and coordination, review of recent growth information, and to discuss draft planning sub-area boundaries. Members of the court reviewed the planning sub-area boundaries. Meetings are pending with various cities, etc.



26355

Brenda Jenkins (Broaddus & Associates) provided a status report regarding the Hays County Government Center. Three scenarios, based upon distinct budget benchmarks, have been developed. All scenarios reflect a design-build project delivery method with a new building design.

Scenario One – Targeted to a **\$90 million** total project budget – All departments included in the original remain in the proposed project – reduce cost from original estimate is \$28 million

Scenario Two – Targeted to a \$70 million total project budget – Staff amenities are reduced and sharper reductions in departmental space are made – personnel growth projections are reduced – not all original departments are accommodated – reduce cost from original estimate is \$48 million

Scenario Three – Targeted to a \$60 million total project budget – personnel growth projections are reduced - reduced – additional amenities and reductions are identified and eliminated – additional department are not accommodated – reduce cost from original estimate is \$58 million

Other considerations:

Potential to shell 2 or 3 courtrooms in order to accommodate more departments Long term storage of "old" files is generally not included in any proposed scenario, Recommends to exclude long-term storage is based on cost effectiveness.

•Construct "warehouse" type space on or near the campus specifically for that purpose.

•Negotiate land lease; have outside party develop & manage warehouse on campus

Broaddus & Associates is asking the court to decide what budget amount they desire today. Brenda Jenkins spoke of jail study. Discussed the three scenarios presented for consideration. [T2-3553] A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to select Scenario One and proceed with RFP's on the Government Center with the understanding that's not where we want to be and we are going to work on bringing the numbers down. Commissioner Ingalsbe, Commissioner Barton, and Commissioner Ford voting "Aye". Commissioner Conley and Judge Sumter voting "No". MOTION PASSED

DISPUTE RESOLUTION CENTER DISCUSSION WITH ACTION [T3-9]

Anna Bartowski advised that the DRC will be governed as a 501(c)(3) non-profit organization with a board of directors and an executive director and office staff under contract with Hays County to provide dispute resolution services and associated training. The mission of the DRC is to provide mediation and conflict resolution services and relevant training for Hays County and its residents in accordance with the Texas Civil Practice & Remedies Code Chapter 154. Services offered is mediation in District & County Court civil cases, family cases, JP cases, and CPS and training for basic mediation (40 hours), CPS, and mediation skills for community entities. Income resources will be a \$15 filing fee for civil cases filed in the District and County Courts, \$5 filing fee for JP Court cases and \$50 per party for 3 hour mediation. Office space will be needed (1,560 sq ft) typically two conference rooms with private caucus rooms, office space for executive director, reception area, break room and restrooms. Request is for the County to establish a Dispute Resolution Center for Hays County, authorize collection of \$15 filing fee in District and County Courts and \$5 in JP Courts, grant a discretionary exemption from the bidding requirements of the County's RFP procedure due to the distinctive expertise and qualifications of the group as a dispute resolution systems design expert and in the unique circumstance of assisting in the creation and organization of the system, and accept the proposal to form the DRC - a contract will be submitted by the Central Texas Alternative Dispute Resolution Inc., a 501(c)(3) non-profit organization, to provide the services described in the proposal. Mark Zuniga, Assistant District Attorney, spoke of use of a DRC in civil matters and cost savings to the county. Human Resources Director Dee Dee Baen spoke of possible use of DRC in employee dispute. Initial start up fund being requested is about \$18,000 and space needs is an additional issue. Judge Sumter spoke in support of a DRC - funds (\$20,000) have been budgeted in the proposed budget but office space has not been considered. Commissioner Conley spoke in opposition to funding the DRC at this time. Commissioner Barton spoke of no office space available in the county. Anna Martinez Boling, committee member and liaison with the Local Bar Association, spoke of not receiving any negative concerns about the DRC. She is a private mediator. She spoke of the cost for a private mediator and encouraged the court to support the DRC. Commissioner Ford spoke in support of the DRC. No action was taken

EXECUTIVE SESSON PURSUANT TO 551.072 OF THE TEXAS GOVERNMENT CODE TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REALPROPERTY IDENTIFIED AS A POSSIBLE VENUE FOR A FIREARMS SHOOTING RANGE IN HAYS COUNTY, TEXAS

Court convened into closed executive session at 5:35 p.m. and reconvened into open meeting at 6:40 p.m. No action was taken.



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AUGUST 11, 2009

26356

APPROVE A RESOLUTION BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS CALLING FOR REDEMPTION CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS DESIGNATED AS "HAYS COUNTY, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1997"; DIRECTING THAT THE COUNTY CLERK, OR HER DESIGNEE, EFFECTUATE THE REDEMPTION OF THESE OBLIGATIONS; AND OTHER MATTERS IN CONNECTION THEREWITH [73-1535]

County Auditor Bill Herzog spoke of savings to the county to pay off this debt early. A motion was made by Judge Sumter, seconded by Commissioner Barton to approve a Resolution by the Commissioners Court of Hays County, Texas calling for redemption certain currently outstanding obligations designated as "Hays County, Texas Combination Tax and Revenue Certificates of Obligation, Series 1997"; directing that the County Clerk, or her designee, effectuate the redemption of these obligations; and other matters in connection therewith. All voting "Aye". MOTION PASSED

26357

AUTHORIZE THE COUNTY JUDGE TO EXECUTE A REAL PROPERTY LEASE AGREEMENT BETWEEN HAYS COUNTY AND W.C. CARSON, FOR THE COUNTY'S ONGOING USE OF PROPERTY PREVIOUSLY OWNED BY HAYS COUNTY ON THORPE LANE IN SAN MARCOS, TEXAS [T3-1624]

Commissioner Ingalsbe spoke of taxes that are due since it is no longer tax exempt property. Estimate of taxes is approximately \$32,000. Special Counsel Mark Kennedy spoke of terminating the contract with CARTS and finding another location for San Marcos/Hays County EMS in the future. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to authorize the County Judge to execute a Real Property Lease Agreement between Hays County and W.C. Carson, for the County's ongoing use of property previously owned by Hays County on Thorpe Lane in San Marcos, Texas. All voting "Aye". MOTION PASSED

26358

AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LICENSE AGREEMENT WITH THE CITY OF SAN MARCOS FOR USE OF THE DRIVE INLETS ON THE NORTHWEST SIDE OF THE OLD COUNTY COURTHOUSE (HOPKINS STREET) BETWEEN THE HOURS OF 6 P.M. AND 6 A.M. [13-1767]

Judge Sumter requested that the hours be changed to 10:00 P.M. and 5:00 A.M. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a License Agreement with the City of San Marcos for use of the drive inlets on the Northwest Side of the Old County Courthouse (Hopkins Street) between the hours of 6 P.M. and 6 A.M. MOTIONS WERE WITHDRAWN Special Counsel Mark Kennedy will speak with the City Attorney regarding a change in hours of use and add to rights of the county regarding need by county on special occasions.

CONSIDER APPROVAL OF RECOMMENDED PROPERTY USE POLICIES [T3-2206]

Discussion was had regarding events, etc. held at the courthouse. A motion was made by Commissioner Conley to approve recommended Property Use Policies. MOTION FAILED FOR LACK OF A SECOND.

Clerk's Note: Agenda Item #7 RE: APPROVE OUT OF STATE TRAVEL FOR CORA FURR RN, FNP-BC TO ATTEND "STAGES IN WOMEN'S HEALTH" CONFERENCE IN LAS VEGAS, NEVADA ON OCTOBER 16-18, 2009 was PULLED.

Clerk's Note: Agenda Item #31 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH LOOMIS FOR SAFETY IMPROVEMENTS ON FM 2325 WAS PULLED

Clerk's Note: Agenda Item #36 RE: HIRE TEMPORARY HELP IN THE HUMAN RESOURCES OFFICE was PULLED.

Clerk's Note: Agenda Item #38 RE: REPLACE 4 EXIT DOORS, INSTALL 3 ADDITIONAL EXIT DOORS AND PURCHASE FIRE EXTINGUISHERS AND SIGNAGE FOR THE HAYS COUNTY CIVIC CENTER AND COURTHOUSE WAS PULLED

AUGUST 11, 2009



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Court was adjourned.

I, LINDA C. FRITSCHE, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on <u>AUGUST 11, 2009</u>.



LINDA C. FRITSCHE, COUNTY CLERK AND EXOFFICIO CLERK OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS

AUGUST 12, 2009

STATE OF TEXAS * COUNTY OF HAYS *

ON THIS THE 12^{TH} DAY OF AUGUST A.D., 2009, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER DEBBIE GONZALES INGALSBE JEFFERSON W. BARTON WILL CONLEY KAREN FORD LIZ GONZALEZ COUNTY JUDGE COMMISSIONER, PCT. 1 COMMISSIONER, PCT. 2 COMMISSIONER, PCT. 3 COMMISSIONER, PCT. 4 DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Budget Workshop - Road and Bridge Budget Discussion.

RPTP Director, Jerry Borcherding spoke of vicinity maps that were discussed at the last RPTP meeting. Commissioner ingalsbe spoke of Elder Hill Road and how it connects Hwy 150 and RR 12 and how these maps help visualize it better. Steve Floyd showed the 2025 Transportation Plan Map. Staff Salaries Jerry Borcherding asked the court to reconsider letting him keep the Coordinator and Administrative Assistant positions. He's had qualified applicants apply and he feels he's ready to make a decision. Jerry Borcherding spoke of Membership Fees & Bonds - he needs to keep that amount and he offered to pay for his own. Court discussed that maybe some of the professionals that the County pay for half and the employee pay for half of their accreditations. Jerry Borcherding spoke of Construction Coordinator would be used on the Mt. Gainor Road project and for other projects that come along.
Court asked Jerry Borcherding if he had to make a cut between the Construction Coordinator or Administrative Assistant which would he cut and he would cut the Administrative Assistant. The Court spoke of when the Environmental Health and the Road Departments are in one office they could utilize their employees and become more proficient. Road Construction Materials when estimated costs were figured he got lower estimates for a savings of \$205,200 for what the Judge recommended. <u>Vehicle Maintenance</u> – Jerry Borcherding spoke of needing the amount of \$200,000 because he also has the Environmental Health Department. The Court spoke of \$180,000 be placed on the budget. Commissioner Conley spoke of Fischer Store Road and cutting costs by ½ or 1/3 but would like for the road to be striped. Consultant Expense - Court agreed on \$399,000 for Mt. Gainor low water crossing designs -\$140,000 (safety); Leisurewoods/E. Summit drainage \$120,000 (safety); McCarty Lane schematic & design \$101,000 (safety); McGregor Land Bridge replacement construction phase services \$13,000; Green Acres Bridge replacement construction phase services \$15,000; Fisher Store Bridge Approach construction phase services \$10,000. Contract Road Work - Green Acres Bridge replacement \$425,000; McGregor Bridge replacement \$1,200,000; Fisher Store Bridge approach \$1,200,000; McCarty Lane extension \$400,000(to be put in escrow for FY11; Hot Mix Paving 1 mile per precinct \$360,000 + 2 roads in Commissioner Pct 3 that were left out from previous year; Guard Rail, etc \$150,000; Brush Cutting \$0. Commissioner Conley spoke of eliminating \$300,000 from consulting and \$300,000 from ROW and is requesting \$130,000 for Green Acres Bridge and Fisher Store approach. Commissioners spoke of using reserves to help pay for some of the road projects. Dam Maintenance - will stay with Judge's recommendation of \$5,000. Office Equipment - office furniture for the new addition is a one-time fee out of reserves. Data Proc Equipment - this is equipment for new position. Misc Capital Improvements - this \$800,000 is for new addition of consolidating the Road Department and the Environmental Health Department that is being place there and an additional \$800,000 from reserves.

Court was adjourned.

I, LINDA C. FRITSCHE, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on <u>AUGUST 12, 2009</u>.



LINDA C. FRITSCHE, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

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AUGUST 18, 2009

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STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 18^{TH} DAY OF AUGUST A.D., 2009, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER
DEBBIE GONZALES INGALSBE
JEFFERSON W. BARTON
WILL CONLEY
KAREN FORD
LINDA C. FRITSCHE

COUNTY JUDGE COMMISSIONER, PCT. 1 COMMISSIONER, PCT. 2 COMMISSIONER, PCT. 3 COMMISSIONER, PCT. 4 COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

William Williams, Juvenile Probation Department, gave the invocation and Commissioner Conley led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

26359 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve payments of county invoices in the amount of \$584,171.20 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

26360 APPROVE COMMISSIONER COURT MINUTES OF AUGUST 5TH & 6TH 2009

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve Commissioner Court Minutes of August 5th & 6th 2009, as presented by the County Clerk. All voting "Aye". MOTION PASSED

26361 ACCEPT DONATION OF FUNDS IN THE AMOUNT OF \$200 TO THE HAYS COUNTY SHERIFFS OFFICE AND AMEND THE BUDGET ACCORDINGLY (CRIME PREVENTION PROGRAM)

A motion was made by Commissioner Ford, seconded by Commissioner Barton to accept donation of funds in the amount of \$200 to the Hays County Sheriffs Office and amend the budget accordingly (Crime Prevention Program). All voting "Aye". MOTION PASSED

APPROVE RENEWAL OF THE IMMUNIZATION GRANT BETWEEN THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR \$192,341.00

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve renewal of the immunization grant between the Hays County Personal Health Department and the Texas Department of State Health Services (DSHS) for \$192,341.00. All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT PRE-APPLICATION TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS, FY2010 HOMELAND SECURITY GRANT PROGRAM FOR EQUIPMENT FOR THE HAYS COUNTY COMMUNITY RESPONSE TEAM, IN THE AMOUNT OF \$28,624.00

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to submit a grant pre-application to the Capital Area Council of Governments, FY2010 Homeland Security Grant Program for equipment for the Hays County Community Response Team, in the amount of \$28,624.00. All voting "Aye". MOTION PASSED

26364 APPROVE THE JUNE 2009 TREASURERS REPORT AND INVESTMENTS REPORT

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the June 2009 Treasurer Report and Investments Report. All voting "Aye". MOTION PASSED



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26365

APPROVE OUT OF STATE TRAVEL FOR CORA FURR RN, FNP-BC TO ATTEND "STAGES IN WOMEN'S HEALTH" CONFERENCE IN LAS VEGAS, NEVADA ON OCTOBER 16-18, 2009 AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve out of state travel for Cora Furr RN, FMP-BC to attend "Stages in Women's Health" Conference in Las Vegas, Nevada on October 16-18, 2009 and amend the budget accordingly. All voting "Aye". MOTION PASSED

26366

AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION FOR UP TO \$61,000 TO THE TEXAS DEPARTMENT OF TRANSPORTATION, SECTION 5310 PROGRAM TO REPLACE THE COUNTY VETERANS AFFAIRS BUS

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to submit a grant application for up to \$61,000 to the Texas Department of Transportation, Section 5310 Program to replace the County Veterans Affairs Bus. All voting "Aye". MOTION PASSED

26367

AUTHORIZE THE COUNTY JUDGE TO RENEW AN INTERLOCAL AGREEMENT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS FOR PSAP MAINTENANCE, EQUIPMENT UPGRADE AND TRAINING CONTRACT, IN THE AMOUNT OF \$1,250.00

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to renew an Interlocal Agreement with the Capital Area Council of Governments for PSAP Maintenance, Equipment upgrade and training contract, in the amount of \$1,250.00. All voting "Aye". MOTION PASSED

26378 APPROVE AWARD OF BID #2009-B17 "FIVE MILE DAM PARK PHASE 2 (BUILDING) TO HARRIS ROAD COMPANY INC

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve award of bid #2009-B17 "Five Mile Dam Park Phase 2 (Building)" to Harris Road Company Inc. All voting "Aye". MOTION PASSED

26379

AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT PRE-APPLICATION TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS, FY2010 HOMELAND SECURITY GRANT PROGRAM FOR EQUIPMENT FOR THE LAW ENFORCEMENT STRIKE TEAM, IN THE AMOUNT OF \$6,620.00

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to submit a grant Pre-Application to the Capital Area Council of Governments, FY2010 Homeland Security Grant Program for equipment for the Law Enforcement Strike Team, in the amount of \$6,620.00. All voting "Aye". MOTION PASSED

26380 AUTHORIZE LEGAL COUNSEL TO NEGOTIATE AND EXECUTE THE TERMINATION OF THE CURRENT AGREEMENT FOR ARCHITECTURAL SERVICES RELATED TO THE GOVERNMENT CENTER PROJECT

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize legal counsel to negotiate and execute the termination of the current Agreement for architectural services related to the Government Center Project. All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT PRE-APPLICATION TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS, FY2010 HOMELAND SECURITY GRANT PROGRAM FOR EQUIPMENT IN THE AMOUNT OF \$486,386.00

Jeff Turner explained the grant and equipment being considered. A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to submit a grant Pre-Application to the Capital Area Council of Governments, FY2010 Homeland Security Grant Program for Equipment in the amount of \$486,386.00. All voting "Aye". MOTION PASSED

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26382

CONSIDER THE RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR MEADOWS AT BUDA COMMERCIAL IT1-1531

RPTP Director Jerry Borcherding gave staff recommendation for release and acceptance. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to consider the Release of the Maintenance Bond and accept for Maintenance all road and drainage improvements within County Road and drainage improvements within county ROW for Meadows at Buda Commercial. All voting "Aye". MOTION PASSED

26383

[08-3-34 - 5 LOTS] MUSTANG VALLEY SUBDIVISION SECTION 2 - APPROVE FINAL PLAT AND ACCEPT CONSTRUCTION FISCAL SURETY IN THE AMOUNT OF \$100,476.10, FOR STREET AND DRAINAGE IMPROVEMENTS [T1-169]

A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve final plat and accept construction fiscal surety in the amount of \$100,476.10, for street and drainage improvements for Mustang valley Subdivision Section 2. All voting "Aye". MOTION PASSED

26384 [09-4-23 - 2 LOTS] RE-PLAT OF LOTS 9 & 10, MADRONE CANYON RANCH - WAIVE PRELIMINARY PLAN, PUBLIC NOTICE, AND APPROVE FINAL PLAT [T1-185]

Subdivision Coordinator Clint Garza explained the submission and gave staff recommendation for approval. A motion was made by Commissioner Ford, seconded by Commissioner Conley to waive preliminary plan, public notice and approve final plat of Madrone Canyon Ranch Replat of Lots 9 & 10. All voting "Aye". MOTION PASSED

26385 [094-20 - 2 LOTS] RE-DIVISION OF TRACT 4 AND 5 BLOCK "B", SYCAMORE VALLEY II - WAIVE PRELIMINARY PLAN, PUBLIC NOTICE AND APPROVE FINAL PLAT [T1-215]

Subdivision Coordinator Clint Garza explained the submission and gave staff recommendation for approval. A motion was made by Commissioner Ford, seconded by Commissioner Conley to waive preliminary plan, public notice and approve final plat of "Sycamore Valley II Redivision of Tracts 4 & 5 Block B". All voting "Aye". MOTION PASSED

DISCUSSION REGARDING PURCHASE AGREEMENT WITH TYLER TECHNOLOGIES FOR CONVERSION OF DATA FROM GUADALUPE AND COMAL CALDWELL COUNTY [T1-234]

Tax Assessor-Collector Luanne Caraway explained the agreement. Posting states Comal County, however, it should be Caldwell County. Special Counsel Mark Kennedy advised that this action can be ratified next week on consent agenda. No action taken this date.

26386

APPROVE TRANSFER OF FUNDS FROM LINE ITEM 01-419-5235 LAW ENFORCEMENT SUPPLY TO 01-419-5719 MISC. EQUIPMENT IN ORDER TO PURCHASE BAND-IT PRISONER TRANSPORT AND COURTROOM CONTROL SYSTEM. THE TOTAL AMOUNT OF FUNDS REQUESTED IS \$1,820.00 [T1-274]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve the transfer of funds from Line Item #01-419-5235 Law Enforcement supply to #01-419-5719 Misc. Equipment in order to purchase Band-it Prisoner Transport and Courtroom Control System, the total amount of funds requested being \$1,820 and amend the budget accordingly. All voting "Aye". MOTION PASSED

26387 APPROVE NOVEMBER 3, 2009 POLLING LOCATIONS [T1-288]

A motion was made by Judge Sumter, seconded by Commissioner Ford to approve November 3, 2009 Polling Locations as submitted by Elections Administrator Joyce Cowan. All voting "Aye". MOTION PASSED



AUGUST 18, 2009

26388

APPROVE WORK AUTHORIZATION AND CONTRACT FOR LOOMIS AUSTIN FOR SAFETY IMPROVEMENTS ON FM 2325 [11-311]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve Work Authorization and Contract from Loomis Austin for safety improvements on FM2325. All voting "Aye". MOTION PASSED

26389

APPROVE AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF "HAYS COUNTY, TEXAS UNLIMITED TAX ROAD BONDS, SERIES 2009"; LEVYING AN ANNUAL AD VALOREM TAX, WITHOUT LIMIT AS TO RATE OR AMOUNT, UPON ALL TAXABLE PROPERTY IN THE COUNTY FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE LETTER OF REPRESENTATIONS ON FILE WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING AN EFFECTIVE DATE [11-335]

Jeff Kuhn, Fulbright & Jaworski, explained the action needed. Bond Counsel Dan Wegmiller explained the final pricing summary for the \$9,990,000 Unlimited Tax Road Bonds, Series 2009; \$7,970,000 Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2009; and \$49,575,000 Pass-Through Toll Revenue and Limited Tax Bonds, Series 2009. A motion was made by Commissioner Barton, seconded by Judge Sumter to approve an Order authorizing the issuance of "Hays County, Texas Unlimited Tax Road Bonds, Series 2009"; levying an annual ad valorem tax, without limit as to rate or amount, upon all taxable property in the County for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the letter of representations on file with the depository trust company; and providing an effective date. All voting "Aye". MOTION PASSED

26390

APPROVE AN ORDER AUTHORIZING THE ISSUANCE OF "HAYS COUNTY, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2009"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE COUNTY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE SOLID WASTE MANAGEMENT SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS IMPOSED BY THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING AN EFFECTIVE DATE [I1-352]

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve an order authorizing the issuance of "Hays County, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2009"; providing for the payment of said certificates of levy of an ad valorem tax upon all taxable property within the county and further securing said certificates by a lien on and pledge of the pledged revenues of certificates by a lien on the pledge of the pledged revenues of the solid waste management system/ providing the terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said certificates, including the approval and distribution of an official statement; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; and providing an effective date. All voting "Aye". MOTION PASSED

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26391

APPROVE AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF "HAYS COUNTY, TEXAS PASS-THROUGH TOLL REVENUE AND LIMITED TAX BONDS, SERIES 2009"; LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS AND FURTHER SECURING SAID BONDS BY A LIEN ON AND PLEDGE OF CERTAIN PLEDGED REVENUES; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE PROVISIONS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; AND PROVIDING AN EFFECTIVE DATE [1-369]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve an Order Authorizing the Issuance of "Hays County, Texas, Pass-Through Toll Revenue and Limited Tax Bonds, Series 2009"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds and further securing said bonds by a lien on and pledge of certain pledged revenues; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the provisions of the depository trust company's letter of representations; and providing an effective date. All voting "Aye". MOTION PASSED

26392

APPROVE REPLACEMENT OF 4 EXIT DOORS, INSTALL 3 ADDITIONAL EXIT DOORS AND PURCHASE FIRE EXTINGUISHERS AND SIGNAGE FOR THE HAYS COUNTY CIVIC CENTER AND COURTHOUSE [T1-774]

Abel Velasquez, County Safety Coordinator, spoke of safety issue concerns regarding the civic center. Civic Center Manager Barry Nelson spoke of doors at the Civic Center. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve replacement of 4 exit doors, install 3 additional exit doors and purchase fire extinguishers and signage for the Hays County Civic Center and Court in the amount of \$15,275 to be paid from contingency funds. All voting "Aye". MOTION PASSED

26393

ADOPT THE FINDINGS OF THE PROPOSED HAYS COUNTY DEVELOPMENT REGULATIONS, ADOPT THE PROPOSED HAYS COUNTY DEVELOPMENT REGULATIONS (AUGUST 11, 2009 VERSION) IN RESPONSE TO THE FINDINGS, AND ADOPT THE UPDATED RESPONSE TO PUBLIC COMMENTS (AUGUST 12, 2009 VERSION) [T1-940]

W. F. Smith and Jimmy Skipton made public comment. Grant Jackson, Naismith Engineering, presented recommendations for findings and order for the adoption of the Hays County Development Regulations. Special Counsel Mark Kennedy spoke of additional language to be added to bullet #2: Discussion was had regarding appraisals. [72-720] Mark Kennedy spoke of discussion he had with Steve Dickman regarding minimum lot sizes and TIA. Grant Jackson spoke of TCEQ rules regarding water availability. A motion was made by Judge Sumter, seconded by Commissioner Ford to adopt the Findings of the Proposed Hays County Development Regulations, Adopt the Proposed Hays County Development Regulations (August 11, 2009 Version) in response to the Findings, and Adopt the Updated Response to Public Comments (August 12,2009 Version) with changes on findings to include add Chapter 7 language after Chapter 26 (2nd bullet point) to read as follows: (Hays County has been granted legal authority to make water quality inspections and to enforce state water quality requirements under Chapter 26 and Chapter 7 etc) and Chapter 705 Section 5.06 (H) (1) second sentence to read as follows: The established value shall be determined using either the assessed tax value of all the parent tracts for the subject property on a per acre basis or at the discretion of the applicant the value determined by an appraisal performed by accredited appraiser selected by the applicant with the approval of the County. All voting "Aye". MOTION PASSED

26394

AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE FOR IMPROVEMENTS TO FM150 [T1-1899]

Mike Weaver, Prime Strategies, spoke. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Kyle for improvements to FM150. All voting "Aye". MOTION PASSED



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26395 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ADVANCE FUNDING AGREEMENT FOR IH35 AT KYLE CROSSING (0016-02-107) AND ADOPT THE RESOLUTION

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Advance Funding Agreement for IH35 at Kyle Crossing (0016-02-107) and adopt the Resolution. All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ADVANCED FUNDING AGREEMENT FOR IH 35 AT FM 2001 (1776-02-014) AND ADOPT THE RESOLUTION

A motion was made by Commissioner Barton, seconded by Commissioner Ford to authorize the County Judge to execute the Advanced Funding Agreement for iH35 at FM2001 (1776-02-014) and adopt the Resolution. All voting "Aye". MOTION PASSED

26397 APPROVE THE 'CONTRACTUAL AGREEMENT FOR RIGHT-OF-WAY PROCUREMENT - LOCAL GOVERNMENT' FOR RM 12 FROM RM 32 TO PROPOSED FM 3407 AND ADOPT THE RESOLUTION

A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve the "Contractual Agreement for Right-0f-Way Procurement – Local Government All voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY AUDITOR TO PAY FOR THE RIGHT OF WAY ON RR 12
NOT TO EXCEED THE AMOUNTS APPROVED BY THE COMMISSIONER'S COURT
AND TO AUTHORIZE THE TREASURER TO RELEASE THE CHECK TO THE
PROPERTY OWNERS UPON EXECUTION OF THE POSSESSION AND USE
AGREEMENT

A motion was made by Commissioner Conley, seconded by Judge Sumter to authorize the County Auditor to pay for the right of way on RR 12 not to exceed the amounts approved by the Commissioners' Court and to authorize the Treasurer to release the check to the property owners upon execution of the possession and use agreement. All voting "Aye". MOTION PASSED

26399 APPROVE A STANDARD UTILITY RELOCATION AGREEMENT [T1-2120]

A motion was made by Commissioner Conley, seconded by Judge Sumter to approve a Standard Utility Relocation Agreement. All voting "Aye". MOTION PASSED

AUTHORIZE LEGAL COUNSEL TO OBTAIN AN APPRAISAL ON THE PROPERTY HAYS COUNTY WILL RECEIVE UNDER THE MOU BETWEEN HAYS COUNTY AND CEDAR VALLEY INVESTMENTS, LLC FOR THE REALIGNMENT OF OAK BRANCH DRIVE [[1-2202]]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize legal counsel to obtain an appraisal on the property Hays County will receive under the MOU between Hays County and Cedar Valley Investments, LLC for the realignment of Oak Branch Drive. All voting "Aye". MOTION PASSED

26401 ACTION TO PUBLISH NOTICE OF A PUBLIC HEARING AND CALL FOR A PUBLIC HEARING ON SEPTEMBER 14, 2009 ON A PROPOSED NEW FEE FOR PRESERVATION AND RESTORATION OF ARCHIVED RECORDS [T1-2145]

New legislation: Government Code Chapter 51.305 creates a District Court Records Technology Fund. A motion was made by Judge Sumter, seconded by Commissioner Barton to approve publication of Notice of a public hearing and call for a public hearing on September 14, 2009 on a proposed new fee for preservation and restoration or archived records. All voting "Aye". MOTION PASSED

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26402

CONFIRM THE EXISTING BOARD MEMBERS OF THE HAYS COUNTY PARK FOUNDATION, INC.; AND TO REQUEST THAT THE BOARD MEMBERS DRAFT AND EXECUTE A DOCUMENT STATING THAT THE 50+ ACRE TRACT OF LAND BE DONATED TO THE CITY OF KYLE FROM HAYS COUNTY [T1-2216]

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to confirm the existing board members of the Hays County Park Foundation Inc. (County Judge, County Clerk & Grants Administrator); and to request that the board members draft and execute a document stating that the 50+ acre tract of land be donated to the City of Kyle from Hays County. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING PARTICULAR FY10 BUDGET LINE ITEMS [T1-2317]

<u>Indigenous Cultures Institute</u> - Maria Rocha spoke of mission to preserve Native American culture. She spoke of event to be held in San Marcos. Judge Sumter is recommending \$5,000 in funding from the County. Youth Services Bureau - Julie Hollar spoke of services provided by the YSB and sources of revenue. Hays Trinity Groundwater Conservation District - Greg Ellis, Attorney for HTGCD, spoke of changes in staff, board members, etc. He stated that the role of the district will be changing dramatically. Lengthy discussion was held. Jim McMeans (Citizens Alliance for Responsible Development) spoke and presented a resolution endorsing HTGCD funding in the amount of \$100,000 from the Hays County Water & Sewer Authority (LCRA fees). Jimmy Skipton spoke of other sources of funding that were not pursued.

26403 AUTHORIZE THE PURCHASE OF A TIME/DATE STAMP FOR CONSTABLE PCT. 1
AND AMEND THE BUDGET ACCORDINGLY, NOT TO EXCEED \$515.00 [T2-1213]

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to authorize the purchase of a time/date stamp for Constable Pct. 1 and amend the budget according, not to exceed \$515. All voting "Aye". MOTION PASSED

26404 ALLOW THE PURCHASE OF 13 BUSHMASTER CARBINE BCWA3F1M4 RIFLES FOR THE CONSTABLE'S OFFICES AND AMEND BUDGETS ACCORDINGLY [72-1228]

Deputy Constable Ray Helm advised that Constable Pct. 3 Darrell Ayres is requesting 2 rifles instead of 3. Cost per rifle = \$780. Discussion was had regarding accessories for the rifles. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to allow the purchase of 13 Bushmaster Carbine BCWA3F1M4 rifles for the Constable's offices and amend budgets accordingly. Commissioner Ingalsbe, Commissioner Barton, Commissioner Conley, and Commissioner Ford voting "Aye". Judge Sumter voting "No". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, FOR THE PERFORMANCE OF INSURANCE - RELATED CONSULTING PER THE RECOMMENDATIONS OF THE INSURANCE COMMITTEE [12-1491]

Human Resources Director Dee Dee Baen spoke of proposals received and explained the agreement. The insurance committee is recommending that the county contract with Scott Yarbrough. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute a Professional Services Agreement with Scott Yarbrough, for the performance of insurance related consulting per the recommendation of the Insurance Committee in an amount not to exceed \$ 8,000. All voting "Aye". MOTION PASSED

FY2010 BUDGET DISCUSSION CONTINUED - ADOPT PROPOSED FY10 BUDGET, VOTE ON A PROPOSED TAX RATE AND SCHEDULE PUBLIC HEARINGS ON THE TAX RATE AND THE BUDGET | IT2-?

County Auditor Bill Herzog gave highlights regarding certified property values, tax rate, home values, and new positions. Budget includes \$4,500,000 - dedicated to office purchase/construction, \$600,000 - 10% increase for health insurance, \$1,811,000 - new RPTP Bldg & Furniture (Reserves), \$2,136,490 - additional debt payment (new), \$252,200 - fuel increases (Reserves), and \$100,000 - consultants & redistricting (Reserves). Proposed tax rate is \$0.4692 (represents a 3.1% increase over the current tax rate of \$0.4550 and a 3.5% over the effective rate of \$0.4533). Rollback tax rate = \$0.5105.

<u>Indigenous Cultures Institute</u> – Judge Sumter recommended taking \$5,000 out of reserves <u>Sheriff's Dept.</u> – discussed removing 4 new positions and absorb 9 officers (Buda patrol). 4 vehicles could be

added to the budget instead of the 7 requested. \$65,700 savings by not purchasing seven vehicles. \$64,500 needed for 8 itronix for patrol.

<u>Tax Office</u> – budget \$170,000 in countywide operations for tax software and rollover next year if not used. <u>Position ReGrades</u>

Shari Miller spoke of regrades for various positions:

Juvenile Probation - regrade 2 JPO's



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Jail – regrade food svc mngr kitchen assist and food svcs asst. – no impact to budget Human Resources – no fiscal impact – change title
District Attorney – regrade attorney positions – fiscal impact = \$19,861
Constable Pct. 4 – Admin Asst position regrade (one level higher)
Fire Marshal – 1 Admin Asst and 2 Assistant Fire Marshals to administer fire code if adopted Veterans Admin – increase admin to full time position (moved from Fire Marshal)
Juvenile Center – kitchen staff increases

Discussed various priorities: Hays County/San Marcos EMS, Buda Library, Environmental Health Sanitarians step plan, J.P. 4 part-time position, J.P. 1-1 part-time position, and step plan for Law Enforcement. Other items discussed were \$2,000 for community service for Pct. 3, \$13,500 to convert laptops to itronix instead of \$64,500, \$500 for continuing education for Pct. 2, and Pct. 2 requesting Interns =\$8000, temp personnel = \$1200 and \$1000 for research. Departments need to be made aware of availability of temporary help through HR. Judge Sumter suggested taking the following items out of contingencies: EH Sanitarians (\$5,901) and Indigenous Culture Institute (\$5000

Items to be considered:

\$170,000 tax office software out of reserves

\$ 23,132 for part-time position in JP1-1 office to increase to 30 hrs

\$ 19,896 for part-time position in JP4 office

Sheriff' Office - blend 9 positions (add nine and delete 4), 4% step plan,+ 5 itronix @ \$13,500

\$ 5,901 for Sanitarians step program

\$ 6,550 for Continuing Education in RPTP

\$ 25,975 savings from CAPCOG grant

\$ 10,000 for Buda Library

\$ 75,000 for Hays County/San Marcos EMS

6,100 for Pct. 3 = 2,000 for community svcs + 4000 for personnel + 100 for postage

\$ 10,000 for personnel for Pct. 2

\$ 4,000 for temporary personnel for Pct. 4

\$ 37,348 for new JP2 staff position

Road Budget [T3-1114]

Proposed Projects were discussed with changes:

\$700,000 for McGregor Bridge from R&B reserves

\$538,000 for Dacy Lane project

\$ 40,000 for Elder Hill Road

\$101,000 for McCarty Lane

Discussed step increases for law enforcement and possible increase or bonus for other employees.

[T3-1935]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to set the proposed tax rate at \$0.4692. All voting "Aye". MOTION PASSED [T3-2077] A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to reconsider action setting the proposed tax rate. Commissioner Ingalsbe, Commissioner Ford, and Judge Sumer voting "Aye". Commissioner Barton and Commissioner Conley not present to vote. MOTION PASSED

Clerk's Note: Agenda Item #40 RE: IMPLEMENT POSITION CHANGES IN THE SHERIFF'S OFFICE AND AMEND THE BUDGET ACCORDINGLY was PULLED.

Clerk's Note: Agenda Item #18 RE: [09-3-26] RE-DIVISION OF LOT 63, WOODCREEK SECTION 6A, AND LOT 77, WOODCREEK SECTION 6-B. DISCUSSION AND POSSIBLE ACTION TO CONSIDER WAIVER OF PRELIMINARY PLAN, PUBLIC NOTICE, AND APPROVAL OF FINAL PLAT. CONSIDER APPROVAL OF A VARIANCE TO MINIMUM LOT SIZE STANDARDS IN HAYS COUNTY OSSF RULES SECTION 10.1 was PULLED.

COURT RECESSED UNTIL 9:00 A.M. ON WEDNESDAY AUGUST 19, 2009. COMMISSIONER BARTON AND COMMISSIONER CONLEY WERE NOT PRESENT WHEN THE COURT RECONVENED AT 9:00 A.M. COMMISSIONER BARTON AND COMMISSIONER CONLEY CAME TO THE MEETING AT 9:15 A.M.

Salaries [T3-2358]

Commissioner Ford spoke of a 2% for law enforcement and 1% for all other county employees = \$346,000. Commissioner Ingalsbe spoke of a 4% for law enforcement and 1.5% for all other county employees starting in January 2010. Possible funds to be used could come from capital equipment from road dept.

Law Enforcement @ 4% on Jan 1, 2010 = \$115,964

Others employees @ 1.5% on Jan 1, 2010 = \$282,255 starting in Oct. 1, 2009 = \$414,900

1% one-time payment for all county employees (except law enforcement) beginning in Oct. 2009 = \$276,000 \$368,000 to give a \$500 bonus to all county employees with exception of law enforcement and adult probation. Judge Sumter suggested not giving a COLA/merit increase – she suggested a one-time payment as a bonus in December which would not be a re-occurring expense. 4% for law enforcement beginning January 1,2010 = \$115,964 In order to give the 1% to other county employees the following is needed = \$245,668 (\$36,492 from R&B fund, \$24,745 in juvenile center fund, and \$184131 from general fund).



[74-200] A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to honor the 4% step increase for law enforcement to begin on January 1, 2010 and approve a 1% of net salary as of October 1, 2009 one-time payment to all county employees eligible for benefits — except elected officials, law enforcement, and employees hired after April 1, 2009 - with a \$500 cap/\$250 minimum to be paid November 30, 2009. Commissioner Ingalsbe, Commissioner Barton, and Commissioner Ford voting "Aye". Commissioner Conley voting "No". Judge Sumter not present to vote. MOTION PASSED.

[T5-1415] A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to amend previous motion to exclude the Assistant District Attorneys and Sanitarians from the 1% one time payment being allocated for eligible employees. Commissioner Ingalsbe, Commissioner Conley, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton was not present to vote. MOTION PASSED [T6-1205]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to clarify that the 1% one-time payment does apply to eligible law enforcement personnel that are not in the 4% step plan. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

Travel Allowance

County Judge = \$10,962 plus \$3,480 for Assistant. Commissioner Conley suggested deleting \$3,480 for the Assistant. A motion was made by commissioner Conley to delete \$3480 from County Judge's travel allowance line item #5191 and reallocate \$1000 to line item #5311 with a \$2,480 savings. Motion died for lack of a second. Judge Sumter requested that the \$2,480 be put in a line item for an intern #5449.

[T4-1150] A motion was made by Commissioner Conley, seconded by Commissioner Ford to take \$3,480 out of the County Judge's travel allowance line item #5191 and reallocate \$1,000 to line item #5311 travel and \$2,480 to line item #5449 temp personnel. All voting "Aye". MOTION PASSED

Memberships [T4-900]

Discussed various membership dues/fees.

Discussed \$50,000 needed for Partners in Progress (economic development project)

Court went through the Budget Workshop Request list.

Fire Marshal Constable 3	#5473 equip rent/lease- #5212 postage -	\$ 1,000 \$ 100	approved maybe
<u> </u>	#5717 law enf equip -	\$ 1,545	not approved
Tax Office	#5212 postage -	\$ 10,000	approved
	#5712 tax software -	\$170,000	fund from reserves
	#5711 color printer -	\$ 1,400	not approved
<u>Treasurer</u>	#5011 elected official salary -	\$ 14,389	not approved
District Atty	#5021 Atty Salary progression plan	\$ 9,818	not approved – HT referral
	#5191 travel allowance	\$ 1,500	approved [\$5,000 requested]
Constable 2	#5011 elected official salary -	\$ 11,189	not approved
	#5021 new deputy	\$ 56,970	not approved
JP2	#5021 staff position	\$ 37,348	maybe
JP1-1	#5021 part-time to full time	\$ 18,172	30 hr maybe [\$23,132 request]
<u>JP1-2</u>	#5021 part time to full time	\$ 7,116	not approved
	#5211 office supplies	\$ 100	approved [\$600 requested]
	#5212 postage	\$ 200	approved [\$600 requested]
	#5321 membership fees & dues	\$ 100	not approved
	#5331 continuing education	\$ 200	approved [\$300 requested]
JP4	#5461 printing	\$ 50	approved [\$250 requested]
	#5021 part time position m#5429 cemetery maintenance	\$ 19,896	maybe
Veteran's Ofo	#5713 bus (county match)	\$ 4,000	not approved
Civic Center	#5719 2 forklift forks = \$2,000	\$ 12,000	not approved
OIVIC OCITICI	2 tractor buckets = \$2,000		
	#5741 portable signs = \$2,000		
	Chain link fence = \$6,000		
	#5299 arena supplies = \$6,700	\$ 5.000	approved + \$3,000 f/veh mtc
Sheriff	#5021 admin asst. 1	\$ 34.763	not approved
	#5712 5 laptops for warrants	\$ 3,600	approved 3 [req 5 = \$6,000]
	8 itronix for patrol	\$ 64,500	approved
	1 laptop for SRO	\$ 1,525	approved
	CAD station/software	\$ 10,250	approved from reserves?
	Pc for crime analyst	\$ 2,349	not approved
	#5717 AR15 rifle for SRO	\$ 930	approved
	#5474 uniform expense	\$ 4,200	approved [\$34,200 request]
Constable 4	#5212 postage	\$ 160	approved [\$360 requested]
	#5448 contract services	\$ 400	approved
	#5271 fuel	\$ 5,300	approved f/countywide fuel
	#5413 veh maint & repair	\$ 730	not approved
	#5717 law enf equip (3 rifles)	\$ 5,306	not approved
	#5235 supplies & equip	\$ 115	approved [\$2,528 request]
	#5021 staff salaries	\$ 10,469	maybe – HR to look at



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Extension Ofc	#5271 fuel	\$	2,000	approved f/countywide fuel
	# 5331 cont ed	\$	100	approved
	#5741 capital improve – countertop	\$ 500		not approved
	#5713 vehicle	\$ 16,000		not approved
RPTP Env Hith	#5021 salaries – sanitarians step plan	\$ 5,901		maybe - HR to look at
	#5213 books & periodicals	\$ 2,750		approved [requested \$3625]
	#5473 equp rent & lease	\$	2,700	approved
	#5311 travel	\$ 2,000		not approved

Shari Miller (Human Resources) spoke of positions considered by HR:

Administrative Assistants – 3 levels were identified but is not a progressive type system Attorneys – 3 levels identified based on direct experience while licensed – no funding approved EH Sanitarians – 2 levels identified – no funding approved

5 Attorneys will be eligible to receive an increase next year

Commissioner Barton left the meeting at this time.

\$8240 savings by excluding attorneys from one-time payment in November 2009 and exclude sanitarians – need to clarify law enforcement reference on original motion to reflect

Constable 1	#5211 office supplies #5212 postage #5417 equip maint & rep #5461 printing #5717 law enf equip – light bar	\$ 200 \$ 200 \$ 100 \$ 300 \$ 1,3674	not approved approved approved [\$400 requested] not approved not approved
Social Service	s #5811 Buda Library #5844 Hays Co/SM EMS	\$10,000 \$75,000	maybe maybe
<u>Human Res</u>	#5311 travel #5331 contin ed	\$ 500 \$ 500	approved approved
<u>Juvenile Ctr</u>	#5021 staff salaries #5713 vehicles	\$43,318 \$17,500	not approved not approved
RPTP R&B	#5719 law enf equip #5021 staff salaries # 5217 misc supplies	\$ 1,000 \$60,567 \$ 1,500	not approved not approved approved [\$5,000 request]
	#5321 membership fees & bonds #5331 cont ed	\$ 1,000 \$ 5,000	not approved approved [\$ 8,145 request]
	#5421 data proc supplies #5712 computers for open positions	\$ 500 \$ 2,400	not approved not approved
	#5718 software #5413 veh maint & rep	\$ 500 \$30,000	not approved approved [\$50,000 request]

Youth Services Bureau requested \$28,000 - \$15,000 was recommended -- move back to \$18,000 (current budgeted amount).

Judge Sumter requested putting \$3,480 into salary for Jeff Laws that was previously moved into temp personnel line item.

IT5-21801

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to place \$4,480 into the County Judge's budget salaries line item for Jeff Laws that was previously moved into travel and temp personnel line items. Commissioner Ingalsbe, Commissioner Ford and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

Commissioner Ingalsbe requested transferring \$1,000 from temp personnel line item to community program expenses. Commissioner Ford requested transferring \$1,500 from misc equip line item to community program expenses (new line item). Adjustments to Commissioner Pct. 2 budget are to add \$500 to continuing education and change temp personnel to \$10,200.

Social Services Funding [T5-2490]

Commissioner Conley suggested increasing the following social services by 5% of the recommended amount = \$10,975: Hays County Area Food Bank, Hays/Caldwell Council on A/D Abuse, Hays/Caldwell Women's Center, Scheib Opportunity Center/MHMR, Southside Community Center, Greater SM Youth Council, CASA, Big Brothers/Big Sisters, Hays County Child Protection Board, and Nosotros La Gente.

Discussion was had regarding use of reserve funds and financing of government center. R&B budget – change guard rail to \$125,000

IT6-12741

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to add \$1,500 to the Historical Commission cemetery maintenance line item #5429. All voting "Aye". MOTION PASSED 27



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T6-1314]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to adopt a proposed tax rate of \$0.4692 and schedule public hearings for September 2, 2009 at 9:00 a.m. and September 9, 2009 at 6:00 p.m. All voting "Aye". MOTION PASSED

IT6-14071

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to set a public hearing and adoption of the FY10 Hays County Budget on September 16, 2009 at 9:00 a.m. and to set the tax rate and levy taxes. All voting "Aye". MOTION PASSED

Commissioner Barton requested that the following be added to the public notice:

Note: This is a proposed rate only. By law, the Commissioner Court may still lower the rate after public hearings but may not raise it without additional advertised notice. This proposed rate includes the voter approved bond debt for parks and roads.

Court was adjourned.

I, LINDA C. FRITSCHE, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on <u>AUGUST 18, 2009</u>.



LINDA C. FRITSCHE, COUNTY CLERK AND EXOFFICIO CLERK OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS

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AUGUST 25, 2009

STATE OF TEXAS * COUNTY OF HAYS *

On this the 25^{TH} day of august a.d., 2009, the commissioners' court of hays county, texas, met in regular meeting. The following members were present, to-wit:

ELIZABETH "LIZ" SUMTER

JEFFERSON W. BARTON

WILL CONLEY

KAREN FORD

COMMISSIONER, PCT. 3

COMMISSIONER, PCT. 4

COMMISSIONER, PCT. 4

COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 1 DEBBIE GONZALES INGALSBE; AND THE FOLLOWING PROCEEDINGS WERE HAD. THAT IS:

Commissioner Ford offered a moment of silence and prayer and led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

PRESENTATION OF RETIREMENT GIFTS TO SARAHANN LOWTHER AND SANTIAGO REYNA

County Court at Law Judge Linda Rodriguez presented a retirement clock to Santiago Reyna and County Auditor Bill Herzog presented a retirement clock to Sarahann Lowther.

PUBLIC COMMENT

Jack Hollon made public comment in support of Hays Trinity Groundwater Conservation District. [T1-288] Mark Key made public comment regarding funding for Hays Trinity Groundwater Conservation District.

26407 APPROVE RENEWAL OF DOCTORS' ANNUAL CONTRACT FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT WOMEN'S HEALTH CLINIC. PHYSICIANS: TERESA IRWIN MD, ARTHUR RAY JACOBSON MD, BETH D. REID MD, AND BARRETT RANDALL BLAUE M.D

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve renewal of Doctor's Annual Contract for the Hays County Personal Health Department Women's Health Clinic. Physicians: Teresa Irwin MD, Jacobson, Arthur Ray Jacobson MD, Beth D. Reid MD, and Barrett Randall Blaue MD. All present voting "Aye". MOTION PASSED

26408 APPROVE THE CONTRACT RENEWAL FOR DR. CHARLES P. ANDERSON MD TO PROVIDE SERVICES FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT FAMILY CLINIC

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the contract renewal for Dr. Charles P. Anderson MD to provide services for the Hays County Personal Health Department Family Clinic. All present voting "Aye". MOTION PASSED

26409 APPROVE RENEWAL OF THE CONTRACT BETWEEN HAYS COUNTY PERSONAL HEALTH DEPARTMENT AND DR. CHARLES P. ANDERSON AS THE HAYS COUNTY LOCAL HEALTH AUTHORITY

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve renewal of the contract between Hays County Personal Health Department and Dr. Charles P. Anderson as the Hays County Local Health Authority. All present voting "Aye". MOTION PASSED

26410 APPROVE THE PURCHASE AGREEMENT WITH TYLER TECHNOLOGIES FOR CONVERSION OF DATA FROM GUADALUPE AND CALDWELL COUNTIES

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the Purchase Agreement with Tyler Technologies for conversion of data from Guadalupe and Caldwell Counties. All present voting "Aye". MOTION PASSED



APPROVE RENEWAL OF EXISTING BID #2008-B18 "REGULATORY, WARNING ROAD SIGNS" FOR ONE (1) ADDITIONAL YEAR, TO MULTIPLE VENDORS, AS PROVIDED FOR IN THE ORIGINAL BID

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve renewal of existing bid #2008-B18 "Regulatory, Warning Road Signs" for one (1) additional year, to multiple vendors, as provided for in the original bid. All present voting "Aye". MOTION PASSED

APPROVE COMMERCIAL OSSF PERMIT FOR STEVE AND AMY HENRY TO SERVE AN AUTOMOTIVE RESTORATION GARAGE LOCATED AT 25 PIONEER TRAIL, DRIPPING SPRINGS, IN PRECINCT 4

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve Commercial OSSF Permit for Steve and Amy Henry to serve an automotive restoration garage located at 25 Pioneer Trail, Dripping Springs, in Precinct 4. All present voting "Aye". MOTION PASSED

26413 APPROVE UTILITY PERMITS

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve utility permit #02030 issued to LCRA on Coach House Road; permit #02031 issued to City of Kyle on Roland Lane as submitted by the County Road Department. All present voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT PROJECT WORKSHEET TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS, FY 2010 HOMELAND SECURITY GRANT PROGRAM FOR THE LAW ENFORCEMENT STRIKE TEAM IN THE AMOUNT OF \$17,000.00

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to submit a grant project worksheet to the Capital Area Council of Governments, FY 2010 Homeland Security Grant Program for the Law Enforcement Strike Team in the amount of \$17,000.00. All present voting "Aye". MOTION PASSED

26415 GRIEVANCE COMMITTEE SELECTION PURSUANT TO LOCAL GOVERNMENT CODE 152.015

The County Judge selected twenty names from the 2008 Grand Jury for possible service on the Grievance Committee pursuant to Local Government Code 152.015 as follows: Linda Rodgers Baker, Katherine Ann Rhodes, Daniel Rezykowski, Wallace A. Cheatham, Alan Lee Parks, Joel Liebeskind, Lisa Kay Mayo, Gary Don Reeves, Ruth Epstein Kirkilis, Charles Dean Staedtler, Maria Elena Rodriguez, Thomas William Ray, Blanca Estela Guzman, James H. Wingard, Stephen Hoevelman, Kathleen Ables Gold, Sandra Lange Michalewicz, Karen Leah Hollis, Paige Fortenberry.

26416 APPROVE PAYMENTS OF COUNTY INVOICES

County Auditor Bill Herzog requested addition of invoice in the amount of \$40,599.19 from HRM Consultants Inc. from Road Bond funds. A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$1,317,259.22 as submitted by the County Auditor with addition of \$40,599.19 invoice. All present voting "Aye". MOTION PASSED

ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS RELEASE OF THE CONSTRUCTION BOND, ACCEPT THE MAINTENANCE BOND FOR TWO YEARS, AND ACCEPT THE RE-VEGETATION LETTER OF CREDIT FOR MUSTANG VALLEY SUBDIVISION, SECTION 1 [171-316]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to accept road construction and drainage improvements release of the Construction Bond, accept the Maintenance Bond for two years, and accept the Re-vegetation Letter of Credit for Mustang Valley Subdivision, Section 1. All present voting "Aye". MOTION PASSED

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26418 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN HERITAGE OAKS SUBDIVISION [71-324]

Judge Sumter opened the public hearing. No public input was received. Public hearing was closed. RPTP Director Jerry Borcherding gave staff recommendation. A motion was made by Commissioner Ford, seconded by Commissioner Conley to establish traffic regulations of a speed limit of 30 MPH and install a stop sign at the corner of Heritage Oaks Drive and Laurel Hill Street in the Heritage Oaks Subdivision. All present voting "Aye". MOTION PASSED

26419 CALL FOR A PUBLIC HEARING ON SEPTEMBER 15, 2009 TO ESTABLISH TRAFFIC REGULATIONS AT ALL SCHOOL ZONE LOCATIONS ON COUNTY-MAINTAINED ROADS [71-339]

RPTP Director Jerry Borcherding spoke of new statute regarding prohibiting use of cell phone in school zones. A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on September 15, 2009 to establish traffic regulations at all school zone location on county maintained roads. All present voting "Aye". MOTION PASSED

26420 AWARD \$5,000.00 TO THE INDIGENOUS CULTURES INSTITUTE IN SAN MARCOS

[T1-382] Court agreed that it would be advisable to have an MOU and if event is not held the funds will be either not paid out or if already paid out it would be refunded to the county. A motion was made by Judge Sumter, seconded by Commissioner Ford to award \$5,000.00 to the Indigenous Cultures Institute in San Marcos to be paid out of contingencies with an MOU. All present voting "Aye". MOTION PASSED

AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ADVANCED FUNDING AGREEMENT WITH TXDOT FOR THE US 290 (NUTTY BROWN ROAD TO TRAUTWEIN ROAD) PASS-THROUGH AGREEMENT ROAD PROJECT [T1-454]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize the County Judge to execute the Advanced Funding Agreement with TxDot for the US 290 (Nutty Brown Road to Trautwein Road) Pass-Through Agreement Road Project. All present voting "Aye". MOTION PASSED

PURCHASE A 5-DRAWER LATERAL FILE CABINET FOR CONSTABLE PRECINCT 1 FROM COUNTY WIDE EQUIPMENT (01-414-5711) [T1-491]

A motion was made by Judge Sumter, seconded by Commissioner Conley to purchase a 5 drawer lateral file cabinet for Constable Precinct 1 from County Wide Equipment (01-414-5711). All present voting "Aye". MOTION PASSED

26423 APPROVE PURCHASE OFFICE FURNITURE FOR JP 1-2 [T1-497]

J.P.1-2 Margie Hernandez spoke of three quotes received. A motion was made by Judge Sumter, seconded by Commissioner Conley to approve purchase office furniture for JP 1-2 out of line item #01-425-5335. All present voting "Aye". MOTION PASSED

26424 APPROVE THE RECYCLING OF COMPUTER EQUIPMENT [T1-609]

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve disposal of old computer equipment as worthless pursuant to LGC 362.152 and send to Goodwill for recycling. All present voting "Aye". MOTION PASSED

26425 RATIFY THE COUNTY JUDGE'S EXECUTION OF A 3RD AMENDMENT TO THE CONSERVATION EASEMENT PURCHASE AGREEMENT FOR THE DAHLSTROM RANCH PARKS AND OPEN SPACE PROJECT [T1-623]

Special Counsel Mark Kennedy explained the agreement. A motion was made by Commissioner Barton, seconded by Judge Sumter to ratify the County Judge's execution of a 3rd Amendment to the Conservation Easement Purchase Agreement for the Dahlstrom Ranch Parks and Open Space Project. All present voting "Aye". MOTION PASSED



26426

APPROVE THE PURCHASE OF TWO ADDITIONAL ACID LOCKERS FOR THE TRANSFER STATIONS AT WIMBERLEY AND DRIFTWOOD AND TWO EYE WASH STATIONS WITH PLACARDS [T1-700]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the purchase of two additional acid lockers for the Transfer Stations at Wimberley and Driftwood and two eye wash stations with placards out of line item # 01-421-5801. All present voting "Aye". MOTION PASSED

26427

DECLARE AN EMERGENCY AND AMEND THE BUDGET OF THE JUVENILE DETENTION CENTER [T1-728]

Juvenile Detention Center Manager Brett Littlejohn spoke of need for additional funds in salaries for part-time personnel. County Auditor spoke of turnover rate of 59% which requires training of new personnel. A motion was made by Commissioner Barton, seconded by Commissioner Ford to declare an emergency and amend the budget of the Juvenile Detention Center from juvenile detention center reserves. All present voting "Aye". MOTION PASSED

26428

ACCEPT THE THREE FIRMS RECOMMENDED FOR UTILITY COORDINATION FOR THE BOND ROAD PROJECTS BY THE REVIEW COMMITTEE AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT NOT TO EXCEED \$500,000.00 PER FIRM [71-832]

RPTP Director Jerry Borcherding spoke of firms being recommended: Alba Utility & Service Consultants, Cobb Fendley Associates Inc., and Halff Associates Inc. A motion was made by Commissioner Ford, seconded by Judge Sumter to accept the three firms recommended for utility coordination for the Bond Road Projects by the Review Committee and authorize the County Judge to execute a Professional Services Agreement not to exceed \$500,000.00 per firm. All present voting "Aye". MOTION PASSED

26429

MOVE \$579.95 FROM THE LAW ENFORCEMENT EQUIPMENT LINE ITEM TO PURCHASE A NIGHT VISION MOUNTING SYSTEM [T1-889]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to move \$579.95 from the Law Enforcement Equipment line item to purchase a night vision mounting system. All present voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item #10 RE: APPROVE COMMERCIAL OSSF PERMIT FOR NABI LLC, (JASON MOMIN) TO SERVE A GROCERY STORE AND RETAIL SHOPS LOCATED AT 1095 WINDY HILL ROAD, BUDA, TX, IN PRECINCT 2 WAS PULLED.

Clerk's Note: Agenda Item #26 RE: DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; PRECINCT OFFICES; RESOURCES PROTECTION TRANSPORTATION AND PLANNING DEPARTMENT; AND SPACE NEEDS PROJECTIONS FOR THE HAYS COUNTY JAIL AND RELATED CRIMINAL JUSTICE ANALYSIS WAS PULLED

Clerk's Note: Agenda Item #27 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR was PULLED.

Court was adjourned.

I, LINDA C. FRITSCHE, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on <u>AUGUST 25, 2009</u>.



LINDA C. FRITSCHE, COUNTY CLERK AND EXOFFICIO CLERK OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

Agenda Item Routing Form

DESCRIPTION OF Item: Renewal contract for Mr. John Carson, R.Ph to provide Pharmacy services to Hays County Personal Health Department.

COUNTY AUDITOR Typically Requires 1 Business Day Review
Typically Requires 1 Business Day Review
AMOUNT AND FUND LINE ITEM NUMBER: \$100.00 per visit 10-412-5431
COUNTY PURCHASING GUIDELINES FOLLOWED:N/A
PAYMENT TERMS ACCEPTABLE: Yes
COMMENTS:
Bill Herzog
SPECIAL COUNSEL
Typically Requires 9 Business Day Review
CONTRACT TERMS ACCEPTABLE:
COMMENTS:
COMMISIONERS' COURT
APPROVED/DISAPPROVED AND DATE:
COUNTY JUDGE
Signature Required if Approved
DATE CONTRACT SIGNED:



CONSULTING AGREEMENT BETWEEN HAYS COUNTY AND JOHN CARSON

STATE OF TEXAS §
COUNTY OF HAYS §

RECITALS

WHEREAS, Hays County Personal Health Dept. is required to retain a professional Pharmacist-in-charge (P.I.C.) to assist with consultation services for the County Health Department; and,

WHEREAS, the Hays County Commissioners' Court approved an Agreement between Hays County and John Carson, R.Ph.

NOW, THEREFORE, in consideration of the mutual promise and covenants contained in this agreement, it is hereby agreed as follows:

SECTION 1. PARTIES

This consulting agreement is entered into between Hays County, Texas (hereinafter referred to as "County") represented by Hays County Judge Elizabeth Sumter and John Carson, R.Ph. (hereinafter referred to as P.I.C.)

SECTION 2. TERM OF AGREEMENT

The term of this Agreement shall begin on October 1, 2009 and extend for a period of twelve months to expire on September 30, 2010.

SECTION 3. PERFORMANCE

3.1 P.I.C. agrees to:

- (a) Annually review the County's Current Health/Rx policies and procedures, and
- (b) Perform a site inspection of the facilities at least once a calendar quarter, and
- (c) Provide updates on laws and regulations that pertain to Class D Pharmacies, and
- (d) Provide services not listed above as may be necessary or negotiated.

3.2 P.I.C. further agrees to provide annual staff education on subject of his/her choice.

SECTION 4. STANDARD OF PERFORMANCE

Pharmacist-in-Charge shall use ordinary care and reasonable diligence in the exercise of his/her duties, but shall not be liable for any mistake of judgment or other action taken in good faith or for any loss unless resulting from its gross negligence. It is the intent of the County that the Pharmacist-in-Charge perform the duties outlined in Section 3 above in a manner that includes full disclosure to the County of any pertinent information relating to policies/procedures, and laws and regulations pertaining to Class "D" Pharmacies.

SECTION 5. PAYMENT

The County shall pay John Carson, R.Ph a total fee of \$100.00 (One Hundred Dollars) per visit to complete the consulting services described in Section 3. The County shall make timely payments.

SECTION 6. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement of the parties and any changes or modifications to this Agreement must be approved by the Hays County Commissioners' Court.

SECTION 7. TERMINATION

This agreement may be terminated with or without cause by either party by providing written notice to the other party by certified mail. The termination shall be effective thirty (30) days after receipt of the notice.

SECTION 8. CODE OF ETHICS AND STATE LAWS

John Carson, R.Ph hereby agrees to comply with the Hays County Code of Ethics attached hereto and incorporated for all purposes and with all applicable state laws in the performance of this Agreement including, but not limited to, the Public Information Act and Open Meetings Act.

SECTION 9. VENUE

This Agreement shall be construed under and in accordance with the laws of the State of Texas and the venue for any dispute arising from the performance of this Agreement shall be in Hays County, Texas.

SECTION 10. INDEMNIFICATION

John Carson, R.Ph shall indemnify and hold harmless all employees and agents of Hays County from any and all claims demands damages expenses liabilities and injuries to persons or ersons or R.Ph in xas.

property arising from the negligen	damages, expenses, habilities and injuries to pent acts, errors or omissions of John Carson, extent allowable under the laws of the State of Texture of Texture 1.
SI	ECTION 11. NOTICE
Notices provided for by this agreemen	at shall be forwarded to the addresses below:
John Carson, R.Ph 606 Franklin Drive San Marcos, TX 78666	Hays County 111 E. San Antonio Street San Marcos, Texas 78666
HAYS COUNTY	John Carson, R.Ph
Elizabeth Sumter Hays County Judge	John Carson, R.Ph
Date	Date
ATTEST:	

Linda C. Fritsche **Hays County Clerk**

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

No later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

	Approve award of nty Law Enforceme			Installation of New Roo all Roofing.	f
CHECK ONE:	X CONSENT	☐ ACTION	☐ EXECU	UTIVE SESSION	
	□ WORKSHOP	☐ PROCLA	MATION	☐ PRESENTATION	
PREFERRED ME	ETING DATE REQU	JESTED: Septem	ber 1, 2009		_
AMOUNT REQUI	RED:				_
LINE ITEM NUM	BER OF FUNDS RE	QUIRED:			
REQUESTED BY	: Herzog/Maiorka/Ko	ennedy			_
SPONSORED BY:	Commissioner Ingal	sbe		· · · · · · · · · · · · · · · · · · ·	
SUMMARY: Pur	chasing received six	(6) bids for this p	project. Afte	r evaluation of the bids and	ī
taking into conside	eration the climate in	n our area, alteri	nate #2 The	rmoplastic Polyolefin (TPO)
Membrane Roofin	g was selected as the	e roof of choice.	Texas Fifth	Wall Roofing provided the	е
lowest and best bi	d in the amount of	\$424,000 for alte	rnate #2. Re	eferences were checked and	ı
responses were ver	y favorable. (see atta	ched tabulation s	heet)		

Agenda Item Routing Form

DESCRIPTION OF Item: Award of Bid #2009-B18 Removal & Installation of New Roof for the Hays County Law Enforcement Center to Texas Fifth Wall Roofing.

Purchasing received six (6) bids for this project. After evaluation of the bids and taking into consideration the climate in our area, alternate #2 Thermoplastic Polyolefin (TPO) Membrane Roofing was selected as the roof of choice. Texas Fifth Wall Roofing provided the lowest and best bid in the amount of \$424,000 for alternate #2. References were checked and responses were very favorable. (see attached tabulation sheet)

PREFERRED MEETING DATE REQUESTED: September 1, 2009
COUNTY AUDITOR
Typically Requires 1 Business Day Review
AMOUNT AND FUND LINE ITEM NUMBER: < \$424,000 01-414-5741
COUNTY PURCHASING GUIDELINES FOLLOWED: Yes
PAYMENT TERMS ACCEPTABLE:Yes
COMMENTS: Not specifically budgeted but can be taken out of Countywide Capital Improvements.
Will probably extend over into FY 2010.
Bill Herzog
SPECIAL COUNSEL
Typically Requires 9 Business Day Review
CONTRACT TERMS ACCEPTABLE:
COMMENTS:
COMMISIONERS' COURT
APPROVED/DISAPPROVED AND DATE:
COUNTY JUDGE
Signature Required if Approved
DATE CONTRACT SIGNED:

TABULATION FOR BID #2009-B18 REMOVAL & INSTALLATION OF NEW ROOF FOR HAYS COUNTY LAW ENFORCEMENT CENTER

VENDOR	BASE BID	ALTERNATE 1	ALTERNATE 2
QA CONSTRUCTION	\$560,000	\$500,000	\$495,000
5 TH WALL ROOFING	NO BID	\$477,700	\$424,000
ROOF OPTIONS	\$659,977	\$519,153	\$484,950
VINCENT'S ROOFING	\$783,000	\$609,000	\$565,500
TOPSIDE	\$812,000	\$602,700	\$552,900
MCNEIL ROOFING	\$1,091,260	\$1,076,530	\$1,072,750

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Requesting authorization for the renewal of the Triple "O" contract for \$63,535.00. This contract is between the TX. Department of State Health Services for

the RLSS-Local Public Health Services grant and the Hays County Public Health Department.
CHECK ONE: X CONSENT ACTION EXECUTIVE SESSION
□ WORKSHOP □ PROCLAMATION □ PRESENTATION
PREFERRED MEETING DATE REQUESTED: September 1, 2009
AMOUNT REQUIRED: 63,535.00
LINE ITEM NUMBER OF FUNDS REQUIRED:
REQUESTED BY: Priscilla Hargraves
SPONSORED BY: Judge Sumter
SUMMARY:
This is to renew the annual contract between the Texas Department of State Health Services
(TDSHS) and the Hays County Personal Health Department (HCPHD), to fund Communicable
Disease surveillance and reporting. The contract provides funding for the program from
September 1, 2009 through August 31, 2010.

Agenda Item Routing Form

DESCRIPTION OF Item: Renewal of the Triple "O" contract for \$63,535.00. This contract is between the TX. Department of State Health Services for the RLSS-Local Public Health Services grant and the Hays County Public Health Department.

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:
Requesting approval for renewal of the annual Provider agreement between Hays County Personal Health Department and Community Action, Inc. of Hays, Caldwell, and
Blanco counties.
CHECK ONE: X CONSENT ACTION EXECUTIVE SESSION
☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION
PREFERRED MEETING DATE REQUESTED:
AMOUNT REQUIRED:
LINE ITEM NUMBER OF FUNDS REQUIRED:
REQUESTED BY: Priscilla Hargraves
SPONSORED BY: Sumter
SUMMARY:
This is a renewal contract between Community Action and Hays County Personal Health
Department to provide clients of Community Action with primary health care services. This
Department to provide clients of Community Action with primary health care services. This agreement shall become effective September 1, 2009 and remain in effect until August 31, 2010.

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Amend the budget for the TJPC Diversionary Grant to reflect additional funding from the granting agency.				
CHECK ONE:	X CONSENT	ACTION	☐ EXECUTIV	E SESSION
	□ WORKSHOP	□ PRO	CLAMATION	☐ PRESENTATION
PREFERRED ME	ETING DATE REQ	UESTED: Se	ptember 1, 2009	
AMOUNT REQUI	RED: None	·		
LINE ITEM NUM	BER OF FUNDS RE	EQUIRED: N	/A	
REQUESTED BY:	Herzog / Cooper			
SPONSORED BY:	Sumter			
SUMMARY: TJPC	C has provided \$4,1	37 of addition	onal funding to	Hays County to be used for
residential services	. This will require a	a budget ame	ndment to reflec	t the increase in revenue and
residential expense	s. See attached budg	get amendme	nt.	

TEXAS JUVENILE PROBATION COMMISSION Budget Adjustment

Jurisdiction: HAYS

Agreement #: TJPC-H-2009-105 Diversionary H

Adjustment made 08/20/2009 by JY

		Revised	Expendi tures	Balance
Budget	Adjustment	Budget	thru 05/2009	as of 05/200
\$0.00	\$0.00+	\$0.00	\$0.00	\$0.00
\$0.00	\$0.00+	\$0.00	\$0.00	\$0.00
\$0.00	\$0.00+	\$0.00	\$0.00	\$0.00
\$0.00	\$0.00+	\$0.00	\$0.00	\$0.00
\$96,480.00	\$4,137.00+	\$100,617.00	\$96,480.00	\$4,137.00
\$96,480.00	\$4,137.00+	\$100,617.00	\$96,480.00	\$4,137.00
	\$0.00 \$0.00 \$0.00 \$0.00 \$96,480.00	\$0.00 \$0.00+ \$0.00 \$0.00+ \$0.00 \$0.00+ \$0.00 \$0.00+ \$96,480.00 \$4,137.00+	\$0.00 \$0.00+ \$0.00 \$0.00 \$0.00+ \$0.00 \$0.00 \$0.00+ \$0.00 \$0.00 \$0.00+ \$0.00 \$96,480.00 \$4,137.00+ \$100,617.00	\$0.00 \$0.00+ \$0.00 \$0.00 \$0.00 \$0.00+ \$0.00 \$0.00

Reason for Budget Adjustment

Budget Adujustment Request			,	11127	7 50
Letter Expenditure Report	01	384	2769	4151	
Audit Exception Refund		Λ)	96954	97	41374
Other Other		v /			

TJPC Approval:

Contract Administrator/Fiscal Officer

Director of Budget/Contract Administration

FUND NO. <u>01</u> FUND TITLE: <u>GENERAL</u>

	Appropriation before	Amend	<u>iment</u>	Appropriation as
<u>Line Item - Expenditures</u>	Amendment	Increases	Decreases	Amended
TJPC/DIVERSIONARY PLACEMENT "H" GRANT				
01-769-5497 Residential	96,483	4,137		100,620
REVENUE 01-384-2769 TJPC/DIVERSIONARY PLACEMENT	Г 96,483	Decrease	Increase 4,137	100,620

Budget additional grant award revenue.

ORDER AMENDING THE COUNTY OF HAYS BUDGET FOR FY ENDING SEPTEMBER 30, 2009

THE STATE OF TEXAS COUNTY OF HAYS

WHEREAS, on the 1st day of September, A.D., 2009, the Commissioners' Court of Hays County, Texas

has determined that a need exists for the reallocation of certain appropriations included in the FY 2009 Budget in accordance with the attached list which is hereby made a part hereof. It was also determined and agreed that the need was of such a nature as to justify and require amendment of the Budget, as provided in Section 111.010(D), Local Government Code.

NOW, THEREFORE, the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, pursuant to the authority granted to it under Section 111.010(D), Local Government Code, ORDERS that the pertinent parts of the County of Hays Budget for the Fiscal Year ending September 30, 2009 be and they are hereby amended as indicated on the attached list.

It is the further order of the COMMISSIONERS' COURT that a copy of the amendment provided herein be filed with the Clerk of the County Court of Hays County, with instructions that it be attached to the Budget originally adopted and now on file in the office of the County Clerk.

Passed by the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, this 1st day of September, 2009.

FOR	()	
AGAINST ABSTAIN	()	ELIZABETH 'LIZ' SUMTER COUNTY JUDGE, HAYS COUNTY, TEXAS
FOR AGAINST ABSTAIN	()	DEBBIE GONZALES - INGALSBE COMMISSIONER, PRECINCT 1
FOR AGAINST ABSTAIN	` '	JEFF BARTON COMMISSIONER, PRECINCT 2
FOR AGAINST ABSTAIN	()	WILL CONLEY COMMISSIONER, PRECINCT 3
FOR AGAINST ABSTAIN	()	KAREN FORD COMMISSIONER, PRECINCT 4
ATTEST:		LINDA C. FRITSCHE COUNTY CLERK, HAYS COUNTY, TEXAS

Subdivision/Road/Staff Review Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: (Since there is nothing unusual or controversial about this Commercial OSSF permit application, it is recommended that it be placed on the Consent Agenda)

Action to Authorize Commercial OSSF Permit for NABI LLC, (Jason Momin) to serve a Grocery Store and Retail Shops located at 1095 Windy Hill Road, Buda, TX, in Precinct 2.

CIRCLE ONE ACTION ITEM

Subdivision

Road

Staff Recommendation

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: NA

LINE ITEM NUMBER OF FUNDS REQUIRED: NA

REQUESTED BY: Tom Pope, R.S., Resource Protection, Transportation & Planning.

SPONSORED BY: Commissioner Barton, Precinct 2

SUMMARY: Jason Momin is proposing an OSSF to serve a grocery store/ gas station with meat market and deli along with 3 retail shops. The property is 3.91 acres in Georgia Lea Subdivision lot 3A. The proposed onsite sewage facility consists of a 2000 gallon grease trap with Vacuum Bubble Technology (VBT), 6500 gallon treatment tank with VBT, followed by a 1500 gpd aerobic treatment unit for effluent polishing and clarification. Low Pressure Dosing will be used for dispersal/drainfield. The system was designed by Jim Conner, R.S. The On Site Sewage Facility is designed for a maximum wastewater flow of 1300 gpd. Public water supply will be used. The site specification sheet and tank profiles are attached.

On 8-26-09 Mr. Momin met with neighboring property owners and Resource Protection Transportation and Planning Department to work out some conditions that will be required for permitting of this system.

STAFF REVIEW/COMMENTS

Resource Protection, Transportation & Planning Director: Recommend approval.

ROAD DIRECTOR: NA

STAFF RECOMMENDATIONS: Recommend approval. No variances to the Hays County OSSF Rules were required/granted.

SITE PROFILE

Permit #: 2008-615

TYPE OF PERMIT:	OSSF permit	✓ Development permit		☑: Commercial		
PROPERTY ADDRESS:	1095 WINDY I	HILL ROAD, BUDA TX 7	⁷ 8610			
NAME OF OWNER:	NABI, LLC - JA	ASON MOMIN				
MAILING ADDRESS:	2255 FM 1978	SAN MARCOS TX 78666				
Work Phone: (512) 919-6282	Cell:				
Home Phone:		Fax:				
Septic Type: (Commercial	Reason: New	8000 Sq Ft 7	7 Employees	Hou	sehold: 0
Purchased:		Revision: 8/18/20				rooms: 7
Plans: 5	5/9/2009	Final Inspection:	Prin	ted:		tchens: 1
Authorization:		Approved By:			Field: Installed:	13000
Other Information:	Rainwater Collect	lion City limits	Public Sewer	✓ ETJ Kyle		· · · · · · · · · · · · · · · · · · ·
✓ Public Water	Well	✓ Water saving fixture		Recharge zone	Meter / Tim	er Required
WaterSupply Company:					HAYS C	COUNTY
Record Set:		Volume:	Page:		Precinct/Zor	10:
Lot/Tract: 3		Block: A	Lot size: 3.91		Grid/Section	วก:
Abstract Number: 0		davit Flie Date:	Survey:			
Subdivision: G	SEORGIA LEA			Reference:		
Evaluator's Information: General Comments about the Grocery Store and Retail Shop		CONNER, JIM	Type of soil: 4	Soll Date:	5/9/2009	1300 GPD
System Information:						
Manufacturer: PROFL	0		Distributor:			
Designer: CONNEI	R, JIM		Installer: MORREA	LE, CHARLIE		
Treatment Type: Aerobic		Disinfectant:		Floo	d Plain Inform	nation:
Disposal: Low Pres	ssure Dose			Flood Pla	In Status:	
Brand / M	Model	Serial Numbe	or Date	Flood P	lain Date:	
System:			MILLION TOTAL TO AN AND AND AND AND AND AND AND AND AND	Flood Plain	Certificate:	
Aerator:		Appropriate to the sentition		Flood Plain	Complete:	
Discharge:				Expira	tion Date:	
Service and Maintenance Service Provider:	Information	✓ Routine Maintenance	Active Service	Electonic Mo	onitoring	
Date Maintenance Contract Date Maintenance Contract				Insp./year: 3		
Location of System: Legal Description:	GPS Latitude:	N	GPS Longitude: W	4.22.00.00.00.00.00.00	Map Code:	y
					0-10-10-10-10-10-10-10-10-10-10-10-10-10	

Tanks

Permit: 2008-615

Site: 1095 WINDY HILL ROAD BUDA Owner: NABI, LLC - JASON MOMIN

Construction: Concrete Grease Capacity: 2,000 Depth:

Compartments: 0 Tank Location: N 0

Days Between: 0 W 0

Last Pumped:

Date installed:

Manufacturer:

Cover:

Filter Years Between: 0.0

Baffles: Concrete

Comments: Grease Trap has Vacuum Bubble Aerator (VBT 100)

Construction: Concrete **Two Compartment** Date installed:

Capacity: 6,500 Manufacturer: Depth: Compartments: 0

Cover: Days Between: 0

Filter Years Between: 0.0

Baffles: Concrete

Last Pumped: **Tank Location:** N 0 W 0

Comments: Tank has Vacuum Bubble aerator (VBT 200)

Construction: Concrete **Aerobic** Date Installed: Baffles:

Capacity: 1,500 Manufacturer: PROFLO

____ Filter Depth: Cover: Compartments: 0 Days Between: 0 Years Between: 0.0

Last Pumped: N 0 W 0 Tank Location:

Comments:

Construction: Concrete Date Installed: Pump Baffles:

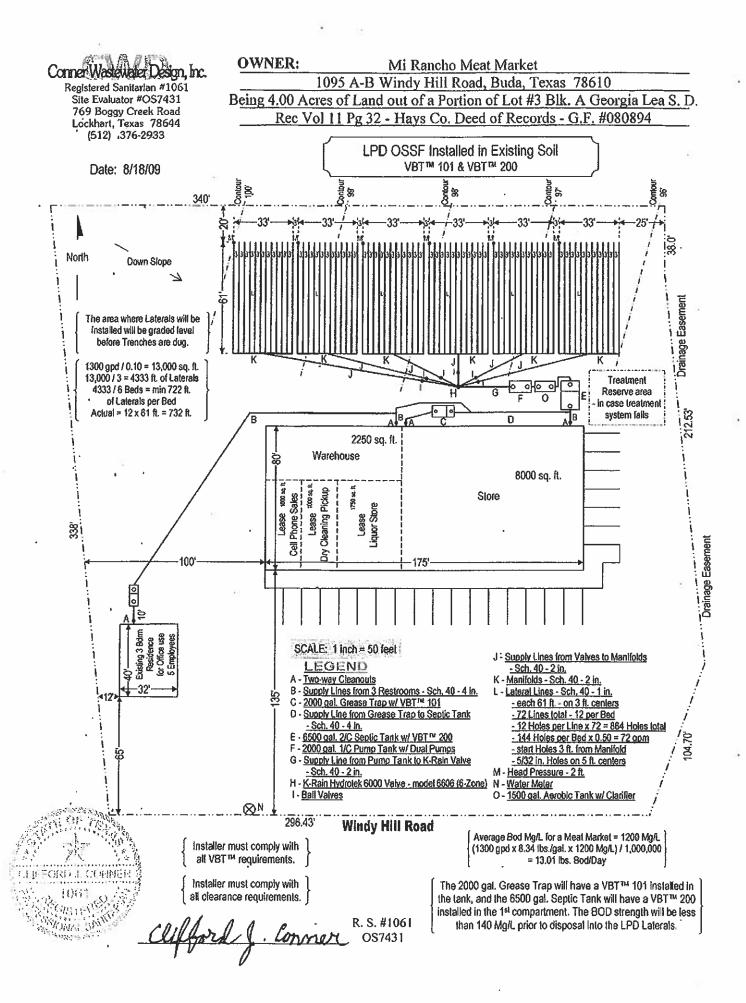
Capacity: 2,000 Manufacturer:

Depth: Cover; Filter Compartments: 0 Days Between: 0 Years Between: 0.0

Last Pumped:

N 0 W 0 Tank Location:

Comments:



Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's office

no later than <u>12:00 noon</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and po	ossible action to release the	ne fiscal surety for the re-vegeta	ation of
the street and drainage improvements i	n the Mount Olive Ranch	subdivision.	
Consent, Action, Executive Session,	Etc. –	<u>, , , , , , , , , , , , , , , , , , , </u>	
MEETING DATE REQUESTED:	September 1, 2009		
REQUESTED BY: Commissioner Co	onley / Jerry Borcherding		·
FUNDS REQUIRED:			
SUMMARY:	<u> </u>		
Mount Olive Ranch subdivision has m	et the required 70% rever	etation for the release of the box	nd. The
Road Department has inspected and red		orange for the following of the con-	10. 1110
	•		
			·
		<u> </u>	
COUNTY JUDGE		COUNTY AUDITOR	
COMMISSIONER PCT. 1		COMMISSIONER PCT. 2	
COMMISSIONER PCT. 3	П	COMMISSIONER PCT. 4	П
		- CILL A SEWI AND WATER WINDS	_
ACTION	TAKEN / ACTION RE	QUIRED:	



OFFICE OF THE COUNTY ENGINEER Jerry Borcherding, P.E. P.O. Box 906 San Marcos, Texas 78667 (512) 393-7385 Fax (512) 393-7393

8/26/09

Honorable Liz Sumter 111 E. San Antonio Street San Marcos, Texas 78666

RE: Mount Olive Ranch revegetation bond

Dear Commissioners and Judge:

Russell Hinds, Owner, is requesting that Hays County release the revegetation bond of \$24,000 for Mt. Olive Ranch. The subdivision has met the required 70% revegetation stage as stipulated by the approved plans.

I recommend that the revegetation bond be released.

Respectfully,

Jerry H. Borcherding, P.E.

Road Engineer Superintendent

Hays County Road & Bridge Department

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's office

no later than <u>12:00 noon</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and postaccept for maintenance all road and subdivision, Phase 3, Sections 1, 2, 3 &	drainage improvements	the release of the maintenance bonds and within County ROW for Shadow Creek
Consent, Action, Executive Session, 1		
MEETING DATE REQUESTED: 3	September 1, 2009	
REQUESTED BY: Commissioner B	arton / Jerry Borcherdin	ıg
FUNDS REQUIRED:		
SUMMARY:		
2009. The Road Department has insper of roads include: Spanish Trails Bouler ft.), Antelope Plains Road (991 ft.), Manual Plains Road (991 ft.)	ected and recommends t vard (3,059 ft.), Heron i arsh Lane (927 ft.), Dra	3, Secs. 1, 2, 3 & 4 expired August 30, their acceptance for maintenance. The list Drive (786 ft.), Kings Ridge Drive (1,203 gon Ridge Road (1,429 ft.), Hunter Creek 26 ft.), Shadow Creek Boulevard (273 ft.)
COUNTY JUDGE		COUNTY AUDITOR
COMMISSIONER PCT. 1		COMMISSIONER PCT. 2
COMMISSIONER PCT. 3		COMMISSIONER PCT. 4
ACTION	TAKEN / ACTION R	EQUIRED:



OFFICE OF THE COUNTY ENGINEER Jerry Borcherding, P.E. P. O. Box 906 San Marcos, Texas 78667 (512) 393-7385 Fax (512) 393-7393

8/25/09

Honorable Liz Sumter 111 E. San Antonio Street San Marcos, Texas 78666

RE: Shadow Creek Phase 3 Sections 1-4

Dear Commissioners and Judge:

Hays Shadow Creek Development, Owner, is requesting that Hays County release the maintenance bond and accept the maintenance of roads in Shadow Creek Phase 3 Sections 1-4. I have reviewed the file on this subdivision and find that all the requirements have been met per Hays County Subdivision Regulations. Casey Giles, P.E. has submitted a concurrence letter and as-built plans as required by Hays County.

I recommend that the maintenance bond be released and that the roads be accepted into County maintenance.

Respectfully,

Jerry Borcherding, P.E.

Road Engineer Superintendent

Hays County Road & Bridge Department



RESOURCE PROTECTION, TRANSPORTATION AND PLANNING DEPARTMENT

P.O. BOX 906

512/393-7385 EXT 29

San Marcos, TX 78667 http://co.hays.tx.us CELL:512/738-2555 FAX: 512/393-7391

16100	FCTIC	384 C	554
111112	***	nu m	112

LOCATION:	Shadow Creek Phase 3 Sections 1-4	DATE:	7/24/2009	
OWNER:	Hays Shadow Creek Development	WEATHER:	Clear	
CONTRACTOR:	Rodman	TIME:		
INSPECTOR:	Todd Spencer			
		-8		
SITE OBSERVA	TIONS:			
	PUNCHLIST FOR ACCEPTANCE O	F CONSTRUCTIO	N	
 1. Deadend Barr	icades			
2. Seal Cracks in	roadway			
3. Clean roadwa	y			
4. Signage				
5. Seal cracks in	curb line			
6. Environmenta	l punchlist to be complete			
· }				
4				

Todd Spencer, Construction Inspector Date

C FAULKNER ENGINEERING

400 Bowle Street, Suite 250 Austin, Texas 78703

Mailing Address: PO Box 1528 Austin, Texas 78767-1528

> P: 512.495.9470 F: 512.495.9473



August 17, 2007

Jerry Borcherding
Hays County Road Department
2171 Yarrington Road
San Marcos, TX 78666

Shadow Creek Subdivision, Phase 3 Sections 1-4 Substantially Complete Letter

Dear Mr. Borcherding,

C. Paulkner Engineering would like to report that the subdivision infrastructure construction is substantially complete for Phase 3, Sections 1-4 of the Shadow Creek Subdivision. Per our ongoing site visits and inspections, communications with the contractor, and a walk through on August 2, 2007, we are confident that the construction of the subdivision was done per the plans and specifications with only insignificant variations done with owner and engineer approval. As seen in the walk through with the contractor (Rodman Construction) and the Hays County Road and Bridge inspector (Todd Spencer), the substantially complete construction includes but is not limited to the installation and testing (where required) of the following items:

- Water system and services
- Wastewater system and services
- Roadway construction
- Storm water system/drainage improvements
- Street signs
- Traffic control signs
- Sidewalks and curb ramps
- Underground electric facilities installed to the boundary of each lot
- Natural gas service system
- Lot clearing and pad grading

Additionally, all conduits needed for the installation of cable and telephone service by the applicable service providers has been installed to the boundary of each Lot. Water service is available from Goforth Water Supply Corporation per the existing water supply agreement, and wastewater service is available through Hays



County MUD No. 1. Also, recorded plats and address plats for all lots in Phase 3 have been delivered to the buyer, and no portion of any residential lot lies within the 100-year floodplain.

If you have any questions or comments, please feel free to call us at 495-9470. Thank you for your time.

Sincerely,

Casey Giles, P.E. Project Engineer CASEY GILES
91797
CENSE
ONAL

co:

Chris Fields - RMD

Mario Tobias - Goforth Water Supply Corp.

Richard Topfer - Hays Shadow Creek Development, Inc.

Todd Spencer - Hays County Inspector

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

09-4-13 Gatlin Prairie Subdivision. Discussion and possible action to consider approval of preliminary plan.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY: Ford

SUMMARY:

The Gatlin Prairie Subdivision is a proposed division of 6.83 acres located off of Gatlin Creek Road in Precinct 4. The proposed division will create 2 new lots, lot 1 (4.83 acres) and lot 2 (2.00 acres). Lot 1 will be served by an existing private well and existing individual OSSF. Lot 2 will be served by an individual well and individual OSSF. There are no variances and the entire division is not located in any ETJ.

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS, That MITA Partners, a corporation organized and estating under the large of the State of Texas, with its hame address of 690 Autum Lane, Driping Springs, Texas, owner of 6434 acres out of the Edward property and transmons Survey No. 112, A-182, Hops County, Texas, as conveyed to it by deed dated April 19, 2000, and recorded in Volume 1558, Page 132, of the Official Public Records of Hops County, Texas, DCES RERRES SUBDING 683, acres of lond out of the Edward Fitzshmanns Survey No. 112, A-182, to be haven as GATHW PRARE, a recorded and the piper of the control of the County of the Street and consenents shown hereon the use of the streets and consenents.

IN WINESS WHEREOF the sold MITA Portnors has coused these presents to be executed by its President, John F. Lynch, thereunto duly outhorized.

John F. Lynch

STATE OF TEXAS COUNTY OF HAYS

BEFORE ME, the undersigned outhority, on this day personally opposed whohe F, Lynch, Maron to mee to be the person whose name is absorbed to the foregoing instrument as Preadient of MITA Perforsts and extraveleded for me that he executed the some in such coposity as the rest and deed of security as the rest and deed of security of the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the day of ______, A.D., 2009.

NOTARY PUBLIC in and for Hays County, Texas

No portion of this subdivision lies within the boundaries of any municipality's corporate city limits or extra territorial jurisdiction.

EDWARDS AQUIFER NOTE.

No portion of this subdivision lies within the Edwards Aquifer Recharge
Zone. This subdivision does lie within the boundories of the Contributing
Zone of the Barton Springs Segment of the Edwards Aquifer.

SALES STEEL VICINITY MAP

> Number of Lots Over 10 Acres: 0
> Number of Lots 5-10 Acres: 0
> Number of Lots 2-5 Acres: 1
> Number of Lots 1-2 Acres: 1
> Number of Lots 1-2 Acres: 1 PLAT INFORMATION
> Total Arece 6.33 Acres
> Total Arece 6.33 Acres
> Total Number of Commercial Lots: 2
> Number of Commercial Lots: 0
> Average Size of Lots, 3,41 Acres

UTILITY INFORMATION Water: Individual wa

Water: Individual water wells
Sever: Individual worter wells
Electricity. Productions Electric Cooperative, Inc.
Telephone: Vertzon

i, Linda Frifische, County Clert of Hoys, County, Texas, do hereby cartify that on the more cartify that on the messioner's Court of Hoys County, Texas, passed an order outhorizing the filing for record of this plot, and soid order has been duly entered in the minutes of the said court Book

STATE OF TEXAS COUNTY OF HAYS

0

doy of

WINESS MY HAND AND SEAL OF OFFICE this the

Linda Fritsche County Clark Hays County, Texas

Elizabeth Sumter County Judge Hays County, Texas

STATE OF TEXAS COUNTY OF HAYS

SCHOOL DISTRICT This subdivision lies within the Dripping Springs Independent School District.

This tract is not within an identified Special Flood Hozard Area inundated by 100–Year Flood as identified by the Federal Emergency Incompenent Amorpher Role insurance Rate Map for Hays County, Texas, and Incorporated Areas, Map Number 48209c0115F, dated September 2, 2005. FLOOD PLAIN NOTE

DRIVEWAY PERMIT NOTE.

In order to promote softe use of roadways and preserve the conditions of public roadways, no driveway constructed on only lot within this subdivision sholl be permitted to access onto a publicly deficield Coodway unless (a) of Driveway Permit has been issued by the Road Department of Host County and (b) the driveway setsifies the minimum specific County and (c) the driveway solisifies the minimum the Hosy County Subdivision Regulations.

MINIMUM DRIVEWAY CULVERT SIZE When required, lots shall hove a minimum driveway culvert size of 18".

I. Linda Fritsche, County Clerk of Hoys County, Taxos, do hereby certify that the foregoing instrument of writing with its certificate of outheritection was filed for second in Wolfres on the Land of the County of Part Records of May 200 of 1800k of 1800k

ō

SEAL OF OFFICE this the . 2009.

WITNESS MY HAND AND

Linda Fritsche County Clerk Hoys County, Texas

MAILBOX NOTE

The requirement concerning construction standards for meliboxes installed within the right-of-way of streets and highways and requiring off such millboxes to be made of collapsible materials, as defined in the adianate.

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO WIT:

We structure in this subdivision shall be occupied until connected to on individual water supply or a state-proved community water system. Due to doctainly water supplies and diminishing water quality, prospective property owners are contained by those County to question the seller connecting open and or water property or property of the water consistency encounaged and in some cross may offer the bast renewals water tessurce.

STATE OF TEXAS COUNTY OF HAYS

No structure in this subdivision shall be occupied until connected to o public sever style or on-style vesteworder system when has been approved and permitted by Mays County Environmental Health.

KNOW ALL MEN BY THESE PRESENTS, that I, Thomas E. Staudt, a REGISTERED PROFESSONAL LAND SURVEYOR in the State of Teas, do hereby certify that this pale tomplies with the aurway related requirements of the Hops County Subdivision Specifications and further entity that this pale is prepared from on actual survey of the property mode under my supervision on the ground and that the corner monuments were property placed under my supervision.

Preliminary, this document shall not be recorded for any purpose.

Thomas E. Stoudt Registered Professional Land Surveyor No. 3984

No construction or other development within this subdivision may begin until all Hays County Development Permit requirements have been met.

Jerry Borcherding - Resouce, Protection, Transpartotion & Proming Director

Dote

촳

Tom Pope Hays County Floodplain Administrator

Phomos E. Stoudt RPLS # 3984 P.O. Ber 1273 Draphy Springs, Term 78620 (\$12)658-2236 STAUDT SURVEYING,

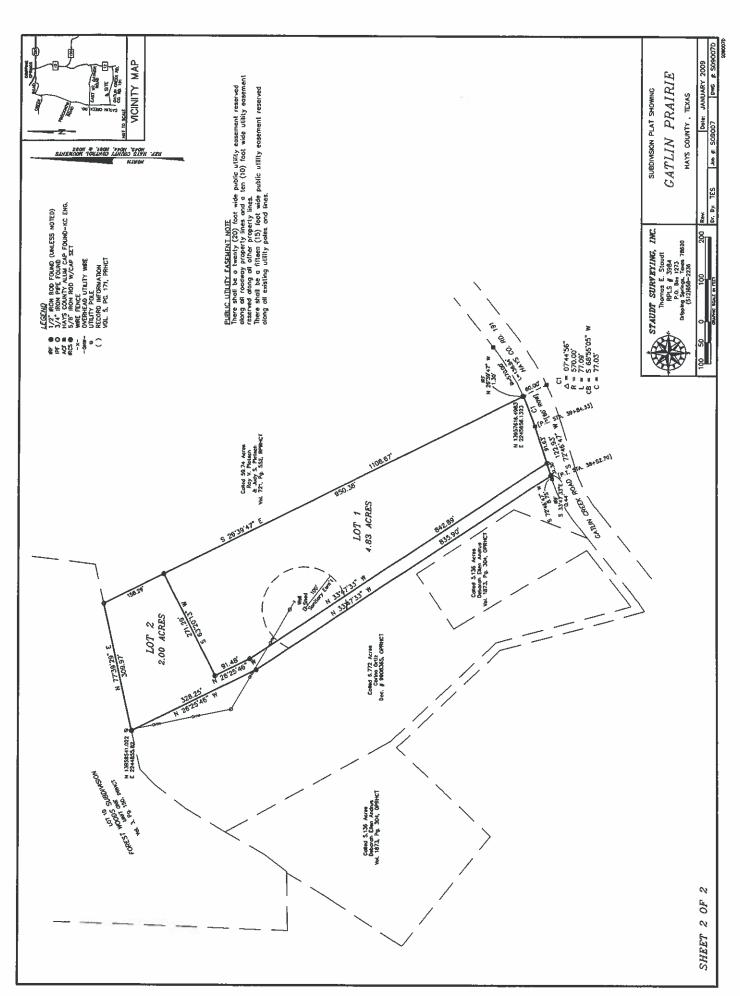
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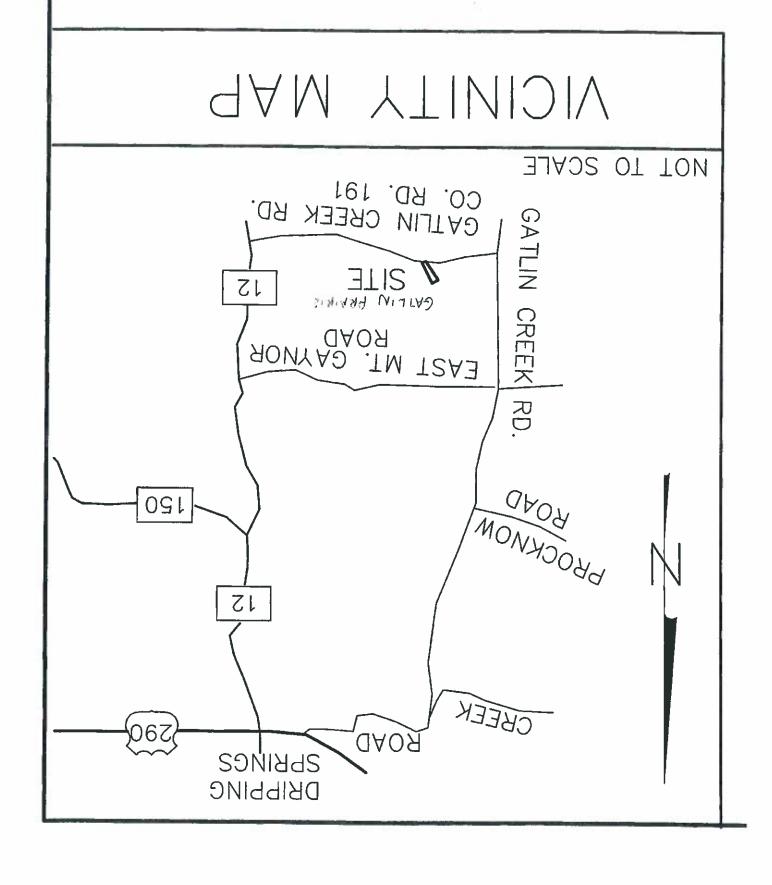
SUBDIVISION PLAT SHOWING

CATLIN PRAIRIE HAYS COUNTY, TEXAS

Dete: JANUARY 2009 9007 | DWG _E S09007D 200605 ≠ oor 된

> Q SHEET 1 OF





Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

09-4-26 Read Subdivision. Discussion and possible action to consider approval of preliminary plan.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

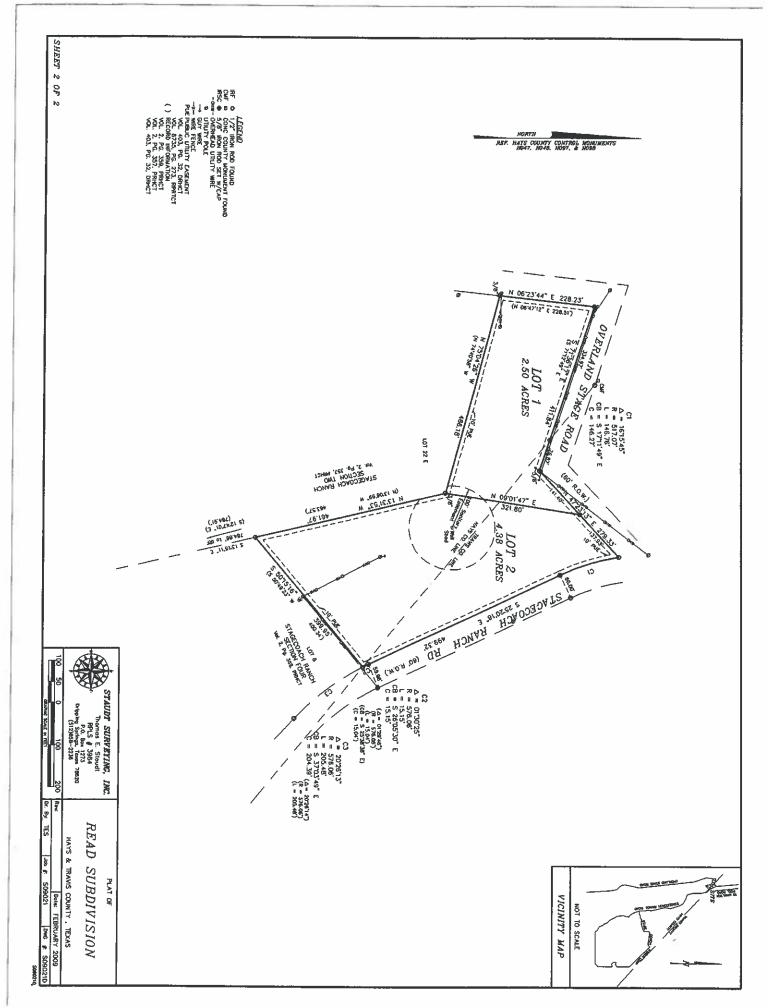
REQUESTED BY: Garza

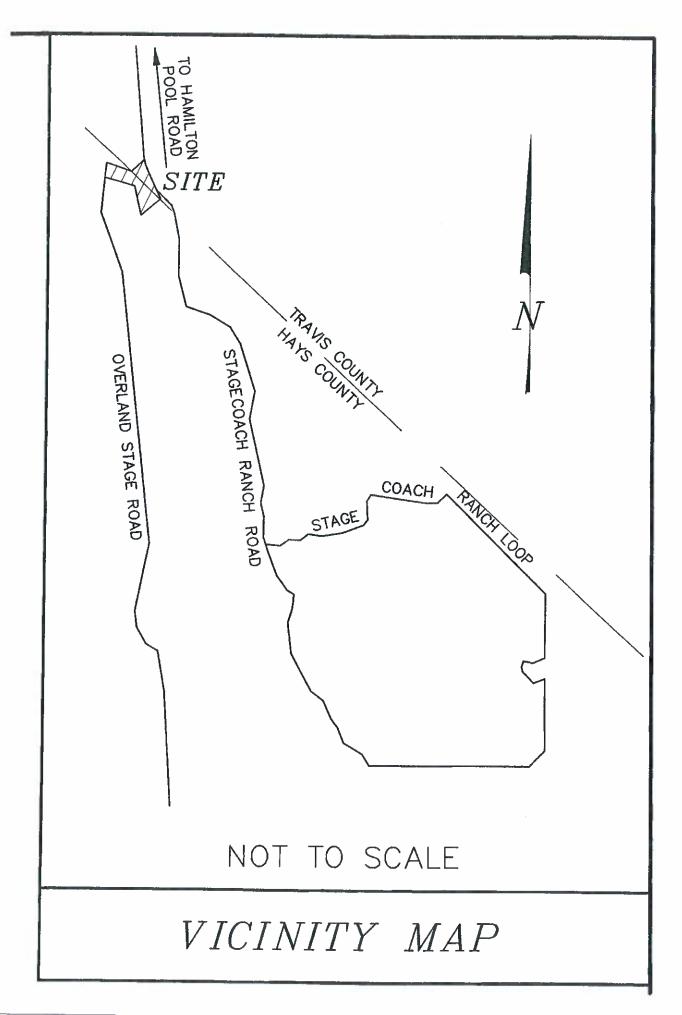
SPONSORED BY: Ford

SUMMARY:

The Read Subdivision is a proposed division of 6.91 acres located at the Hays County/Travis County line in Precinct 4. The tract is located adjacent to Stagecoach Ranch Subdivision and, although it is less than 10 acres, it has existed as a "legal" tract since the platting of Stagecoach Ranch. The proposed division will create 2 new lots - Lot 1 (2.5 acres) and Lot 2 (4.38 acres). Lot 1 will be served by an existing rainwater collection system and existing individual OSSF. Lot 2 will be served by an existing individual well and existing OSSF. The final plat has been submitted to Travis County but has not yet been approved.

SHEET 1 OF 2	Tom Pope Hoye County Floodplain Administrator	No construction or other development within this subdivision may begin until all Hage County Development Permit requirements have been met.	SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO WIT: No structure in this subdivision shall be occupied until connected to an individual water supply or a state-approved community eater system. Due to deciling water supplies and drinkinshing water quality, prospective property owners are cautioned by Haya County to question the seller concerning ground water ordebality. Roin water calestion is encouraged and in some areas may offer the best renewable water resource. No structure in this subdivision shall be occupied until connected to a public sever system or to an an-site waterwater system which has been approved and permitted by those County Environmental Health.	Elizabeth Sumter County Judge County, Texas Hoya County, Texas Hoya County, Texas	I. Lindo Fritsche, County Clerk of Hoys County, Texos, do hereby certify that on the	NOTARY PUBLIC in and for County, Texas STATE OF TEXAS COUNTY OF HAYS	Roymond E. Frank 500 Stagecooth Ranch Rd. 500 Stagecooth Ranch Rd. 500 Stagecooth Ranch Rd. 500 Stagecooth Ranch Rd. 501 Stagecooth Ranch Rd. 501 STATE OF TEXAS 500HTY OF HAYS 600HTY 600	STATE OF TRIXAS COUNTY OF HAYS KNOW ALL MEN BY THESE PRESENTS, That I, Raymond E, Frank, owner of 6.917 KNOW ALL MEN BY THESE PRESENTS, That I, Raymond E, Frank, owner of 6.917 KNOW ALL MEN BY THESE PRESENTS, That I, Raymond E, Frank, owner of 6.917 KNOW ALL MEN BY THESE PRESENTS, That I, Raymond E, Frank, owner of 6.917 KNOW ALL MEN BY COUNTY, Texas, Courty, Texas, and You, BSJAS, Page 225, of the Official Public Records of Travis County, Texas, DO HEREBY SUBDIVINE 6.88 corts of fond out of the C & M. RR Co. Survey A-708 & A-2181, to be known as READ SUBDIVISION, in restrictions herefore granted, and do hereby dedicate to the owners of the property shown hereon the use of the streets and easements shown hereon. WINNESS MY HAND, this the day of the streets and easements shown hereon.
	Date	this subdivision may begin until all Maya re been met. Date	r CERTIFICATION, TO WIT: uplied until connected to an inclividual water of system. Due to declining water supplies poetly empes are cautioned by Haya County for ovallobility. Roin water callection is best renewable water resource. best renewable water resource. uplied until connected to a public sever which has been approved and permitted by	MAILBOX NOTE The requirement concerning construction standards for mathoxes hat deled within the right—of-way, of streats and highways and requiring all such mailboxes to be made of collopsible materials, as defined in the ordinance. MINIMUM DRIVEWAY CULVERT SIZE When required, tots shall have a minimum driveway culvert size of 18°.	DRIVEWAY PERMIT NOTE To order to promote sofe use of roodways and preserve the conditions of public roodways, no driveway constructed on any lot within this subdivision shall be permitted to occess onto a publicly dedicated roodway unless (a) a Driveway Permit has been faued by the Road Department of Hoys County and (b) the driveway solt lofth in Section 7.4 and 7.5 of the Hoys County Subdivision Regulations.*	FLOOD PLAIN NOTE This froct is not within an identified Special Flood Hazard Area inundated by 100-160 Floor Flood as identified by the Federal Emergency inundated by 100-160 Floor Flood insurance Rate Map for Hops County, Taxas, and incorporated Areas, Map Number 482/95C0025F, dated September 2, 2005 and Map for Travis County, Texas and Incorporated Areas, Map Number 48453C0360H, dated September 26, 2008.	UTILITY INFORMATION whote: Lot i-Existing radinator collection system whote: Lot i-Existing radinator well. 5ever: Lot 1-Existing on-site sewage facilities Lot 1-Existing on-site sewage facilities Lot 1-Existing on-site sewage facilities Lectricity. Padenales Electric Cooperative, Inc. Telephone: AT&T HOTE A 20 Public Utility Easement is also reserved along the property lines objecting all road raws. A 10 Public Utility Easement is also reserved along the centerline A 7.5 Public Utility Easement is also reserved along the centerline of existing utility incs. \$CHOOL DISTRICT SCHOOL DISTRICT SCHOOL DISTRICT SCHOOL DISTRICT	E.T.L. NOTE No portion of this subdivision lies within the boundaries of any municipality's corporate city limits or extra territorial jurisdiction. EDWARDS AQUIFER NOTE No portion of this exclarivision less within the Edwards Aquifer Recharge Zone. This subdivision does be within the boundaries of the Contributing Zone of the Borton Springs Segment of the Edwards Aquifer. Recharge Zone of the Borton Springs Segment of the Edwards Aquifer. Total Aurober of Lots 2 Number of Lots Over 10 Acres: 0 Number of Lots 2 Acres: 2 Number of Commercial Lots: 2 Number of Lots 3-5 Acres: 2 Number of Lots 3-5 Acres: 2 Number of Lots 5-5 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 1-2 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: Number of Lots 5-12 Acres: 0 Average Size of Lots: 3.44 Acres: 0 Average S
100 50 0 100 200 Rev Dote: FEBRUARY 200	Thorons E. Stoudt PEAD SUBDIVISION Phonos E. Stoudt PEA SUBDIVISION Phonos E. Stoudt PEA SUBDIVISION Phonos Strong, Team 78820 HAYS & TRAVIS COUNTY , TEXAS	*Preliminary, this document shall not be recorded for any purpase." Thomas E. Slaudt Registered Professional Land Surveyor No. 3884	STATE OF TEXAS COUNTY OF HAYS RNOW ALL MEN BY THESE PRESENTS, that I. Thomas E. Staudt, a REGISTERED PROFESSIONAL LAND SURVEYOR in the State of Taxas, do hereby certify that this plot complies with the survey related requirements of the Hoys County Subdivision Specifications and further certify that this plot is prepared from an actual survey of the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision.	County Clerk Hoys County, Texas	in the Plat Records of Hays County, Texas, in Book Page WINESS MY HAND AND SEAL OF OFFICE this the	STATE OF TEXAS COUNTY OF HAYS L Lindo Fritsche, County Clerk of Heye County, Texas, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the AD, 2000 at a following members.	PFTT	





Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

09-4-25 Replat of Lots 15 and 16, Block A, Howard Ranch Subdivision, Section 2. Discussion and possible action to consider waiver of preliminary plan and public notice, and approve final plat.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY:

SUMMARY:

Howard Ranch is a recorded subdivision located south of F.M. 150 on R.R. 12 in Precinct 4. The owner of Lot 15 (2.232 acres) and Lot 16 (2.315 acres) would like to combine both lots into one 4.547 acre lot - Lot 15A. Lot 15 has a residence with a permitted OSSF and water from Dripping Springs Water Supply Corp (75% surface source). At this time, Lot 16 remains undeveloped. This action is a reduction of density and does not require public participation. The division does lie within the limits of Dripping Springs' ETJ and will require approval from the City prior to recordation.

REPLAT OF LOTS 15 AND 16, BLOCK A, HOWARD RANCH SUBDIVISION, SECTION SITE 1203 or. VICINITY MAP SURVEY NB1º13'36"E STILES J. FOWLER 訓 N15°01'17"E 170.35 UNDERSTANDING LEGEND 15 A 2716 00 N41°49'42"E B.L. IRON ROD FOUND 4.547 ACRES BUILDING SETBACK LINE PUBLIC UTILITY EASEMENT DRAINAGE EASEMENT 135.10 P.U.E. FFE=1047 13 LOT NUMBER BLOCK NUMBER 22 CS 78 CE CENTER LINE OF WATERWAY FEMA FLOODPLAIN AND CWOZ --CRITICAL WATER QUALITY ZONE S81°13'36"W 614.62' WOBZ- WATER QUALITY BUFFER ZONE (1) 2.882 UE HOWARD RANCH, SECTION 2 DOC. NO. 6015017 VOL. 13, PG. 152-156 O.P.R.H.C.TX. DATE: JUNE 17, 2009 KETTH MIDDLETON 1550 TREBLED WATERS TRAIL DRIFTWOOD, TEXAS 78619 (512)426-2905 BENCHMARK INFORMATION BASED ON STATE PLANS OF CONSTRUCTION AT RANCH ROAD 12 AND RANCH ROAD 150 DATED NOVEMBER 24, 2003. FOUND COTION SPINDLE IN TELEPHONE POLE AT SOUTHEAST CORNER OF RANCH ROAD 12 AND RANCH ROAD 150. ELEVATION $\approx 1096.42^\circ$ ACREAGE: 4.547 ACRES STILES FOWLER SURVEY FOUND COTTON SPINOLE IN TELEPHONE POLE IN THE WEST RIGHT-OF-WAY OF RANCH ROAD 12 SOUTH OF RANCH ROAD 150. ELEVATION $= 1084.22^{\circ}$ NO. OF SINGLE FAMILY LOTS: 1 NO. OF BLOCKS: 1 SHEET 1 OF 3 F.E.M.A. MAP NO.: 48209C 0115F DATED: SEPTEMBER 02, 2005 HAYS COUNTY, TEXAS SET 1-600 BENT HAIL IN 8° LIME DAX TIREE IN LOT 2, BLOCK A OF HOWARD RANCH SUB. SEG. 2 PLAT. ELEVATION = 1077.34° Cro. Engloscong & Surveying Stol Web William Canada Davis Assen, Toma W. d Phone No. (\$12) 289-5160s Fax No. (\$12) 260-316 PARH: JAC2004LP\4430\SURVEY\REPLAI LOT 15 Ading

REPLAT OF LOTS 15 AND 16, BLOCK A, HOWARD RANCH SUBDIVISION, SECTION 2

STATE OF TEXAS

COUNTY OF HAYS KNOW ALL MEN BY THESE PRESENTS: THAT KETH MIDDLETON, BEING THE OWNER OF LOTS 15 AND 16, BLOCK A, HOWARD RANCH SUBDIMSION, SECTION 2, A SUBDIMSION RECORDED IN VOLUME 13, PAGE 152-156 AND IN DOCUMENT NUMBER 6015017 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND AS COUNTY, TEXAS AND AS COUNTY, TEXAS AND AS COUNTY, TEXAS, ODES HEREBY REPLAT 4.547 ACRES OF LAND. 10 BE KNOW AS:

"TOTAL AS A COUNTY OF LAND AS COUNTY OF LAND OWNER BY OF LAND AS COUNTY, TEXAS, ODES HEREBY REPLAT 4.547 ACRES OF LAND 1. TO BE KNOW AS: "REPLAT OF LOTS 15 AND 16 BLOCK A, HOWARD RANCH SUBDIMISION, SECTION 2" AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED. KETTH MIDDLETON 1950 TREBLED WATERS TRAIL DRIFTWOOD, TEXAS 78619 DATE STATE OF TEXAS COUNTY OF HAYS BEFORE, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KEITH MIDDLETON, KNOW TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND HE ACKNOWLEGGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. NOTARY PUBLIC, STATE OF TEXAS PRINTED NOTARY'S NAME
MY COMMISSION EXPIRES: THIS SUBDIVISION IS LOCATED IN THE ETJ OF THE CITY LIMITS OF THE CITY OF DRIPPING SPRINGS, TEXAS. THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF DRIPPING SPRINGS, TEXAS AND IS HEREBY APPROVED. APPROVED THIS THE ______ DAY OF _ JOANN TOUCHSTONE, CITY SECRETARY TODD PURCELL, MAYOR I, DOUGLAS R. RUMBLEL, JR., A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTLYY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT. I CERTIFY TO THE COMPLETENESS, ACCURACY AND COMPLIANCE TO THE CITY OF DRIPPINGS SPRINGS SUBDAYSION ORDINANCES. ALL STORMMETER RESULTING FROM THE 100 YEAR RAIN EVENT WILL BE CONTAINED IN THE DRAINAGE EASEMENTS SHOWN ON THE PLAT. A PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL INSURANCE RATE MAP PANEL NO. ENGINEERING BY:

DOUGLAS R. RUMMEL, UR.

CARLSON, BRICANCE & DOERING, INC.

SSOT WEST WILLIAM CAMPON DRIVE,

AUSTIN, TEXAS 78749 DATE I, DOUGLAS R. RUMMEL, JR., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF THE CITY OF DRIPPING SPRINGS, TEXAS. WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. SURVEYED BY:

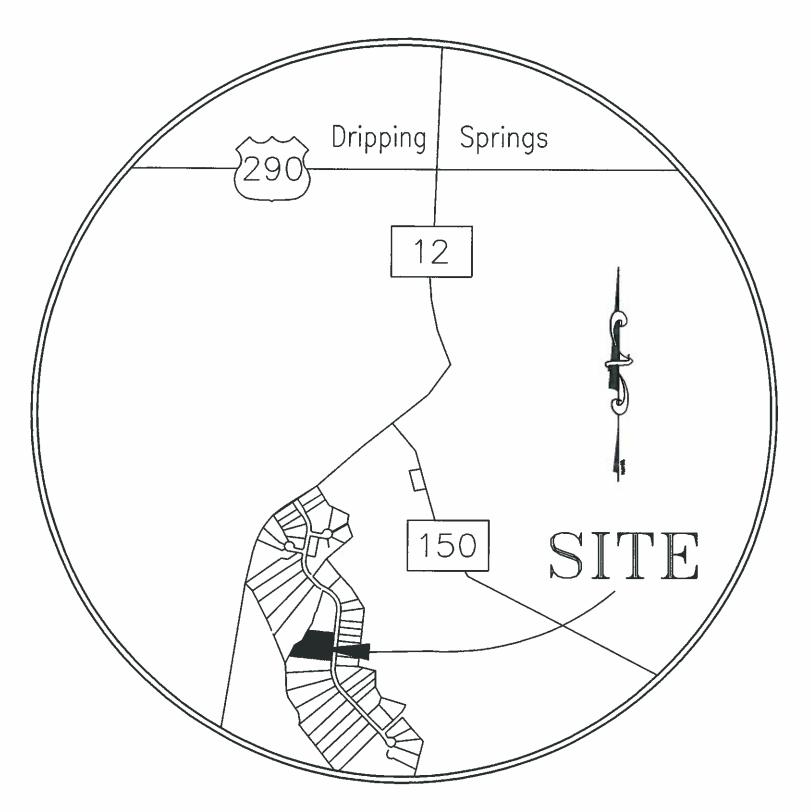
DOUGLAS R. RUMMEL, JR., R.P.L.S. MD. 5780
CARLSON, BRIGANCE & DOERING, INC.
5501 NEST WELLIAM CAMEND DRIVE,
AUSTIN, TEXAS 78749



REPLAT OF LOTS 15 AND 16, BLOCK A, HOWARD RANCH SUBDIVISION, SECTION 2

GENERAL NOTES: 1. THIS SUBDIVISION IS IN THE BARTON SPRINGS	SEDMENT OF THE CONTIRRUTING ZONE OF 1	THE ELMARING WORKER		
 THIS SUBDIVISION SHALL RECEIVE WATER SERVI THIS SUBDIVISION LIES WITHIN THE BOUNDARIES 	ACE FROM THE DRIPPING SPRINGS WATER SU IS OF THE E.T.J. OF THE CITY OF DRIPPING!	JPPLY CORPORATION. SPRINGS.		
 A 10" P.U.E. SHALL BE DEDICATED ADJACENT IDENTIFY DRIMENIAY LOCATIONS SHALL BE APPROVED BY ALL RESIDENTIAL LOTS LESS THAN 1.5 AC, REC 	HAYS CO., AND THE CITY OF DRIPPING SPRI	4 THE SUBDIMSION. BINGS.		
 GREENBELT/CONSERVATION ESHT AREAS SHOWN GREENBELT/ CONSERVATION EASEMENT AREAS SHOWN 	'N HEREON SHALL BE MAINTAINED BY THE INC IN HEREON.	OMDUAL PROPERY OWNERS OR THE HOWEOWN	ers association. Refer document no. <u>6015018</u> Fo	OR TERMS AND CONDITIONS RELATED TO
8. ROAD MAINTENANCE SHALL BE PROVIDED BY H. 9. LANDSCAPE EASEMENT AREA SHOWN HEREON S 10. THIS DEVELOPMENT SHALL COMPLY WITH THE C	CHIEF OF HARDERSON DV TOF HORSON TOP	ASSOCIATION. REFER TO DOCUMENT NO. 6015	OLB FOR TERMS AND CONDITIONS RELATED TO LANDS	cape easement areas shown hereon.
11. IN ORDER TO PROMOTE SAFE USE OF ROADWAY ROADWAY UNLESS (A) A DRIVEWAY PERMIT HAS BEEN	LYS AMD DESCRIPT THE CONDITIONS OF DIRE	VINANCE. NEC BOLDWAYS IN ASMENIY COMETIMES OF	Link 100 Hittis) tipe elimpateini elimi pe pari el	
			FIVE ACRES, AND ZERO SINGLE FAMILY LOTS LESS TH	
THIS SUBDIVISION IS WITHIN THE DRIPPING SPR LOT AVERAGING IS USED IN THIS SUBDIVISION A				IAN ONE ACRE.
17. UTILITY PROMDERS:	ADJACENT AND PARALLEL TO ALL ROADWAYS.	s.	ATCOUNT FOR.	
ELECTRIC: P.C.C. PHONE: VERIZON WATER: DRIPPING SPRINGS WATER SUPPL	LY CORPORATION			
WATER: DRIPPING SPRINGS WATER SUPPL WASTEWATER: INOMODUAL ON-SITE SEWAG 18. THIS SUBDIVISION IS SUBJECT TO THE EASEMED ACTURE THE THIRD CONTROL OF CONTR	NTS AND FASCINGUITS DICKTS AS SET ENDING	BY THE MASTER DECLERATION OF COMENANTS	AND RESTRICTIONS AS RECORDED IN VOLUME 2703,	PAGE 1 AND THE SUPPLEMENTAL DECLARATION TO
MASTER DECLARATION OF COVENANTS, CONDITIONS AN 19. THE RECURRIENT CONCERNING CONSTRUCTION : THE ORDINANCE.	STANDARDS FOR MALBOXES INSTALLED WITHI	ecorded in of the official public records in the right—of—way of strects and high	S OF HAYS COUNTY, TEXAS WAYS AND REOLIFFING ALL SUCH MALBOXES TO BE NO	ADE OF COLLAPSIBLE MATERIALS, AS DEFINED IN
DRIPPING SPRING WATER SUPPLY CORPORATION CCN SUBDIVISION IN ACCORDANCE WITH POLICIES OF THE 1	# 10315, AN APPROVED WATER SUPPLY SYS WATER SYSTEM.	STEM, HAS ADEQUATE QUANTITY TO SUPPLY TH	IS SUBDIMISION AND PROVISIONS HAVE BEEN MADE TO	PROMDE SERVICE TO EACH LOT IN THIS
DOUG COMES	DATE			
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2005. This subdivision is within the Boundaries of the				
	The state of the s	ovino.		
SEWAGE DISPOSAL/MOMBUAL WATER SUPPLY CERTIFICATIO				
NO STRUCTURE IN THIS SUBDIMISION SHALL BE OCCUPIED OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION	STATE CONDITIONED BIOCOLD MAILY MOST	IDADELITY. HOWN WAVER COLLECTION IS ENCOURING	EN MAIN DE ZOME WINDS HALL OLLEK LIEF REZL KÖMEMME	LE WAIER RESOURCE.
no structure in this subdivision shall be occupied no construction or other development within this				TY EMARCHMENTAL HEALTH.
	CONTROL OF STATE OF S	HILL DEACCOLMENT LEMMIN MEGABERENES HAVE BE	CCLA MC1.	
JERRY BORCHEROING, P.E., DIRECTOR HAYS COUNTY EMARCHIMENTAL HEALTH	DATE			
TON POPE HAYS COUNTY FLOODPLAIN ADMINISTRATOR	DATE			
STATE OF TEXAS] COUNTY OF HAYS]				
, LINDA C. FRITSCHE, COUNTY CLERK OF HAYS COUNT AUTHORIZING THE FILING FOR RECORD OF THIS PLAT, I	IY, TEXAS, DO HEREBY CERTIFY THAT ON THE	E DAY OF CHIEF IN BOOK	AD., 2009, THE COMMISSIONERS COURT OF HA	YS COUNTY, TEXAS PASSED AN ORDER
MTMESS MY HAND AND SEAL OF OFFICE OF THE COUR				
INDA C. FRITSCHE, COUNTY CLERK MAYS COUNTY, TEXAS				
LIZABETH SUMTER, COUNTY JUDGE MYS COUNTY, TEXAS ERTIFICATE OF RECORDING, TO WIT:				
ERRIFICATE OF RECORDING, TO WIT:				
TATE OF TEXAS :				
OUNTY OF HAYS !				
LIMDA C. FRITSCHE, CLERK OF HAYS COUNTY, TEXAS	00 HEREBY CERTIFY THAT THE FOREGOING D'CLOCKM., IN THE OFFICIAL PUBLIC REC	INSTRUMENT OF WRITING AND ITS CERTIFICATE CORDS OF HAYS COUNTY, TEXAS IN DOCUMENT	OF AUTHENTICATION WAS FILED FOR RECORD IN MY NUMBER	OFFICE ON THE DAY OF
RTNESS MY HAND AND SEAL OF OFFICE OF THE COUN				
ihda C. Fritsche, gounty Clerk Ays County, Texas				CHEET O VE O
				SHEET 3 OF 3
EPUTY				Cathon, Brigance & Doering, Inc. Co. Egineming & Surveying Sid West Wildom Cunce Drive Science, Tens Vera Phone Na. 1812 28-5164
				Phone No. (312) 200-316(5 Fat No. 317 262-3143

PATR: JAC2004LP\4430\SURVEY\REPLAT LOT 15 Adm



VICINITY MAP (N.T.S.)

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

09-4-24 Re-subdivision of Lot 6, Legend Oaks, Section 2. Discussion and possible action to consider approval of preliminary plan; call for public hearing on September 29, 2009.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

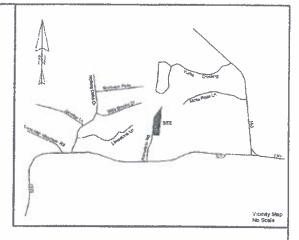
REQUESTED BY: Garza

SPONSORED BY: Ford

SUMMARY:

The Legend Oaks Subdivision is located off of 3237 in Precinct 4. At the time of platting, the subdivision consisted of 7 lots. The proposed replat is of Lot 6 (15.09 acres) and will result in 3 new lots - Lot 6A (4.90 acres), Lot 6B (5.00 acres), and Lot 6C (5.19 acres). Water service to each lot will be provided by private well, and wastewater will be provided by individual on-site sewage facilities. There are no variances, and the entire subdivision is not located in any ETJ. The proposed action is an increase in density of an already recorded subdivision; therefore, a public hearing is required under State regulations.

STATE OF TEXAS COUNTY OF HAYS PYNOVI ALL MEN BY THESE PRESENTS, That I, Tima H. Seeman, owner of 15 003 across of lend, more or less, who brown ms up 6, LEGGIND CHANS, SECTION 2, a subdivision in Heyer County Taxes, eccording to the map or plat thereof recorded in Volume 5, Page 309. Past Records of Hays County, Taxes, as conveyed to me by peed desed Chicker 25, 1969, and recorded in Youther 1270, Page 120, Hays County, Taxes, as conveyed to me by peed desed Chicker 25, 1969, and recorded in Youther 1270, Page 120, Hays County, Taxes, Exportation County, Taxes, as conveyed to me by peed desed Chicker 25, 1969, and recorded in Youther 1270, Page 120, Hays County, Taxes, Exportation County, Taxes, as conveyed to me to peed to the Page 120, Hays County, Taxes, and the Page 120, Hays County, Taxes, and the Page 120, Hays County, Taxes, WITNESS MY HAND, this the _____ day of T.r.a H. Seaman, 7878 Ranch Road 3237, Drillwood, Texas. 78519 STATE OF TEXAS CIDUNITY OF HAYS ESF CRE S/E, the undersigned suthorry, on this day personally expected, Time H. Seeman, shown to the to be the person whose retrieve is sutherched to the Stopping Institutional and authoritiedged to the libes the has executed the same for the curpose and consideration thream stated. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of ____ . A D. 2009 NOTARY PUBLIC to and for Hays County, Texas. My commission popular No structure in this subdivision shall be occupied until connected to an individual water supply or Stace approved commonly writer system. Due to destining water supplies and destinating water quality, prospective owners are cusposed by High Courty to question this sales concerning ground water availablety. Rain water collection is anoutraged and in some areas may offer the best renewable water resource. No structure in this autoficial-on shall be occupied until connected to a public sever system or to an on-site wastawater system which has been septroved and permitted by Heya County Environmental Health No construction or other development within this subdivision may begin until all Heyri County Development Permit requirements have been met. Jerry Borcherding Resource, Protection Transportation and Planning Director Dete Tom Pope Floodplain Administrator WITHESS MY HAND AND SEAL OF OFFICE INLESS day of ____ _, A.D. 2009 LINDA C. FRITSCHE COUNTY CLERK HAYS COUNTY, TEXAS t Lines C Firstone, County Clierk of Hays County, Texts, do hereby centry that on the day of A.D., 2009, the Commissioners Court of Hays County, Texts, pessed an order authorizing the lang for record of this plat, and said order has been duly entered in the minutes of seld Court in Sook. — Page WITNESS MY HAND AND SEAL OF OFFICE this Une day of EL:ZABETH SUMTER COUNTY JUDGE HAYS COUNTY, TEXAS LRIDA C. FRITSCHE COUNTY CLERK HAYS COUNTY, TEXAS KNOW ALL MEN BY THESE PRESENTS, That I, Cryde Barross, a Registered Professional Land Surveyor in the State of Texas, to hereby certify that this plat is true and correctly made and is prepared from an actual survey of the septem? made where my super-faction on this ground and that the corner impourances were found or properly placed under my super-vision. Clyde Barroso R.P.L.S. #5404. State of Texas



FOR REVIEW AND APPROVAL ONLY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

HOTES

- 1) The audorhalon lies within the boundaries of the Edward's Aquiter Recharge Zone.
 2) No portion of this subdivision has within the boundaries of the 100 year flood plan is a control of the subdivision has within the boundaries of the 100 year flood plan is 3.

 3) This additional is a within Community Pencel \$450207 02847, cased September 2, 2005

 3) This additivision has writing Community Pencel \$450207 02847, cased September 2, 2005

 3) This additivision has writing the subdivision of the properties, additional venture, the subdivision is a to be by private, individual venture, the subdivision is provided by Verticon

 5) Electricity for this subdivision is provided by Verticon

 7) Telephone service for this dubdivision is provided by Verticon

 8) No portion of this subdivision is within the corporate cry famile or the ETJ of any municipality,

 10) Total number of loss is 3, the total same of this subdivision is 15 078 ceres, this liverage size of the bits is 50 decess, with 0 size 19 acres or ledger 2 tels 5-10 acres, 1 to 12-6 acres, 0 tota 1-2 acres and 0 loss armiller than 1 acre.

 10) There is heartly dedicated a public cutting searment being 20' wide stong the finant oroperty fines and 10' wide atong all other lot lines.

Drywy Panil St

Thi order to promote self-use of road-legs and presence the conditions of public read-legs, no develop, conditional context, and not the definition of which the definition of what the partitional context cone or to a public placed and transless primary primary and the self-use primary has been assured by the National Department of Heye County and the the development of the context of the conte

Minimum drivewen outvert size

All lots shall have a minimum driveney culvert also of 18"; if needed

"The arquirement constraint construction standards for melitoxies installed within the right of way or streets and highways and requiring all such malificases to be weath of cotage bits meantain, as installed in a reference of

RESUBDIVISION OF LOT 6. LEGEND OAKS, SECTION 2

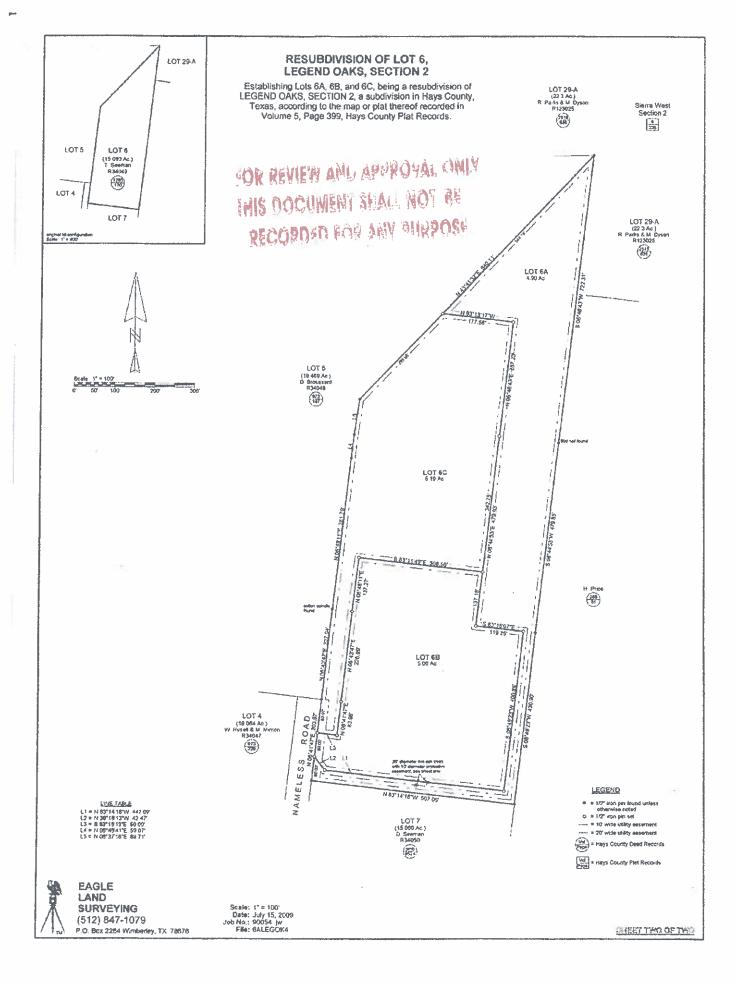
Establishing Lots 6A, 6B, and 6C, being a resubdivision of LEGEND OAKS, SECTION 2, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 5, Page 399, Hays County Plat Records.



EAGLE LAND SURVEYING (512) 847-1079 P.O. Box 2264 Wimberley, TX, 78676

Date: June 15, 2009 Job No.: 90054 jw File: SIGPAGE1

SHEET ONE OF TWO



Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

09-3-22 Oak Run Estates. Discussion and possible action to consider approval of preliminary plan.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY: Conley

SUMMARY:

Oak Run Estates is a proposed subdivision located off of Oak Run Drive in Precinct 3. The existing tract is 10.002 acres, and the proposed division will create 2 new lots of 5.001 acres in size each. Water service to each lot will be provided by private well, and wastewater will be provided by individual on-site sewage facilities. There is no new infrastructure and each lot has over 200 feet of frontage on an existing "permitted" roadway. There are no variances, and the entire division is not located in any ETJ.

BAR LL RANCH COMPANY 810 AL.

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TO PILE NOTO 15 W 568.41

A SUBDIVISION OF 10.002 ACRES OF LAND OUT OF OAK RUN BSTATES THE WESLEY HUGHES SURVEY No. 11,

IN HAYS COUNTY, TEXAS ABSTRACT No. 243



MATTHEW A. NOWELL & LINDEN S. MOWELL

SCALE: 1"=100" करा करा का कि को क

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HAYIS COUNTY PLAT RECORDS

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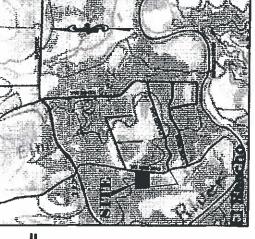
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Lit Samler, Charly dedys, Hope County, Town

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PLOTTED DO/17/DB

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

09-3-20 Replat of Lots 239 and 243, Woodcreek, Section 25. Discussion and possible action to consider waiver of preliminary plan, a variance from Hays County minimum lot size standards, and approval of final plat.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: August 18, 2009

AMOUNT REQUIRED: N/A

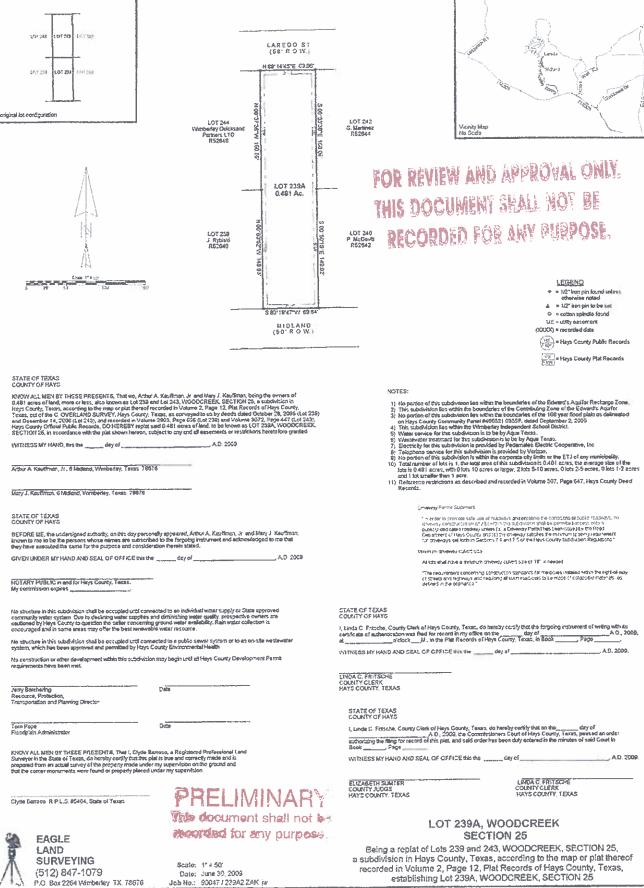
LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY: Conley

SUMMARY:

Woodcreek is a platted subdivision located off 2325 in Precinct 3. Lots 239 and 243 are located off of Midland Street and Laredo Street, respectively. Currently, Lots 239 and 243 are each approximately .24 acres in size; however, the owner of the two lots wishes to combine them creating one .48 acre lot. Each lot is to be served by public groundwater supply (Aqua Texas) and Public Sewer (Aqua Texas). This action is a reduction in density and does not require public participation. There is a variance from the minimum lot size requirement, OSSF Rules Table 10.1, which requires lots in this area to be .50 acres in size or greater. At the time these lots were platted, they met minimum lot size requirements; however, a replat requires compliance with current regulations. The division is not located in any ETJ.



a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 2, Page 12, Plat Records of Hays County, Texas, establishing Lot 239A, WOODCREEK, SECTION 25

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

09-4-27 Roberts Corner Subdivision. Discussion and possible action to consider approval of preliminary plan.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY: Ford

SUMMARY:

The Roberts Corner Subdivision is a proposed division of 17.62 acres located at the corner of McGregor Lane and Highway 290 in Precinct 4. The proposed division will create 3 new lots, lot 1 (8.9 acres), lot 2 (4.94 acres), and lot 3 (3.75). Lots 1 and 2 will be served by individual wells and on-site sewage facilities. Lot 3 will be served by an existing individual well and existing OSSF. The existing OSSF on Lot 3 has been in use for over 35 years and the current property owner has agreed replace the system with a new/permitted system within 6 months of final plat approval. To further assure compliance, the property owner will file a sworn affidavit in the Official Public Records prior to final plat approval. There are no variances and this subdivision is not located in any city's ETJ.

STATE O E OF TEXAS

KNOW ALL MEN BY THESE PRESENTS. That we, Marion W. Roberts and Wilna June Roberts, owners of 17,62 ocres out of the William McCom Survey, A-343, and the Benjomin F. Hanno Survey, No. 28, A-222, Hays County, Texas, as conveyed to us by deeds dated Fobruary 20, 1997 and sunce 10, 1993, and recorded in Yolume 1992, Page 506, and bocument No. 9914381, of the Official Public Records of Hays County, Texas, Do HERER'S SUBDYNDE 17,62 Acres of land out of the William McCoun Survey, A-343, and the Benjomin F. Hanna Survey No. 28, A-222, to be known as the ROBERTS CORNER, in accordance with the plot shown hereon, subject to any and accoments of the property shown herean, about to any dedicate to the owners of the property shown herean, about the use of the Streets and easements shown herean.

STATE OF TEXAS Marian W. Roberts 110 McGregor Lane Dripping Springs, TX 78620 WITNESS MY HAND, this the A.D., 2009. Wilmo June Roberts 110 McGregor Lane Dripping Springs, TX 78620 و day هر

BEFORE ME, the undersigned authority, on this day personally appeared Marion W. Roberts and Wilma June Roberts, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the doy of ______, A.D., 2009.

NOTARY PUBLIC in and for Hays County,

STATE OF TEXAS COUNTY OF HAYS

7000

WITNESS MY HAND OF OFFICE this ihe

AND SEAL A.D., 2009.

잋

Linda Fritsche County Clerk Hays County, Texas

STATE OF TEXAS

i. Linda Fritsche, County Clerk of Hays County, Texas, do horeby certify that on the day of Ab., 2009, the Commissioner's Court of Hays County, Texas, passed on order authorizing the filing for record of this plot, and said order has been duly entered in the minutes of the soid court Book

MITNESS MY HAND AND SEAL C 윽 OFFICE this 7 doy

Elizabeth Sumter County Judge Hays County, Texas

SHEET

N

QF.

County Clerk Hays County,

Texas

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO WIT

No structure in this subdivision shall be occupied until connected to an individual meta-supply or a state-approved community worker system. Due to declaring woter supplies and diminishing water quality, prospective property owners are coatland by Haya County to autestion the safer concerning govern the overclocking. Rain water calection is encouraged and in some areas may offer the best renewable water resource.

No structure in this subdivision shall be occupied until connected to a public sewer system or to an orm-site wastewater system which has been approved and permitted Hoys County Environmental Health. ē

No construction or other development will County Development Permit requirements within this subdivision may begin ats have been met. until all

Jerry Borcherding — Resouce, Protection, Transportation & Planning Director

Tom Pope Hays County Floodplain

Pote:

KNOW ALL MEN BY THESE PRESENTS, that I, Thomas E. Staudt, a REGISTERED PROFESSIONAL LAND SURVEYOR in the State of Texas, do heraby certify that this pott complies with the survey related requirements of the Hops County Subdivision Specifications and further certify that this pott is prepared from or actual survey of the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision.

Preliminary, this document shall not be recorded ğ ony purpose.

STAUDT SURVEYING,
Thomos E. Stoudt
RPLS # 3984
P-0. 8bs 1273
Physing Safings, Texar 7882
(\$12)658-2236 78620 INC

SUBDIVISION PLAT OF

HAYS COUNTY, TEXAS CORNER

80

UCINITY MAP NOT TO SCALE 킖

E.T.J. NOTE

No portion of this subdivision lies within the boundaries of any municipality's corporate city limits or extra territorial jurisdiction.

EDWARDS AQUIFER NOTE

No portion of this subdivision lies within the Edwards

Zone. This subdivision does lie within the boundaries

Zone of the Barton Springs Segment of the Edwards a Aquifer Recharge is of the Contributing a Aquifer.

PLAT INFORMATION
Total Area: 17.62 Acres
Total Number of Lots: 3
Number of Residential Lots:
Number of Commercial Lots:
Average Size of Lots: 5.87 #

Acres Number of Lots

ts Over 10 Acres: 0
ts 5-10 Acres: 1
ts 2-5 Acres: 2
ts 1-2 Acres: 0
ts Less than 1 Acres:

UTILITY INFORMATION
Water: Dripping Surings Water Supply Corporation
Sewer: Individual on-site sewage facilities
Electricity: Pedernoles Electric Cooperative, Inc.

ON SITE SWAGE FACILITY (OSSF) NOTE
The DSSF on Lot 3 hos to be replaced within six (6) months of
the swort officiati filed in Volume _____ Page _____ Official Public
Records Hoya County, Texas.

SCHOOL DISTRICT lies within the Dripping Springs Independent School District.

(2000) PLAIN NOTE

THE CONTROL OF TH

DRIVEWAY PERMIT NOTE

The control of the use of roadways and preserve the conditions of public roadways, no driveway constructed on any lot within this subdivision stall be permitted to access anto a publicly dedicated subdivision stall be permitted to access anto a publicly dedicated subdivision stall be permitted to access anto a publicly dedicated subdivision stall be permitted by the Road Bepartment of Hoys County and (b) the driveway satefas the minimum spacing requirement for driveways set forth in Section 7.4 and 7.5 of the Hoys County Subdivision Regulations."

MINIMUM DRIVEWAY CULVERT SIZE Men required, lots shall have a minimum

driveway culvert

STATE OF TEXAS

Thomas E. Staudt Registered Professional Land Surveyor No. 3984

ROBERTS

DWG # S09113D

Dr. By

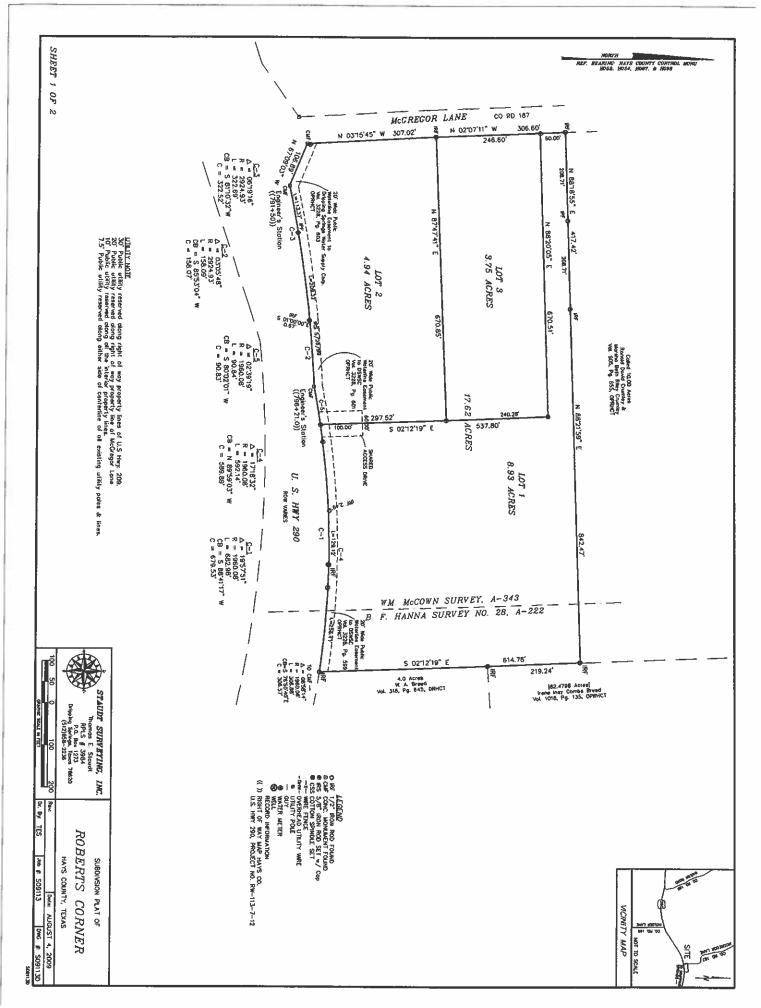
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Job \$: 509113

Dole

AUGUST

4, 2009



Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

	Discussion and possible action to recommend the adoption of the opolitan Planning Organization Bylaws and dissolve the Joint Powers
CHECK ONE:	☐ CONSENT X☐ ACTION ☐ EXECUTIVE SESSION
	□ WORKSHOP □ PROCLAMATION □ PRESENTATION
PREFERRED MEE	TING DATE REQUESTED: September 1, 2009
AMOUNT REQUI	RED:
LINE ITEM NUME	BER OF FUNDS REQUIRED:
REQUESTED BY:	
SPONSORED BY:	SUMTER
SUMMARY: These by unanimously agree to di attached.	aws can only be adopted by CAMPO if the six signers of the Joint Powers Agreement ssolve the JPA. The bylaws incorporate some of the JPA and powers. Both documents are



REVISED (August 10, 2009)

Capital Area Metropolitan Planning Organization Transportation Policy Board Bylaws Table of Contents

1.	STATEMENT OF PRINCIPLES	3
	DEFINITIONS	
	ORGANIZATION	
	A. TRANSPORTATION POLICY BOARD	6
	B. STANDING COMMITTEES	14
	D. CAMPO STAFF	14
4.	PUBLIC PARTICIPATION PROGRAM	13
	BYLAWS	

The Capital Area Metropolitan Planning Organization (CAMPO) is the designated Metropolitan Planning Organization (MPO) for the multi-county central Texas region and must ensure that transportation planning in the urbanized area is satisfactorily coordinated and integrated with other comprehensive planning in the region. These Bylaws spell out the manner in which CAMPO will fulfill its responsibilities as the cooperative transportation decision-making group for the Capital area.

1. STATEMENT OF PRINCIPLES

- A. An efficient, effective, safe and practical system of moving people, goods and services according to their needs in the Capital area is a critical component for the physical, economic and social well-being of the region, its citizens, and business enterprises, now and in the future. Therefore, decisions involving transportation systems and subsystems must consider the environmental, economic and social impacts of the alternatives in the future development of the transportation system.
- B. A transportation system can best be planned on a large-area basis involving city, county, regional, and state jurisdictional responsibilities and a proper mix of various modes of travel.
- C. There are multiple public partners who bring their perspectives and professional expertise to the urbanized regional transportation planning table. This includes counties and cities that have the local responsibility for anticipating and meeting the transportation needs for adequately moving people and goods within their jurisdictions. The Texas Department of Transportation (TxDOT) brings a state connectivity perspective. In addition, duly authorized transportation authorities are responsible for planning, developing, implementing and operating public transportation services in their respective service areas. The Capital Area Metropolitan Planning Organization (CAMPO), in cooperation with TxDOT and operators of publicly owned transit services, is responsible for carrying out the metropolitan transportation planning process in accordance with Section 134, Title 23, United States Code (23 USC 134) and applicable federal and state regulations. CAMPO now has an expanded role in project selection, transportation project programming and project funding.
- D. CAMPO will have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. These plans and programs will lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods.
- E. CAMPO will be the forum for cooperative decision making, will evaluate transportation alternatives and will determine the most desirable transportation system for the Capital area region. It will include elected officials of general purpose local governments (i.e., cities and counties), representatives of entities responsible for highways, toll roads and mass transit improvements as well as statewide elected officials who represent constituencies residing within the CAMPO planning boundary.
- F. CAMPO will make recommendations involving the regional transportation system to the counties and cities, the state, and the authorities for all modes of transportation. Final decisions for implementing the Long Range Transportation Plan (Metropolitan Transportation Plan) will be a cooperative effort between the governing bodies of the counties and cities, the Texas Transportation Commission, CAMPO and the transportation authorities.

2. DEFINITIONS

The following definitions will apply to terms used in these Bylaws:

A. METROPOLITAN TRANSPORTATION PLANNING PROCESS. The transportation planning process is the process of estimating future travel demand, identifying transportation improvement

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alternatives and evaluating those alternatives and financial resources to determine the best combination of facilities and services for all modes of travel. The metropolitan transportation planning process includes the development of a long range metropolitan transportation plan (MTP), Transportation Improvement Program (TIP) and a Unified Planning Work Program (UPWP) that will encourage the achievement of community goals by evaluating the environmental, energy, economic and social costs of transportation plans and systems, projecting future travel demands, determining viable transportation alternatives and evaluating these alternatives to determine the optimum combination of all modes of travel to best serve the citizens of the Capital area.

- 1. Metropolitan Transportation Plan. The Metropolitan Transportation Plan (MTP) is the long range delineation of the highway, transit, bicycle, pedestrian and airport facilities that would serve the projected travel demand for a forecast year at least 20 years into the future. The MTP will include a listing of projects anticipated to be funded over the next approximately 20+ years and be developed consistent with federal guidelines. The MTP will include both long-range and short-range strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods. The MTP will be reviewed and updated at least every five years to confirm its validity and its consistency with current and forecasted transportation and land use conditions and trends and to extend the forecast period. For purposes of these bylaws, the MTP will be called the Long Range Transportation Plan and must be approved by the CAMPO Transportation Policy Board.
- 2. <u>Transportation Improvement Program</u>. The Transportation Improvement Program (TIP) specifies how federal transportation funds are spent in the Capital area for a minimum four-year period. The TIP is a multimodal listing of all transportation projects and programs expected to be implemented as well as projects that are funded but not yet ready for implementation. This includes all projects or programs that are expected to utilize federal funds and those projects or programs which will utilize other funds (state or local), including toll road projects. The TIP will be developed consistent with federal and state laws, regulations and guidelines.
- 3. Unified Planning Work Program. The Unified Planning Work Program (UPWP) is a document setting forth, by work element tasks, the planning priorities facing the metropolitan area and documenting the planning activities to be performed with funds available to CAMPO. The estimated expenditures and funding sources for carrying out the work are identified. The UPWP is a listing of planning activities to be performed by CAMPO staff in support of a continuous, comprehensive and coordinated transportation planning process. The UPWP also contains a listing of transportation planning activities performed by other agencies that will have regional significance.
- 4. Congestion Management Process. The Congestion Management Process (CMP):
 - a. Provides information on the location and severity of current and future traffic congestion in the Capital area;
 - b. Makes recommendations for the best projects and programs to relieve congestion;
 - c. Is an ongoing process resulting in periodic update reports; and
 - d. Must be referenced when selecting transportation projects for inclusion in the long range plan and TIP.
- B. REGIONAL TRANSPORTATION SYSTEM. The Regional Transportation System is the continuous network of roadways and transit services that provides for movement and interchange of people and goods, primarily between local jurisdictions within the region. Included in the broadly defined Regional Transportation System are highways, parking and intermodal terminals, tollways, fixed-guideway transit lines, bus routes, taxi services, paratransit and ridesharing services, railroad facilities and general aviation and air carrier airports.
 - 1. <u>Regional Highway System</u>. The regional highway system includes principal and minor arterials, highways, tollways, truck terminals, parking facilities and ridesharing services that make up the system for travel by automobile or truck.

- Regional Public Transportation System. The regional public transportation system includes all fixed-guideway facilities, bus routes, paratransit and taxi services operated by public or private entities.
- Regional Airport System. The regional airport system is the collective group of airports and heliports in the urbanized area that provide terminals for commercial air travel, general aviation and air cargo.
- C. METROPOLITAN AREA. The Metropolitan Area is that portion of Travis, Williamson, Hays and surrounding counties expected to be principally urbanized by the appropriate planning horizon (approximately 20 years).
 - 1. Metropolitan Statistical Area. A metropolitan statistical area (MSA) is a geographic entity defined by the U.S. Office of Management and Budget (OMB) for use by federal statistical agencies in collecting, tabulating and publishing federal statistics. The general concept of a MSA is that of a core area containing a substantial population nucleus, together with adjacent communities having a high degree of economic and social integration with that core. The largest city in each MSA is designated a "principal city." Additional cities qualify if specified requirements are met concerning population size and employment. The title of each MSA consists of the names of up to three of its principal cities and the name of each state into which the MSA extends.
 - 2. Metropolitan Area Boundary. The boundaries of a metropolitan planning area (MPA) shall be determined by agreement between the MPO and the Governor. At a minimum, the MPA boundaries shall encompass the entire existing urbanized area (as defined by the Bureau of the Census) plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan transportation plan. The MPA boundaries may be further expanded to encompass the entire metropolitan statistical area or combined statistical area, as defined by the Office of Management and Budget.
- D. FEDERALLY DESIGNATED URBANIZED AREA. An Urbanized Area is a statistical geographic entity designated by the Census Bureau, consisting of a central core and adjacent densely settled territory that together contain at least 50,000 people, generally with an overall population density of at least 1,000 people per square mile.
- E. PRIMARY MEMBER. A primary member is the principal individual appointed to represent an entity or group of entities on the CAMPO Transportation Policy Board.
- F. ALTERNATE MEMBER. An alternate member is the individual appointed to represent an entity or group of entities on the CAMPO Transportation Policy Board in the absence of the primary member. An alternate:
 - 1. Can participate in discussions and cast votes whenever the primary member is absent;
 - 2. Will count toward a quorum in the absence of the primary member; and
 - 3. Is encouraged to attend meetings on a regular basis so as to be knowledgeable on issues and prepared to vote should the primary member be unable to attend a particular meeting; and
- G. PUBLIC PARTICIPATION PROGRAM. The transportation planning process includes the development of a Public Participation Program. The Program is intended to:
 - 1. Include all area citizens, groups, agencies and transportation providers;
 - 2. Provide complete information, timely public notice and full public access to key decisions;
 - Support early and continuing involvement of the public in developing plans and programs including the Long Range Transportation Plan and Transportation Improvement Program;
 - 4. Integrate the concerns of a wide variety of involved parties and encourage involvement in the regional transportation planning process;
 - 5. Promote education of transportation issues; and
 - 6. Provide opportunities for citizens to contribute ideas and voice opinions early and often, both during and after preparation of draft plans and programs.

- H. METROPOLITAN PLANNING ORGANIZATION. A Metropolitan Planning Organization (MPO) is defined in Federal Transportation Legislation (23 USC 134(b) and 49 USC 5303(c)) as the designated local decision making body that is responsible, together with the state, for carrying out the metropolitan transportation planning process. A MPO must be designated for each urban area with a population of more than 50,000 people (i.e., for each Urbanized Area defined in the most recent decennial Census).
- I. FISCAL AGENT. The Fiscal Agent will provide supportive services as outlined in a mutually approved operational policy agreement between CAMPO and the fiscal agent.
- J. ROBERT'S RULES OF ORDER. Robert's Rules of Order is the recognized guide on parliamentary procedure and how to hold smooth, orderly and fairly conducted meetings. The most recently published edition of Robert's Rules of Order will be the basic parliamentary guide for CAMPO meetings. If there is a divergence between these Bylaws and Robert's Rules of Order, the Bylaws will govern the situation.

3. ORGANIZATION

- A. TRANSPORTATION POLICY BOARD. The Transportation Policy Board (TPB) will be the forum for cooperative transportation decision making in the Capital area and will furnish policy guidance and direction for CAMPO. The TPB is comprised of elected officials of state government or their designee, elected officials of general-purpose local government and representatives of transportation agencies who have responsibility for project implementation within the Capital area. The TPB has responsibility for the total transportation process including, but not limited to, review and approval of the recommended Long Range Transportation Plan and Transportation Improvement Program.
 - 1. Functions. The representative functions of the TPB are as follows:
 - a. Provide direction to and policy guidance for the regional transportation planning process
 - b. Annually certify the coordination, comprehensiveness and continuity of the regional transportation planning process
 - c. Ensure the Unified Planning Work Program, the Long Range Transportation Plan and the Transportation Improvement Program are developed in accordance with requirements of federal statutes and regulations.
 - d. Review the Transportation Improvement Program and Long Range Transportation Plan to ensure that transportation projects do not reasonably exceed the funding that currently seems likely to be available for the Capital area.
 - e. Select projects for those funding programs authorized by federal law or requested by the state according to specified procedures. This may include, but is not limited to:
 - 1. Transit Section 5307--Urbanized Area Formula Program
 - 2. Surface Transportation Program--Metropolitan Mobility (STP-MM)
 - 3. Congestion Mitigation and Air Quality Improvement Program
 - 4. TxDOT's Unified Transportation Program Projects selected for funding are programmed through a coordinated effort involving the MPO and TxDOT's Austin District
 - Statewide Transportation Enhancement Program Projects are non-roadway in nature and are regionally significant.
 - f. Identify regional corridors and associated needs in the Long Range Transportation Plan
 - g. Review the limits of the planning boundary and make recommendations for revisions that are considered appropriate.
 - Maintain a public involvement program that optimizes public participation and periodically review the program for possible enhancements.
 - i. Ensure planning processes are done in cooperation and consultation with the state, local governments, transportation providers and implementing agencies.
 - j. In accordance with TxDOT schedules, adopt and forward to the Texas Department of

Transportation a staged multiyear Transportation Improvement Program that includes projects in or serving the urbanized area, initiated by the implementing agencies and consistent with the Long Range Transportation Plan.

- k. Receive recommendations and reports from MPO staff, the standing or ad hoc committees, ex-officio members, other committees, task forces and members of the general public.
- Perform necessary personnel actions regarding the CAMPO Executive Director, including but not limited to:
 - 1. Appoint
 - 2. Evaluate
 - 3. Counsel
 - 4. Remunerate
 - 5. Terminate, if necessary.
- m. Adopt bylaws that provide the framework for conducting the business of the TPB.

2. Membership.

- a. Voting Membership. Each entity that appoints a member shall designate its representatives and alternates to the Transportation Policy Board and, when necessary, fill vacancies among its members on the Board. Entities selecting elected members of the Transportation Policy Board shall assure racial and ethnic minority representation on the Board that reflects the minority population of each county, to the maximum extent possible. Changes to the voting membership may be made only if approved by threefourths vote of the Policy Board membership.
- b. Membership on the Transportation Policy Board will consist of:
 - 1. Four members from the Austin City Council;
 - 2. One member from the Round Rock City Council;
 - 3. One member from the Cedar Park City Council;
 - 4. One member from the San Marcos City Council;
 - One elected official each from the small cities within the three counties in the CAMPO region, selected by the respective three Commissioners Courts in a manner determined by each Commissioners Court;
 - 6. Three members of the Travis County Commissioners' Court;
 - 7. One member of the Williamson County Commissioners' Court;
 - 8. One member of the Hays County Commissioners' Court;
 - 9. One State Senator from a senate district that includes territory in the CAMPO area, selected by the unanimous agreement of all such Senators; and in the absence of agreement, the Senator elected from the senate district that has the largest population residing in the CAMPO area;
 - (i) alternately, all such Senators may agree to appoint an individual to serve on their behalf for a period designated by the Senators, such period not to be less than six months. An eligible person:
 - is not required to register as a lobbyist under Chapter 305, Government code and
 - would not be deemed to have a conflict of interest under Chapter 171, Local Government Code, regardless of their status as a "local public official" as defined therein.

10. Two State Representatives:

- (i) One State Representative from a district representing Williamson County, selected by the majority vote of all State Representatives elected from districts in Williamson County; and
- (ii) One State Representative from a district representing Travis County, selected by the majority vote of all State Representatives elected from districts in Travis County; and
- (iii) If the Senator on the Transportation Policy Board is from a district representing Williamson County, both State Representatives who serve on the Transportation

- Policy Board shall be from Travis County districts; and
- (iv) If after three ballots to select a State Representative from either Williamson or Travis County no candidate receives the votes of a majority of the State Representatives from that county, the Chairperson of the Transportation Policy Board will select the State Representative to serve on the committee by random drawing from the names of candidates who received two or more votes in the final ballot, or from the names of all candidates if no candidate received more than one vote.
- 11. One representative from the Capital Metropolitan Transportation Authority; and
- 12. One representative from the Texas Department of Transportation Austin District.
- 13. Once a CAMPO member city reaches a population of 50,000 persons or more, as determined by the U.S. Census Bureau in its most recent annual population estimate, a City Council Member from that city shall be added to the Transportation Policy Board.
- 14. Additional counties joining CAMPO will have one member each from the respective Commissioners Court selected in a manner determined by each Commissioners Court.
- c. Ex-officio Non-voting Members. In addition to the voting members, the Transportation Policy Board may extend an invitation to others to be ex-officio non-voting members who may participate in discussions and deliberations. Attendance at meetings by these individuals will not count toward a quorum of the Transportation Policy Board.
- d. Voting Alternates. A member of the Transportation Policy Board may designate an alternate to exercise some or all of that member's authority as a member of the TPB. A TPB member who also serves as an alternate for another member may vote once in each capacity.
 - If the designated alternate is not a member of the TPB, the alternate's presence will count toward a quorum and the alternate may vote on any matter authorized by the designating TPB member. An alternate may vote on behalf of only one (1) designating TPB member.
 - 2. A TPB member who designates an alternate will give written notice of the alternate's name and voting authority to the TPB Chair prior to the first meeting for which the alternate is designated. The authority of an alternate will continue until it is rescinded or changed by written notice from the designating TPB member to the Chair.
 - 3. The following TPB members may designate an alternate:
 - A member of the Legislature may designate as an alternate another TPB member who is an elected official. This alternate's presence will not count toward a quorum.
 - (ii) A local elected official who is not a member of the Legislature may designate as an alternate an elected official appointed by the same governmental body as the designating TPB member.
 - (iii) A TPB member who is not an elected official may designate an alternate who is employed by or who serves on the Board of the organization represented by that TPB member.
- e. Selection and appointment of local elected officials. Appointees will provide to the Executive Director of CAMPO a copy of the resolution appointing them prior to participating in a meeting.
 - Representatives of individual cities and counties will be currently serving as an elected
 official on the governing body they represent and will be appointed by and serve at
 the pleasure of the appointing city councils and commissioners' courts, respectively.
 - 2. A person representing a small city:
 - (i) Will be selected by the Commissioners' Court of the county in which is city is located;
 - (ii) Must be a current elected official of the city; and
 - (iii) Will serve a two-year term beginning in June or the first meeting after the resolution is passed appointing the representative. The Court shall have discretion to reappoint or rotate the position among the small cities in the county on a

regular basis. The city must be located within the CAMPO Planning boundary.

- f. Changes in the Planning Boundary. When the Governor, based on the input from the Transportation Policy Board, modifies the planning boundary, membership eligibility will be reevaluated based, in part, on the new demographic profile of the planning boundary.
- g. Filling vacancies. Each Transportation Policy Board (TPB) member entity will designate its TPB representatives and, when necessary, fill vacancies in a timely manner. Entities selecting elected officials as TPB members will, to the maximum extent possible, ensure their representatives reflect the demographic characteristics of the population of each county.
- h. Responsibilities of Transportation Policy Board (TPB) members. It is the responsibility of the TPB members to inform and discuss policies and actions of the TPB with their appointing body and/or with constituencies they are appointed to represent.
- Standards of Conduct and Ethics Policy. All TPB members must adhere to Chapter 171 of the Local Government Code and to the Code of Ethics from their respective local governments and public agencies.
 - a. All members of the TPB have a fiduciary duty to be ethical in fulfilling their responsibilities. Ethical conduct includes, but is not limited to, behavior that is in compliance with applicable local, state and federal laws. Toward that end, and in compliance with § 472.034 of the Texas Transportation Code, the TPB adopts the following Ethics Policy as part of its bylaws:
 - b. Since ethical conduct means more than complying with state and federal laws, the TPB strongly encourages all of its members to maintain the highest personal values and standards. To that end, TPB members as a minimum:
 - Will not accept or solicit for personal financial gain, any benefit that might reasonably tend to influence them to act improperly in the discharge of official duties, or that may tend to give the appearance of improper influence;
 - Will not transact any business on behalf of the TPB with any business entity of which they are officers, agents, members or employees, or in which they have a financial interest
 - Will not participate in making or influencing any TPB decision or action in which they know that they have any financial interest
 - 4. Will not utilize CAMPO resources for personal benefit or the personal benefit of a relative, friend or business associate, except to the extent that the benefit received is strictly incidental to the performance of official duties, or to the extent that the person is entitled by law to obtain public services from CAMPO.
- 4. Attendance. Consistent and regular attendance is critical to ensure all TPB members are knowledgeable of issues coming before the TPB. The intent is for TPB members to routinely allocate time to attend and participate in TPB meetings. Records of attendance of TPB meetings will be kept and presented monthly as part of the minutes. These records will be sent to the represented local governments quarterly. Entities with TPB members who have missed at least three consecutive meetings or at least four meetings in the preceding twelve months will be notified and the appointing bodies will be asked to review the continued service of their representatives.
- 5. Quorum. At least 50 percent plus one of the voting members of the TPB must be present at meetings for the TPB to take action. Any action involving a vote of TPB members requires a quorum to be present at the time of the vote. The calculation of quorum is based on the current number of named voting representatives for TPB slots. If a TPB slot is vacant, the quorum calculation excludes that slot.
- 6. Officers.
 - a. Eligibility. Only elected public officials serving on the TPB are eligible to be officers.

- b. Chair and Vice Chair. The TPB will elect a Chair and Vice Chair for a term of one year. Elections will be held at the first TPB meeting of each calendar year. The Chair will be the chief administrative officer of the TPB, will preside over TPB meetings and will have execution authority on all CAMPO policy documents after TPB action. The Vice Chair will serve in the same capacity in the absence of or upon the request of the Chair.
- c. Absence of Chair and Vice Chair. In the event that neither the Chair nor Vice Chair is available to preside over a TPB meeting, the Executive Director will convene the meeting and a quorum of the TPB members will elect a temporary Chair as the first order of business. The temporary Chair will serve as the presiding officer until the conclusion of that meeting or until the arrival of the Chair or Vice Chair.
- d. Filling unexpired terms for TPB officers. In the event that the TPB Chair cannot continue to serve at any time during the term of election, the Vice Chair will automatically become the Chair. A vacancy in the office of the Vice Chair will be filled by the TPB in the first meeting after the vacancy becomes known. In the event that both offices of Chair and Vice Chair become vacant during the same time period, new officers will be elected at the next regularly scheduled meeting of the TPB, with nominations from the floor.

7. Meetings.

- a. Open Meetings. All TPB meetings will be held as open meetings in accordance with the provisions of the Texas Government Code.
- b. Notice of Meetings. Written notice of the TPB meeting, the agenda and all supporting documents will be transmitted to the TPB members, made available to the major news media and listed on the CAMPO web site at least five (5) days prior to the meeting.
 - 1. Notice of Meetings shall comply with Chapter 551 Subchapter C, Government Code regarding Notice of Meetings.
 - Meeting agendas will be posted with the Secretary of State, on the CAMPO website, at the main CAMPO office and with the county clerk of each county within the Metropolitan Statistical Area in which CAMPO is located.
 - 3. Posting records will be retained by CAMPO for a minimum of five years.
- c. Number of Meetings. At least one TPB meeting will be held quarterly, but the TPB will meet as often as necessary for the purpose of transacting the business at hand.
- d. Meeting Dates, Times and Location. The Chair will establish the dates, location and times of meetings and will designate this information in the written notice of the meetings as well as the business to be transacted or considered.

e. Agendas

- 1. All members can recommend items to be placed on a future agenda.
- 2. If the Chair does not include that item on the agenda, the member may petition the Executive Committee to require the item to be placed on a future agenda.
- f. Public Participation in Meetings. Public participation in meetings will be as follows:
 - Only those agenda items posted for public hearing or for action are eligible for public comment
 - 2. If action is required on an item that has already been the subject of a public hearing before the Transportation Policy Board, no public comment will be taken. Before action is taken on an item that has not already been the subject of a public hearing before the Transportation Policy Board, public comment will be taken.
 - 3. Persons wishing to comment on a specific agenda item must:
 - (i) Fill out the card provided by the CAMPO staff
 - (ii) Present the card to the appropriate CAMPO staff member before consideration of the item begins
 - (iii) Specify the item on which they will comment
 - (iv) Include the speaker's name, address and whom they represent
 - (v) Speakers are limited to three minutes
 - (vi) A speaker's time may not be assigned to another speaker
 - (vii) Speakers are expected to maintain proper decorum and exhibit respect for TPB

and committee members.

- 4. Citizens Communications Agenda Item. Persons wishing to address the TPB about issues not on the agenda will have an opportunity to offer their comments during the "Citizens Communication" agenda item. No more than ten (10) people may address the TPB during Citizens Communication at any given meeting. Order preference will be given to individuals who have not spoken at two of the prior five Policy Board meetings. A speaker's time may not be assigned to another speaker. Persons wishing to speak during "Citizens Communication" must:
 - (i) Contact the CAMPO staff via phone, electronic mail, facsimile transmission or in person during the time period that begins at 9:00 a.m. on the 6th day before the TPB meeting at which they wish to speak and ends at 4:30 on the day of the TPB;
 - (ii) Specify the topic on which they wish to address the TPB;
 - (iii) Limit comments to three minutes;
 - (iv) Maintain proper decorum and exhibit courtesy and civility towards all parties present; and
 - (v) Because the Open Meetings Act prohibits members of the Board and CAMPO staff from deliberating issues not on a properly posted agenda, addressing individual members of the Board or CAMPO staff is not recommended during Citizens Communication. Individual members of the Board or CAMPO staff may however provide factual information in response to issues raised in Citizens Communication.
- g. Summary Minutes. Summary Minutes of the TPB meetings will be kept, submitted to TPB members for approval and made available to the public.
- B. STANDING COMMITTEES. The chair of the Transportation Policy Board can create standing committees to explore specific topics and advise the TPB on operational, mobility and financial issues.
 - Executive Committee. The Executive Committee (EC) is a standing committee of the Transportation Policy Board.
 - a. Membership. The EC will consist of the TPB Chair and Vice Chair and members representing the jurisdictions of the TPB. The members of the EC will be appointed by the Chair of the Transportation Policy Board at the first meeting of each calendar year. The membership of the EC shall not exceed one less than a quorum of the TPB. At a minimum, the EC will include representation from each of the following jurisdictions:
 - 1. Texas Department of Transportation
 - 2. City of Austin
 - 3. Travis County
 - 4. Williamson County
 - 5. Hays County
 - 6. Capital Metropolitan Transportation Authority

A three-fourths majority of the TPB is required to amend this subsection.

- b. Functions.
 - The EC will function as a subcommittee of the TPB for the purposes of considering discretionary membership and voting distribution on the TPB. Upon a recommendation by the EC, the TPB shall consider ratification of the EC recommendation. Ratification is achieved by a three-fourths majority of the TPB. A three-fourths majority of the TPB is required to amend this subpart.
 - With the exception of the above authority, regarding membership and voting distribution, the EC will have no distinctive powers unless directed by the TPB. Assigned duties or functions may include:
 - (i) Serving as a standing committee of the TPB
 - (ii) Evaluating proposed polices
 - (iii) Performing administrative functions that are delegated by the TPB
 - (iv) Recommending TPB actions for amendments to the TIP

- (v) Conducting an annual performance evaluation of the Executive Director
- (vi) Responding to requests from the TPB with recommendations for action or information
- (vii) Reviewing requests for substantial work by CAMPO staff beyond what is included in the approved Unified Planning Work Program and make recommendations to the TPB.
- 2. <u>Technical Advisory Committee</u>. The Technical Advisory Committee (TAC) is a standing committee of the Transportation Policy Board and provides technical advice and recommendations to the TPB. The TAC is comprised of CAMPO member agency staff members as well as other appropriate planning professionals. The TAC membership is not required to mirror the TPB membership. Specific responsibilities and functions of the TAC are delineated in the TAC Bylaws. The TAC operates under a separate set of bylaws that provides a full delineation of TAC functions and membership.
 - a. TAC Membership. It is the responsibility of the appointing authority to see that the TAC member is a person who:
 - Is authorized to speak and to act in the interest of his/her public entity in making recommendations to the TPB
 - 2. Can review technical documents that come before TAC
 - 3. Can maintain a regional perspective
 - b. Principal Functions. The TAC's principal purpose is to advise the TPB in its development of:
 - 1. The long-range metropolitan transportation plan
 - 2. The Transportation Improvement Program, including review of and recommendations on candidate projects
 - 3. The Unified Planning Work Program
 - 4. Other transportation planning activities, as directed.
 - c. The appointing authority is responsible for advising his/her TAC representative(s) of the importance of regular participation in TAC activities and can change the representative(s) as needed.
 - d. TAC membership does not mirror the membership of the TPB and can include planning professionals whose organizations are not represented on the TPB.
- C. OTHER COMMITTEES. The Chair of the Transportation Policy Board will determine and establish necessary other committees for the conduct of CAMPO business. The Chair, with the advice and consent of the Executive Committee, may establish committees as needed; committees can be composed of TPB members, partner agency staff members or other transportation stakeholders. The committees will have a clearly defined purpose and will report findings and recommendations to the TPB in a timely manner.
 - Membership. Members of other committees are appointed by the TPB Chair with the advice and consent of the Executive Committee. Membership of each committee can include persons who are not TPB members but who have expertise that would be beneficial to the planning process.
 - 2. Other Committees. The following rules govern the operations of other committees.
 - a. Committees will perform tasks and functions as requested by the TPB Chair, with the advice and consent of the Executive Committee.
 - Officers. The Chair and Vice Chair for the committee will be designated by the TPB Chair.
 - c. Meetings. Meetings of a committee are held as necessary to perform the tasks and functions assigned to the committee. The Chair of the committee calls such meetings, as necessary, and will notify all committee members of the time, date and place of the meeting.
 - d. Support. CAMPO staff will provide committee support as needed.
- D. CAMPO STAFF. CAMPO staff is led by an Executive Director who is selected by and responsible

solely to the TPB. Among its responsibilities, the CAMPO staff will:

- 1. Perform activities as requested by the TPB;
- 2. Develop and maintain required documents and reports;
- 3. Develop detailed transportation studies, as requested by the TPB;
- Develop and maintain accurate data as it relates to regional transportation planning and/or air quality issues; and
- 5. Provide staff support to the TPB and its various committees
- 6. CAMPO Staff. The following rules govern the operations of the CAMPO Staff:
 - a. Direction. The CAMPO Executive Director will be selected by the Transportation Policy Board (TPB).
 - b. Management. The CAMPO Executive Director will manage people, processes and activities as necessary to perform the work outlined in the Unified Planning Work Program (UPWP).
 - c. Funding. The budget of the CAMPO office must be consistent with the UPWP.
 - d. CAMPO Executive Director. The CAMPO Executive Director will be selected and appointed by the TPB to work in close cooperation with representatives of the state, local governments and agencies within the CAMPO region and to provide leadership to the CAMPO staff. The primary representative duties of the CAMPO Executive Director will be as follows:
 - e. Advise the TPB on consistency of the CAMPO work program and TPB actions with applicable federal and state laws and regulations
 - 1. Maintain liaison and act in an advisory capacity to the TPB
 - Coordinate and maintain liaison with the staffs of the agencies participating in the CAMPO transportation planning process
 - 3. Coordinate the development of the Unified Planning Work Program (UPWP), Long Range Transportation Plan, Transportation Improvement Program (TIP) and other plans and programs in cooperation with participating agencies
 - 4. Report to the TPB on the status of the transportation planning process and recommend special studies and revisions to the Long Range Transportation Plan, TIP, UPWP and other plans and programs
 - Lead and manage the CAMPO staff and direct the activities of all personnel hired or contracted with CAMPO as identified in the UPWP.
 - f. CAMPO Staff. The representative duties of the CAMPO staff are to:
 - 1. Provide day-to-day support for CAMPO functions and to the TPB and
 - 2. Perform professional transportation planning related activities.

4. PUBLIC PARTICIPATION PROGRAM

The Long Range Transportation Planning process includes the development of a Public Involvement Program and staff procedures. The Program is intended to include all Capital area citizens, groups, agencies and transportation providers in a transportation effort that is proactive and supports early and continuing involvement of the public in developing plans and programs including the Long Range Transportation Plan and Transportation Improvement Program. CAMPO will provide complete information, timely public notice and full public access to key decisions. The Public Involvement Program will integrate input from a wide variety of involved parties and encourage and provide for the greatest level of education of transportation issues. The program will provide opportunities for citizens to contribute ideas and voice opinions early and often, both during and after preparation of draft plans and programs.

5. BYLAWS

A. Changes in the Bylaws. Changes in Bylaws must be presented at one regularly scheduled Transportation Policy Board (TPB) meeting and voted on at a following regularly scheduled TPB meeting. These Bylaws may be revised by a simple majority of the TPB, except as provided herein, at a meeting at which a quorum, as defined herein, is present. The TPB Chair will vote on Bylaw changes.

CAMPO Transportation Policy Board Bylaws From August 10, 2009 Meeting 13 of 14

- B. Adoption of Bylaws. These Bylaws will be in full force and effect only at such time as they have been approved by a simple majority vote of the TPB at a meeting at which a quorum, as defined herein, is present and after all of the signatories of the Joint Powers Agreement have voted to dissolve that Agreement.
- C. Review of Bylaws for Possible Revisions. These Bylaws are intended to provide rules and procedures to ensure the orderly function of the regional transportation planning process in the Capital area. The Bylaws should be reviewed for possible revisions following receipt of the U.S. Census and five years later, at a minimum.
- D. Previous Actions on Bylaws
 - Adopted unanimously by the Capital Area Metropolitan Planning Organization Transportation Policy Board on June 10, 1996
 - 2. Revised by resolution on:
 - a. February 8, 1999
 - b. April 14, 2003
 - c. February 13, 2006
 - d. January 22, 2007

1 2	CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION JOINT POWERS AGREEMENT
3 4	STATE OF TEXAS §
5 6 7	STATE OF TEXAS § COUNTY OF TRAVIS §
8 9	THIS AGREEMENT made this
10	of Texas, acting by and through its Executive Director of the Texas Department of
11	Transportation, (hereinafter referred to as the State); the City of Austin (the City); the County of
12	Travis (Travis County); the County of Williamson (Williamson County); the County of Hays
13	(Hays County); and the Capital Metropolitan Transportation Authority (Capital Metro):
14 15	WITNESSETH
16 17	WHEREAS, Section 134, Title 23, United States Code (23 USC 134) requires that a
18	metropolitan planning organization be designated for each urbanized area of more than 50,000
19	population by agreement among the Governor and units of general purpose local government
20	which together represent at least 75 percent of the affected population (including the central city
21	or cities as defined by the Bureau of the Census) or in accordance with procedures established by
22	applicable State or local law; and,
23	
24	WHEREAS, the State, the City, and Travis County on April 6, 1973, did agree to participate in a
25	continuing, comprehensive, cooperative transportation planning process for the Austin
26	metropolitan area as provided in the Federal-Aid Highway Act of 1962; and,
27	
28	WHEREAS, said agreement was amended on September 30, 1976, June 28, 1984, September 5,
29	1996, and February 3, 2003 to revise the organization and responsibilities for the Capital Area
30	Metropolitan Planning Organization; and,
31	
32	WHEREAS, it is the further desire of the signatory agencies that the Study organization be
33	revised to provide a one-committee structure composed principally of local elected officials of a
34	unit of general purpose government which have responsibility for project implementation within
35	the study area;

February 26, 2007 Page 1 of 8

1 2	NOW, THEREFORE, it is hereby agreed that the aforementioned agreement of February 3,				
3	2003 shall be considered null and void and shall be replaced in its entirety by this agreement				
4	with the organization and responsibilities as set out in the following paragraphs:				
5 6 7	I. ORGANI	ZATION			
8	A Tra	nsportation Policy Board will furnish policy guidance and direction for the			
9	contir	nuing transportation study. Membership on the Transportation Policy Board will			
10	consis	st of:			
11	1.	Four members from the Austin City Council.			
12	2.	One member from the Round Rock City Council.			
13	3.	Three elected officials from the small cities within the CAMPO area to be			
14		selected by the respective Commissioners Courts of Travis, Williamson, and Hays			
15	Counties, to include an elected official from a small city in each of the three				
16	counties selected for a term and in a manner determined by each Commissioners				
17		Court.			
18	4.	Three members of the Travis County Commissioners' Court.			
19	5.	One member of the Williamson County Commissioners' Court.			
20	6. One member of the Hays County Commissioners' Court.				
21	7. One State Senator from a senate district that includes territory in the CAMPO				
22		area, selected by the unanimous agreement of all such Senators; and in the			
23		absence of agreement, the Senator elected from the senate district that has the			
24		largest population residing in the CAMPO area.			
25	8.	Two State Representatives:			
26		a. one State Representative from a district representing Williamson County,			
27		selected by the majority vote of all State Representatives elected from			
28		districts in Williamson County; and			
29		b. one State Representative from a district representing Travis County,			
30		selected by the majority vote of all State Representatives elected from			
31		districts in Travis County; and			

February 26, 2007 Page 2 of 8

1		c. if the Senator on the Transportation Policy Board is from a	district
2		representing Williamson County, both State Representative	s who serve on
3		the Transportation Policy Board shall be from Travis Count	y districts; and
4		d. if after three ballots to select a State Representative from eight	ther
5		Williamson or Travis County no candidate receives the vote	s of a majority
6		of the State Representatives from that county, the Chairpers	on of the
7		Transportation Policy Board will select the State Representa	ative to serve
8		on the committee by random drawing from the names of car	ndidates who
9		received two or more votes in the final ballot, or from the na	ames of all
10		candidates if no candidate received more than one vote.	
11	9.	One representative from the Capital Metropolitan Transportation A	uthority.
12	10.	One representative from the Texas Department of Transportation A	ustin District
13	11.	Once a CAMPO member city reaches a population of 50,000 perso	ns or more, as
14		determined by the U.S. Census Bureau in its most recent annual po	pulation
15		estimate, a City Council Member from that city shall be added to the	he
16		Transportation Policy Board.	
17			
18	The v	oting membership shall be as follows:	
19	VOTI	NG MEMBERSHIP	
20		City of Austin	4
21		City of Round Rock	1
22		Representative from Small Cities within the CAMPO Area	3
23		Travis County	3
24		Williamson County	1
25		Hays County	1
26		State Senators	1
27		State Representatives	2
28		Texas Department of Transportation	1
29		Capital Metropolitan Transportation Authority	1
30		Any City in the CAMPO area that reaches a population	
31		of 50,000 or more as detailed above	1

February 26, 2007 Page 3 of 8

1	Each e	entity that appoints a member shall designate its representatives and alternates to			
2	the Transportation Policy Board and when necessary fill vacancies among its members on				
3	the Board. Entities selecting elected members of the Transportation Policy Board shall				
4	assure racial and ethnic minority representation on the Board that reflects the minority				
5	popula	ation of each county, to the maximum extent possible.			
6 7 8 9		LIATE NON-VOTING MEMBERSHIP ition to the voting members, there will be affiliate non-voting membership,			
10		ing, but not limited to the list below. The Transportation Policy Board may add or			
11		changes to the affiliate non-voting membership:			
12		Capital Metropolitan Transportation Authority, General Manager			
13		Federal Highway Administration			
14		Federal Transit Administration			
15		Texas Department of Transportation, Transportation Planning and			
16		Programming Division, Austin			
17		University of Texas at Austin			
18 19	The fu	nction of the Transportation Policy Board shall be as follows:			
20	1.	Provide policy guidance for the transportation planning process.			
21	2.	Carry out in cooperation with the State and local governments and annually			
22		certify a transportation planning process that is in full compliance with Federal			
23		requirements outlined in 23 USC 134, Section 8 of the Federal Transit Act, as			
24		amended (49 USC 7504, 7506, (c) and (d)) as well as other applicable			
25		requirements as specified in 23 CFR 450.114.			
26	3.	Set goals and cooperatively determine the responsibilities of the participating			
27		agencies for planning tasks in the annual Unified Planning Work Program.			
28	4.	Adopt and review a transportation plan which provides for both the near-term and			
29		long-term needs of persons and goods in the study area at least every five years			
30		and recommend its adoption and implementation by local governments and state			
31		agencies.			
32	5.	Develop in cooperation with the State and local governments and endorse a staged			

February 26, 2007

33

multiyear transportation improvement program at least every two years which

Page 4 of 8

1		includes projects in or serving the urbanized areas, initiated by the implementing		
2		agencies, and consistent with the transportation plan.		
3	6. Adopt a Public Involvement Program that includes participation in the			
4		development of the Transportation Plan, the Transportation Improvement		
5		Program, Major Investment Studies, and other plans and programs.		
6	7.	Designate such offices, special committees or task forces as found necessary to		
7		carry out the planning process.		
8	8.	Appoint the CAMPO Executive Director.		
9	9.	Meet at intervals as necessary to perform its functions.		
10	10.	Adopt internal bylaws and operating procedures consistent with this agreement.		
11 12		±1:		
13	II. <u>METROP</u>	POLITAN AREA BOUNDARY		
14 15	The bo	oundary of the Capital Area Metropolitan Planning Organization shall be		
16		nined by agreement between the Transportation Policy Board and the Governor in		
17	accord	lance with 23 USC 134. The CAMPO area shall cover at least the existing		
18				
19	year fo	precast period and may encompass the entire metropolitan statistical area, as		
20	define	d by the Bureau of the Census. After each decennial census, the Transportation		
21	Policy	Board shall consider appropriate revisions to the CAMPO area to include every		
22	county	in the metropolitan statistical area with a population that exceeds 100,000		
23	reside	nts.		
24 25	III CAMPO	EXECUTIVE DIRECTOR AND CAMPO OFFICE		
26	m. <u>caviro</u>	EALCOTTVE DIRECTOR AND CAMITO OFFICE		
27	A CA	MPO Executive Director shall be appointed by the Transportation Policy Board to		
28	work i	n close cooperation with representatives of the State, local governments, and		
29	agenci	es within the study area. The principal duties of the CAMPO Executive Director		
30	and C	AMPO office will be as follows:		
31	1.	Arrange for meetings of the Transportation Policy Board and any other special		
32		committee or task force created by the Committee.		
33	2.	Maintain the records, meeting minutes, library, and other documents or		
34		correspondence associated with the functions of the Transportation Policy Board.		

February 26, 2007 Page 5 of 8

1	3.	Maintain liaison and act in an advisory capacity to the Transportation Policy
2		Board.
3	4.	Coordinate and maintain liaison with the staffs of the agencies participating in the
4		CAMPO transportation planning process.
5	5.	Coordinate the development of the Unified Planning Work Program,
6		Transportation Plan, Transportation Improvement Program, and Major Investment
7		Studies in cooperation with participating agencies.
8	6.	Report to the Transportation Policy Board on the status of the transportation
9		planning process and recommend special studies, revisions to the Transportation
10		Plan, Transportation Improvement Program, Major Investment Studies, or Unified
11		Planning Work Program.
12	7.	Supervise the CAMPO staff and direct the activities of all personnel hired or
13		contracted with CAMPO as identified in the Unified Planning Work Program.
14	8.	Advise the Transportation Policy Board on consistency of the CAMPO work
15		program and Committee actions with applicable federal and state laws and
16		regulations.
17 18 19	IV. STUDY	FINANCING
20	The ex	spenses involved in the continuing planning process, data gathering, review and
21	updati	ng the CAMPO plans and programs will be assumed by the participating agencies
22	as set	forth in the Unified Planning Work Program.
23 24 25	V. AGREEM	ENT MODIFICATION OR TERMINATION
26	This a	greement may be supplemented or renegotiated as necessary to meet changing
27	condit	ions. By mutual agreement the parties hereto may terminate this agreement.

February 26, 2007 Page 6 of 8

1	IN WITNESS WHEREOF, the Parties have hereunto affixed their signatures on the dates
2	indicated.
3	
4	STATE OF TEXAS
5	
6	Certified as being executed for the purpose and effect of activating and/or carrying out the
7	orders, established policies, or work programs heretofore adopted by the Texas Transportation
8 9	Commission.
10	By: M. W. Befrera
11	Executive Director
12	
13	Date: Z · 28 - 07
14	
15	RECOMMENDED FOR EXECUTION:
16<- 17	KI-JE-6):
18	District Engineer - Austin District
19	
20	DLZ) SE
21	Deputy Executive Director
22	
23 24	
25	CITY OF AUSTIN
26	
27	1011
28	By: loley Nammael Fishell
29	City Manager
30	Date: 2/27/07
31 32	Date: 4 8 1 0 1
33	APPROVED AS TO FORM:
34	
35	I was coops
36	City Attorney
37	

38

1	COUNTY OF TRAVIS
2	ρ r r r
3	By: Samuel T. Biscoe
4	County Judge
5	
6	Date: 3-1-07
7	
8	hand Margaret ~
9	ATTEST: AMA AS SALWEY
10	County Clerk
11	. County Clork
12	
13	COTTINUE OF STITE T T A FOOT
14	COUNTY OF WILLIAMSON
15	- Do la later
16	Ву:
17	County Judge
18	
19	Date: 3-1-97
20	. `
21	ATTEST: Wang E. Poter
22	County Clerk
23	
24	
25	
26	COUNTY OF HAYS
27	
28	By:
29	County Judge
30	84 788
31	Date: 3-1-07
32	
33	ATTEST: Aunda C Saitches
34	County Clerk
35	County Clerk
36	
37	
38	CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
39	- 4. On 17/10
40	By: Justiful
41	President/CEO
42	
43	2/2//2000
44	Date: - 26/2001

Hays County Commissioners' Court 9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY. Phone (512) 393-2205 Fax (512) 393-2282

	Commission for	•	ccept donations to the Hays cumentary film and amend the
CHECK ONE:	X CONSENT	ACTION	UTIVE SESSION
	□ WORKSHOP	☐ PROCLAMATIO	DN PRESENTATION
PREFERRED MEI	ETING DATE REQ	UESTED: September1, 2	2009
AMOUNT REQUI	RED:	**************************************	
LINE ITEM NUMI	BER OF FUNDS RE	EQUIRED:	
REQUESTED BY:	Herzog		
SPONSORED BY:	Sumter		
SUMMARY: The I	listorical Commissi	ion has received some ad	lditional donations for the filming
of the Jack C. Hay	s documentary. S	ee attached information	. An amendment is necessary to
increase revenue by	\$2,600 (01-386-544	9) and increase the budg	et by \$2,600 (01-49 0-5449).
		e.	(f) = 674 -
	Bill Herz	og	

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to authorize the County Judge to execute the
modified resolution to the Governor's Office, Criminal Justice Division for the Recovery Act:
Edward Byrne Memorial Justice Assistance Formula Grant Program.
CHECK ONE: CONSENT X ACTION EXECUTIVE SESSION
☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION
PREFERRED MEETING DATE REQUESTED: Sept. 1, 2009
AMOUNT REQUIRED: n/a
LINE ITEM NUMBER OF FUNDS REQUIRED:
REQUESTED BY: Ratliff/Hauff
SPONSORED BY: Sumter
SUMMARY: The resolution and grant application were originally approved in Commissioners' Court on May 26, 2009. CAPCOG, in conjunction with the Governor's Office, has requested a change to the title of the project to read "Hays County Surveillance and Officer Safety". The project remains the same as it was originally submitted with the exception of the project title.

RESOLUTION

A resolution of the Commissioners' Court of the County of Hays, Texas hereby authorizing the submittal of grant application to the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program/Grants to States and Territories (CFDA# 16.803)

WHEREAS, Hays County is the eligible applicant under the rules of the Office of the Governor – Criminal Justice Division (CJD). The Grant request is for Hays County Surveillance and Officer Safety Project within the Sheriff's Office.

NOW, THEREFORE, BE IT RESOLVED BY THE Commissioners' Court of Hays County, Texas.

- 1. To authorize the submittal of a grant application to the Office of the Governor Criminal Justice Division (CJD), identified by CJD as Application No. 2209401.
- 2. To comply with the provisions of the fiscal reimbursement and reporting requirements of the Office of the Governor - CJD.
- 3. To use the funds solely for the purposes for which they are provided and in the event of loss or misuse of CJD grant funds, the governing body will return all funds to CJD in full.
- 4. To provide all applicable matching funds for this project, if required, as per the application and Commissioners' Court approval.
- 5. To designate the County Judge as the Authorized Official with the power to "apply for, accept, reject, alter or terminate the grant."

DASSED AND ADDROVED at a masting of the Commissioners' Court of Have County Toyon on the

FASSED AND AFFROVED at a meeting of the Commissioners	Court of Hays County, Texas on the
1 st Day of September, 2009.	
Elizabeth 'Liz' Sumter, Hays County Judge	Date
STATE OF TEXAS COUNTY OF HAYS	
I, Linda Fritsche, County Clerk for the Commissioners' Court of Hays County, Texas, do hereby certify the foregoing contains a true and correct copy of a resolution passed and adopted by the Commissioners' Court of Hays County, Texas in a Regular Meeting held on <u>September 1, 2009.</u>	
ATTESTED TO BY:	
Linda Fritsche, Hays County Clerk	Date

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and Possible action to authorize the County Judge to execute a License Agreement with the City of San Marcos for use of the drive inlets on the Northwest side of the Old County Courthouse (Hopkins Street) between the hours of 8 p.m. and 4 a.m.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: INGALSBE/CONLEY

SPONSORED BY: INGALSBE/CONLEY

SUMMARY: The late-night hours for alcohol consumption have recently been changed to 2 a.m. in the City of San Marcos. Much of the public transportation available to pub and club goers has no place to queue in the downtown area. The City believes the inlets on the Northwest side of the Old Courthouse are a viable solution to that problem.



LICENSE AGREEMENT FOR USE OF COURTHOUSE AREA

Field Code Changed

This License Agreement for Use of Hays County Courthouse License Area is made and entered between Hays County, Texas ("the County") and City of San Marcos, Texas (hereinafter "Licensee").

WHEREAS, Licensee wants to provide a designated and convenient location in the Central Business Area of the City of San Marcos for taxis, buses and other providers of transportation to park and be available for use by persons during evening hours; and;

WHEREAS Licensee wishes to make use of a portion along the Hopkins Street side of the Hays County Courthouse Area located at 111 E. San Antonio, San Marcos, TX 78666, as shown in Exhibit "A" (hereinafter "the Courthouse License Area"), located at 111 E. San Antonio, San Marcos, TX 78666 in Hays County.

WHEREAS the County, to promote a sense of community and the livelihood of the a safe environment in the Central Business Area of San Marcos wants to grant a license for such purpose town square, does, from time to time, allow private and/or public entities temporary license to use the Courthouse Area.

NOW, THEREFORE, the County and Licensee agree to the following terms, conditions, rights, and duties:

I. PURPOSE

The purpose of this Agreement is to enable Licensee to provide a designated and convenient location in the Central Business Area of the City of San Marcos for taxis, buses and other providers of transportation to park and be available for use by persons during evening hours (the "Authorized Activity").

GRANT OF LICENSE

The County hereby grants to Licensee a license to use that certain portion of land along the Hopkins*
Street side of the Hays County Courthouse Area located at 111 E. San Antonio, San Marcos, TX 78666
as shown on Exhibit "A", attached hereto and made a part hereof (the "License Area") for the purpose of
conducting the Authorized Activity upon the premises, to have and to hold such license under the terms
and conditions herein.

TERM AND HOURS

This agreement is effective beginning the date of the last signature last signed by the parties below and and shall continue until terminated by either partyending when the parties mutually agree to terminate this agreement pursuant to Section IVII, below, (hereinafter "the Term"). During the Term, Licensee shall be grantedand provides for Licensee's lawful use of the CourthouseLicense Area for the Authorized Activity between the hours of 6-8 p.m. and 6-4 a.m. (hereinafter "the Event Activity Hours") during the term. The temporary license granted by the County under this Agreement is expressly limited to the Term and the EventActivity Hours cited above.

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IVI. CONSIDERATION

The parties to this Agreement recognize that ample consideration exists to bind them to the terms and obligations contained herein.

HIV. MANAGEMENT

Licensee shall be responsible for the management of the CourthouseLicense Area (depicted in Exhibit "A" and incorporated herein for all purposes) during the Event Activity Hours of the Term. Licensee's management responsibilities shall include, but not be limited to: 1) ensuring that the CourthouseLicense Area are secure and safe during the Event Activity Hours of the Term, 2) ensuring that crowd control and other safety precautions are planned in advance of Licensee's use of the CourthouseLicense Area, 3) ensuring that any items, improvements, or personal property (including but not limited to vehicles) brought into or upon the CourthouseLicense Area during the Term do not damage the Courthouse Grounds, 4) ensuring that any items, improvements, and/or personal property brought into the CourthouseLicense Area during the Term are safe and secure, considering that the public shall have access to said items, improvements, and/or personal property, 5) ensuring that all activities and/or materials related to property use are properly and legally permitted by any governmental or private authority that has regulation powers over that activity or material, and 6) ensuring that all materials that are brought onto or left in the CourthouseLicense Area during the Event Activity Hours, including all trash or litter, are removed before expiration of the Term.

WRITTEN NOTICE OF ACTIVITIES

No later than three (3) business days before the beginning of the Term. Licensee shall provide the County with a written, detailed overview of all events and activities that will occur in the Courthouse Area under this Agreement and during the Term. In said overview, Licensee shall also include information regarding: 1) the anticipated number of people utilizing the Courthouse Area during Event Hours. 2) security, if any, that will be provided or arranged by Licensee, and 3) any materials, items, or objects that Licensee intends to bring into the Courthouse Area.

VI. RIGHTS OF THE COUNTY

The County reserves the following rights under this License Agreement: 1) to further limit the time, place, and manner of any activities in the Courthouse Area by providing Licensee with a written instruction of how that activity shall be conducted; 2) to prohibit, terminate, restrain, or enjoin any activity in the CourthouseLicense Area that was not detailed in Licensee's Written Notice of Activities eited above in Section IV is not part of the Authorized Activity; 2) to exclusively use the License Area for a period not to exceed twenty-four (24) hours between Sunday and Wednesday of any given week, after the provision of one (1) week's written notice to Licensee and 323) to prohibit the use of certain materials, items, or other objects that Licensee wishes to bring into the Courthouse Area by providing written notice of that prohibition to Licensee; 4) to require certain action(s) by Licensee that further the health, safety, legality, and security of the CourthouseLicense Area, Licensee's services and those individuals utilizing Licensee's services by providing written notice of that requirement to Licensee; and 5) to change the Event Hours under this Agreement by providing written notice of that change to Licensee. Licensee recognizes the County's reservation of the above rights, and agrees to comply with the County's written assertion of rights under this Section.

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Comment [a1]: This can be done under number

Comment [a2]: The County can restrict hours oif need be under number 4

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VI<u>I</u>. TERMINATION

This Agreement may be terminated: (1) for the cause in the event that either Party materially breaches the terms of this Agreement or (2) on thirty 120(30) days' advance written notice by either party to the other party.

VII<u>I</u>. INSURANCE

Licensee agrees to obtain, carry, and maintain, during the duration of the Term, Special Event Insurance, Commercial General Liability Insurance a governmental entity subject to order risk pool coverage in amount(s) sufficient to save, protect and insure Licensee (or, the County, if Licensee indemnifies the County under Section VIII, below) for the Authorized Activityies being held in the Courthouse License Area. As determined by the County, liability coverage under this section shall be sufficient to insure against any claim, cause of action, or liability arising from the Activities being-held by Licensee. A copy Evidence of Licensee's liability insurance or risk pool policy that will be used to insure Licensee under this Agreement is attached hereto as Exhibit "B" and incorporated herein for all purposes coverage will be provided to County upon request.

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VIIIIX.

CONTRACTUAL RELATIONSHIP; INDEMNITY

The County and Licensee are independent contractors under the terms of this Agreement. Nothing in this Agreement shall be construed to mean that Licensee is an agent or employee of the County, nor that the County is an agent or employee of Licensee. Neither Licensee nor the County will be liable for the actions of, or failure to act by, any employee, agent, volunteer, or officer of the other party. Licensee will be responsible for investigating, handling, responding to, and defending claims and causes of action arising from any act, omission or failure to act by Licensee under this agreement. The County will be responsible for investigating, handling, responding to, and defending claims and causes of action arising from any act, omission or failure to act by the County under this agreement. Licensee recognizes that claims and/or causes of action may arise in relation to materials, items, or other objects that are brought into the CourthouseLicense Area by Licensee. TO THE EXTENT ALLOWED BY APPLICABLE LAW, LICENSEE-THE PARTIES MUTUALLY AGREE AGREES TO FULLY INDEMNIFY AND HOLD HARMLESS THE COUNTY-OTHER AGAINST ANY CLAIM OF PREMISE LIABILITY, OR ANY OTHER CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, OR LIABILITY, IF SUCH-CLAIM RELATES TO MATERIALS, ITEMS, OR OTHERS OBJECTS THAT ARE BROUGHT ONTO THE COURTHOUSE AREA BY LICENSEE OR LICENSEE'S AGENTS, EMPLOYEES, VOLUNTEERS, OR OFFICERS ARISING UNDER THIS AGREEMENT.

ıv

INTERLOCAL AGREEMENTMISCELLANEOUS

Licensee and County each make the following representations to each other as inducements to enter into this Agreement: (1) that it has the legal authority to enter into this Agreement for the purposes stated herein and to perform the obligations it has undertaken hereunder; (2) that the meetings at which this Agreement and any amendments were approved were held in accordance with the Texas Open Meetings Act, Chapter 551, Texas Government Code; (3) that it has been represented by legal counsel and has had legal counsel available to it for consultation prior to entering into this Agreement; (4) that the officer who signed this Agreement has the legal authority to sign documents on its behalf; and (5) that before this Agreement was approved, its governing body had already identified and its staff had already segregated sufficient lawfully available current funds for performance of all of its obligations under this

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Agreement even if such performance extends beyond the fiscal year in which this Agreement was approved and executed.

te	the parties to this LICENSE AGREEMENT FOrms and conditions cited above, as is evidence presentatives, below.	OR USE OF COURTHOUSE AREA hereby agreed by their signatures, or the signatures of their	e to the lawful	Field Code Changed
Н	ays County Texas, Licensor	City of San Marcos, Licensee		
<u>B</u>	Hays County Texas, Licensor By- Elizabeth "Liz" Sumter County Judge 111 E. San Antonio, Suite 300 San Marcos, Texas 78666	City of San Marcos, Licensee By: Rick Menchaca City Manager 630 East Hopkins San Marcos, Texas 78666	•(Formatted: Indent: First line: 0.5*
D	ate:	Date:		

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

software for jury	selection and the Software	amend the bu License and	dget accordingly Professional	ve the purchase of new and authorize the County Services Agreement and
CHECK ONE:	CONSENT	X ACTION	☐ EXECUTIV	E SESSION
	□ worksh	OP PR	OCLAMATION	☐ PRESENTATION
PREFERRED MEI	ETING DATE R	REQUESTED: S	September 1, 2009	
AMOUNT REQUI	RED: \$53,960			····
LINE ITEM NUM	BER OF FUNDS	S REQUIRED:	01-456-5718 & 39-	629-5718
REQUESTED BY:	Auditor & Info	ormation Techn	ology	
SPONSORED BY:	Sumter			
SUMMARY: See a	ttached agreeme	ent. Funding w	ill be provided by t	the Justice Court Technology
Fund for 60% (\$32	,376) and Inform	nation Technolo	ogy budget 40% (\$2	21,584).

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to approve the purchase of new software for jury selection and amend the budget accordingly and authorize the County Judge to sign the Software License and Professional Services Agreement and amendment to existing Software Maintenance Agreement.

PREFERRED MEETING DATE REQUESTED: September 1, 2009
COUNTY AUDITOR
Typically Requires 1 Business Day Review
AMOUNT AND FUND LINE ITEM NUMBER: \$53,960 01-465-5718 & 39-629-5718
COUNTY PURCHASING GUIDELINES FOLLOWED: Yes
PAYMENT TERMS ACCEPTABLE: Yes
COMMENTS: Funds available in Justice Technology Fund & Information Technology departmental
funds.
Bill Herzog
SPECIAL COUNSEL
Typically Requires 9 Business Day Review
CONTRACT TERMS ACCEPTABLE:
COMMENTS:
COMMISSIONEDGI COMPE
COMMISIONERS' COURT
APPROVED/DISAPPROVED AND DATE:
COUNTY JUDGE
Signature Required if Approved
DATE CONTRACT SIGNED:

Software License and Professional Services Agreement and Amendment to Existing Software Maintenance Agreement

This Software License and Professional Services Agreement and Amendment to Existing Software Maintenance Agreement (this "Agreement") is made and entered into by and between Tyler Technologies, Inc., a Delaware corporation ("Tyler"), and __Hays County_ (the "Client").

WHEREAS, Client desires to engage Tyler to license certain software and to provide certain professional services related thereto, all on the terms and conditions set forth in this Agreement; and

WHEREAS, Client and Tyler desire to amend the terms of Client's current software maintenance and support agreement (the "Existing M&S Agreement) for the purpose of providing additional maintenance and support services.

NOW. THEREFORE, in consideration of the mutual promises contained herein, along with other good and valuable consideration, the receipt and sufficiency of which all parties mutually acknowledge, Tyler and Client agree as follows:

- A. Tyler shall furnish the products and services described in this Agreement, and Client shall pay the prices set forth in and subject to the terms and conditions of this Agreement; and
- B. Tyler and Client agree to amend Client's Existing M&S Agreement by (i) adding the Software Products set forth in the table below; and (ii) increasing the Client's current annual maintenance and support fee by the amount ("Annual M&S Increase) and on the date ("Maint. Effective Date") as set forth in the table below, all on the terms and subject to the conditions of Client's Existing M&S Agreement; and
- C. This Agreement consists of this cover and signature page and the attached Terms and Conditions page.

SOFTWARE PRODUCTS			LICENSE FEE	ANNUAL M&S INCREASE
Tyler Jury			\$45,000	\$11,500
LICENSE PEE PAYMENT TERMS Net 30 in full upon contract execution.			TOTAL LICENSE FEE \$45,000	ANNUAL MAS INCREASE \$11,500 MAINT. EFFECTIVE DATE
PROFESSIONAL SERVICES	HOURS	RATE/HR.	T&M AMOUNT	Upon
Juror History Conversion	Not included	155.00		
Project Management	4	170.00	\$680	
On-Site Training	40	145.00	\$5,800	
Installation Configuration and Setup	16	155.00	\$2,480	
			TOTAL TEM SERVICES	TOTAL LIC & SERVICES
			\$8,960	\$53,960

IN WITNESS WHEREOF, this Agreement has been executed by a duly authorized officer of each party hereto to be effective as of the date last set forth below.

CLIENT

GLIENT	TYLER TECHNOLOGIES, INC.		
Authorized Signature	Authorized Signature		
Name (Print)	Name (Print)		
Title	Title		
Date	Dale		

SOFWARE LICENSE AND PROFESSIONAL SERVICES AGREEMENT AND AMENDMENT TO EXISTING SOFTWARE MAINTENANCE AGREEMENT | PAGE 1 OF 2

1. SOFTWARE PRODUCT LICENSE

SOFTWARE PRODUCT LICENSE
 1.1. License Grant. In consideration for the License Fee, Tyler hereby grants to Client a non-exclusive, royalty-free, revocable license to use the Software Products for Client's internal administration, operation, and/or conduct of Client's business operations by an unlimited number of users employed by Client on an unlimited number of computers and/or computer stations utilized by Client. Upon Client's payment of the License Fee in full, the foregoing licenses shall become irrevocable, subject to the restrictions on use set forth herein.

1.2. Restrictions. Unless otherwise expressly set forth in this Agreement, Client shall not (a) reverse engineer, de-compile, or disassemble any portion of the Software Products or (b) sublicense, transfer, rent, or lease the Software Products or its usage. To the extent Client employs contractors, subcontractors, or other third parties to assist in the Project, Client shall obtain from such third parties an executed Tyler confidentiality agreement prior to such parties being permitted access to Tyler Confidential and Proprietary Information.

1.3. Copies. Client may make and maintain such copies of the Software Products as are reasonably appropriate for its use and for archival and backup purposes; provided, however, that Chent shall retain all proprietary notices, logos, copyright notices, and since the standard of the Software Products as a such copies.

however, that Client shall retain alt proprietary notices, logos, copyright notices, and similar markings on such copies.

1.4. Embedded Third Party Software. The license grant set forth herein includes the right to use any embedded third party software, which shall be accessed and used only in accordance with the terms, conditions, and licenses imposed by the manufacturers and licensors of such embedded third party software. Tyler hereby passes through to Client all warranties granted by the owners and licensors of embedded third party software, if any 1.5. Titlle. Tyler represents and warrants that it is the owner of all right, title, and interest in and to the Software Products and all components and copies thereof. Nothing in this Agreement shall be deemed to vest in Client any ownership or intellectual property (including, without limitation, Tyler Confidential and Proprietary Information), any components and copies thereof, or any derivative works based thereon prepared by Tyler.

2. RESPONSIBILITIES OF TYLER

For the License Fee(s) set forth in the first page hereof, Tyler shall deliver, install and/or enable Tyler proprietary Software Product on Client's equipment and perform such other obligations, including the correction of defects, as set forth in Section 6.

RESPONSIBILITIES OF CLIENT

3. RESPONSIBILITIES OF CLIENT
In addition to the other responsibilities set forth herein, Client shall perform the following:
(a) designate an employee of Client as its System Administrator, (b) provide all training of its personnel, except and to the extent this Agreement specifically requires Tyler to provide training; (c) collect, prepare, and enter all data necessary for operation of the Software Product into the equipment loaded with the Software Product; (a) provide the computer systems into which the Software Product will be loaded; (f) install any Software Product changes or updates into the Software Product, which are supplied by Tyler in accordance with this Agreement; and (g) allow remote access by Tyler for purposes of software support via a secure Microsoft-based connection (YPN). To the extent data conversion is required, Client shall (f) deliver to Tyter legacy data in an electronic SQL, ASCII delimited, or other format requested by Tyler and (ii) provide Tyler with a basic explanation of the delivered legacy data, including data elements and relationship explanations.

PROFESSIONAL SERVICES

4.1. Set forth on the first page of this Agreement is Tyler's good faith estimate of the hours and fees associated with the services to be performed by Tyler for Client, including travel time by Tyler's personnel from Tyler's place of business to and from Client's place of business, and for which Client shall pay on a T&M basis. Additional services requested by Client which are beyond those hours detailed in this Agreement will be billed at Tyler's then current services rates.

4.2. In the event Client purchases professional services from Tyler for the purpose of making Software Product changes, improvements, or enhancements, any such Software Product changes, improvements or enhancements delivered there under shall be subject to the same license as set forth in Section 1 and subject to the same restrictions thereon.

FEES AND INVOICING

5. FEES AND INVOICING
5.1. License Fee. Tyler shall invoice to the Client the License Fee in accordance with the payment terms set forth on the first page of this Agreement, and Client shall pay such License Fee in accordance with Section 5.4.
5.2. Professional Services Charges. T&M charges for all professional services to be performed hereunder shall be invoiced and paid by Client in accordance with Section 5.4.
5.3. Expenses. Client shall reimburse Tyler for travel, lodging, and food expenses actually and reasonably incurred by Tyler in performing its professional services herein in accordance with Section 5.4.
1nvoice and Payment. Tyler shall invoice Client for services and associated expenses herein on a monthly basis. Each invoice shall state the total invoices amount and shall be accompanied by a reasonably detailed itemization of services and expenses. Following receipt of a properly submitted invoice, Client shall pay amounts owing therein thinty (30) days in arrears. All payments shall be made in U.S. currency. Any undisputed sum not paid when due shall bear interest at the rate of prime rate (as set forth in the Wall Street Journal) plus five percent (5%) per annum or the highest rate allowed by governing law, whichever is less.

whichever is less.

5.5. Taxes. The total Agreement Amount does not include any tax or other governmental impositions including, without limitation, sale and use tax. All such applicable cost, if any, shall be invoiced separately to client, and client shall pay the same.

6.1. Acceptance of the Software Product by Client shall be final and conclusive except for latent defects, fraud, and such gross mistakes as amount to fraud and the operation of any provision of this Agreement, which specifically survives acceptance. In the event said acceptance becomes other than final, or becomes inconclusive, pursuant to this Section 6, Client's sole right and remedy against Tyler therefore shall be to require Tyler to correct the cause thereof.

6.2. Notwithstanding anything to the contrary herein, Client's use of the Software Product for its intended purpose ("Operational Use") shall constitute Client's acceptance of the Software Product, without exception and for all purposes. Upon Operational Use, the Software Products shall then become subject to the terms and conditions of the Existing M&S

7. TYLER CONFIDENTIAL AND PROPRIETARY INFORMATION

ACCEPTANCE OF THE SOFTWARE PRODUCT

7.1. Tyler Confidential and Proprietary Information means all information in any form relating to, used in, or arising out of Tyler's operations and held by, owned, licensed, or otherwise possessed by Tyler (whether held by, owned, licensed, possessed, or otherwise

existing in, on or about Tyler's premises or Client's offices, residence(s), or facilities and regardless of how such information came into being, as well as regardless of who created, generated or gathered the information, including, without limitation, all information contained in, embodied in (in any media whatsoever) or relating to Tyler's inventions, ideas, creations, works of authorship, business documents, licenses, operations, manuals, operating data, projections, customer lists and data, sales data, cost data, profit data, financial statements, strategic planning data, designs, logos, proposed trademarks or service marks, test results, product or service literature, product or service concepts, process data, specification data, know how, software, databases, database layouts, design documents, release notes, algorithms, source code, screen shots, and other research and development information and data. Notwithstanding the foregoing, Tyler Confidential and Proprietary Information does not include information that (a) becomes public other than as a result of a disclosure by Client in breach hereof; (b) becomes available to Client on a non-confidential basis from a source other than Tyler, which is not prohibited from disclosing such information by obligation to Tyler; (c) is known by Client prior to its receipt from Tyler without any obligation or Crent shalt not disclose, disseminate, transmit, publish, distribute, make available, or ofherwise convey Tyler Confidential and Proprietary information, and Client shall not use, make, sell, or otherwise exploit any such Tyler Confidential and Proprietary information for any purpose other than the performance of this Agreement, without Tyler's written consent, except; (a) as may be required by law, regulation, judicial, or administrative process; or (b) as required (by oral questions, interogations, interogations, exceptically and proprietary information or other or permit it the opportunity to seek a protective order. Client shall ensure that all individuals

LIMITATION OF LIABILITY

THE RIGHTS AND REMEDIES OF ANY CLIENT SET FORTH HEREIN ARE EXCLUSIVE AND IN LIEU OF ANY AND ALL OTHER RIGHTS, REMEDIES OR WARRANTIES AVAILABLE AT LAW INCLUDING IMPLIED WARRANTIES OF MERCHANTABUILTY AND FITNESS FOR PARTICULAR

OR INTENDED PURPOSE.

TYLER'S LIABILITY FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT WHETHER BASED ON A THEORY OF CONTRACT OR TORT, INCLUDING NEGLIGENCE OR STRICT LIABILITY, SHALL BE LIMITED TO (A) PRIOR TO OPERATIONAL USE. THE LICENSE FEE SET FORTH HEREIN OR THE TOTAL AMOUNT PAID BY CLIENT HEREUNDER, WHICHEVER IS LESS, OK (B) AFTER OPERATIONAL USE, TYLER'S OBLIGATIONS AS SET FORTH IN CLIENTS EXISTING MAS AGREEMENT, NOTWITHSTANDING ANYTHING TO THE CONTRARY, IN NO EVENT SHALL TYLER BE LIABLE TO CLIENT FOR ANYTHING TO THE CONTRARY, IN NO EVENT SHALL TYLER BE LIABLE TO CLIENT FOR IN INDIRECT, REMOTE, INCIDENTIAL, SPECIAL, EXEMPLARY, PUNITIVE, OR CONSEQUENTIAL DAMAGES, OR (B) FOR ANY DAMAGES WHATSOEVER DUE TO CAUSES BEYOND THE REASONABLE CONTROL OF TYLER, OR (C) DAMAGES RESULTING FROM THE LOSS OF USES LOSS OR DAMAGE TO CLIENT SOURCE DATA, LOSS OF REVENUES, OR FROM LOSS OR DESTRUCTION OF MATERIALS PROVIDED TO TYLER BY CLIENT.

CUIENT INFORMATION

All data provided to Tyler by Client relating to Software Product shall be considered Proprietary Information of Client even though not stamped with a Proprietary Information stamp or similar legend or marking. Tyler agrees to use reasonable care to safeguard said Proprietary information against disclosure to unauthorized employees of Tyler and all persons not employed by Tyler.

10. DATA SECURITY

10. DATA SECURITY

10.1. The parties recognize that the purpose of a computer system consisting of equipment and software is the processing of data, as each Client deems necessary for its operations. The term "processing" for the purpose of this Section shall mean the gathering of such data for input into the system, the input of the data into the system, the retrieval of the data in the system, and the dissemination of such data, regardless of the media upon which the data is contained, whether it be on paper, disk, tapes, or other media.

10.2. The parties further recognize that (i) the data so processed may contain sensitive or confidential material, the unauthorized disclosure of which might cause damage to the Client or third parties, (ii) the dissemination and disclosure may take place at any stage of the processing, and (iii) the control of the processing, dissemination, and disclosure of such data is totally within the control of the client.

10.3. It shall be the responsibility of the Client to establish and maintain all necessary security measures to safeguard and control the disclosure of such data and to prevent its disclosure to unauthorized parties.

11. GOVERNING LAW

This Agreement shall be interpreted in accordance with the laws of the state of the domicile of Client. In the event any of this Agreement is invalidated by a court or legislative action, the remainder thereof shall remain in full force and effect.

12. ENTIRETY OF AGREEMENT; AMENDMENTS

12. Enterest of Agreement; AMENDMENTS

12.1. This License Agreement contains all of the representations, warranties, and promises of the parties relating to the subject matter hereof, whether oral or written, and supersedes all representations, warranties, and promises of the parties relating to the subject matter hereof, whether oral or written, and supersedes all representations, warranties and promises of the parties relating to the subject matter hereof which predate this License Agreement.

12.2. This License Agreement may only be amended, modified, or changed by written instrument signed by both parties hereto.

APPROVAL OF GOVERNING BODY

Client represents and warrants to Tyler that this Agreement has been approved by its governing body and is a binding obligation upon Client.

SOFWARE LICENSE AND PROFESSIONAL SERVICES AGREEMENT AND AMENDMENT TO EXISTING SOFTWARE MAINTENANCE AGREEMENT | PAGE 2 OF 2

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to modify and/or terminate existing interlocal agreements for review of subdivisions in the Extra Territorial Jurisdictions to accommodate the new Hays County Development Regulations.

TYPE OF ITEM: Action

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a

REQUESTED BY: SUMTER

SPONSORED BY: SUMTER

SUMMARY:

HB 1445 agreements call out certain sections from Hays County's local rules that are a priority for enforcement when municipalities are reviewing subdivision applications in the ETJ. Since these rules have recently changed, it is counsel's recommendation that staff be authorized to renegotiate existing 1445 agreements to account for the recent changes in Hays County's regulations.

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to approve an Order establishing an Alternative Dispute Resolution System; authorize collection of fees relative to dispute resolution; and authorize the County Judge to negotiate and execute an agreement with Central Texas Alternative Dispute Resolution, Inc, utilizing the Discretionary Exemption of the Bidding Process, Local Government Code 262.024.

CHECK ONE:	☐ CONSENT X☐ ACTION ☐ EXECUTIVE SESSION
	☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION
PREFERRED ME	ETING DATE REQUESTED: September 1, 2009
AMOUNT REQU	IRED: 20,000.00 proposed funding in FY2010 budget
LINE ITEM NUM	BER OF FUNDS REQUIRED:
REQUESTED BY	
SPONSORED BY	: SUMTER
SUMMARY: Back-u	p in August 11, 2009 agenda packet. Order attached.

ORDER of the HAYS COUNTY COMMISSIONERS COURT ESTABLISHING AN ALTERNATIVE DISPUTE RESOLUTION SYSTEM and AUTHORIZING COLLECTION OF FEES RELATIVE TO DISPUTE RESOLUTION

WHEREAS, Section 152.004, Texas Civil Practice and Remedies Code authorizes a commissioners court of a county to establish and maintain an alternative dispute resolution system, and to set a court cost in an amount not to exceed \$15.00 in the district courts and county courts at law and \$5.00 in the justice of the peace courts to be taxed, collected and paid as other courts costs in each civil case filed, except suits for delinquent taxes and taxes filed by the county; and

WHEREAS, Section 152, Texas Civil Practice and Remedies Code also authorizes the clerks of the courts in the county to collect and pay the costs to the county treasurer, who shall deposit the costs in a separate fund known as the alternative dispute resolution fund, with said fund to be administered by the commissioners court and only used to establish and maintain the system;

NOW, THEREFORE BE IT ORDERED THAT upon motion duly made, seconded and passed by affirmative vote, the Hays County Commissioners Court on this day orders the establishment of an alternative dispute resolution system, in accordance with the provisions of Section 152, Texas Civil Practice and Remedies Code and sets a court cost of \$15.00 to be taxed, collected and paid as other court costs in each civil case filed in the district and county courts at law, and \$5.00 to be taxed, collected and paid as other court cost in each civil case filed in each of the justice of the peace courts, except suits for delinquent taxes and taxes filed by the county, or other suits as may be excepted by statute, and in accordance with the provisions of Section 152.004, Texas Civil Practice and Remedies Code, with said court costs to begin effective September 1, 2009; and

IT IS ALSO ORDERED THAT, effective September 1, 2009, the clerks of the courts in Hays County shall collect and pay the costs to the county treasurer, who shall deposit the costs in a separate fund, known as the alternative dispute resolution system fund, with said fund to be administered by the commissioners court and used only to establish and maintain an alternative dispute resolution system, as per Section 152, Texas Civil Practice and Remedies Code.

LIZ SI	UMTER,	Hays	County	y Judge
Date:				

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

Discussion and possible action to authorize the County Judge to execute the 1st Amendment to Agreement for the Exchange of Real Property Pursuant to §263.006 of the Texas Local Government Code, originally executed between Hays County and W.C. Carson on or about July 31, 2007; and to authorize the preparation and execution of associated Closing documents.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: INGALSBE

SPONSORED BY: INGALSBE

SUMMARY: A process was identified in the original agreement between Hays County and W.C. Carson by which the County could acquire approximately 10 more contiguous acres for the Government Center project. The building committee and consultants have all come to realize that the Government Center project will require the additional acreage.

Permitting through the City of San Marcos will be facilitated by unified ownership and administrative replat of the property(ies) on which the project will be located. We now find ourselves in a Catch-22, since the prerequisite for the acquisition of the additional acreage laid out in the original agreement called for commencement of construction under City of San Marcos permit(s). Permitting cannot be facilitated if the agreement requires permitting as a prerequisite to conveyance. With this in mind, Hays County has negotiated an amendment to Exhibit B of the original agreement, which calls for the immediate transfer of the additional acreage with Seller's right of reversion should the project not commence by a date certain.

FIRST AMENDMENT TO AGREEMENT FOR THE EXCHANGE OF REAL PROPERTY PURSUANT TO §263.006 OF THE TEXAS LOCAL GOVERNMENT CODE

This 1st Amendment to Agreement for the Exchange of Real Property Pursuant to \$263.006 of the Texas Local Government Code ("Amendment") is made this ____ day of _____, 2009, by and between Hays County, a political subdivision of the State of Texas (hereinafter referred to as "the County" or "Buyer"), and W.C. Carson, whose business address is located at 1911 Corporate Drive, Suite 102, San Marcos, Texas 78666 (hereinafter referred to as "Seller"). The above-cited parties are collectively referred to as "the parties to this Agreement" or "the parties."

Exhibit B of the Agreement shall be amended as follows (words stricken through represent deletions and <u>underlined</u> words represent additions):

6. BUYER (COUNTY OF HAYS) TO RECEIVE ADDITIONAL PROPERTY:

Seller shall grant and deed to Buyer the additional four (4) Acres identified in Exhibit A as "Option Parcel 1" at no charge, within fifteen (15)thirty (30) days following the day that the Buyer starts construction on the new Hays County Government Complex on the twenty-six (26) Acre parcel identified in Exhibit A date on which this Amendment is executed by the Parties. This provision shall last remain in effect for two (2) years after the Closing Date of the twenty-six (26) Acres identified in Exhibit A and is—the permanency of the conveyance cited herein shall be contingent on the Buyer having started construction on the new Hays County Government Complex on the twenty-six (26) Acre parcel prior to such expiration. For the purposes of this Section, start of construction is defined as commencement of work under a City of San Marcos approved Site Development Permit. If Buyer has not started construction by the expiration date of this Section, then all property herein conveyed shall revert to the ownership of Seller, who shall enjoy and possess all property rights associated therewith as if no conveyance had ever occurred.

7. BUYER (COUNTY OF HAYS) OPTION TO PURCHASE ADDITIONAL PROPERTY:

Buyer has the option of purchasing from Seller the additional five (5) Acres identified in Exhibit A as "Option Parcel 2" for the purchase price of two-hundred-and-seventeen thousand, eight hundred dollars (\$217,800.00 USD). This option will remain in effectlast for two_(2) years after the Closing Date of the twenty-six (26) Acres identified in Exhibit A and the permanency of the conveyance cited herein shall be contingent on the Buyer having started construction on the new Hays County Government Complex on the twenty-six (26) Acre parcel prior to such expiration. For the purposes of this Section, start of construction is defined at a minimum as commencement of work under a City of San Marcos approved Site Development Permit. If Buyer has not started construction by the expiration date of this provision, then all property herein conveyed shall revert to the ownership of Seller, who shall enjoy and possess all property rights associated therewith as if no conveyance had ever occurred. Should reversion of property interest occur, all monies paid by Buyer under this Section shall remain the property of Seller.

EXCEPT FOR THE ABOVE MODIFICATION TO EXHIBIT B, ALL OTHER TERMS AND CONDITIONS OF THE AGREEMENT SHALL REMAIN UNCHANGED, UNLESS PROPERLY MODIFIED BY SUBSEQUENT AMENDMENT UNDER THE TERMS OF THE AGREEMENT.

· · · ·	
This 1 st Amendment to Agreement for the §263.006 of the Texas Local Government of, 2009, as is evidenced by the auth	Code is hereby executed this the day
SELLER	BUYER
W.C. CARSON	HAYS COUNTY, TEXAS BY: LIZ SUMTER HAYS COUNTY JUDGE
ATTEST: LINDA FRITSCHE HAVS COUNTY OF FRE	

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to authorize the county Judge to sign a payroll account acknowledgement agreement changing the Flexible Benefit Plan (Section 125, Premium Only Plan) from fiscal year (10/1) to a plan year of 10/1/09 through 12/31/09 and then from

1/1/2010 to 12/31/2010.					
CHECK ONE:	CONSENT	x ACTION	EXECUTIVE S	SESSION	
	□ WORKSHO	OP	ROCLAMATION	☐ PRESENTATION	
PREFERRED MEE	ETING DATE R	EQUESTED:	Tuesday, Septemb	per 1, 2009	
AMOUNT REQUI	RED: 0				
LINE ITEM NUMI	BER OF FUNDS	REQUIRED			
REQUESTED BY:	Baen/ Herzog				
SPONSORED BY:	Sumter			-	
SUMMARY: At Open Enrollment meetings, employees are allowed the benefit of electing their premiums that they pay for medical, dental, or additional AFLAC and Life coverages (where applicable) to be deducted PRE-TAX. This is an ANNUAL Salary Reduction Agreement (SRA) employees sign. Additionally, the SRA states the employee can only change their election, other than for a qualified event, at the end of the annual period (open enrollment). This agreement allows for a Short SRA plan year (10/1-12/31) and then allows a regular year to be 1/1-12/31 which will coincide with our other benefits.					
Changing the Payroll Account Acknowledgement Agreement (Salary Reduction Agreement SRA)), will allow employees to make changes for 10/1/2009 and then again 1/1/2010 when our new plan year begins.					
In a Commissioners Couto a calendar year (1/1-12	_	1, the Court voted	to change our benefit pl	an year from a fiscal year (10/1-9/30)	

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: execute a Joint Municipal Manage	Election Agreement with the Driftwood Economic Development
CHECK ONE:	☐ CONSENT X ☐ ACTION ☐ EXECUTIVE SESSION
	☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION
PREFERRED MEE	TING DATE REQUESTED: September 1, 2009
AMOUNT REQUIR	ED:
LINE ITEM NUMB	ER OF FUNDS REQUIRED:
REQUESTED BY:	Cowan
SPONSORED BY:	SUMTER
SUMMARY: See attach	ned

JOINT ELECTION AGREEMENT (HAYS COUNTY PARTICIPATING ENTITIES)

WHEREAS, the undersigned political subdivisions, collectively referred to hereinafter as the "Participating Entities", will each hold an election on November 3, 2009; and

WHEREAS, each of the Participating Entities (i) is located partially or entirely within Hays County, Texas (the "County"), and (ii) shares an election precinct with at least one other Participating Entity; and

WHEREAS, the County has contracted or is contracting with each Participating Entity to conduct and provide election services for such Participating Entity's November 3, 2009 election; and

WHEREAS, the Participating Entities all desire to enter into a joint election agreement for the purpose of sharing election equipment, election officials, and sharing precinct polling locations and election ballots where appropriate;

NOW, THEREFORE, the Participating Entities agree as follows:

I. Scope of Joint Election Agreement

The Participating Entities enter this Joint Election Agreement ("Agreement") for the conduct of the elections to be held on November 3, 2009.

II. Appoint Election Officer

The Participating Entities appoint Joyce Cowan, Hays County Elections Administrator, to serve as the Election Officer for each Participating Entity in order to perform and supervise the duties and responsibilities of the Election Officer for the November 3, 2009, election.

III. Early Voting and Election Day

Early voting and election day voting shall be held in common precincts where appropriate at the dates, times, and locations recommended by the Election Officer and authorized and ordered by the governing body of each Participating Entity.

IV. Miscellaneous Provisions

- 1. This Agreement becomes effective upon execution by all Participating Entities. The obligations of this Agreement will continue as to each Participating Entity until each Participating Entity has made full payment of its share of election costs under this Agreement and other agreements related to November 3, 2009, election.
- 2. Notice under this Agreement must be in writing and may be effected by personal delivery or by certified mail to the Participating Entities at the addresses set forth on the signature pages hereto.
- 3. This Agreement may not be amended or modified except in writing executed by each Participating Entity.
 - 4. The obligations under this Agreement are performable in Hays County, Texas.

- 5. Venue for any dispute arising under this Agreement shall be in Hays County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.
- 6. If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and the Participating Entities shall perform their obligations under this Agreement as expressed in the terms and provisions of this Agreement.

IN WITNESS WHEREOF, this Agreement is executed on the dates set forth below to be effective the day of ________, 2009.

Ву:	
Name:	
Title:	
Date:	



COUNTERPART SIGNATURE PAGE TO JOINT ELECTION AGREEMENT (HAYS COUNTY ENTITIES)

DRIFTWOOD ECONOMIC DEVELOPMENT MUNICIPAL MANAGEMENT DISTRICT

Ву:	MY	
Name: _	Silver Garza	
Title: _	President, Board of Directors	
Date:	August 17, 2009	2

- 5. Venue for any dispute arising under this Agreement shall be in Hays County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.
- 6. If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and the Participating Entities shall perform their obligations under this Agreement as expressed in the terms and provisions of this Agreement.

* * *

IN WITNESS WHEREOF, this Agreement is executed on the dates set forth below to be effective the day of ________, 2009.

Please 3
uttulk
diginal signature
phoes
to pe

Ву:	 	
Name:	 	
Title:	 	
Date:	 	

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IN WITNESS WHEREOF, this Agreement is executed on the dates set forth below to be effective the day of ______, 2009.

By:		 		
Name:	·	 		
Title:			·	
Date:				



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* * *

IN WITNESS WHEREOF, this Agreement is executed on the dates set forth below to be effective the day of _________, 2009.

Ву:	 	
Name:	 	
Title:	 	 ·
Data		



Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: 1F Patty Shafer, Super			he Diamond Sta	ndard presented by Dr.
CHECK ONE:	☐ CONSENT	☐ ACTION	☐ EXECUTIVE	E SESSION
	X worksho	OP PRO	CLAMATION	☐ PRESENTATION
PREFERRED MEET	ING DATE RE	QUESTED: Se	otember 1, 2009	
AMOUNT REQUIRE	ED:		3/14	
LINE ITEM NUMBE	R OF FUNDS R	REQUIRED:		•
REQUESTED BY:				
SPONSORED BY: S	UMTER			
SUMMARY: Dr. Schaffe court. Attached is the Dia			SMCISD recent and p	ast achievements with the

Liz Sumter

From:

Iris Campbell [iris.campbell@smcisd.net]

Sent:

Friday, August 14, 2009 11:17 AM

To:

Amy@SMABOR.com; Amy Madison; CTMC-Clay DeStefano; Daniel Guerrero; Debbie

Inglesbee; Dr. Denise Trauth -TxState; jeanne.davis@grandecom.net;

john.navarette@centurytel.com; Liz Sumter; Karen Smith -City Hall; Kim Porterfield; Lions - John Schramm; LULAC - Joe Castillo; Max Warshauer; Mayor Susan Narvaiz; Menchaca, Rick; mnewton980@aol.com; Paul.Neilson@Mensor.com; Phyllis Snodgrass; Pope, Michelle;

goodman.randolph@jobcorps.org; Rotary - David; Will Conley

Cc: Subject: Georganne Logue; Patty Shafer SMCISD's Phoenix Learning Center

Superintendent Dr. Patty Shafer asked that this update be forwarded to your attention. As always, thank you for your support.

Iris Campbell, Public Information Officer



On Wednesday, August 12, the San Marcos CISD Board of Trustees approved a plan that would combine two very successful district programs – PRIDE High School and the Pathfinder Learning Center—into an even more comprehensive academic site: the **Phoenix Learning Center**. The merger is one of the district's responses to the new requirement that high school students graduate within a four year time frame or the district is penalized.

"San Marcos CISD is becoming even more proactive in its approach to identifying students who may not complete high school in four years, " said Superintendent Dr. Patty Shafer. "While we acknowledge the tremendous successes of PRIDE and Pathfinder, the expectations have gone up, and we're moving quickly to meet those expectations." Shafer added that the Phoenix center will be considered a part of the San Marcos High School.

The Phoenix Learning Center will be located in the Lamar Annex, 500 West Hutchison, where Pathfinder has been located. Administrative offices formerly housed in the Lamar Annex will move to accommodate the additional students and staff moving to Lamar from the former PRIDE. Judy Mitchell, formerly the PRIDE principal, will be the principal of the Phoenix Learning Center. In her role of Director of Student Services, Bea Flores (formerly the Pathfinder principal), will be the Director of the Phoenix center, Rebound (the district's alternative discipline center), and other federal programs.

PRIDE High School was created 20 years ago to serve students for whom a traditional comprehensive high school was not the best option. It has been a "school of choice," accepting students who are juniors and seniors who work independently in a different learning style. In the last 20 years, PRIDE has graduated 1,200 students, with an average of 80 students per year.

Pathfinder Learning Center was created five years ago to serve students who are

struggling academically and are behind on credits. It is an extension of SMHS, and their graduations were a significant part of the high school's successful graduation rate. The yearly percentage of graduates from Pathfinder has ranged from 15-18% of the total of SMHS graduates. The Pathfinder center has been at enrollment capacity and not able to serve the population of students who need intervention.

Bea Flores says, "Completion rates have become a crucial factor in the Texas Accountability Rating System. No longer is it good enough to just graduate from high school; the law states that students must graduate within four years of beginning high school. Each student counts."

Judy Mitchell adds, "PRIDE is proud of its legacy. It's been a unique program that has served the community well. However, when it was designed the focus was on 'drop-outs.' That model has changed, and the focus has shifted. Rather than be a stand-alone campus, the PRIDE staff looks forward to joining forces with the high school and the former Pathfinder group to become an even more unique and effective center of learning."

The planning of the campus merger resulting in Phoenix was headed by the principals of the San Marcos High School, PRIDE, and Pathfinder, along with Central administrators. The team consensus was to recommend "one instructional model with a common purpose by merging the Pathfinder and PRIDE programs using existing budget, personnel, and facilities."

Just as its mythological namesake, the highly-recognized PRIDE and Pathfinder programs will be reborn anew to live again as the Phoenix Learning Center, a place where students who need it will get a second chance at success.



San Marcos Consolidated independent School District

Dedicated to Education... Committed to Excellence

Patty Shafer, Ed.D. Superintendent of Schools

Sample Talking Points: Sound Bytes

SMCISD Has Stellar Year: Road to Exemplary Continues

1. Fall 2009 all campuses will be either new or newly renovated, providing state-of-the-art learning environments for our world-class students. Due to the first district realignments in many years, we have two new elementary schools: Maria Hernandez and Irene K. Mendez.

2. Excellence in the Classroom (2008-2009)

- Bowie ranked Exemplary, Crockett and De Zavala Recognized
- Bowie presented "Distinguished Performance Award" by TEA, one of only 312 in the state.
- District received 12 Gold Performance Acknowledgements (GPAs) in October 2008, doubling the amount received in 2007
- Preliminary spring 2009 TAKS scores for SMCISD indicate that the district experienced gains across the board in all subjects and all populations in grades 4, 7, 8, and 11
- The UIL Academic Team of San Marcos High School earned 2nd place in the District Championships this year. The Speech & Debate members of the team advanced to Regionals where they won 2nd Place Overall Sweepstakes, and one member was named Regional Champion in Prose. The team continued their march to the STATE competitions where they earned the ranking of 3rd Place Overall, and one member won the UIL State Championship in Persuasive Speaking for Conference 4A. This trio of finalists was a first for the high school.
- Other scholar achievements: Henry Finch (a junior) is representing SMHS at the National Forensic League competitions this month in Alabama. (This is the third consecutive year that SMHS has sent a competitor to the nationals.) And after a coast-to-coast search, junior Irene Morse was one of 48 students chosen in the nation to be part of the "I Debate" Leadership team meeting in Oklahoma.
- Thirty-four SMHS students were recognized at Advanced Placement Scholars; there was one National Merit Commended student; and there were three National Hispanic Scholars.
- SMCISD achieved a "Highly Qualified" teacher rate of 100 % in 2008-2009.

3. Excellence in the Arts

- For the first time in 25 years, the SMCISD Choral Department had two students who earned places in the All-State Mixed Choir.
- Seven high school students were invited to join the National Youth Choir.
- A Hernandez student took 1st place in the STATE with her Geography poster.
- The Rattler Bands and Choral Department brought home Division I ratings.
- Crockett Elementary music students made an international music DVD with several other countries participating.
- Extraordinary drama and musical productions were performed in the SMHS Performing Arts Center as community events.
- Several SMHS artists earned All-State designations; some won All-Area recognitions; and one student earned the coveted Gold Seal Award. That piece is in a state-wide traveling exhibit this year.

4. Excellence in the Field and On the Court

- The SMHS Golf Team won District for the first time in ten years.
- The SMHS Tennis Team won District both in the Fall 2008 and Spring 2009.
- The SMHS Diamond Line Dance team was named State Champions for 2009.
- The National Girls & Women in Sports Program at Texas State University honored the high school girls coach at Most Valuable Coach of the Year, and two of the senior players earned the Most Spirited Award and Sportsmanship Award.
- SMHS was well-represented in all sports activities with Outstanding Player recognitions throughout Central Texas.

5. Excellence Recognized & Awards

- SMCISD was recently recognized in a national study for a graduation growth rate increase of 25.3% over a ten year period from 1996-2006. The overall graduation rate of 73.8% far exceeded what the data suggested would have been the expected rate, based on the district's size and at-risk population. As such, SMCISD was listed among 50 "Over-Achieving" districts in the U.S., coming in at the 7th place in the nation.
- San Marcos High School has made Newsweek magazine's "Top 1,500 High Schools in the U.S." list for the last five consecutive years.
- Time Warner Cable recently recognized SMCISD in three areas: (a) SMCISD was named Technology District of the Year for Central Texas for the third straight year; (b) A teaching team from Miller Middle School won TWC's "Spotlight on Education" award for Central Texas with a project that made it all the way to the national finals for the National Spotlight Award; (c) two SMHS students received the Mankin Scholarship Award for Volunteerism.
- SMCISD drew international attention (second year in a row) again this spring when the Miller Math Department was recognized by an educational technology journal for its innovative *Mathcasting* program and *iLearn* booth. Ronda Stonecipher, Director of Instructional Technology, was named one of the twelve international "Innovators of the Year" for the second year (only one in the history of the journal).
- The Hernandez Gentlemen's Club (first of its kind in Texas) was awarded the status of a "Model GC School" by the national organization after its first year.
- For the 6th consecutive year, SMCISD has earned the School FIRST "Superior Achievement" rating for fiscal responsibility.

6. Excellence in Innovation & Partnerships

- Pathfinder Learning Center students embraced the Gary Job Corps Dual Enrollment opportunity with nearly 25% of the day time students attending technical training classes in the morning at Gary and academic classes in the afternoon at the Pathfinder Center.
- Through partnerships with Texas State University, progressive programs for math and science are in place, such as Project Flowing Waters (science enrichment), Mathworks (math enhancement for students and teachers), Caminos (leadership and academics for incoming 9th graders), and the Stellar project (pairing science and technology.)
- SOAR (Seeking Opportunities, Achieving Results), the PreK four years of higher education initiative that joins district with Texas State, San Marcos Area Chamber of Commerce, Hispanic Chamber of Commerce, Austin Community College, United Way of Hays County, and others.
- Outstanding San Marcos Education Foundation that awarded over \$30,000 in Innovative Teaching Grants this last semester.
- Crockett Elementary partnered with the San Marcos Rotary Club to install the character-building program called *EarlyAct FirstKnight*, a nationally award-winning program.

7. Excellence in the Community - Teaching children by modeling citizenship:

- Four district elementary coaches raised more than \$22,000 this year for the American Heart Association through the Jump Rope for Hearts program. Since 1991, the coaches have raised a total of \$306.000.
- SMCISD raised \$4,600 for heart research through the Hays County Heart Walk.
- Many campuses conducted individual fundraisers and drives, bringing in money for cancer research, the local food bank, and the local pet shelter, among others.
- Students have won numerous awards and recognitions for volunteerism and community service. In spring 2009, 17 boys and three girls in the high school Building Trades class completed a house for a district family in distress. The class finished the trim, painted, and added a desk designed by one of the students.
- SMCISD collected two vans full of school supplies and books for the Hurricane Ike ravaged Gulf Coast school district of Anahuac ISD.

Some of the Many San Marcos High School Distinguished Alumni

- Rep. Veronica Gonzales (1984): Texas District 41 House of Representatives, Attorney
 - Troy Kimmel (1975): Chief Meteorologist for Central Texas, UT professor
 - Elizabeth Crook (1977): Published Author and Award Winning Novelist
- Linda (Cinnamon) Stouffer (1988): News Correspondent, Formerly with CNN
- Dottie Payne Sims (1940): Political Activist & Former Hays County Treasurer
- Frank Contreras (1954): Director of Center for Migrant Education
- John Roberts (1962): Former President Anheuser-Busch Entertainment Corporation
- Randall Morris (1965): Central Texas Realtor & Developer
- Liz Champagne Johnson (1969): Fulbright Scholar and Educator
 - Melba Vasquez (1969): National Award-Winning Psychologist
- Bill Pennington (1960): President Texas Funeral Directors Association
- Rusty Phillips, PhD (1962): Vice President of Sorin Group, Milan, Italy; Businessman
 - Frank Arredondo (1965): Field Director U.S. Dept of Housing/Urban Development
- Ruben Ruiz (1969): Financer and Award-Winning Author
- Tricia Tingle (1973): U.S. Department of Justice Bureau of Indian Affairs
- Rob Thomas (1983): Author, Musician, Television Executive Producer
- Dr. Gwen Smith (1933): Career Educator, Author, Collegiate Women's Athletics
- Handler Smith (1953): Real Estate Developer, Chamber of Commerce Leader
- Ross King (1954): President Crown World Wide, former City Council Member
- Judge Walter "Bud" Burnett (1956): Former President Pedernales Electric Cooperative
- Virginia Cox Witte (1956): Award-winning Educator and Citizen
- Harry Max Reasoner(1956): Former Editor Texas Law Review, International Law
- Dolores Crittendon (1956): Social Worker/Dept. of Human Resources, Historian
 - Joyce Abel (1958): Hollywood & International Costume Designer
- John Diaz (1961): Commercial Artist, Businessman, and Former City Councilman
- Dale Linebarger (1961): Attorney, Businessman, and Litigation Specialist
- Reece Morrison (1964): Athlete, Professional Football Player for Cleveland Browns Richard Cruz (1965): Texas State University Information Technology Resources
- Kevin Sladek (1999): Public Speaker, Entrepreneur, Founded Internet Company



San Marcos CISD

501 S. LBJ Drive San Marcos, TX 78666 Mailing: P.O. Box 1087 San Marcos, TX 78667

Phone: 512-393-6700 Fax: 512-393-6787

www.smcisd.net

DIAMOND DUST

The Results of Diamond Polishing



Consolidated independent School District

Dedicated to Education... Committed to Excellence

Page 7

DIAMOND DUST — FAST FACTS

Welcome to San Marcos Consolidated Independent School District

We are committed to seeing that every child is given Our school district is in the heart of the Texas Hill and portions of Guadalupe and Caldwell counties. every opportunity to achieve success through the dedication of our staff and of the award-winning covers 210 square miles, mainly in Hays County Country between Austin and San Antonio. It programs we have implemented.



smoothing, and polishing that our team of educators provides to help SMCISD, we see our students as natural jewels who need the cutting, human soul. Who knows, it might be a diamond in the rough." At Roosevelt, Mary McLeod Bethune, advised citizens to "invest in the The American educator and advisor to US president Franklin D. young people achieve their true brilliance and value in society.

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Education Agency accountability system, and there are tangible signs that the district is succeeding. This booklet is designed to share with you both the district achievements and the people who are working hard to see that our students graduate both college and/or career multi-faceted manner that includes-but goes beyond-the Texas San Marcos CISD has a vision for becoming "exemplary" in a ready to meet the world.

San Marcos CISD has embraced the Diamond Standard. When it comes to goals,

Dr. Patty Shafer,

Superintendent of Schools



www.smcisd.net

The San Marcos CISD Board of Trustees

Jesse Ponce, Vice President Dr. Judy Allen, President Kathy Hansen, Secretary Margie Villalpando David Castillo David Chiu Peter Baen Members



will provide a quality education to all students, empowering them San Marcos CISD, in partnership with parents and the community, to pursue productive and fulfilling lives.

District Goals

- will improve, and the achievement gap among student groups The academic achievement of all San Marcos CISD students will close.
- San Marcos CISD will provide a culture of high expectations for all students.
- CISD will prepare students to excel in a changing workplace. Career and Technical Education programs at San Marcos
- San Marcos CISD will be acknowledged as a district of choice.
 - San Marcos CISD will maintain fiscal soundness.

 Target Revenue: \$ Wealth per ADA: \$_

SMCISD has earned the

Achievement" rating for School First *Superior

fiscal responsibility.

Finance

Tax Rate:

Tax Rates 2000-2009

9808 05-06 06-07 07-08 0405 03-04 02-03 01-02

M&O

Debt service

Total Tax

Rate

Adopted Budgets

\$	₩9-	\$	63	↔	ઝ	69
2003-2004	2004-2005	2005-2-006	2006-2007	2007-2008	2008-2009	2009-2010
Total Budget						

2009-2010 Operating Fund Expenditures

1	Central Administration	Transportation
	3.97%	4.64%

Debt Service 15.22% 9.88%

Operational Expenses

20.62%

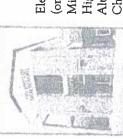
(Figures Plugged In)

Co-Curricular Expenses Instructional Services 3.48%

Instruction 42.18%

\$4,000) to retrofit schools buses for air quality control and safety improvements. In 2009, the Transportation Department received two grants (\$96,205 and

FAST FACTS— DIAMOND DUST



Total Campuses: 14

9 1544	Elementary Schools	_
na maga	(one with PreK program)	
100	Middle Schools	17
2005	High School	_
FINA	Alternative Campuses	(*)
W	Childhood Development Center	
	7	,

Family Learning Center

Honors & Recognitions

- The District received 12 Gold Performance Acknowledgements (GPAs) in 2008, doubling the amount received in 2007.
- The District has one Exemplary campus, two Recognized, and the rest are Academically Acceptable.
 - Bowie Elementary received a "Distinguished Performance" award from TEA, one of only 312 in the state.
- increase of 25.3% from 1996-2006. The overall graduation rate of 73.8% SMCISD has been recognized in a national study for a graduation rate population. As such, SMCISD was listed among 50 "OverAchieving" far exceeded the predicted rate based on the district's size and at-risk districts in the nation, coming in at the 7th place in the country.
 - SMHS has made Newsweek magazine's "Top 1,500 High Schools in the U.S." list for the last five consecutive years.
 - Time Warner Cable recently named SMCISD the Top Technology District in Central Texas for the third straight year.
- SMCISD drew international attention (second year in a row) with the "Innovator of the Year" award from a respected technology journal.
- The San Marcos High School UIL Academic Team earned 2nd place in and one member won the UIL State Championship in her specially for vanced to Regionals where they won 2nd Place Overall Sweepstakes. A team of three went to state competitions where they took 3rd in State, the District Championships in 2009. The Speech & Debate team ad-Confernence 4A.
- Two SMHS students represented the district in national competitions in summer 2009.
 - Thirty-four SMHS students were Advanced Placement Scholars, one was a National Merit Commended Scholar, and three were National Hispanic Scholars.

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DIAMOND DUST — FAST FACTS

7438 02-03 03-04 04-05 05-06 06-07 07-08 7382 7216 Enrollment 2000-2009 7052 7156 7181 7064 01-02 7103 9 7157

	to —	- 59			-
080		64	412	5283	1668
07.08	6	63	379	5162	1769
2090	∞	56	361	5027	1764
90-50	2	55	351 379	4946	1794
00-01 01-02 02-03 03-04 04-05 05-06 06-07 07-08	4	62		4783 4908	2185 2077 1957 1879 1831 1794
03-04	2	51	347 344 334		1879
0203	∞	54	344	4701	1957
01-02	6	43		4627 4701	2077
0.001	11	4	387	4530	2185
	Native American	Asian/Pacific Islander	African American	Hispanic	White

		Enrollment by LEP (Limited English Proficient	nt by LE	P (Limite	ed Englis	5 Profici	ent)	
1000	0105	0203	03-04	0405	90-50	20-90	07-08	60-80
462	446	426	434	428	517	586	610	959
6.46%	6.28%	6.03%	6.15%	5.98%	7.20%	8.12%	8.26%	8.82%

140

		Enroll	Enrollment by Economic Disadvantage	v Econd	mic D	isadvan	tage		
	00001		01.02 02.03 03.04 04.05 05.06 06.07	03-04	04-05	05-06	06-07	07-08	080
Eligible for free meals	3068	3260	3365	3391	3383	3629	3874	3877	3914
Eligible for reduced-price meals	787	923	789	962	846	792	958	793	663
Other							2		
Totals:	3855	4183	4183 4154 4353 4229 4421	4353	4229	4421	4834	4670	4577
Percentage 53.86 58.89 58.81 61.73 59.10 61.57 66.99 63.26	53.86	58.89	58.81	61.73	59.10	61.57	66.99	63.26	61.54

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Page 4

FAST FACTS—DIAMOND DUST

Teachers

- Teaching staff: 528
- Student/Teacher ratio
 - * PK 20:1
- * Grades K-5 21:1
- * Grades 6-8 21:1
- * Grades 9.12-22:1
- Average years of experience: 12
 - Average salary: \$44,410
- Beginning salary, with Bachelor's Degree: \$39,200
 - Stipends offered in Bilingual Education: \$ 2,500

Staff

- Total number of SMCISD employees: 1,080
- Percentage professional staff holding upper-level degrees: 23.1%
- SMCISD has achieved a "Highly Qualified" teacher rate of 100% for several years.

Did You Know That...

- All of the SMCISD campuses are new or newly renovated, the last one opening in Fall 2009.
 - All campuses have Parenting Centers on site.
- San Marcos High School offers dual credit opportunities.
- Community College through ACC's College Connection Program. Over 90% of SMHS seniors applied and were admitted to Austin
- In 2008-2009, 70% of SMHS seniors submitted applications online to four year universities.
 - Through Texas State University's Bobcat Promise program, San Marand whose families have an adjusted gross income of \$35,000 or less annually, will have tuition and mandatory fees covered for four years cos High School students who meet college entrance requirements at Texas State.

Hays County Commissioners' Court 9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: projects, funding	•	•		approved funding – the tion process.		
CHECK ONE:	☐ CONSENT	☐ ACTION	☐ EXECUTIV	Æ SESSION		
	x WORKSHO	OP	OCLAMATION	PRESENTATION		
PREFERRED MEETING DATE REQUESTED: September 1, 2009						
AMOUNT REQUI	RED:					
LINE ITEM NUM	BER OF FUNDS	REQUIRED:				
REQUESTED BY:	Hauff					
SPONSORED BY: SUMTER						
SUMMARY:						

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Executive Session pursuant to 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property identified as a possible venue for a firearms shooting range in Hays County, Texas.

TYPE OF ITEM: EXECUTIVE

PREFERRED MEETING DATE REQUESTED: September 1, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: CONLEY

SPONSORED BY: CONLEY

SUMMARY: Summary to be provided in Executive Session.

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and Possible action regarding issues related to proposed capital construction projects in Hays County, including but not limited to the government center; precinct offices; Resources Protection Transportation and Planning Department; and space needs projections for the Hays County Jail and related criminal justice analysis. **X** ACTION ■ EXECUTIVE SESSION ☐ CONSENT **CHECK ONE:** □ PRESENTATION ☐ WORKSHOP ■ PROCLAMATION PREFERRED MEETING DATE REQUESTED: Standing Agenda Item AMOUNT REQUIRED: To Be Determined LINE ITEM NUMBER OF FUNDS REQUIRED: REQUESTED BY: Ingaisbe SPONSORED BY: Ingalsbe/Barton **SUMMARY:** This is our continued "standing" agenda item for updates on the government center and progress reports on other pending projects. As a reminder, a detailed description of options and considerations of jail needs was included in the June 2nd packet. This item should all Broaddus and the Court to discuss the range of inter-related construction projects and studies throughout the county.

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than <u>2:00 p.m.</u> on <u>WEDNESDAY</u>. Phone (512) 393-2205

AGENDA ITEM: Discussion of issues related to the road bond projects, including updates from Mike Weaver, Prime Strategies and Jeff Curren, HDR. Possible action may follow

weaver, Finne St	rategies and Je	ii Curren, F	HDR. Possible action may fo	llow.
CHECK ONE:	CONSENT	X ACTIO	ON EXECUTIVE SE	SSION
	□ WOR	KSHOP	☐ PROCLAMATION	☐ PRESENTATION
PREFERRED M	EETING DAT	TE REQUI	ESTED: Standing Agenda	Item
AMOUNT REQU	UIRED:			
LINE ITEM NU	MBER OF FU	NDS REQ	UIRED:	
REQUESTED BY	Y:			
SPONSORED BY	Y: SUMTER			
SUMMARY:				