

**Commissioners Court -July 20, 2010
NOTICE OF A MEETING OF THE
COMMISSIONERS COURT OF HAYS COUNTY, TEXAS**



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNON'S TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at **9:00 A.M.** on the **20TH day of July, 2010**, 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	3-4	Adopt a Proclamation declaring July 18 th through the 24 th as Probation, Parole and Community Supervision Week in Hays County. SUMTER/PACHECO
---	-----	---

PUBLIC COMMENTS

At this time **3-MINUTE** 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. **Please Complete the Public Participation/ Witness Form in its Entirety.**
NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS.

CONSENT ITEMS

The following may be acted upon in one motion. A Commissioner, the County Judge, or a Citizen
May request items be pulled for separate discussion and/or action

2	5	Approve payments of county invoices. HERZOG
3	6-15	Approve Commissioner Court Minutes of July 8,9,12 & 13, 2010. SUMTER/FRITSCHKE
4	16-28	Authorize the County Judge to execute a renewal Letter of Agreement with the Capital Area Council of Governments to continue our participation in the Regional Emergency Notification System. SUMTER
5	29-42	Approve specifications for Bid #2010-B19 Regulatory, Warning & Other Road Signs and authorize Purchasing to solicit for bid and advertise. SUMTER/HERZOG/MAIORKA BORCHERDING

ACTION ITEMS

ROADS

6	43-45	Call for a public hearing on August 3, 2010 to establish traffic regulations in Rim Rock subdivision Ph. 2, Sec. 2 and Ph. 3, Sec. 2. FORD/BORCHERDING
7	46	Call for a public hearing on August 3, 2010 to establish traffic regulations on Alpine Trail, CR 384 in the Highlands East subdivision. FORD/BORCHERDING

MISCELLANEOUS

8	47-48	Discussion and possible action to amend the Road & Bridge budget to increase Overtime and Road Material and Supplies. INGALSBE/BORCHERDING
9	49-52	Discussion and possible action to continue the hiring or contracting of temporary staff in the office of Judge Margie Hernandez, JP1-2. INGALSBE/HERNANDEZ
10	53-55	Discussion and possible action to authorize a budget amendment for the Hays County Civic Center. INGALSBE/NELSON
11	56-67	Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and MGT of America, Inc. for services related to implementation of recommendations from the MGT Criminal Justice System Assessment and Jail Population Study for Hays County. BARTON
12	68-95	Discussion and possible action to authorize the County Judge to execute Supplemental Contracts for the Program Management Services to Work Authorizations No. 10, 11, 12, and 14 with Prime Strategies, Inc. BARTON
13	96-97	Discussion and possible action to double fill the Site Manager position at the Wimberley Transfer Station. SUMTER/CONLEY/PINNIX

14	98-104	Discussion and possible action to authorize the County Judge to execute a professional services agreement with K Friese & Associates (KFA) for professional engineering services related to a feasibility study at Post Road where it crosses the Blanco River north of San Marcos, a priority road bond project, and to authorize Commissioners Ford and Ingalsbe and Jerry Borcharding to enter contract negotiations and sign off on subsequent work authorizations. FORD/INGALSBE
15	105-117	Discussion and possible action to allow Commissioner Ford to negotiate a professional services contract with Freese and Nichols, Inc. for engineering services related to the County's plan and response to TCEQ's Dam Safety Report on the River Oaks Ranch Dam. FORD/BORCHERDING
16	118	Discussion and possible action to approve 100% completion of Construction Documents associated with the Hays County Government Center. INGALSBE
17	119-120	Discussion and possible action to authorize the purchase of a countywide Microsoft Enterprise license. SUMTER/HERZOG/MCGILL
	121-122	Discussion and possible action to consider supporting City of San Marcos in moving forward with the Change Order to construct the re-configured intersection of the City's McCarty Lane project with existing McCarty Lane. INGALSBE

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.

18	123	Executive Session pursuant to Section 551.074, Texas Government Code, to discuss and deliberate the appointment of a Veteran Services Officer. Possible action may follow in open court. SUMTER
19	124	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, or value of real property related to the acquisition of ROW on the Fischer Store Road project in Precinct 3. Possible action may follow in open Court. CONLEY
20	125	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, or value of real property related to the Parks and Open Space Advisory Board's call for projects. Possible action may follow in open Court. FORD/CONLEY

STANDING AGENDA ITEM

21	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. Possible action may follow. INGALSBE
22	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
23	Departmental budget review. Possible action may follow. SUMTER

ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 16th day of July, 2010

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205

AGENDA ITEM: Probation Officer Week

CHECK ONE: **CONSENT** **ACTION** ☐ **EXECUTIVE SESSION**

☐ **WORKSHOP** ☒ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: \$

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Pacheco

SPONSORED BY: JUDGE SUMTER

SUMMARY:

PROCLAMATION

WHEREAS, community corrections is an essential part of the justice system; and

WHEREAS, community corrections professionals uphold the law with dignity, while recognizing the right of the public to be safe-guarded from criminal activity; and

WHEREAS, community corrections professionals are responsible for supervising adult and juvenile offenders in the community; and

WHEREAS, community corrections professionals are trained professionals who provide services and referrals for offenders; and

WHEREAS, community corrections professionals work in partnership with community agencies and groups; and

WHEREAS, community corrections professionals promote prevention, intervention and advocacy; and

WHEREAS, community corrections professionals provide services, support, and protection for victims; and

WHEREAS, community corrections professionals advocate community and restorative justice; and

WHEREAS, community corrections professionals are a true Force for Positive Change in their communities, and;

Now, Therefore, Be it resolved that the Commissioners Court of Hays County, Texas, duly convened and acting in its capacity as the governing body of Hays County, does hereby recognize July 18-24, 2010 as

“Probation, Parole and
Community Supervision Week in Hays County”

and encourage all citizens to honor these community corrections professionals and to recognize their achievements.

Agenda Item Request Form

Hays County Commissioners' Court

2:00 p.m. Every Wednesday

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: Approve payment of county invoices.

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: 7/20/10

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: As attached.

REQUESTED BY: Auditor's Office

SPONSORED BY: Bill Herzog 

SUMMARY:

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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: APPROVE COMMISSIONER COURT MINUTES OF JULY 8, 9, 12 & 13, 2010

CHECK ONE: **X CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: JULY 20, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: FRITSCHÉ

SPONSORED BY: SUMTER

SUMMARY:



JULY 8, 2010

VOLUME U PAGE 379

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8TH DAY OF JULY A.D., 2010, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DEPARTMENTAL BUDGET REVIEW

Justice of the Peace

JoAnne Prado, JP 1-1, requested her part-time employee become a full-time employee. Currently her office handles all the magistrations for all County offices. With that work load, she feels that the request is justified. There was a question about Time Payment Fee, the amount in the budget versus the amount actually used. Commissioner Conley asked about the revenues that have gone down in the last 4 years. JP Pct 3 Andy Cable spoke of revenues in his office in the last 3 months have gone up. There was a discussion about indigents and how it's determined. JP's spoke of people not being able to make payments. Hortencia Urrutia represented JP 1-2, their office is requesting part-time to full-time. Clerk currently handles the hot checks and is needed to handle truancy cases. JP 1-2's Civil Case workload has increased and needs the extra assistance. Beth Smith JP Pct 2 spoke of 500 school cases filed in the past year. Judge Smith complemented the Court for the computer system that we use that helps minimize the amount of people needed in the office. She spoke of doing a salary/staff comparison of similar counties. Other Counties with similar revenues usually have more staff and pay more. There was a question about autopsies and where does Hays County send them. In the past year this is the number of inquests done: Pct 1 – 31, Pct 2 – 28, Pct 3 – 35, Pct 4 – 16, Pct 5 – 9. FY2010's budget for inquests is \$250,000 and year to date expenses are \$125,000. There was a question about JP Pct 2's Office and Computer Supplies line item: requested \$5,000 not sure why it would be so high. Andy Cable JP Pct 3 spoke of salary study and asking if Court would consider a salary increase for all the JP's. Judge Cable spoke of a re-grade for one employee and not a salary increase. Judge Cable was asking for an increase in longevity pay for County Employees from \$60 to \$100 per year, as an incentive for an employee. Judge Sumter spoke of Judge Cable needing more money in Bond line item for a new bond. Terry Kyle JP 4 had to leave for an emergency, Judge Smith, spoke on his behalf. Judge Kyle's has asked for an increase in Continuing Ed line item almost doubled. Judge Smith spoke of requirement for new Clerk to attend classes for the first 5 years. Scott Cary JP Pct 5 spoke of being a newly appointed and has tried to keep his budget to a minimum but is requesting a pay increase for his staff. The Court discussed salary increases for elected officials and already having a salary schedule that could be used.

Court's Recommendations:

JP 1-1: Office Supplies - \$2,000, Continuing Ed - \$500. JP 2: Office & Computer Supplies \$4,000, Postage \$250. JP 4: Office Supplies \$2,000, Postage \$1,000, Continuing Ed \$1,000. JP 5: Books & Periodicals \$300, Postage \$800.

Constables

David Peterson Constable Pct 1 requested 2 replacement vehicles. 1) '99 with 115K miles 2) '02 with 105K miles. Constable Peterson is also requesting light bars, cages and decals for new vehicles. James Kohler Constable Pct 2 is requesting a replacement vehicle which currently has over 135K miles. He is also requesting a new Deputy. If he's given the new hire he will also need a car, car radio, walkie talkie, uniforms. The Court discussed when Law Enforcement will have to come into compliance with the new radios. It will be in 2013. Constable Kohler also requested a salary increase for himself and a 4% increase for his deputies and Andrea Espinosa in his office. Darrell Ayres Constable Pct 3 requested a replacement vehicle. He also asked for a salary increase for himself and a 4% step increase for his deputies and a 2% cola for his clerk. Constable Ayres requested one additional taser. Ron Hood Constable Pct 4 requested one new vehicle and if approved all the equipment that he requested for it. Matt Mancillas Constable Pct 5 requested one new vehicle a Ford 150 with requested items for it. Currently the replacement vehicle has 119K miles and will become their backup vehicle. Constable Mancillas is also requesting a new deputy



Court was adjourned.

I, LINDA C. FRITSCHÉ, 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 JULY 8, 2010.



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





JULY 9, 2010

VOLUME U PAGE 381

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 9TH DAY OF JULY A.D., 2010, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DEPARTMENTAL BUDGET REVIEW

Information Technology

Jeff McGill, Director of Information Technology spoke of requests for equipment for various offices. He spoke with each department and reviewed the inventory before making requests for each one. He spoke of the majority of replacement equipment is out of the Sheriff's Office. He mentioned that Microsoft offers a software license (Enterprise Agreement) that you pay a flat rate per year instead of purchasing a license per computer. For the first three years the fee would be \$154,000 then it would drop annually. This would also help his department by not having to file each license for each computer and updates would be much easier to handle. This would help standardize all the computers for the County. He suggested implementing a Computer Replacement Policy to help in determining who might need new computers from year to year. Commissioner Ford changed her request for a MAC desk top to a PC lap top. Jeff McGill mentioned that typically, his budget usually had Co-Wide telephone/data lines/cell phones but he wasn't able to determine the cost per this line item with the new telephone. Jeff McGill spoke of car pooling when going to do support in different County offices.

Human Resources

Shari Miller of the Human Resources Department spoke of Salary Survey done in 2008 which is still being used today. In 2009, it was updated and the only changes made then were re-grades. For the current year we've approved 10 pay increases for new employees up to the 25th percentile, which leads HR to believe that the County is on target with the salary range. Dee Dee Baen Human Resources Director quoted unemployment stats from 2008 at 4.5% nationwide and county wide at 4%. In 2010 the rate is 8% nationwide and county wide at 6.9%. Shari Miller spoke of Market Survey that Hays County currently uses, includes public, private and non-profit companies. She explained that our benchmarks have stayed about the same. HR Department recommends 4.34% salary increase for County Employees, 2% COLA + 2.34% Merit for the Market Adjustment. County Auditor explained that every 1% increase in salaries it would equal \$100,000 in the budget. The Court discussed that 4% increase for the Sheriff's Office is in the proposed budget. Shari Miller explained that if the Court had given at least a 2% increase to employees last year they wouldn't have recommended a 4.34% increase this year. Shari Miller spoke of employees in their salary range (aka - Comporatio). She also spoke of re-grades that weren't requested in the budget. Commissioner Conley is requesting that his Assistant be considered for an increase. Dee Dee Baen said she will come back with figures for the Court to consider. Shari Miller spoke of visiting with each department and evaluating the need for the re-grades. Court spoke of addressing pay increases by maybe doing a little bit each year until we can come up to a percentage of the Ray Study done in 2008. Dee Dee Baen spoke of her budget requests. She spoke of using a lot more paper for Task Force meetings. Contract Services uses are for interpreters, publicity documents, and temporary help for county wide offices. If cuts are needed, they could be cut from line #5462 down to \$1,000 and #5448 down to \$1,200. She is asking for \$50 monthly allowance for cell phone use.

Court was adjourned.

I, LINDA C. FRITSCH, 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 JULY 9, 2010.



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



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 12TH DAY OF JULY A.D., 2010, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

DEPARTMENTAL BUDGET REVIEW

Family Law

Judge Brenda Smith outlined her budget. The only increase she asked for is #5551 - \$850.

District Court

Jimmie Kitchen Court Administrator for District Court spoke of requested budget. She mentioned that item #5391 could be cut to \$200. Jimmie Kitchen explained that the Continuing Ed should stand as requested they are having to send Bailiffs to more classes.

Compliance

Judy Seim, Compliance Director spoke of her budget requests. She is asking an increase in postage due to sending out numerous mail outs. She spoke of her office collecting \$242,000 and the District Court assessing \$213,000. Her office is also collecting old money. Judy Seim explained that by the end of the year her office would have collected almost \$2,000,000. She explained that she's able to collect money from the Inmate Trust Fund. Most county misdemeanors are paid off in 90 days.

Court Recommendations

Court recommended cuts will bring down requested amounts in District Court Budget - Office & Computer Supplies - \$3,500; Books & Periodicals - \$1,500; Indigent Pretrial & Trial - \$65,000; Pretrial & Trial - \$30,000; Miscellaneous - \$200; Court Appointed Attorneys Felony - \$450,000; Court Appointed Attorneys Civil - \$140,000. Compliance - Postage \$1,500; Contract Services - \$3,600; Printing Services - \$1,000. Human Resources - Office & Computer Supplies - \$6,000; Employment Testing - \$1,000; Contract Services - \$1,200; Public Notice - \$1,000; Travel - \$1,500; Continuing Ed - \$3,500.

District Clerk

Cecelia Adair District Clerk explained why she needs an increase in different line items. She needs an increase to store the microfilm in San Antonio. She also spoke of sending certified mail for service and sending jury notices. She is also asking for re-organization in her office. She and her Chief Deputy don't have the time to do training. She feels that with the re-organization there would be enough people that will be doing the training.

County Clerk

Linda Fritsche County Clerk explained her budget. She will need an increase in Bonds to \$1,000. She spoke of cuts, she said Office Supplies could be cut, if needed. She requested that if the court was going to give any raises, she would be in favor of Merit Raises.

District Attorney

Sherri Tibbe, District Attorney, explained her budget. She is requesting 7 new positions. She needs 1 Victims Asst. Advocate, 1 - Admin I, 3 - Admin II, 2 - Attorney II. She needs an Appellate Attorney who will also handle a small amount of Felony cases. Mark Kennedy, Chief Deputy Civil Division, spoke of the Attorney positions, starting at Attorney I up to III. Sherri Tibbe is requesting a re-grade for a couple of Attorney II's to Attorney III's. Dee Dee Baen spoke of Policy for pay increases for the County and the Sheriff's office and the Attorney's are exempt. The Court discussed re-writing the policy to include the Attorney's eligible to acquire a merit increase. Sherri Tibbe also requested an increase for all her employees, COLA or Merit. Judge Sumter suggested that Sherri Tibbe get together with Dee Dee Baen and re-write the policy. Sherri Tibbe requested re-grading a few Admin II's to Admin III's, staff is already performing the duties and just need their grade to reflect it.



JULY 12, 2010

VOLUME U PAGE 383

Tax Assessor/Collector

Luanne Caraway Tax Assessor/Collector, spoke of postage increases. Her office will be implementing a new process on the internet a web page for public to access 24 hours a day. She thanked the Court for the Check Remittance System. It has worked very well, saved a lot of time for her during tax time. Luanne Caraway was asked if she would prefer COLA or Merit increases for her staff, she preferred merit. She spoke of needing an increase in Continuing Ed, in prior years she was able to use interest earned in another account. In previous years the money earned every year was over \$100 and now it's earning around \$20.

Court Recommendations

District Clerk – Postage \$9,000; Continuing Ed \$4,800. County Clerk- Office & Computer Supplies \$12,000; Postage \$12,000; Books & Periodicals \$400; Membership Fees & Bonds \$1,000. Tax Assessor/Collector – Postage \$78,000; Equipment Lease \$8,400. District Attorney – Travel Allowance \$12,352, Office & Computer Supplies \$15,000, Postage \$5,500, Witness Reimbursement \$3,000, Public Notice \$200, Travel \$1,250, Continuing Ed \$15,000

County Court at Law

Judge Anna Martinez Boling explained her budget. She explained the Indigent Pretrial & Trial, there are Motion to Suppress Hearings. Physc evaluations are \$1200 to \$1500 per person to see if they are mentally competent to stand trial. She spoke of persons applying for indigent defense usually need it. Court suggested CCAL use Compliance Department for verifying Indigency. Judge Linda Rodriguez stated that people apply for indigency while still in jail and by law they only have a certain amount of time to make a decision. Judge Rodriguez stated that it wouldn't be feasible to include Compliance Department in that process. She spoke of mental commitments that go to a state hospital.

Court was adjourned.

I, LINDA C. FRITSCHKE, 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 JULY 12, 2010.



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



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 13TH DAY OF JUNE A.D., 2010, 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. FRITSCHKE

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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Conley gave the invocation and Commissioner Ingalsbe led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

PUBLIC COMMENT

Melinda Mallia (POSA Board Vice Chair) read a letter from the Parks & Open Space Advisory Board regarding the proposed land purchase for a Shooting Sports Complex. In summary the Board has a general concern that the use of 2007 bond funds reserved for habitat and open space to purchase land for a shooting sports complex is inconsistent with the intent of the bond initiative approved by voters; the Hillert tract does not meet the minimum selection criteria, developed as directed by the Commissioners Court to evaluate suitable tracts for parks, recreation, open space and habitat; and if the bond funds are used to purchase the Hillert tract, the opportunity to acquire a large natural area with plentiful acreage for habitat preserve and compatible recreation could be lost.

27226 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$359,972.80 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

27227 APPROVE COMMISSIONER COURT MINUTES OF JULY 6, 2010

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve Commissioner Court Minutes of July 6, 2010 as presented by the County Clerk. All voting "Aye". MOTION PASSED

27228 ACCEPT REPORT TO COMMISSIONERS COURT IDENTIFYING ADMINISTRATIVE APPROVALS ISSUED DURING MONTH OF JUNE 2010

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to accept report to Commissioner Court identifying Administrative Approvals issued during month of June 2010. All voting "Aye". MOTION PASSED

27229 APPROVE RENEWAL OF RFP 2006-P07 COMMISSARY SERVICES FOR THE HAYS COUNTY JAIL FOR ONE (1) ADDITIONAL YEAR AS PROVIDED FOR IN ORIGINAL PROPOSAL

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve renewal of RFP 2006-P07 Commissary Services for the Hays County Jail for one (1) additional year as provided for in original proposal. All voting "Aye". MOTION PASSED

27230 APPROVE RENEW AGREEMENT FOR INMATE DENTAL SERVICES WITH DENTRUST DENTAL TEXAS P.C. AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE AGREEMENT

Only noted change is on item 12 changed from two year renewal to a three year period. They are willing to extend the 2006 pricing schedule an additional year. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve Renewal Agreement for Inmate Dental Services with Dentrust Dental Texas P.C. and authorize the County Judge to execute the Agreement. All voting "Aye". MOTION PASSED



JULY 13, 2010

VOLUME U PAGE 385

27231 APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve permit #816 on Panorama Drive to PEC; permit #817 on Jerrys Lane to PEC; permit #818 on Hays Country Acres Road to PEC; permit #819 on Mt. Gainor to Verizon as submitted by the County Road Department. All voting "Aye". MOTION PASSED

27232 AUTHORIZE THE USE OF THE COUNTYWIDE SELF INSURANCE LINE ITEM TO FUND TWO REPLACEMENT VEHICLES IN THE SHERIFF'S OFFICE

Two additional vehicles have been wrecked & totaled in the Sheriff's Office. Insurance proceeds (amount to be determined) will cover most of the cost. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to authorize the use of the Countywide Self Insurance Line Item to fund two replacement vehicles in the Sheriff's Office. All voting "Aye". MOTION PASSED

27233 APPROVE BUDGET AMENDMENT FOR COUNTY COURT AT LAW 2

Budget amendment request is to take \$619 from #001-612-00.5061 (Longevity) to #001-612-00.5212 (Postage). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve budget amendment for County Court at Law 2. All voting "Aye". MOTION PASSED

27234 ALLOW COMMISSIONER FORD TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT WITH DAN ROGERS OF RDS, INC. FOR FEASIBILITY STUDY AND ENGINEERING DESIGN OF IMPROVEMENTS TO ELDER HILL ROAD [T1-195]

Elder Hill Road (CR 170) has a series of three sharp curves (dog-legs) that require study to determine safety improvements, exploration of alternatives, and engineering design. Approval of this item will allow for negotiation of a contract that will be brought back to Court for consideration. A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to allow Commissioner Ford to negotiate a Professional Services Contract with Dan Rogers of RDS, Inc. for feasibility Study and Engineering Design of Improvements to Elder Hill Road. Commissioner Ingalsbe, Commissioner Conley, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton not present to vote. MOTION PASSED

27235 APPROVE REQUEST FOR ADDITIONAL SERVICES IN THE AMOUNT OF \$13,285.00 AS REQUESTED BY CLAYTONLEVYLITTLE ARCHITECTS FOR THE RESTORATION OF THE OLD HAYS COUNTY JAIL [T1-206]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve request for additional services in the amount of \$13,285 as requested by ClaytonLevyLittle Architects for restoration of the Old Hays County Jail. Commissioner Ingalsbe, Commissioner Conley, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton not present to vote. MOTION PASSED

Clerk's Note: Agenda Item #11 RE: EXECUTE A FIVE-YEAR LICENSE AND SUPPORT AGREEMENT WITH HART INTERCIVIC FOR COUNTY VOTING EQUIPMENT IN ORDER TO TAKE ADVANTAGE OF A FREEZE ON RATES FOR THE DURATION OF THE AGREEMENT was PULLED.

27236 ACCEPT AND APPROVE CONSTRUCTION DOCUMENTS AND THE UPDATED GUARANTEED MAXIMUM PRICE PROPOSAL, AS PRESENTED BY FLYNN CONSTRUCTION AND POLKINGHORN GROUP [T1-3707]

Codi Newsom of Broadus & Associates spoke of Submittal #3. Once the GMP is adopted they cannot deviate from the list. The Court discussed maybe adopting the GMP without considering the electrical until another date. The Court was wanting to find a local electrician. Codi Newsom will find out more information on the electrical and get back with the Court. She spoke of the Add Alternates: (1) one additional operable partition for \$8,000, and (2) add entry vestibule \$15,000. A motion was made by Judge Sumter seconded by Commissioner Ford to include the Add Alternate of one additional operable partition for \$8,000. Commissioner Conley voting "No". Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford and Judge Sumter voting "Aye". MOTION PASSED A motion was made by Commissioner Ingalsbe seconded by Commissioner Barton to include the Add Alternate of an entry vestibule for \$15,000. Commissioner Conley, Commissioner Ford and Judge Sumter voting "No". Commissioner Ingalsbe, Commissioner Barton voting "Aye". MOTION FAILED A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to accept and approve construction documents and the updated Guaranteed Maximum Price Proposal, as presented by Flynn Construction and Polkinghorn Group. All voting "Aye". MOTION PASSED



- 27237 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A BILL OF SALE TO 1997 CIRCLE N RANCH LIMITED FOR THE PURCHASE PRICE OF \$2000.00 FOR DELINQUENT TAXES AND APPROVE ASSOCIATED RESOLUTION [T1-227]**

A motion was made by Judge Sumter, seconded by Commissioner Ford to authorize the County Judge to execute a Bill of Sale to 1997 Circle N Ranch Limited for the purchase price \$2,000 for Delinquent Taxes and approve associated Resolution. Commissioner Ingalsbe, Commissioner Conley, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton not present to vote. MOTION PASSED

- 27238 APPROVE ADD ALTERNATES SUBMITTED BY BALFOUR BEATTY FOR THE HAYS COUNTY GOVERNMENT CENTER, SPECIFICALLY A WATER COLLECTION SYSTEM FOR IRRIGATION AND FUTURE UNDERGROUND ELECTRICAL CONDUIT AND POWER CONSTRUCTION COST [T2-430]**

The construction cost estimate has been reduced from \$280,000 to \$149,247. Bob Hinkle of Broadus & Associates gave the Court a handout and explained the Add Alternates. The two Add Alternates he's bringing to court today are: (1) Alternate F – Sustainable Site Irrigation/Condensate Water Capture w/\$149k Construction estimate, (2) Underground Electrical for Future (Design and Construction Cost) cost and scope totaling \$72,159.72. The cost savings to the County for using the water capture would be around \$9,000 per month.

A motion was made by Commissioner Ingalsbe seconded by Judge Sumter to approve Add Alternate submitted by Balfour Beatty for the design of the Site Irrigation/Condensate Water Capture for the Hays County Government Center. All voting "Aye". MOTION PASSED

A motion was made by Commissioner Ingalsbe seconded by Commissioner Conley to approve Add Alternates submitted by Balfour Beatty for the Underground Electrical which includes design and construction for the Hays County Government Center. All voting "Aye". MOTION PASSED

- 27239 SELECT A COMMISSIONING AGENT AS RECOMMENDED BY BROADDUS AND ASSOCIATES AND THE BUILDING COMMITTEE; AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR COMMISSIONING SERVICES ONCE REVIEWED BY PROGRAM MANAGER AND LEGAL COUNSEL [T2-780]**

Commissioning Services generally includes, but is not limited to, providing commissioning services for the following systems: mechanical, electrical, HVAC(including supply air and exhaust air), environmental control and testing, adjusting and balancing services. All services are to be performed by persons licensed and registered under state laws governing their particular area of expertise. A motion was made by Commissioner Ingalsbe seconded by Commissioner Barton to select a Commissioning Agent as recommended by Broadus and Associates and the building committee; and to authorize the County Judge to execute a Contract for Commissioning Services once reviewed by Program Manager and Legal Counsel not to exceed budget. All voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item #16 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND MGT OF AMERICA, INC. FOR SERVICES RELATED TO IMPLEMENTATION OF RECOMMENDATIONS FROM THE MGT CRIMINAL JUSTICE SYSTEM ASSESSMENT AND JAIL POPULATION STUDY FOR HAYS COUNTY – was pulled

- 27240 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CLOSING DOCUMENTS ASSOCIATED WITH ROW ACQUISITION OF PARCEL 20 ON RR12 [T1-448]**

The Court adopted a resolution regarding ROW acquisition on or about June 23, 2009. That resolution was amended on June 8, 2010 to account for, among other things, the possibility that some ROW acquisition would be performed at a price slightly greater than market value. The resolution stated that any proposed price that exceeds market value by more than 10% would need to be brought back to Court for consideration. That is the basis for this item. Although the counteroffer from the owners of this parcel does exceed market value plus, 10%, HRM (Hays County's consultant for ROW acquisition) recommends execution of closing documents. There are a number of similar counteroffers that are not recommended by HRM, and those parcels have not been placed on the agenda for consideration. The court convened into closed executive session (along with Jeff Watson) at 9:35 a.m. and reconvened into open meeting at 10:10 a.m. A motion was made by Commissioner Conley, seconded by Commissioner Barton to authorize the County Judge to execute closing documents associated with ROW Acquisition of Parcel 20 on RR12. All voting "Aye". MOTION PASSED



JULY 13, 2010

VOLUME U PAGE 387

MERGE THE VETERANS SERVICES OFFICE AND THE PERSONAL HEALTH DEPARTMENT

[T1-243] Judge Sumter spoke of merging the Veterans Services Office with the Personal Health Department. She spoke of getting the program out to the public through health fairs, etc. Priscilla Hargraves, Health Dept. Director, spoke in favor of this merger. Commissioner Ingalsbe requested additional time to consider this action. Mike Mendoza, Interim Veterans Affairs Officer, requested more time to consider. Judge Sumter requested that this item be back on the agenda as soon as possible. Commissioner Ford suggested the first week in August.

DEPARTMENTAL BUDGET REVIEW [T1-470]**SHERIFF'S DEPT/JAIL/ANIMAL CONTROL/ESD**

Sheriff Tommy Ratliff and Major Brad Robinson spoke of increases being requested. \$8300 was deducted from line item #5719 Misc. Equipment. Discussed number of Officers being requested for Government Center Security. Private security might be an option for screening purposes. Commissioner Ingalsbe will get with Broadbuss & Associates to get their input regarding security options. Captain Mike Davenport spoke of request for other new officers: 1 Crime Analyst, 1 Crime Prevention Deputy, 1 Mechanic, 2 Deputy Instructors, and 1 Admin Asst I position for the training academy. Commissioner Ingalsbe asked the Sheriff to prioritize these positions. Sheriff Ratliff stated that the his #1 priority would be the Crime Analyst. 5 CopsHire Grant Deputies are on the list if the grant is received. Re-grades being requested: Admin Asst II increased to Admin Asst III and to increase an Admin Asst I to Admin Asst II. Discussed various other line item increases. The Court asked the Sheriff if he could prioritize his needs so they could make necessary cuts.

Recommendations

Jail - Inmate Supplies = \$17,000, Law Enforcement Supplies = \$3,000, Building Mtc Supplies = \$65,000, Janitorial Supplies = \$53,000, Postage = \$5,000, Food Supplies = \$525,000, Membership Fees & Bonds = \$1,500, Employment Testing = \$7,500, Contract Inmate Detention = \$325,000, Prisoner Transfer = \$15,000, Equipment Mtc & Repair = \$10,000, Medical Services = \$315,000, Bldg Mtc & Repair = \$40,000 & move \$20,000 into Co-Wide line item, Utilities Jail = \$360,000, Communication Equipment = \$40,000 moved to Co-Wide line item, Misc Equipment - \$8,300 (already paid by Broadbuss) add \$8,000 to Revenues (fingerprinting scanner) \$1,000 for mower & come back with more clarification. **Sheriff** - Office & Computer Supplies = \$11,000, Miscellaneous = \$2,000, Equipment Mtc & Repair = \$8,000, Vehicle Mtc & Repair = \$105,000, Printing Svs = \$4,000, Utilities Sheriff = \$40,000, Continuing Ed = \$50,000, Office Equipment - will ask Sheriff to prioritize on these with a limit of \$8,000 or ask them to wait, Vehicles - need more details prior to making a decision, Misc Equipment - ask Sheriff to prioritize with a limit of \$13,000.

EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO DISCUSS AND DELIBERATE THE APPOINTMENT OF A VETERAN SERVICES OFFICER. ACTION MAY FOLLOW IN OPEN COURT [T2-3500]

Court convened into closed executive session at 4:50 p.m. and reconvened into open meeting at 5:25 p.m. No action taken.

Clerk's Note Agenda Item #21 - 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. POSSIBLE ACTION MAY FOLLOW - was pulled

Clerk's Note Agenda Item #22 - RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR. POSSIBLE ACTION MAY FOLLOW - was pulled

Court was adjourned.

I, LINDA C. FRITSCHKE, 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 JULY 13, 2010.



LINDA C. FRITSCHKE, 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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Authorize the County Judge to execute a renewal Letter of Agreement with the Capital Area Council of Governments to continue our participation in the Regional Emergency Notification System.

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: \$1498.00

LINE ITEM NUMBER OF FUNDS REQUIRED: Budget for FY2011

REQUESTED BY:

SPONSORED BY: SUMTER

SUMMARY: See Attached

Agenda Item Routing Form

DESCRIPTION OF Item: Authorize the County Judge to execute a renewal Letter of Agreement with the Capital Area Council of Governments to continue our participation in the Regional Emergency Notification System.

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$1,498.00

LINE ITEM NUMBER: Budget for FY2011

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS: Currently in FY2011 budget.

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____



July 1, 2010

**Capital Area
Council of
Governments**

6800 Burleson Road
Building 310, Suite 165
Austin, Texas 78744

512.916.6000
FAX 512.916.6001

www.capcog.org

Bastrop

Blanco

Burnet

Caldwell

Fayette

Hays

Lee

Llano

Travis

Williamson

Counties

The Honorable Elizabeth Sumter
Hays County
111 East San Antonio, Suite 300
San Marcos, Texas 78666

Re: Emergency Notification System

Dear Judge Sumter:

1. This letter agreement authorizes Hays County to use the Emergency Notification System provided by the Capital Area Council of Governments ("CAPCOG"), under the terms and conditions set out below, for the period beginning October 1, 2010 and ending, unless sooner terminated under paragraph 9 or 11, September 30, 2011.

Use of Emergency Notification System

2. Hays County agrees to use the Emergency Notification System solely in accordance with the current version of the CAPCOG *Emergency Notification System (ENS) Policies and Procedures*. The current version is part of this agreement and is available on CAPCOG's website, www.capcog.org/divisions/homeland-security/ens/docs/.

Cost and Payment Terms

3. Upon execution of this letter agreement, CAPCOG will invoice Hays County \$1498.00 to cover all or some part of the operating expenses associated with use of the Emergency Notification System for the agreement period. Hays County agrees to pay the invoice in full within 90 calendar days of its receipt, but solely from current revenues available to Hays County. Access to the Emergency Notification System will be granted when: (1) CAPCOG receives payment in full of the invoice; and (2) Hays County has provided CAPCOG with a list of its Authorizing Individuals and Certified Users as required by the CAPCOG *Emergency Notification System (ENS) Policies and Procedures*.

Public Information Act Request

4. If Hays County receives a request under the Texas Public Information Act for disclosure of any of the 9-1-1 database information, Hays County agrees not to disclose the information prior to notification of CAPCOG's Emergency Communications Department in writing within two business days of the receipt of the request so that CAPCOG may advise Hays County regarding the request.

Nondiscrimination and Equal Opportunity

5. Paragraph 6 summarizes the nondiscrimination and equal opportunity requirements applicable to performance of this agreement that are set out in detail in title 6, parts 15, 17, and 21, Code of Federal Regulations. Hays County and CAPCOG agree to comply with the detailed requirements.

6. Hays County and CAPCOG shall not exclude anyone from participating under this agreement, deny anyone benefits under this agreement, or otherwise unlawfully discriminate against anyone in carrying out this agreement because of race, color, religion, sex, age, disability, handicap, veteran status, or national origin.

Applicable Law

7. In carrying out this agreement, Hays County agrees to comply with all applicable law, including, but not limited to, the Texas Uniform Grant and Contract Management Act, chapter 783 of the Government Code, and the *Uniform Grant Management Standards* implementing the Act.

8. Hays County agrees to comply with its own written rules defining, regulating, and prohibiting conflict of interest in carrying out this agreement.

Early Termination of Agreement

9. Hays County acknowledges that CAPCOG's sole source of revenue for operating and maintaining the Emergency Notification System are grant funds it receives from the State Administrative Agency, Texas Department of Public Safety, and contractual funds provided by participating organizations. Accordingly, Hays County agrees that CAPCOG may terminate this agreement if it learns that funds to operate and maintain the Emergency Notification System are no longer available.

10. CAPCOG terminates this agreement for unavailability of funds by giving Hays County notice of the termination, as soon as it learns of the funding unavailability, and specifying the termination date. The agreement terminates on the specified termination date.

11. If Hays County or CAPCOG breaches a material provision of this agreement, the other may notify the breaching party describing the breach and demanding corrective action. The breaching party has five business days from its receipt of the notice to correct the breach, or to begin and continue with reasonable diligence and in good faith to correct the breach. If the breach cannot be corrected within a reasonable time, despite the breaching party's reasonable diligence and good faith effort to do so, the parties may agree to terminate the agreement.

12. If Hays County violates a provision of the CAPCOG's *Emergency Notification System (ENS) Policies and Procedures*, CAPCOG in its sole discretion, after notifying Hays County of the alleged violation in accordance with paragraph 11, may terminate Hays County's user account while Hays County is attempting to correct the violation. If Hays County corrects the violation under paragraph 11, and the Emergency Notification System was not damaged by the violation, CAPCOG agrees to restore Hays County's user account.

13. Termination for breach does not waive either party's claim for damages resulting from the breach.

Notice to Parties

14. Notice to be effective under this agreement must be in writing and received by the party against whom it is to operate. Notice is received by a party: (1) when it is delivered to the party personally; (2) on the date shown on the return receipt if mailed by registered or certified mail, return receipt requested, to the party's address specified in paragraph 15 and signed on behalf of the party; or (3) three business days after its deposit in the United States mail, with first-class postage affixed, addressed to the party's address specified in paragraph 15.

15. CAPCOG's address is 6800 Burleson Road, Building 310, Suite 165, Austin, TX 78744, Attention: Executive Director. Hays County's address is 111 East San Antonio, Suite 300, San Marcos, Texas 78666, Attention: The Honorable Elizabeth Sumter.

16. A party may change its address by providing notice of the change in accordance with paragraph 14.

Miscellaneous

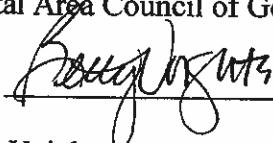
17. Each individual signing this agreement on behalf of a party warrants that he or she is legally authorized to do so and that the party is legally authorized to perform the obligations under this agreement.

18. This agreement states the entire agreement of the parties, and an amendment to it is not effective unless in writing and signed by both parties.

19. This agreement is executed in duplicate originals.

Capital Area Council of Governments Hays County

By



By

Betty Voights
Executive Director

Name

Title



Capital Area Council of Governments EMERGENCY NOTIFICATION SYSTEM (ENS) Policies & Procedures

Version 2.3 - Effective: May 12, 2010

Sec. 1. BACKGROUND

- 1.1. The CAPCOG Emergency Notification System (ENS) was implemented using Homeland Security Grant Program funds for use in the 10-county area covered by the Capital Area Council of Governments (Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson counties).
- 1.2. The ENS consists of two web-based applications, Communicator NXT® and GeoCast Web®. Communicator NXT® makes notifications from a contact list maintained by participating jurisdictions. GeoCast Web® makes notifications from a map-based interface that retrieves telephone numbers from the telephone number database that is used by the region's 9-1-1 services. In addition, GeoCast Web® has the capability of notifying individuals via cellular telephones that they have registered on the system. Due to differences in the sources of the data used as the basis for making the notifications, the usage of Communicator NXT® and GeoCast Web® are governed by different policies.
- 1.3. The system has access to 69 outgoing telephone lines that may be used simultaneously. This system can effectively notify up to four thousand persons in a one-hour period. (This number depends upon the length of the message and other variables. It should be used only as an estimate when deciding if ENS use is appropriate for the situation.) Users also have access to an additional 400+ telephone lines that may be used when a larger number of persons must be notified in a short period of time. Additional costs may be incurred for use of this capability.

Sec. 2. PURPOSE

- 2.1. To outline tasks necessary for efficient and effective operations, and to assign responsibility for completion of such tasks.
- 2.2. To provide rules for uniform use of the ENS.
- 2.3. To provide information for continued quality assurance within the CAPCOG region.
- 2.4. To ensure adequate accounting of ENS activity.

Revised 5/12/10

- 4.1.2.1. CAPCOG interprets this restriction to include any situation in which persons notified need to act in a timely manner to prevent property damage, bodily injury or loss of human life. This includes, but is not limited to, severe weather warnings, “boil water” notices, shelter-in-place advisories and evacuation recommendations or orders.
- 4.1.2.2. ENS testing and use during emergency preparedness training and exercises are acceptable uses.
- 4.1.2.3. Informational messages intended to advise the public of potential hazards but not requiring action on the part of those notified (e.g., severe weather watches) are not acceptable uses of the system.
- 4.1.3. The Communicator NXT® application derives its contact list from a database developed and maintained by participating jurisdictions. Since it does not use the 9-1-1 database, the restrictions associated with use of that database do not apply.
 - 4.1.3.1. Acceptable uses of this application include, but are not limited to, notifications of staff members of participating jurisdictions of emergency events, changes in work schedules of participating jurisdictions resulting from inclement weather, activation of emergency response teams, information notices about imminent hazards and activation of Emergency Operations Centers (EOCs).
 - 4.1.3.2. ENS testing and use during emergency preparedness training and exercises are acceptable uses.
 - 4.1.3.3. Notifying personnel or the public of meetings, hearings, training activities or similar activities is not an acceptable use.

4.2. Participating jurisdictions:

- 4.2.1. GeoCast Web®—Due to the restrictions on the use of the 9-1-1 database, only jurisdictions with managing control of a Public Safety Answering Point (PSAP) are eligible to use this application.
 - 4.2.1.1. PSAP personnel may be trained as Certified Users and may be granted access to the jurisdiction’s login credentials in order to activate the system.
 - 4.2.1.2. Employees and officials of additional departments of eligible jurisdictions, including emergency management coordinators, public health personnel and emergency response personnel may be granted login credentials in order to activate the system. The

- 4.3.5. Ensure that Certified Users (1) are available or on-call during each shift and (2) complete an annual training refresher course.

4.4. Each Authorizing Individual shall:

- 4.4.1. Ensure that access to and activation of the ENS programs is limited to Certified Users.
- 4.4.2. Protect and limit the use to certified users of the assigned user name and password which grants access to the ENS programs.
- 4.4.3. Protect the confidentiality of addressing databases and of information furnished by 9-1-1 database providers, and notify CAPCOG's Director of Emergency Communications (see Exhibit 7.1) in writing within two business days of the receipt of a request for addressing databases or information made under the Texas Public Information Act so that CAPCOG may advise the authorizing individual regarding the request.

4.5. Each Certified User shall :

- 4.5.1. Protect the confidentiality of 9-1-1 addressing databases and of information furnished by 9-1-1 database providers.
- 4.5.2. Comply with naming conventions set forth by CAPCOG.
- 4.5.3. Sign and date the Nondisclosure Agreement (Exhibit 7.3) and submit it to a CAPCOG staff member named in Exhibit 7.1. This form is available on-line at http://www.capcog.org/Programs/Homeland_Security/ens/default.asp.

4.6. CAPCOG shall:

- 4.6.1. Verify the accuracy of Authorizing Individual and Certified User rosters with the ENS POC at least quarterly.
- 4.6.2. Provide updated login credentials to each jurisdiction's POC when these credentials are changed. To preserve security, these credentials will be provided either in person or via telephone. They will not be provided in written form.
- 4.6.3. Conduct routine maintenance and service operations on the system. ENS POCs will be notified prior to these operations which may cause system use to be limited or leave the system temporarily unavailable.
- 4.6.4. Provide training, including course materials, for all Certified Users. This may be accomplished by conducting a Train-the-Trainer course for all or some of the jurisdictions.

- 6.1.2. Maintenance costs for system hardware and software; and
- 6.1.3. Costs of system enhancements.
- 6.2. Other costs, including monthly recurring costs for telephone service, will be allocated to participating jurisdictions and organizations according to a schedule approved by the CAPCOG Executive Committee and furnished to the jurisdictions.
- 6.3. Additional costs incurred by a participating jurisdiction for use of the "DCC Mass Call" option to contact large numbers of persons will be the responsibility of the jurisdiction authorizing the activation.
- 6.4. Jurisdictions and organizations participating in the system shall execute a letter agreement allocating costs with CAPCOG.
 - 6.4.1. These agreements will cover a one-year period beginning on October 1 of each even-numbered year and will be automatically renewed unless cancelled in writing by the jurisdiction or CAPCOG.
 - 6.4.2. These agreements will allocate the costs to the jurisdictions participating in the system.
- 6.5. CAPCOG will send an invoice describing the costs to each participating jurisdiction in October of each year.

Sec. 7. EXHIBITS

- 7.1. CAPCOG Staff Contact List
- 7.2. ENS Activation Guidelines and Form
- 7.3. Nondisclosure Agreement

Exhibit 7.2

ENS Activation Guidelines and Checklist for Certified Users

1. The Emergency Notification System (ENS) is designed to notify relatively small numbers of citizens (hundreds to low thousands) in the case of an emergency which directly affects that population. Examples of such would be flooding, a sniper event, an Alzheimer's patient lost in the area, hazardous materials incident, and similar life threatening events.
2. For emergencies which affect larger segments of the population (the entire city, the county, or more than 3,500 households or so) TV and radio are more effective and would be more expedient. The ENS would take far too long to notify that many people and was not designed to do so.
3. If a jurisdiction desires to notify a larger number of persons, it may use the "DCC Mass Call" option on the "Available Hosts" screen of the GeoCast Web® application. This allows 400+ calls to be made simultaneously. **NOTE: Additional charges for telephone calls using this system may be incurred. Such charges are the responsibility of the jurisdiction authorizing the notification. Approval of these charges must be approved according to local policies.**
4. The nature of this system and the sensitivity of the database that it uses dictate that **only authorizing individuals, as defined in Sec. 3.3 of these procedures, are authorized to initiate use of the system.** These officials may be the County Judge, City Mayor, City Manager, Police Chief, Emergency Management Coordinator, and other designated city or county officials.
5. The PSAP maintains a list of Authorizing Individuals in the Certified User's jurisdiction that are authorized to initiate an ENS activation. **These are the only people in your area who can do so!** If the caller is not listed, let them know you cannot perform this operation because they are not authorized to initiate it. **Contact the PSAP supervisor or follow pre-determined PSAP protocol to determine how to proceed.** You may only initiate the activation process if you are ultimately contacted directly by someone who is on the list of Authorizing Individuals.
6. Calls received that are requesting activation of the ENS must be taken by or transferred to an ENS Certified User. The Certified User will use the ENS Activation Form that follows to guide them through the activation process.
7. In order to protect and properly notify the citizens in harm's way, an accurate message must be recorded by the Certified User. Keep in mind that the message sent to the citizens might be the only information they receive about the emergency and they will act accordingly. The Certified User will not modify the message at all because even small edits can change meaning and have a potential big impact. It is important for the emergency message to be clear and concise. **Thirty seconds is the recommended target length for emergency messages.**
8. In order to notify the citizens in harm's way immediately, accurate location information must be recorded. Get as much detail as possible. This could be in the form of a map book page grid, a major intersection, a landmark, or preferably a faxed copy of a map with drawn-in detail. Keep in mind, even if an intersection is given, you must also explain approximately how far beyond that intersection (what radius) is to be notified.
9. The Certified User will verify success of the activation by using the ENS tool to generate a "post-activation" summary report. They may also request a comprehensive summary report from a

ENS Activation Checklist for Certified Users

This checklist is provided for use by Certified Users of the CAPCOG ENS to ensure that use of the system is in accordance with the *CAPCOG Emergency Notification System Policies and Procedures*. The original should be completed and filed in accordance with local policies.

1. Is the requesting individual listed on the jurisdiction's Authorizing Individual roster?
☐ Yes ☐ No If no, **STOP HERE AND DO NOT ACTIVATE THE ENS**
Contact the PSAP supervisor or follow pre-determined PSAP protocol to determine how to proceed

2. Who requested use of the ENS for this emergency?

Name and title of requesting individual:

Call Back Phone Number:

3. Does the emergency meet the following criteria:
- Is this activation in response to, or related to, an emergency or public safety response activity; or
 - Is this activation related to an emergency situation where property or human life is in jeopardy; or
 - Is this activation intended to provide critical/emergency notification to public safety forces or the community or both?
- ☐ Yes ☐ No

4. Describe the emergency (be as complete as possible):

5. Exactly where is the emergency?

EXHIBIT 7.3

ENS NONDISCLOSURE AGREEMENT FOR CERTIFIED USERS

- I, the undersigned, understand the sensitivity and confidentiality of the 9-1-1 database information that supports the Emergency Notification System (ENS). I further realize that the potential for abusing the ENS mandates that all Certified Users exercise extreme caution in granting access to the System, all of its components, and any derivative information or reports generated by it.
- Access to the Emergency Notification System and related information is provided solely for the purposes of public safety by an Authorizing Individual. Any other use is prohibited. Therefore, I agree to take reasonable precautions to prevent accidental or unauthorized access to the Emergency Notification System, it's supporting documentation, related screen names and passwords, and any documents or reports (hardcopy or electronic) produced by the System.
- Access codes and the web address of the Emergency Notification System may not be disclosed to any third party. I understand and agree that any person requesting access to the System must contact CAPCOG personnel, be trained by them, and be given their own user names and passwords.
- I will not copy, or permit anyone else to copy, any documentation (physical or electronic versions) of the ENS software or the output images unless the copying is required to support use of the System or official use archives.
- If I receive a request under the Texas Public Information Act for disclosure of any of the ENS 9-1-1 database information, I agree not to disclose the information, but instead to notify an Authorizing Individual who will follow procedures noted in Section 4.4.3 of the ENS Policies and Procedures Manual.

I certify that I have read and understand this Nondisclosure Agreement.

Name (printed) _____

_____/_____/_____
(Signature) (Date)

**Please return an original signed Nondisclosure Agreement for each Certified User to:
CAPCOG Homeland Security Division
6800 Burleson Road
Building 310, Suite 165
Austin, TX 78744**

This form is available on-line at
“http://www.capcog.org/Programs/Homeland_Security/ens/default.asp”

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205

AGENDA ITEM: Approve specifications for Bid #2010-B19 Regulatory, Warning & Other Road Signs and authorize Purchasing to solicit for bid and advertise.

CHECK ONE: XCONSENT ACTION ☐ EXECUTIVE SESSION

☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Herzog/Maiorka/Borcherding

SPONSORED BY: Sumter

SUMMARY: (see attached specifications)

**Regulatory, Warning & Other Road Signs
Hays County
Bid #2010-B19**

1. GENERAL CONDITIONS

1. Bids are solicited for furnishing the items set forth in this bid invitation. Completed bid must be received in the Purchasing Office before 2:00 p.m. on the "opening date". All bids must be in a sealed envelope clearly marked on the bottom left hand corner with the bid number, bid title and opening date.
2. Bids received in the county Purchasing Office after submission deadline shall be returned unopened and will be considered void and unacceptable. Hays County is not responsible for lateness of mail, carrier, etc. and time/date stamp clock in Purchasing Office shall be the official time of receipt.
3. Bids may be withdrawn at any time prior to the official opening. Alterations made before opening time must be initialed by bidder guaranteeing authenticity. After the official opening, bids may not be amended, altered or withdrawn without the recommendation of the County Auditor and the approval of the Commissioners' Court.
4. The County is exempt from federal excise and state tax; therefore, tax must not be included in this bid.
5. The bidder agrees, if this bid is accepted, to furnish any and all items upon which prices are offered, at the price(s) and upon the terms and conditions contained in the specifications. The period for acceptance of this bid will be forty-five (45) calendar days unless a different period is noted by bidder.
6. The County reserves the right to accept or reject in part or in whole any bids submitted, and to waive any technicalities for the best interest of the County.
7. Invoices shall be sent directly to the Hays County Auditor's Office, Attention Accounts Payable, 111 E San Antonio Street, Suite 100, San Marcos, Texas 78666. Payments will be processed after notification that all services/equipment has been received satisfactorily and no unauthorized services/equipment has been received.
8. Hays County terms of invoice are net 30 days from invoice date.
9. The bid award shall be based on but not necessarily limited to, the following factors:
 1. Total price
 2. Special needs and requirements of Hays County
 3. Vendor's past performance record with Hays County

4. Hays County's evaluation of vendor's ability
 5. Delivery date
10. If bid is accepted and approved by Commissioners' Court then this bid becomes the contract and there are no oral agreements either expressed or implied. No different or additional terms will become part of this contract with the exception of a change order or the issuance of a purchase order by the Purchasing Office.
 11. Any interpretations, corrections or changes to this invitation for bid and specifications will be made by addenda. Sole issuing authority of addenda shall be vested in Hays County Purchasing Agent. Addenda will be mailed to all who are known to have received a copy of this invitation for bid. Bidders shall acknowledge receipt of all addenda.
 12. Funds for payment have been provided through the Hays County budget approved by the Commissioners' Court for this fiscal year only. State of Texas statutes prohibit the obligation and expenditure of public funds beyond the fiscal year for which a budget has been approved. Therefore, anticipated orders or other obligations that may arise past the end of the current Hays County fiscal year shall be subject to budget approval.

2. SUPPLEMENTAL CONDITIONS

- A. **Contract Period:** The successful vendor shall be awarded a one (1) year contract with the option to renew for three (3) additional one (1) year terms provided all terms and conditions remain unchanged and in full force and effect.
- B. Bidder certifies that it has minimum of three (3) years experience in this field.
- C. Bidder shall supply, with the bid, the name and addresses of three (3) firms to which it has provided these types of goods in the past or with which it is under contract for such goods presently and the name of company representatives who may be contacted for references and performance history. A single negative reference, in the county's sole discretion, shall be cause for disqualification of a bidder.
- D. **Upon acceptance of a bid by the County Commissioners' Court and issuance of a purchase order by the Purchasing Agent, the successful bidder shall be obligated to deliver the goods as specified at the stated prices, with in the time specified, and in accordance with all terms and conditions, contained herein.**
- E. Hays County has the right to accept or reject in part or in whole any and all bids submitted.
- F. Delivery shall be made within two (2) weeks from date of each order placed or the county will exercise the right to purchase elsewhere without any penalty to the county.

- G. Shipping shall be F.O.B. Hays County Road Department, 2171 Yarrington Road, San Marcos, Texas 78666.
- H. The County of Hays shall not actively solicit bids, proposals, quotations, or otherwise test the market solely for the purpose of seeking alternative sources for the specified goods. If the contract terms are not met, the county reserves the right to purchase elsewhere any and/or all items covered by this contract if available from another source without any penalty to the county.
- I. It is estimated that the county will spend approximately \$20,000.00 to \$25,000.00 during the term of this contract. This figure represents a realistic estimate based on past use. The estimate does not guarantee that the county will purchase the above amount nor does it guarantee the county will not go over the above amount.

3. SPECIFICATIONS

- A. **Scope:** The intent of this invitation for bid and resulting contract is for the Hays County Road Department to purchase signs on an as needed basis.
- B. **Materials:** All materials must conform to the Texas State Department of Highways and Public Transportation (TXDOT) specifications. Copies of (TXDOT) specifications are available from the State Department of Highways and Public Transportation, materials and tests division, 38th and Jackson Street, Austin, Texas 78703.
- C. The attached list is a partial list of the signs that Hays County will be ordering please submit pricing on these signs.

Bid Due: August 5, 2010 no later than 2:00 p.m.

ITEM	CODE	DESCRIPTION	SIZE	E.G. / HIP
* - ALL SIGNS .080 ALUMINUM				
REGULATORY SIGNS				
1	MR1-1	STOP-MIN	24X24	
2	R1-1	STOP-STD	30X30	
3		STOP SIGN	36X36	
4	BR1-2	YIELD	24X24	
5	MR1-2	YIELD-MIN	30X30	
6	MR2-1	SPEED LIMIT (PLACE MPH HERE)	18X24	
7	R2-1	SPEED LIMIT (PLACE MPH HERE)	24X30	
8	R1-3	4-WAY (STOP)	12X6	
9	R1-4	ALL-WAY (STOP)	18X6	
R7 SERIES PARKING RESTRICTION				
10	R8-1T	NO PARKING ON BRIDGE-STD	24X30	
11	R8-3a	NO PARKING (SYMBOL)-STD	24X24	
12	R12-1T	WEIGHT LIMIT/GROSS LBS.	24X36	
13	R19-7	NO FISHING FROM BRIDGE	24X30	
14		NO PARKING ANY TIME/TOW-AWAY (SYMBOL)	12X24	
15		NO DUMPING ALLOWED \$15-\$200 FINE	24X36	
WARNING SIGNS				
16	MW1-1R	90 DEG. RIGHT TURN-MIN	24X24	
17	MW1-1R	90 DEG. RIGHT TURN-MIN	30X30	
18	MW1-1L	90 DEG. LEFT TURN-MIN	24X24	
19	MW1-1L	90 DEG. LEFT TURN-MIN	30X30	
20	MW1-2R	CURVE RIGHT	24X24	
21	MW1-2R	CURVE RIGHT	30X30	
22	MW1-2L	CURVE LEFT	24X24	
23	MW1-2L	CURVE LEFT	30X30	
24	MW1-3L	REVERSE 90 DEG. L, R TURN	24X24	
25	MW1-3L	REVERSE 90 DEG. L, R TURN	30X30	
26	MW1-3R	REVERSE 90 DEG. R, L TURN	24X24	
27	MW1-3R	REVERSE 90 DEG. R, L TURN	30X30	
28	MW1-4L	REVERSE L, R CURVE	24X24	

ITEM	CODE	DESCRIPTION	SIZE	E.G. / HIP
* - ALL SIGNS .080 ALUMINUM				
		WARNING SIGNS - CONTINUED		
29	MW1-4L	REVERSE L, R CURVE	30X30	
30	MW1-4R	REVERSE R, L CURVE	24X24	
31	MW1-4R	REVERSE R, L CURVE	30X30	
32	MW1-5L	WINDING ROAD (1ST CURVE LEFT)	24X24	
33	MW1-5L	WINDING ROAD (1ST CURVE LEFT)	30X30	
34	MW1-5R	WINDING ROAD (1ST CURVE RIGHT)	24X24	
35	MW1-5R	WINDING ROAD (1ST CURVE RIGHT)	30X30	
36	MW1-6	RIGHT OR LEFT ARROW-MIN	36X18	
37	W1-6	RIGHT OR LEFT ARROW-BIKE	48X24	
38	MW1-7	DOUBLE ARROW-MIN	36X18	
39	W1-7	DOUBLE ARROW	48X24	
40	MW1-8	CHEVRON ALIGNMENT SIGN-MIN	12X18	
41	SW1-8	CHEVRON ALIGNMENT SIGN-SPEC	24X30	
42	MW2-1	CROSS ROAD SIGN-MIN	24X24	
43	MW2-2	SIDE ROAD SIGN (90 DEG.)-MIN	24X24	
44	MW2-3	SIDE ROAD SIGN (45 DEG.)-MIN	24X24	
45	MW2-4	"T" INTERSECTION-MIN	24X24	
46	MW2-4	"T" INTERSECTION-MIN	30X30	
47	MW2-5	"Y" INTERSECTION-MIN	24X24	
48	MW3-1a	STOP AHEAD	24X24	
49	MW3-1a	STOP AHEAD	30X30	
50	MW3-2a	YIELD AHEAD	24X24	
51	MW3-2a	YIELD AHEAD	30X30	
52	MW4-2	LN. REDUCTIONS TRANS. SIGN	24X24	
53	MW4-2	LN. REDUCTIONS TRANS. SIGN-MIN	30X30	
54	MW5-2	NARROW BRIDGE (WORDS)-MIN	24X24	
55	MW5-2a	NARROW BRIDGE (SYMBOL)	24X24	
56	MW5-2a	NARROW BRIDGE (SYMBOL)-MIN	30X30	

ITEM	CODE	DESCRIPTION	SIZE	E.G. / HIP
* - ALL SIGNS .080 ALUMINUM				
		WARNING SIGNS - CONTINUED		
57	MW5-3	ONE LANE BRIDGE (WORDS)	24X24	
58	MW5-3	ONE LANE BRIDGE (WORDS)-MIN	30X30	
59	MW7-1	HILL-DOWN GRADE (SYMBOL)-MIN	24X24	
60	MW7-1	HILL-UP GRADE (SYMBOL)-MIN	24X24	
61	MW8-2	DIP SIGN-MIN	24X24	
62	MW8-2	DIP SIGN-MIN	30X30	
63	MW8-3a	PAVEMENT ENDS (SYMBOL)	24X24	
64	MW8-3a	PAVEMENT ENDS (SYMBOL)-MIN	30X30	
65	MW8-11	CATTLE GUARD	24X24	
66	MW8-11	CATTLE GUARD	30X30	
67	W8-13	WATER CROSSING (WORDS)-STD	30X30	
68	W8-14	WATER OVER ROAD (WORDS)-STD	30X30	
69	MW10-1	RAILROAD XING (ADV. WARNING)-MIN	30"	
70	MW11-3	DEER XING (SYMBOL)-MIN	24X24	
71	MW11-3	DEER XING (SYMBOL)-MIN	30X30	
72	MW11-4	COW XING (SYMBOL)-MIN	24X24	
73	MW11-4	COW XING (SYMBOL)-MIN	30X30	
74		HORSE XING(SYMBOL)-MIN	30X30	
75	MW11-8	FIRESTATION (SYMBOL)-MIN	30X30	
76	W12-1	DOUBLE ARROW SIGN (2 ARROWS DOWN)	24X24	
77	W12-5	LOAD ZONED BRIDGE (WORDS)	24X24	
78	W12-5	LOAD ZONED BRIDGE (WORDS)	30X30	
79	W13-1	ADVISORY SPEED MPH-STD	18X18	
80	MW14-2	NO OUTLET SIGN-MIN	24X24	
81	MW14-2	NO OUTLET SIGN-MIN	30X30	
82	MW14-3	NO PASSING ZONE-PENNANT-MIN	30X40	
83	MW14-4	LIMITED SIGHT DISTANCE (WORDS)-MIN	24X24	
84	MW14-4	LIMITED SIGHT DISTANCE (WORDS)-MIN	30X30	
85	W41-4b	SLOW CHILDREN AT PLAY (SYMBOL)	12X24	
86	OM-3L	TYPE 3 OBJECT MARKER LEFT	12X36	
87	OM-3R	TYPE 3 OBJECT MARKER RIGHT	12X36	
88	OM-2VP	HIGH INTENSITY OBJECT MARKER (REFLECTOR)	6X12	
89		DANGER HIGH WATER	24X24	
90		DANGER HIGH WATER	30X30	
		CONVENTIONAL GUIDE SIGNS		
91	D26	FLOOD GAUGE (WORDS)	18X12	
92	D27	HAYS COUNTY MAINTENANCE BEGINS (WORDS)	24X15	
93	D28	HAYS COUNTY MAINTENANCE ENDS (WORDS)	24X15	
94	D29	FLOOD GAUGE (WITH 6" NUMBERS)	8"X6'	
		SCHOOL RELATED SIGNS		
95	S1-1	SCHOOL PED. XING (SYMBOL)	24X24	
96	S1-1	SCHOOL PED. XING (SYMBOL)-STD	36X36	

97	S2-1	SCHOOL PED. XING (SYMBOL W/CROSSWALK)	24X24	
98	S2-1	SCHOOL PED. XING (SYMBOL W/CROSSWALK)-STD	36X36	
99	S3-1	SCHOOL BUS STOP AHEAD (WORDS)	30X30	
		CONSTRUCTION SIGNS		
100	MCW21-2	FRESH OIL (WORDS)-MIN	24X24	
101	MCW21-4	ROAD WORK AHEAD (WORDS)-MIN	30X30	
102	CW21-8	BE PREPARED TO STOP (WORDS)-STD	30X30	
103	CW21-9	MOWERS AHEAD (WORDS)-STD	30X30	
104	MCW8-7	LOOSE GRAVEL	30X30	

ITEM	CODE	DESCRIPTION	SIZE	E.G. / HIP
		* - SIGNS MUST COMFORM TO ASTM B449		
		BLANK SIGNS FOR STREET NAMES WITH HOLES		
1		RED REFLECTIVE	24X6	
2		RED REFLECTIVE	30X6	
3		GREEN REFLECTIVE	24X6	
4		GREEN REFLECTIVE	30X6	
		BLANK SIGNS		
5		WHITE WITH BLACK BORDER	18X24	
6		WHITE WITH BLACK BORDER	12X18	
7		WHITE WITH BLACK BORDER	24X24	
8		WHITE WITH BLACK BORDER	30X30	
9		YELLOW WITH BLACK BORDER	18X24	
10		YELLOW WITH BLACK BORDER	12X18	
11		YELLOW WITH BLACK BORDER	24X24	
12		YELLOW WITH BLACK BORDER	30X30	
		POSTS & ANCHOR BASE		
13		GREEN U-CHANNEL DELINEATOR POST, 1.12 LBS/FT	6 FT.	
14		SQ. TUBULAR SIGN POST, GALV. STEEL / 14 GAUGE		
		PERFORATED ON 4 SIDES (PLEASE GIVE PRICE/FT.)	10 FT.	
15		SQ. TUBULAR ANCHOR POST, GALV. STEEL / 12 GAUGE		
		PERFORATED ON 4 SIDES (2"X2")	3 FT.	
		RIVETS, BOLTS & NUTS		
16		STEEL DRIVE RIVET	3/8"	
17		CORNER BOLT (5/16 DIAMETER)	2"	
18		FLANGE NUT (5/16 DIAMETER)		

		BARRICADE ITEMS, FLAGS & ROLL-UP SIGNS		
19		BARRICADE SHEETING TAPE 6" STRIPES (50 YDS)	6"	
20		BARRICADE SHEETING TAPE 6" STRIPES (50 YDS)	8"	
21		PLASTIC A-FRAME BARRICADE (2 EA. A-FRAME LEGS)	8'	
22		RUBBER BASE ROLL-UP SIGN STANDS (ZEPHYR OR APPROVED EQUAL)		
23		BARRICADE FLASHING LIGHT (YELLOW)		
			36X36	
24		ORANGE FLAGS	18"	
25		ORANGE FLAGS	24"	
26		NON-REFLECTIVE MESH ROLL-UP SIGN W/HEAVY DUTY FRAME, 4 HARD CORNER POCKETS TO FIT ZEPHYR STAND OR APPROVED EQUAL, WITH TIE STRAP AND ANTI-KITING DEVICE		
			36X36	
27		VINYL ROLL-UP SIGNS W/HEAVY DUTY FRAME, 4 HARD CORNER POCKETS TO FIT ZEPHYR STAND OR APPROVED EQUAL, WITH TIE STRAP AND ANTI-KITING DEVICE VINYL ROLL-UP SIGNS SHOULD BE TO TXDOT STANDARD DMS-8310	36X36	
28		ORANGE CONES W/REFLECTIVE TAPE	28"	
29		ORANGE CONES	28"	

Please include any deviations or additional charges that may apply to this bid:

**Regulatory, Warning & Other Road Signs
Hays County
Bid #2010-B19**

Bid Due: August 5, 2010 no later than 2:00 p.m.

The Undersigned affirms that they are duly authorized to execute this contract, that this bid has not been prepared in collusion with any other vendor, and that the contents of this bid have not been communicated to any other vendor prior to the official opening of this bid.

VENDOR: _____

ADDRESS: _____

PHONE: _____

FAX: _____

PRINT NAME: _____

SIGNATURE: _____

Hays County has the right to accept or reject in part or in whole any and all bids submitted.

**REGULATORY, WARNING & OTHER ROAD SIGNS
HAYS COUNTY, TEXAS
BID #2010-B19**

CONTRACT

**STATE OF TEXAS
COUNTY OF HAYS**

WHEREAS, The attached "Bid Package" which includes the **Cover Sheet, Instructions, Specifications, and Bid Sheet(s)** for the item(s) being published for competitive bid, were solicited pursuant to Texas Local Government Code 262.021; and

WHEREAS, the Hays County Commissioners' Court as the governing body of Hays County did on _____, 20__ award a contract to _____
(Vendor/Bidder) for furnishing the materials, equipment, supplies and/or services in quantities and at prices as set forth in the above-attached "Bid Package"; and

THEREFORE, Knowing all men by these present, that this contract is entered into by Hays County, Texas (hereinafter called "County") and the undersigned Vendor (hereinafter called "Vendor" or "bidder").

WITNESSETH

THAT IN ACCORDANCE with the above attached Bid Package in every particular, the Vendor will perform in accordance with the terms thereof and the County agrees to make payment for such items or services purchased on appropriate Purchase Orders in accordance with the items of said Bid Package which is made a part of this contract and incorporated herein for all purposes.

THAT IN ACCORDANCE with the attached the County's acceptance of equipment, supplies and services shall be contingent on (1) they conform, (2) they were delivered (if applicable), and (3) services have been satisfactorily performed in the sole determination of the County.

Prior Agreements Superseded

This Contract, with the entire Bid Package incorporated herein for all purposes, including any required supporting literature, brochures, and/or data sheets or sample, constitutes the sole agreements of the parties to the agreement and supersedes all oral or written previous and contemporary agreements between the parties and relating to matters herein.

Amendment

No amendment, modification or alteration of the terms of this contract shall be binding unless same is in writing, dated subsequent to the date of this contract, and duly executed by authorization representatives of each party.

IN TESTIMONY WHEREOF: Witness our hands at Hays County, Texas, effective as of the date awarded above, if any.

VENDOR

HAYS COUNTY

BY: _____ BY _____
AUTHORIZED AGENT COUNTY JUDGE

ATTEST: _____
Linda Fritsche, Hays County Clerk

****Failure to sign the Contract page(s) may disqualify the bid from being considered by the Commissioners' Court. However, this contract is not valid until awarded in Commissioners' Court and signed by both parties.**

Vendor/Bidder's Affirmation

1. Vendor/Bidder affirms that they are duly authorized to execute this Contract, that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other bidder, and that the contents of this bid as to price, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engages in this type of business prior to the official opening of this bid.
2. Vendor/Bidder hereby assigns to Purchaser any and all claims for overcharges associated with this Contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.
3. Pursuant to 262.076 (a) of the Texas Local Government Code, Vendor/Bidder, hereby affirms that Vendor/Bidder:

_____ Does not own taxable property in Hays County.

_____ Does not owe any ad valorem taxes to Hays County or is not otherwise indebted to Hays County.

Name of Contracting Company

Contact Name

Title

Mailing Address

City

State

Zip Code

Signature of Company Official Authorizing Bid/Offer

Printed Name

Phone

Fax

E-mail address

Conflict of Interest Disclosure

Beginning January 1, 2006 a new State Law (Chapter 176 of the Texas Local Government Code) requires the filing of Conflict of Interest Questionnaires by individuals and businesses..

The questionnaire requires disclosures describing certain business and gift giving relationships (if any) the filers may have with the Hays County Commissioners Court members and other elected/appointed officials.

The new law applies to:

- Businesses and individuals who contract with Hays County
- Businesses and individuals who seek to contract with Hays County, (regardless of whether a bidder is awarded the contract), and
- Agents who represent such businesses in their business dealings with Hays County

The forms for reporting are available at www.ethics.state.tx.us/whatsnew/conflict_forms.htm

If you have any questions about compliance, please consult your own legal counsel. Compliance is the individual responsibility of each individual, business, and agent who is subject to the law's filing requirement.

If you are required to file a Conflict of Interest Questionnaire, you should file with the Hays County Clerk by mailing the completed form to:

Hays County Clerk
137 Guadalupe Street
San Marcos, Texas 78666

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Call for a public hearing on August 3, 2010 to establish traffic regulations in Rim Rock subdivision Ph. 2, Sec. 2 and Ph. 3, Sec. 2.

CIRCLE ONE ACTION ITEM	Subdivision	Road	Staff Recommendation
-------------------------------	--------------------	-------------	-----------------------------

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a

REQUESTED BY: Jerry Borcharding

SPONSORED BY: Commissioner Ford

SUMMARY:

To establish: a stop sign on Seep Rock Cove at Shelf Rock Road, a stop sign on Shelf Rock Road as it "T's" into itself, a stop sign on Pastoral Cove at Bluff Woods Drive, two stop signs on Bluff Woods Drive at Sad Willow Pass (one from each direction for a two-way stop), a stop sign on Prairie Grass Cove at Bluff Woods Drive, a stop sign on Applewood Drive at Bluff Woods Drive, a stop sign on Sarahs Spring Cove at Bluff Woods Drive, a separate stop sign on Bluff Woods Drive at Sad Willow Pass as it comes back around and "T's", and a speed limit on all roads of 25 MPH.

STAFF REVIEW/COMMENTS

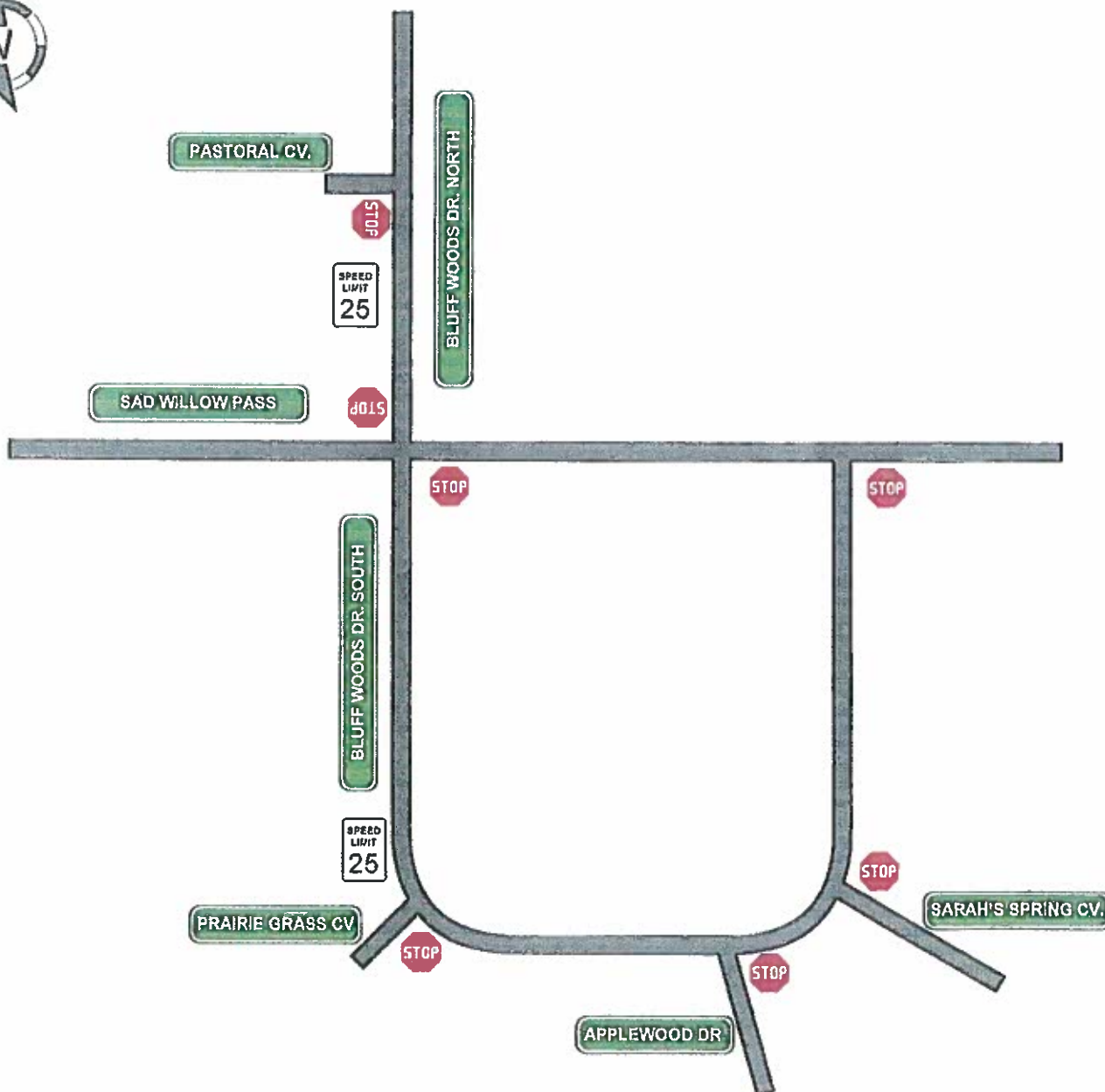
ENVIRONMENTAL HEALTH DIRECTOR:

ROAD DIRECTOR:

STAFF RECOMMENDATIONS:

Precinct 4
Rim Rock Phase 2 Section 2

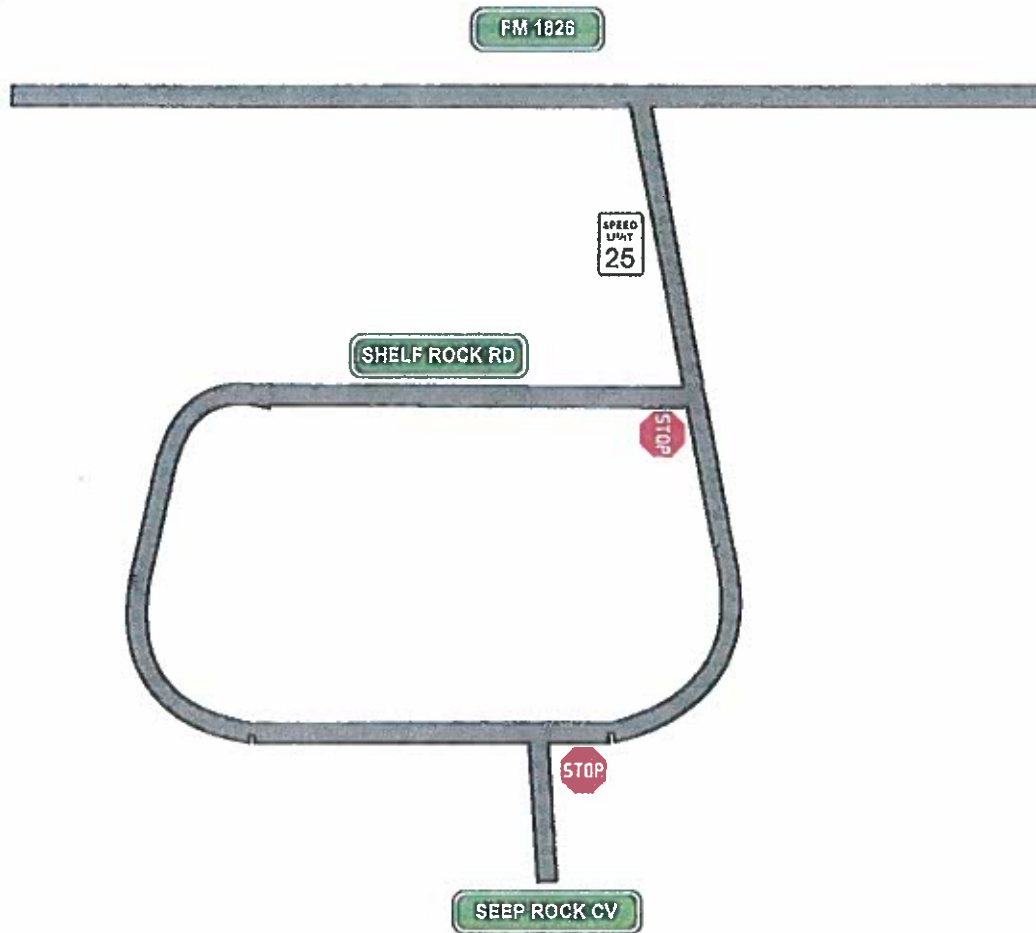
Proposed/Recommended Traffic Regulations:
Stop Signs and Speed Limits As Indicated Below



1. Stop traffic on Bluff Woods Dr. South at intersection of Sad Willow Pass
2. Stop traffic on Bluff Woods Dr. North at intersection of Sad Willow Pass
3. Stop traffic on Prairie Grass Cv. at intersection of Bluff Woods Dr. South
4. Stop traffic on Applewood Dr. at intersection of Bluff Woods Dr. South
5. Stop traffic on Sarah's Spring Cv. at intersection of Bluff Woods Dr. South
6. Stop traffic on Bluff Woods Dr. South at intersection of Sad Willow Pass
7. Stop traffic on Pastoral Cv. at intersection of Bluff Woods Dr. North
8. Speed limit to be set at 25 MPH in Rim Rock Phase 2 Section 2 Subdivision

Precinct 4
Rim Rock Phase 3 Section 2

Proposed/Recommended Traffic Regulations:
Stop Signs and Speed Limits As Indicated Below



1. Stop traffic on Shelf Rock Road at intersection of Shelf Rock Road
2. Stop traffic on Seep Rock Rd. at intersection of Shelf Rock Rd.
3. Speed limit to be set at 25 MPH in Rim Rock Phase 3 Section 2 Subdivision

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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Call for a public hearing on August 3, 2010 to establish traffic regulations on Alpine Trail, CR 384 in the Highlands East subdivision.

CIRCLE ONE ACTION ITEM	Subdivision	Road	Staff Recommendation
-------------------------------	--------------------	-------------	-----------------------------

PREFERRED MEETING DATE REQUESTED: July 20, 2010
--

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a
--

REQUESTED BY: Jerry Borcharding
--

SPONSORED BY: Commissioner Ford
--

SUMMARY:

To establish: a stop sign on Alpine Trail at Hilliard Road, and a speed limit of 35 MPH.

STAFF REVIEW/COMMENTS

ENVIRONMENTAL HEALTH DIRECTOR:

ROAD DIRECTOR:

STAFF RECOMMENDATIONS:

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to amend the Road & Bridge budget to increase 1.) Overtime and 2.) Road Material and Supplies.

CHECK ONE: ☐ **CONSENT** ☒ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: 7-20-10

AMOUNT REQUIRED: \$67,283.82 Total - \$61,000 for Overtime; \$6283.82 for Road Material & Supplies

LINE ITEM NUMBER OF FUNDS REQUIRED: \$61,000 from 020-710-00.5021 Staff Salaries to 020-710-00.5031 Overtime
\$6283.82 from 020-710-00.4635 Auction Sales Revenue to 020-710-00.5351 Road Material & Supplies

REQUESTED BY: Jerry Borcharding

SPONSORED BY: Commissioner Ingalsbe

SUMMARY: Additional funds are needed in Overtime line and are available in Staff Salaries line.

The additional funds for Road Material & Supplies are available from auction sales revenue.

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to amend the Road & Bridge budget to increase 1.) Overtime and 2.) Road Material and Supplies.

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$67,283.82

LINE ITEM NUMBER: 61,000.00 from 020-710-00.5021 Staff Salaries to
020-710-00.5031 Overtime

\$6283.82 from 020-710-00.4635 Auction Sales Revenue to 020-710-00.5351 Road Material & Supplies

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS:

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and Possible action to continue the hiring or contracting of temporary staff in the office of Judge Margie Hernandez, JP1-2

CHECK ONE: ☐ CONSENT ☒ ACTION ☐ EXECUTIVE SESSION
 ☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: \$6,346.20

LINE ITEM NUMBER OF FUNDS REQUIRED: 001-645-00.5091

REQUESTED BY: JP Hernandez

SPONSORED BY: Ingalsbe

SUMMARY: On April 6, 2010 the court approved the hiring or contracting of temporary staff in Judge Margie Hernandez's office in an amount not to exceed \$6,494.00.

Judge Hernandez spoke of an employee that would be out due to medical issues and the need for temporary assistance so they do not fall too far behind with their workload.

Judge Hernandez feels, based on the high number of cases, she continues to need additional help.

Per Human Resources, the employee that had been out due to medical issues, returned back to work, on and off, April 12, 2010

The amount being requested will keep a person on for 3 additional months.

Agenda Item Routing Form

DESCRIPTION OF Item: Continue the hiring or contracting of temporary staff in the office of Judge Margie Hernandez, JP1-2

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$6,346.20

LINE ITEM NUMBER:001-645-00.5091

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE:N/A

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: _____

Activity Report for Justice Courts - Hays Precinct 1 Place 2
September 1, 2008 to April 30, 2009

100.0 Percent Reporting Rate 8 Reports Received Out of a Possible 8						
	CRIMINAL CASES		CIVIL CASES			REPORTED TOTALS
	Traffic Misdemeanors	Non-Traffic Misdemeanors	Small Claims Suits	Forcible Entry & Detainer	Other Civil Suits	
NEW CASES FILED	551	754	46	181	139	1,671
DISPOSITIONS:						
Dispositions Prior to Trial:						
Bond Forfeitures	0	0	---	---	---	0
Fined	234	573	---	---	---	807
Cases Dismissed	10	103	5	49	42	209
Total Dispositions Prior to Trial	244	676	5	49	42	1,016
Dispositions at Trial:						
Trial by Judge						
Guilty	0	0	---	---	---	0
Not Guilty	0	0	---	---	---	0
Civil Trials	---	---	26	117	70	213
Trial by Jury						
Guilty	0	0	---	---	---	0
Not Guilty	0	0	---	---	---	0
Civil Trials	---	---	1	1	0	2
Dismissed at Trial	0	0	0	7	1	8
Total Dispositions at Trial	0	0	27	125	71	223
Cases Dismissed After:						
Driving Safety Course	74	---	---	---	---	74
Deferred Disposition	34	56	---	---	---	90
Proof of Financial Responsibility	23	---	---	---	---	23
Total Cases Dismissed After	131	56	---	---	---	187
TOTAL DISPOSITIONS	375	732	32	174	113	1,426
CASES APPEALED	0	0	0	1	0	1
JUVENILE ACTIVITY:						
Warnings Administered						0
Statements Certified						0
Detention Hearings Held						0
Failure to Attend School Cases Filed						53
Violation of Local Daytime Curfew Ordinance Cases Filed						0
Referred to Juvenile Court for Delinquent Conduct						13
Held in Contempt, Fined, or Denied Driving Privileges						0
OTHER ACTIVITY:						
Parent Contributing to Nonattendance Cases Filed						72
Peace Bond Hearings Held						0
Class A or B Misdemeanor Complaints Accepted						36
Felony Complaints Accepted						0
Examining Trials Conducted						0
Inquests Conducted						15
Safety Responsibility and Driver's License Suspension Hearings Held						2
Search Warrants Issued						0
Arrest Warrants Issued:						
Class C Misdemeanors Only						748
Felonies and Class A and B Misdemeanors Only						122
Total Arrest Warrants Issued						870
Magistrate Warnings Given						122
Emergency Mental Health Hearings Held						0
Magistrate's Orders for Emergency Protection						0
Conference Held Prior to Legal Action Resulting in:						
Legal Action Being Filed in Court			Criminal	Civil	Total	
No Legal Action Being Taken			0	0	0	
			0	0	0	
TOTAL REVENUE						\$272,280

Activity Report for Justice Courts - Hays Precinct 1 Place 2

September 1, 2009 to April 30, 2010

87.5 Percent Reporting Rate

7 Reports Received Out of a Possible 8

	CRIMINAL CASES		CIVIL CASES			REPORTED TOTALS
	Traffic Misdemeanors	Non-Traffic Misdemeanors	Small Claims Suits	Forcible Entry & Detainer	Other Civil Suits	
NEW CASES FILED	1,357	1,079	45	181	65	2,727
DISPOSITIONS:						
Dispositions Prior to Trial:						
Bond Forfeitures	0	0	---	---	---	0
Fined	566	510	---	---	---	1,076
Cases Dismissed	33	155	10	36	1	235
Total Dispositions Prior to Trial	599	665	10	36	1	1,311
Dispositions at Trial:						
Trial by Judge						
Guilty	0	0	---	---	---	0
Not Guilty	0	0	---	---	---	0
Civil Trials	---	---	29	89	20	138
Trial by Jury						
Guilty	0	0	---	---	---	0
Not Guilty	0	0	---	---	---	0
Civil Trials	---	---	1	1	0	2
Dismissed at Trial	0	0	1	5	6	12
Total Dispositions at Trial	0	0	31	95	26	152
Cases Dismissed After:						
Driving Safety Course	205	---	---	---	---	205
Deferred Disposition	111	69	---	---	---	180
Proof of Financial Responsibility	23	---	---	---	---	23
Total Cases Dismissed After	339	69	---	---	---	408
TOTAL DISPOSITIONS	938	734	41	131	27	1,871
CASES APPEALED	0	0	0	1	0	1

JUVENILE ACTIVITY:

Warnings Administered	0
Statements Certified	0
Detention Hearings Held	0
Failure to Attend School Cases Filed	9
Violation of Local Daytime Curfew Ordinance Cases Filed	0
Referred to Juvenile Court for Delinquent Conduct	0
Held in Contempt, Fined, or Denied Driving Privileges	0

OTHER ACTIVITY:

Parent Contributing to Nonattendance Cases Filed	13
Peace Bond Hearings Held	0
Class A or B Misdemeanor Complaints Accepted	0
Felony Complaints Accepted	0
Examining Trials Conducted	0
Inquests Conducted	10
Safety Responsibility and Driver's License Suspension Hearings Held	0
Search Warrants Issued	0
Arrest Warrants Issued:	
Class C Misdemeanors Only	505
Felonies and Class A and B Misdemeanors Only	94
Total Arrest Warrants Issued	599
Magistrate Warnings Given	106
Emergency Mental Health Hearings Held	0
Magistrate's Orders for Emergency Protection	0
Conference Held Prior to Legal Action Resulting in:	
Legal Action Being Filed in Court	0
No Legal Action Being Taken	0

TOTAL REVENUE **5342,093**

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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to authorize a budget amendment at the Hays County Civic Center.

CHECK ONE: ☐ CONSENT ☒ ACTION ☐ EXECUTIVE SESSION
 ☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: \$2,000

LINE ITEM NUMBER OF FUNDS REQUIRED: Misc. Equipment 001-646-00.5719
(\$1,000 to General Supplies 001-646-00.5201 and \$1,000 to Vehicle Maintenance 001-646-00.5413)

REQUESTED BY: Barry Nelson

SPONSORED BY: Debbie Ingalsbe

SUMMARY: Please refer to back up.

Agenda Item Routing Form

DESCRIPTION OF Item: Authorize a budget amendment at the Hays County Civic Center.

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$2,000.00

LINE ITEM NUMBER: Misc. Equipment 001-646-00.5719 (\$1,000 to General Supplies 001-646-00.5201 and \$1,000 to Vehicle Maintenance 001-646-00.5413)

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS:

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

From: Barry Nelson [mailto:barry@hayscc.com]
Sent: Tuesday, July 13, 2010 3:35 PM
To: Debbie Ingalsbe
Cc: Vickie Wilhelm; Marisol Alonzo
Subject: Budget Ammendment
Importance: High

Debbie,

I would like to request that \$2000 be transferred from Misc Equipment (646-005719) to General Supplies (646-005201) and Vehicle Maintenance (646-005413) to cover shortages in required materials for such things as underground waterline repair/replacement and major forklift repair. I would like to have the funds split evenly by putting \$1000 in each account.

The water leaks that have plagued us this year are repaired as we find them or when they make themselves known. The last occurrence was a geyser in the middle of the parking lot that required the assistance of the road dept for excavation.

Repair to the forklift is needed as the motor seized up and needs rebuilding. This piece of equipment is completely non functional and we are currently removing the motor from the lift myself and it is our intension to take care of this issue in house saving ourselves at least \$2000 in labor if sent to an outside vendor.

Part of the allotted funds for Misc Equipment was intended to be used for portable marquee signs, however our course of action on that has changed. During the replacement of the main marquee sign (Capital Improvement) Sign Arts was kind enough to give us the original yellow marquee faces that were being replaced. Usually the faces are damaged beyond use when removed but in this case they were removed without damage. These faces are in good enough condition to be reused by having them either mounted on the side of the civic center facility or by constructing a frame and placing the faces on the fence next to the main gate. Granted, these will be permanent placements, but the faces are twice as big as the portable marquee's. More than a fair trade off.

Please contact me if you have any questions.

Barry

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 **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 execute a Professional Services Agreement between Hays County and MGT of America, Inc. for services related to implementation of recommendations from the MGT Criminal Justice System Assessment and Jail Population Study for Hays County.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: \$22,000 (same as discussed in Court two weeks ago)

LINE ITEM NUMBER OF FUNDS REQUIRED: County-wide consulting

REQUESTED BY: BARTON

SPONSORED BY: BARTON

SUMMARY: MGT recently completed a study of the criminal justice process in Hays County and reported both findings and recommendations back to the Hays County Commissioners Court. These were based on almost a year's analysis of data and repeated meetings with internal stakeholders, with input and oversight from Broadus. While the Court has recognized that many of the study's recommendations would be beneficial to the criminal justice process in Hays County, existing human resource workloads dictate that Hays County staff will not likely be able to implement those recommendations without external assistance. Two weeks ago the Court instructed Mark Kennedy to work with MGT to bring back a proposed agreement for "Phase 2" services. This Agreement for additional work will help the county create an on-going Criminal Justice Steering Committee and work with those members to prioritize the recommendations that came out of the study. The idea is to rally early efforts around recommendations that have broad support, urgency, and possibilities for immediate pay-off in efficiencies and cost savings for taxpayers. The study itself was presented to the Commissioners Court in draft form over the winter, revised, then presented in final draft in April and formally accepted at the end of May.

The Agreement was prepared by Mr. Kennedy in concert with MGT, as requested by the Court.

This agenda item was on the Court's agenda last week, but was not addressed due to time constraints.

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and MGT of America, Inc. for services related to implementation of recommendations from the MGT Criminal Justice System Assessment and Jail Population Study for Hays County.

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$22,000.00

LINE ITEM NUMBER: County wide (001-645-00.5448)

COUNTY PURCHASING GUIDELINES FOLLOWED: Yes

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS: Performed study which will be implemented.

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

PROFESSIONAL SERVICES AGREEMENT
HAYS COUNTY, TEXAS

HAYS COUNTY, a political subdivision of the State of Texas (hereinafter the "County") with administrative offices at 111 E. San Antonio, Suite 300, San Marcos, Texas 78666, and **MGT of America, Inc., a Texas for profit corporation** (hereinafter "Contractor"), whose primary place of business is located at 502 East 11th Street, Suite 300 Austin, Texas 78701, hereby enter into this Professional Services Agreement (hereinafter "Agreement") effective this the **13th day of July, 2010** (hereinafter "Effective Date"). The County and Contractor (collectively "the parties to this Agreement" or "the parties") agree as follows:

1. OVERVIEW

Contractor recently completed a study of the criminal justice process in Hays County and reported findings back to the Hays County Commissioners Court. While the Court recognizes that many of the study's recommendations would be beneficial to the criminal justice process in Hays County, existing human resource workloads dictate that Hays County staff will not likely be able to implement those recommendations without external assistance. This Agreement will result in a prioritization of the study's recommendations and the establishment of a criminal justice coordinating committee that will assist with implementation of those priorities.

2. SERVICES

Contractor agrees to perform services for the County in accordance with the County's instructions and in conformance with the descriptions, definitions, terms, and conditions of this Agreement. The Scope of Services shall be limited to those services and terms attached hereto as Exhibit "A", and any subsections of Exhibit "A", if as and when they are attached hereto and signed by the parties (collectively "the Work"). If the parties to this Agreement amend the Work required under this Agreement (by adding or removing specific services and/or terms enumerated in Exhibits "A" and/or "C"), the Compensation cited in Section 5 of this Agreement may also be amended to conform with the change in Scope of Services, as agreed by the parties.

3. ADDITIONAL TERMS

Additional Terms and Obligations of the parties to this Agreement, if any, are stated in Exhibit "C", attached hereto.

4. DURATION

The parties agree that the Work shall be completed on or about the 1st of October, 2010 (hereinafter the "Completion Date"). In the event that Contractor is unable to complete the Work by the Completion Date, Contractor shall request an extension of the Completion Date in writing no later than fifteen (15) business days prior to the Completion Date. The County may grant extensions of the Completion Date for all reasonable extension requests and shall do so in writing.

5. COMPENSATION

Contractor will be compensated for the Work on phased-payment basis, which shall be invoiced by Contractor simultaneous with each phase's corresponding deliverable, as cited in Exhibit "A". The Parties agree that each of five (5) phases shall be invoiced at a rate of \$4,4000; and the County shall pay Contractor a total fee not to exceed \$22,000.00 for the Work performed under this Agreement. The wage schedule cited in Exhibit "B" shall be used as a reference only in the event of a change in the Scope of Services (i.e. Amendment).

6. PAYMENT

Contractor shall invoice the County for the Work performed under this Agreement at the end of each phase cited in Exhibit "A". The County agrees to promptly pay all undisputed invoices by sending payment to Contractor's address stated in Section 8, below. The County shall owe Contractor an additional one percent (1%) per month on the unpaid balance of any undisputed invoice, beginning at the end of the first full month following the County's receipt of said invoice(s) and accruing monthly thereafter.

7. NOTICE OF COMPLETION

The County's receipt of an invoice from Contractor shall serve as Contractor's notice of completion for that phase of the Work. The County may dispute the completion of any phase by sending Notice of deficiencies to Contractor. If the County sends such Notice to Contractor, then the time for payment cited in Section 6, above, shall toll until Contractor corrects any and all deficiencies, to the County's satisfaction.

8. NOTICE (GENERAL)

All notices issued by Contractor under or regarding this Agreement shall be provided in writing to the County at: Hays County, Attn: Mark Kennedy, 111 E. San Antonio, Suite 204 San Marcos, Texas 78666; Facsimile - (512)393-2246; Email - mark.kennedy@co.hays.tx.us.

All notices issued by the County under or regarding this Agreement shall be provided in writing to Contractor at: MGT, c/o Natacha Peláez-Wagner, 502 East 11th Street, Suite 300, Austin, Texas 78701; Facsimile - (512) 476-4699; Email - nwagner@mgtamer.com.

Notices from one party to another under this Section may be made by U.S. Mail, parcel post, Facsimile, or Electronic Mail, sent to the designated contact at any of the designated addresses cited above.

9. INSURANCE

Contractor agrees that, during the performance of all terms and conditions of this Agreement, from the Effective Date until the County's acceptance of Contractor's Notice of Completion or until this Agreement is otherwise considered completed as a matter of law, Contractor shall maintain Commercial General Liability insurance that meets or exceeds the industry standard for professional services providers in Contractor's field of employment and for the type of services that are being performed by Contractor under this Agreement.

10. MUTUAL INDEMNITY

Contractor agrees, to the fullest extent permitted by law, to indemnify and hold harmless the County, its officers, directors and employees against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by Contractor's negligent performance of the Work under this Agreement and that of its subcontractors or anyone for whom the Consultant is responsible or legally liable.

The County agrees, to the fullest extent permitted by law, to indemnify and hold harmless Contractor, its officers, directors, employees and subcontractors against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the County's negligent acts in connection with this Agreement.

Neither the County nor Contractor shall be obligated to indemnify the other party in any manner whatsoever for the other party's negligence.

11. COMPLIANCE WITH LAWS

Each party agrees to comply with all laws, regulations, rules, and ordinances applicable to this Agreement and/or applicable to the parties performing the terms and conditions of this

Agreement.

12. SURVIVAL

Notwithstanding any termination of this Agreement, the following Sections, and the terms and conditions contained therein, shall remain in effect: 2, 3, 4, 5, 10, 12, 14, 15, 16, 17, 18, 20, and 21.

13. FORCE MAJEURE

Either of the parties to this Agreement shall be excused from any delays and/or failures in the performance of the terms and conditions of this agreement, to the extent that such delays and/or failures result from causes beyond the delaying/failing party's reasonable control, including but not limited to Acts of God, Forces of Nature, Civil Riot or Unrest, and Governmental Action that was unforeseeable by all parties at the time of the execution of this Agreement. Any delaying/failing party shall, with all reasonable diligence, attempt to remedy the cause of delay and/or failure and shall recommence all remaining duties under this Agreement within a reasonable time of such remedy.

14. SEVERABILITY

If any Section or provision of this Agreement is held to be invalid or void, the other Sections and provisions of this Agreement shall remain in full force and effect to the greatest extent as is possible, and all remaining Sections or provisions of this Agreement shall be construed so that they are as consistent with the parties' intents as possible.

15. MULTIPLE COUNTERPARTS

This Agreement may be executed in several counterparts, all of which taken together shall constitute one single Agreement between the parties.

16. SECTION HEADINGS, EXHIBITS

The Section and Subsection headings of this Agreement, as well as Section 1, Entitled "Overview," shall not enter in the interpretation of the terms and conditions contained herein, as those portions of the Agreement are included merely for organization and ease of review. The Exhibit(s) that may be referred to herein and may be attached hereto, are incorporated herein to the same extent as if fully set forth herein.

17. WAIVER BY PARTY

Unless otherwise provided in writing by the waiving party, a waiver by either of the parties to this Agreement of any covenant, term, condition, agreement, right, or duty that arises

under this Agreement shall be considered a one-time waiver and shall not be construed to be a waiver of any succeeding breach thereof or any other covenant, term, condition, agreement, right, or duty that arises under this Agreement.

18. GOVERNING LAW AND VENUE

THIS AGREEMENT SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS. Any lawsuit, claim, or action, whether in law or in equity, arising from this Agreement will be brought in Hays County, Texas.

19. ASSIGNMENT

Neither party to this Agreement may assign its duties, interests, rights, benefits and/or obligations under this Agreement, in whole or in part, without the other party's prior written consent thereto.

20. BINDING EFFECT

Subject to any provisions hereof restricting assignment, this Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors, permitted assigns, heirs, executors, and/or administrators.

21. ENTIRE AGREEMENT; AMENDMENT

This Agreement (including any and all Exhibits attached hereto) constitutes the entire agreement between the parties hereto with respect to the subject matter hereof. Any amendments to this Agreement must be made in writing and signed by the parties to this Agreement prior to the performance of any terms or conditions contained in said amendments.

22. WORK PRODUCT

Any and all product, whether in the form of calculations, letters, findings, opinions, or the like, shall be the property of Hays County during and after performance of the Work. Contractor shall have a right to retain a copy of all Work product for record-keeping purposes.

Signatures by the parties to this Professional Services Agreement follow on the next page.

IN WITNESS WHEREOF, the undersigned have duly executed and delivered this Professional Services Agreement, and hereby declare that THEY HAVE READ AND DO UNDERSTAND AND AGREE TO EACH AND EVERY TERM, CONDITION, AND COVENANT CONTAINED IN THIS AGREEMENT AND IN ANY DOCUMENT INCORPORATED BY REFERENCE.

Hays County Texas

Contractor

By: Judge Elizabeth Sumter

By: Bob Lauder

Hays County Judge

Senior Partner

EXHIBIT A

Scope of Work

- Conduct two facilitated sessions with criminal justice system stakeholders to help the county prioritize the justice system assessment recommendations for implementation:
 - Session one: a “kick-off” session with participants to provide an overview of goals, timeline, and reporting methods as well as a description of how the sessions will be conducted. During the kick-off session, stakeholders will be reacquainted with justice assessment recommendations and advised on how they can take part in the prioritization effort. Attendees will have an opportunity to ask questions and respond to session goals, timeline, reporting method and session format.
 - Session two: a facilitated input process so all participants can be heard. The prioritization effort will be documented and reviewed by the group to ensure the prioritized list of recommendations accurately reflects the group’s suggestions.
 - A summary report will be presented to commissioners’ court outlining the prioritization decision-making process and the stakeholders’ suggested priorities.
- Establishment of a Criminal Justice Coordinating Committee for Hays County.
 - Determine invitees to an initial meeting regarding the creation of a criminal justice coordinating committee, and assist with the logistics to prepare for the meeting.
 - An experienced facilitator will work with the county in the creation and set up of the formal committee. Through a series of scheduled meetings, MGT will facilitate the establishment of the membership composition of the committee and creation of its formal structure, to include:
 - frequency of meetings;
 - responsibility for scheduling of meetings, securing meeting locations, and disseminating meeting agendas;
 - committee membership, including officers, voting and non-voting members, and authorized designees;
 - development of committee mission, goals, and by-laws;
 - responsibility for recording of meeting minutes, transcription, and dissemination; and
 - accountability for follow up tasks and assignments between meetings.

Exhibit A, cntd.

Payment Schedule

Deliverable	Professional Fees
Justice System Assessment Prioritization of Recommendations, Session One	\$4,400
Justice System Assessment Prioritization of Recommendations, Session Two	\$4,400
Justice System Assessment Prioritization of Recommendations, Summary Report to Commissioners' Court	\$4,400
Establishment of Criminal Justice Coordinating Committee-preliminary meeting preparations	\$4,400
Completion of organizational structure for Criminal Justice Coordinating Committee*	\$4,400
Total Professional Fees	\$22,000

* Will include information on:

- frequency of meetings;
- responsibility for scheduling of meetings, securing meeting locations, and disseminating meeting agendas;
- committee membership, including officers, voting and non-voting members, and authorized designees;
- development of committee mission, goals, and by-laws; and
- responsibility for recording of meeting minutes, transcription, and dissemination.

EXHIBIT B

Consultant Fees

Services provided by Consultant shall be billable in phases based on an estimate of hourly fees associated with the Work. Consultant services that result in an amendment to the Scope of Work are to be paid at the below-identified rates per hour for time spent by Consultant and will be due and payable upon invoicing by Lead/Prime Consultant monthly or approximately every thirty (30) days.

Project Team Member	No. Hours	Hourly Rate	Total Fees
Natacha Peláez-Wagner	75	\$170	\$12,750
Suzanne Bradford	46	\$150	\$6,900
Margo Frasier	7	\$170	\$1,190
Glenn Like	10	\$76	\$760
Michelle García	8	\$50	\$400
Total Hours/Fees	146		\$22,000

-- EXHIBIT "C" --

Additional Terms to the Services provided by Contractor, if any,
are as follows:

A. N/A

B. _____

C. _____

D. _____

E. _____

F. _____

G. _____

H. _____

I. _____

J. _____

K. _____

L. _____

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 **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 execute Supplemental Contracts for the Program Management Services to Work Authorizations No. 10, 11, 12, and 14 with Prime Strategies, Inc.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: Budgeted road bond funds. (already allocated)

REQUESTED BY: The county road bond managers at Prime Strategies, Inc. and Commissioner Barton.

SPONSORED BY: Pct 2 Commissioner Jeff Barton.

SUMMARY: Supplemental Contracts to Work Authorizations No. 10, 11, 12, and 14 will allow for the continuation of program management services including but not limited to:

- 1.) Agency Coordination
- 2.) Management of Design Activities
- 3.) Project Administration

See attachment.

Prime Strategies, Inc.

1508 S. Lamar Blyd.
Austin, Texas 78704
voice 512.445.7074
fax 445.7064

Memo

To: Hays County Commissioner Jeff Barton
From: Michael J. Weaver
Date: July 13, 2010
Re: Pass-Through Finance Program Management Program Contract

As we discussed last month, there has been a tremendous amount of work required on the pass-through finance projects in Precinct 2 above and beyond the scope of our Program Management contract. Many of these work tasks were required to keep the projects on time and within budget. All of these additional activities have been coordinated with your office to assure that the best interest of the County and the projects budgets and schedules were being addressed to provide added benefit to Hays County.

We have calculated a direct savings in right-of-way and utility costs to the County of over \$2.25 million. In addition, our team's work reduced delays to the relocation of utilities and potential contractor claims for delays that we cannot put a specific price on. You know, however, from all of the meetings (especially on IH 35/CR 210) that the contractor was running out of places to work and delays and claims were imminent.

The following is a summary and detailed description of the activities undertaken. Following that is a summary by project of our request to approve Supplementals to our Work Authorizations. Even with this request, we are still under our total contract cap and believe over the remainder of the program we will continue to be.

P:\Prime Strategies Data\Projects\IC-0360 Pass-Through PM\PSI contract\IC-0360 (PSI contract amendment & new WA's)\FY2010WA
10-11-12-14 Supplemental_Barton memo.doc

County Benefit (Precinct 2 only)

<i>Area of County Benefit</i>	<i>PSI/HNTB Team - Role/Description</i>
No condemnation costs	Property negotiations and development of MOUs
Safety Improvements / Value added to projects	Development of project change orders
Improved Public Involvement / Relationships	Website coordination & stakeholder meetings
Improved Water Quality Measures	Proactive management with TxDOT and project stakeholders
Accurate Traffic Counts for PTF payback	Development of traffic counter specs and locations
Improved General Project Coordination	Embedment of staff in County office

PSI/HNTB Team Additional Services - Detailed Description

General:

- Developed Traffic Counter Specs and Locations for each project
- Developed draft document listing the reimbursement process for the Pass Through Program
- Embed Jenie Flores at Commissioner Barton's Office

FM 2001: CSJ #1776-02-014

- *Project Note : No work authorization was ever developed for this project*
- Coordinated with TxDOT and Hays County for the execution of the Change Order for FM 2001
- Provided TxDOT with electronic design files for re-design of TCP along FM 2001
- Coordinated with TxDOT for the review / approval of the Advanced Funding Agreement
- Coordinated with Hays County for the execution of the Advanced Funding Agreement
 - Developed agenda item for the execution of revisions made to the AFA for Commissioners Court

FM 1626 (Southern Section): CSJ #1539-01-013

- Kalbau Pond Coordination
 - Coordinated field visit with property owner, attorney, and Klotz
- Additional project plan reviews due to design changes
- Water Quality
 - Coordinated with Klotz and Contech to provide TxDOT with water quality proposals
 - Coordinated with Hays County and Hahn, Texas to incorporate information on Water Quality and pavement options into the Hays Roads website (at the request of Commissioner Barton)
 - Utility Coordination
 - Attended utility coordination kick-off meetings
 - Provided Klotz with draft Utility Tracking Report and Utility Joint Use Agreement formats
- Coordinated with Hays County, Hays CISD, TxDOT, and City of Buda for interim restriping of FM 1626 at Elm Grove Elementary

- Developed re-striping exhibit

FM 1626 (Northern Section): CSJ #1539-01-005

- Work and coordination on environmental and traffic memo tasks
 - Extensive work associated with both
- Coordinated with Hays County, TxDOT, and Jacobs to prepare for the TxDOT public hearing
 - Coordinated with Hays County and Hahn, Texas to incorporate information about the project and public hearing into the Hays Roads website
 - Coordinated with Hahn, Texas and Hays County to obtain information on local neighborhood groups that could provide numbers to help organize a robo-call for the public hearing
 - Coordinated with Hays County to draft 2 items of Resolution to be placed on the Commissioners Court agenda
 - Coordinated with Commissioner Barton to develop a list of possible design changes to request at the FM 1626 public hearing
 - Coordinated with Commissioner Barton to develop a Master Contact List to obtain letters of support for the public hearing
 - Coordinated with Hays County, the Hays County Sheriff's office, and City of Kyle Fire Department to maintain the occupancy level at the public hearing

IH 35 Phase I (CR 210): CSJ #0016-02-107

General:

- Extensive coordination with HRM, TxDOT and legal team (ROW Acquisition)
- Coordinated with Hays County to place ROW documents / agreements into the Commissioners Court agenda when necessary (i.e. Halff Associates Utility Supplemental, Work Authorizations, etc.)
- Coordinated with Hahn, Texas, TxDOT, and Hays County to update the Hays Roads website for the conversion of two way frontage roads to one way (between FM 2001 and FM 1626 on May 4, 2010)
- **Utility Coordination with Halff Associates**
Project Note: Initially our team provided Utility Coordination services (when TxDOT reduced the scope of their involvement) during which time we:
 - Provided initial review of the utilities that may have been in conflict
 - Developed a contact list of the affected Utility Companies
 - Developed a Utility Tracking Report
 - Provided Utility Companies with Proposed Roadway layout
 - Coordinated with TxDOT and Utility Companies for a Utility kick-off meeting which was held at HNTB on 01/27/09
 - Provided Halff Associates with all information that was developed
 - Coordinated with Hays County / Halff Associates for execution of Utility Joint Use Agreements
 - Coordinated with Halff Associates for the review / approval of Utility Relocation Invoices
 - Attended Utility Coordination meetings
- **Property Owner Coordination**
 - Development of ROW Exhibit for project showing ROW acquisition status (i.e. pending, acquired, temporary easement, etc.) typically used at Utility Relocation Meetings and TxDOT meetings – updated as Parcels were acquired
 - HRM documents
 - Review
 - Provided cursory review of property appraisals prior to meeting with Commissioner Barton for execution

- Provided initial review of Final Offer letters to property owners prior to meeting with Commissioner Barton for execution
 - Provided review of Tabulation of Values Forms prior to meeting with Commissioner Barton for execution
- Parcel 3 - "Sterling Parcel"
 - Drainage Surplus Exchange
 - Coordination with TxDOT Area and District Office to provide ROW acquisition documents, appraisals, and checklists
 - Coordination with Hays County for the purpose of DEED research
 - Coordination with HRM for negotiation of a secondary appraisal since initial appraised value was too high
 - Coordination of driveway access to parcel
 - Coordination with Capital Survey (ROW surveyor) for re-staking of ROW
 - Coordination with Mike Bingham (Developer Rep.)
 - Coordination with TxDOT Area and District Office
 - Coordination with Hays County
 - Review of developer access plans
 - Development of MOU for parcel acquisition
 - Coordination with Mike Bingham (Developer Rep.)
 - Coordination with Chris Fuller (Attorney for parcel owner)
 - Coordination with Mark Kennedy (County Attorney)
 - Coordination with Bob Harwood (TxDOT ROW)
 - Coordination with Commissioner Jeff Barton
 - Development of MOU
 - QA/QC of MOU
 - Indemnification for Ground Breaking Ceremony
 - Coordination with Mark Kennedy (County Attorney)
 - Coordination with Chris Fuller (Attorney for parcel owner)
- Parcel 4 - "Les Crane"
 - Settlement Offer
 - Drafted letter of disapproval of appraisal counter offer for Commissioner Barton to provide to HRM for use with Mr. Crane
 - Coordinated with Elly Dietz (Hays County Legal Representation) for review / approval of drafted letter to Mr. Crane
 - Coordinated with Elly Dietz for review / approval of PUA for Parcel 4
- Parcels 5 & 6 - "Torres"
 - Billboard Relocation
 - Coordination with Bob Harwood (TxDOT ROW)
 - Coordinated with TxDOT (John Campbell) for permit processing of billboard relocation
 - Coordinated with City of Kyle (Tom Mattis) to place item on City Council meeting for approval
- Parcel 7 - "Matheson Tri-Gas"
 - Construction/Utility Issue
 - Field Visit
 - Coordination with Ken link (Tri-gas Rep.)
 - Coordination with Hays County (Mary Torres) to follow up on status of permit processing for relocation of septic system
- Parcel 8 - "Foulkrod"
 - Relocation of onsite septic system
 - Field Visits
 - Coordinated with James Foulkrod

- Coordination with TxDOT Area Office
- Coordinated with Hays County (Mary Torres) for the processing of the permit for the septic system relocation
- Coordinated with Hays County (Mary Torres) to obtain the existing system plans (at the request of the property owner) to properly stake the location of the limits of demolition of the "old" system
- Coordinated with Hays County to have road department relocate the abandoned septic system
- Parcel 9 - "Elliott"
 - Attended Executive Session of Commissioners Court for litigation concerning condemnation proceedings on 05/19/09
- Parcels 10 thru 15 - "Sheldon"
 - Coordination with Hays County (Elly Dietz)
 - Coordination for review of agreements / offer letters prior to having Commissioner Barton authorize
 - See Change Order #2
- Parcel 17 - "Franke"
 - Coordination of driveway access to parcel
 - Coordination with Mr. Franke
 - Coordination with Andrew Gary (Franke Attorney)
 - Coordination with TxDOT Area and District Office
 - Coordination with Hays County (Elly Dietz) for review of appraisal / offer letters
 - Coordinated with Hays County (Elly Dietz) for review of draft Temporary Easement Agreements
 - Coordination with Hays County and TxDOT to provide documentation for a meeting with property owner Alton Franke (held November 2009)
 - Development of construction estimate for driveway culverts
- Parcel X - "Phillips" (Added to County Project)
 - Surplus ROW Exchange (Corner Clip)
 - Coordination with TxDOT Area and District Office to provide ROW acquisition documents, appraisals, and checklists
 - Coordination with Hays County to develop draft letters to provide to TxDOT requesting ROW be declared Surplus
 - Developed Exhibit showing proposed ROW taking
 - Coordination with HRM for initial appraisal of full ROW taking
 - Coordination with HRM for appraisal of REDUCED ROW taking
 - Coordinated with Hays County, TxDOT, and PSI for preparation of documents to be used at the meeting with property owner Joe Phillips
- Parcel XX - "Eastbound" (Added to County Project)
 - Coordinated with HRM regarding the relocation of the existing barbed wire fence in order to complete utility relocations
- Change order # 1 - Revising Plans to remove ROW Take from Parcel 2 "Tex Best Property"
 - Modifications to original change order to reduce ROW from parcel "X" Phillips Parcel
- Change order # 2
 - General Coordination with TxDOT on Change Order
 - Coordination with Doucet and Assoc. on Sheldon access design
 - Coordination with TxDOT on Sheldon access design
 - Development of Sheldon access for future City Street
 - Coordination with LAN to add extension of Kohler's Crossing to change order
 - Coordination with Andrew Gary on Franke access
 - Development of Change order to TCB plans

- Quantity Summary Sheets
- Typical Sections
- Plan and Profile Sheets
- Drainage / Cross Culvert Sheets
- Cross sections
- Erosion Control Sheets
- TxDOT Standard Sheets
- Development of construction estimate

IH 35 Phase IIA (RM 150): CSJ #0805-01-017

- Project design changes (supplements):
 - Negotiate with URS on three supplements
 - MSE Wall
 - Bridge added
 - Additional environ work
 - Util Coord.
 - Additional project plan reviews
- Modified Slides from City of Kyle Slide show to present to Kyle City Council
- Property Owner Coordination
 - MOU for donation
 - Meeting with Parcel 2 property owner at Commissioner Barton's office
- Coordinated with City of Kyle to provide URS with stamped concrete detail and illumination details
- Utility Coordination
 - Coordinated with Hays County, City of Kyle, URS, Doucet, Neptune Engineering, and utility companies
 - Provided URS with draft Utility Tracking Report and Utility Joint Use Agreement formats
 - Coordinated with Neptune Engineering, Doucet, and Hays County to review various cost values for proposed utility layouts
 - Coordinated with Hays County and City of Kyle to finalize location of Center Point Energy gas line relocation

SUPPLEMENTAL REQUEST				
Work Authorization	Project	Authorized Amount	Supplemental Request	Total Proposal Authorized Amount
10	IH35/CR 210	\$174,000.00	\$112,000.00	\$286,000.00
11	FM 1626 A	\$139,200.00	\$20,000.00	\$159,200.00
12	FM 1626 B	\$207,347.00	\$21,000.00	\$228,347.00
14	FM 150 Realignment	\$130,500.00	\$22,000.00	\$152,500.00
TOTAL		\$651,047.00	\$175,000.00	\$826,047.00

I have attached the necessary Supplementals to the PSI Work Authorizations for your review and the Commissioners Court approval. If you have any questions, please let me know.

cc: Richard Ridings, P.E., Jeff Watson, P.E., HNTB Corporation
Cindy Gray, Marie Walters (firm)

P:\Prime Strategies Data\Projects\HC-0360 Pass-Through PM\PSI contract\HC-0360 (PSI contract amendment & new VAs)\FY2010\WA 10-11-12-14 Supplemental_Barton memo.doc

**SUPPLEMENTAL NO. 1 TO
WORK AUTHORIZATION NO. 10**

This Supplemental No. 1 to Work Authorization No. 10 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the IH-35/CR 210 Bridge & SB frontage road (PTT0016-02-107) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

Part 2. The maximum amount payable for services under Work Authorization No. 10 without modification is \$286,000.00 reflecting an increase of \$112,000.00 through this supplemental No. 1.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 1 to Work Authorization No. 10 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 1 to Work Authorization No. 10 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 1 to Work Authorization No. 10 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.
By: [Signature]
Signature
Mike Weaver
Printed Name
Principal
Title
7/13/2010
Date

COUNTY:
Hays County, Texas
By: _____
Signature
Jeff Barton
Printed Name
Commissioner - Precinct 2
Title

Date

EXHIBIT B – Services to be Provided by Consultant

IH 35 Phase I (CR 210):

General:

- Extensive coordination with HRM, TxDOT and legal team (ROW Acquisition)
- Coordinated with Hays County to place ROW documents / agreements into the Commissioners Court agenda when necessary (i.e. Halff Associates Utility Supplemental, Work Authorizations, etc.)
- Coordinated with Hahn, Texas, TxDOT, and Hays County to update the Hays Roads website for the conversion of two way frontage roads to one way (between FM 2001 and FM 1626 on May 4, 2010)
- **Utility Coordination with Halff Associates**
Project Note: Initially our team provided Utility Coordination services (when TxDOT reduced the scope of their involvement) during which time we:
 - Provided initial review of the utilities that may have been in conflict
 - Developed a contact list of the affected Utility Companies
 - Developed a Utility Tracking Report
 - Provided Utility Companies with Proposed Roadway layout
 - Coordinated with TxDOT and Utility Companies for a Utility kick-off meeting which was held at HNTB on 01/27/09
 - Provided Halff Associates with all information that was developed
 - Coordinated with Hays County / Halff Associates for execution of Utility Joint Use Agreements
 - Coordinated with Halff Associates for the review / approval of Utility Relocation Invoices
 - Attended Utility Coordination meetings
- **Property Owner Coordination**
 - Development of ROW Exhibit for project showing ROW acquisition status (i.e. pending, acquired, temporary easement, etc.) typically used at Utility Relocation Meetings and TxDOT meetings – updated as Parcels were acquired
 - HRM documents
 - Review
 - Provided cursory review of property appraisals prior to meeting with Commissioner Barton for execution
 - Provided initial review of Final Offer letters to property owners prior to meeting with Commissioner Barton for execution
 - Provided review of Tabulation of Values Forms prior to meeting with Commissioner Barton for execution
 - Parcel 3 - "Sterling Parcel"
 - Drainage Surplus Exchange
 - Coordination with TxDOT Area and District Office to provide ROW acquisition documents, appraisals, and checklists
 - Coordination with Hays County for the purpose of DEED research
 - Coordination with HRM for negotiation of a secondary appraisal since initial appraised value was too high
 - Coordination of driveway access to parcel
 - Coordination with Capital Survey (ROW surveyor) for re-staking of ROW
 - Coordination with Mike Bingham (Developer Rep.)
 - Coordination with TxDOT Area and District Office
 - Coordination with Hays County
 - Review of developer access plans

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

- Development of MOU for parcel acquisition
 - Coordination with Mike Bingham (Developer Rep.)
 - Coordination with Chris Fuller (Attorney for parcel owner)
 - Coordination with Mark Kennedy (County Attorney)
 - Coordination with Bob Harwood (TxDOT ROW)
 - Coordination with Commissioner Jeff Barton
 - Development of MOU
 - QA/QC of MOU
- Indemnification for Ground Breaking Ceremony
 - Coordination with Mark Kennedy (County Attorney)
 - Coordination with Chris Fuller (Attorney for parcel owner)
- Parcel 4 - "Les Crane"
 - Settlement Offer
 - Drafted letter of disapproval of appraisal counter offer for Commissioner Barton to provide to HRM for use with Mr. Crane
 - Coordinated with Elly Dietz (Hays County Legal Representation) for review / approval of drafted letter to Mr. Crane
 - Coordinated with Elly Dietz for review / approval of PUA for Parcel 4
- Parcels 5 & 6 - "Torres"
 - Billboard Relocation
 - Coordination with Bob Harwood (TxDOT ROW)
 - Coordinated with TxDOT (John Campbell) for permit processing of billboard relocation
 - Coordinated with City of Kyle (Tom Mattis) to place item on City Council meeting for approval
- Parcel 7 - "Matheson Tri-Gas"
 - Construction/Utility Issue
 - Field Visit
 - Coordination with Ken link (Tri-gas Rep.)
 - Coordination with Hays County (Mary Torres) to follow up on status of permit processing for relocation of septic system
- Parcel 8 - "Foulkrod"
 - Relocation of onsite septic system
 - Field Visits
 - Coordinated with James Foulkrod
 - Coordination with TxDOT Area Office
 - Coordinated with Hays County (Mary Torres) for the processing of the permit for the septic system relocation
 - Coordinated with Hays County (Mary Torres) to obtain the existing system plans (at the request of the property owner) to properly stake the location of the limits of demolition of the "old" system
 - Coordinated with Hays County to have road department relocate the abandoned septic system
- Parcel 9 - "Elliott"
 - Attended Executive Session of Commissioners Court for litigation concerning condemnation proceedings on 05/19/09
- Parcels 10 thru 15 - "Sheldon"
 - Coordination with Hays County (Elly Dietz)
 - Coordination for review of agreements / offer letters prior to having Commissioner Barton authorize
 - See Change Order #2
- Parcel 17 - "Franke"
 - Coordination of driveway access to parcel

Exhibit B - 2 of 3

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

- Coordination with Mr. Franke
- Coordination with Andrew Gary (Franke Attorney)
- Coordination with TxDOT Area and District Office
- Coordination with Hays County (Elly Dietz) for review of appraisal / offer letters
- Coordinated with Hays County (Elly Dietz) for review of draft Temporary Easement Agreements
- Coordination with Hays County and TxDOT to provide documentation for a meeting with property owner Alton Franke (held November 2009)
- Development of construction estimate for driveway culverts
- Parcel X - "Phillips" (Added to County Project)
 - Surplus ROW Exchange (Corner Clip)
 - Coordination with TxDOT Area and District Office to provide ROW acquisition documents, appraisals, and checklists
 - Coordination with Hays County to develop draft letters to provide to TxDOT requesting ROW be declared Surplus
 - Developed Exhibit showing proposed ROW taking
 - Coordination with HRM for initial appraisal of full ROW taking
 - Coordination with HRM for appraisal of REDUCED ROW taking
 - Coordinated with Hays County, TxDOT, and PSI for preparation of documents to be used at the meeting with property owner Joe Phillips
- Parcel XX - "Eastbound" (Added to County Project)
 - Coordinated with HRM regarding the relocation of the existing barbed wire fence in order to complete utility relocations
- Change order # 1 - Revising Plans to remove ROW Take from Parcel 2 "Tex Best Property"
 - Modifications to original change order to reduce ROW from parcel "X" Phillips Parcel
- Change order # 2
 - General Coordination with TxDOT on Change Order
 - Coordination with Doucet and Assoc. on Sheldon access design
 - Coordination with TxDOT on Sheldon access design
 - Development of Sheldon access for future City Street
 - Coordination with LAN to add extension of Kohler's Crossing to change order
 - Coordination with Andrew Gary on Franke access
 - Development of Change order to TCB plans
 - Quantity Summary Sheets
 - Typical Sections
 - Plan and Profile Sheets
 - Drainage / Cross Culvert Sheets
 - Cross sections
 - Erosion Control Sheets
 - TxDOT Standard Sheets
 - Development of construction estimate

**SUPPLEMENTAL NO. 1 TO
WORK AUTHORIZATION NO. 10**

This Supplemental No. 1 to Work Authorization No. 10 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the IH-35/CR 210 Bridge & SB frontage road (PTT0016-02-107) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

Part 2. The maximum amount payable for services under Work Authorization No. 10 without modification is \$286,000.00 reflecting an increase of \$112,000.00 through this supplemental No. 1.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 1 to Work Authorization No. 10 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 1 to Work Authorization No. 10 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 1 to Work Authorization No. 10 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.

By: _____

Signature

Mike Weaver

Printed Name

Principal

Title

7/13/2010

Date

COUNTY:
Hays County, Texas

By: _____

Signature

Jeff Barton

Printed Name

Commissioner – Precinct 2

Title

Date

EXHIBIT B – Services to be Provided by Consultant

IH 35 Phase I (CR 210):

General:

- Extensive coordination with HRM, TxDOT and legal team (ROW Acquisition)
- Coordinated with Hays County to place ROW documents / agreements into the Commissioners Court agenda when necessary (i.e. Halff Associates Utility Supplemental, Work Authorizations, etc.)
- Coordinated with Hahn, Texas, TxDOT, and Hays County to update the Hays Roads website for the conversion of two way frontage roads to one way (between FM 2001 and FM 1626 on May 4, 2010)
- **Utility Coordination with Halff Associates**
Project Note: Initially our team provided Utility Coordination services (when TxDOT reduced the scope of their involvement) during which time we:
 - Provided initial review of the utilities that may have been in conflict
 - Developed a contact list of the affected Utility Companies
 - Developed a Utility Tracking Report
 - Provided Utility Companies with Proposed Roadway layout
 - Coordinated with TxDOT and Utility Companies for a Utility kick-off meeting which was held at HNTB on 01/27/09
 - Provided Halff Associates with all information that was developed
 - Coordinated with Hays County / Halff Associates for execution of Utility Joint Use Agreements
 - Coordinated with Halff Associates for the review / approval of Utility Relocation Invoices
 - Attended Utility Coordination meetings
- **Property Owner Coordination**
 - Development of ROW Exhibit for project showing ROW acquisition status (i.e. pending, acquired, temporary easement, etc.) typically used at Utility Relocation Meetings and TxDOT meetings – updated as Parcels were acquired
 - HRM documents
 - Review
 - Provided cursory review of property appraisals prior to meeting with Commissioner Barton for execution
 - Provided initial review of Final Offer letters to property owners prior to meeting with Commissioner Barton for execution
 - Provided review of Tabulation of Values Forms prior to meeting with Commissioner Barton for execution
 - Parcel 3 - "Sterling Parcel"
 - Drainage Surplus Exchange
 - Coordination with TxDOT Area and District Office to provide ROW acquisition documents, appraisals, and checklists
 - Coordination with Hays County for the purpose of DEED research
 - Coordination with HRM for negotiation of a secondary appraisal since initial appraised value was too high
 - Coordination of driveway access to parcel
 - Coordination with Capital Survey (ROW surveyor) for re-staking of ROW
 - Coordination with Mike Bingham (Developer Rep.)
 - Coordination with TxDOT Area and District Office
 - Coordination with Hays County
 - Review of developer access plans

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

- Development of MOU for parcel acquisition
 - Coordination with Mike Bingham (Developer Rep.)
 - Coordination with Chris Fuller (Attorney for parcel owner)
 - Coordination with Mark Kennedy (County Attorney)
 - Coordination with Bob Harwood (TxDOT ROW)
 - Coordination with Commissioner Jeff Barton
 - Development of MOU
 - QA/QC of MOU
- Indemnification for Ground Breaking Ceremony
 - Coordination with Mark Kennedy (County Attorney)
 - Coordination with Chris Fuller (Attorney for parcel owner)
- Parcel 4 - "Les Crane"
 - Settlement Offer
 - Drafted letter of disapproval of appraisal counter offer for Commissioner Barton to provide to HRM for use with Mr. Crane
 - Coordinated with Elly Dietz (Hays County Legal Representation) for review / approval of drafted letter to Mr. Crane
 - Coordinated with Elly Dietz for review / approval of PUA for Parcel 4
- Parcels 5 & 6 - "Torres"
 - Billboard Relocation
 - Coordination with Bob Harwood (TxDOT ROW)
 - Coordinated with TxDOT (John Campbell) for permit processing of billboard relocation
 - Coordinated with City of Kyle (Tom Mattis) to place item on City Council meeting for approval
- Parcel 7 - "Matheson Tri-Gas"
 - Construction/Utility Issue
 - Field Visit
 - Coordination with Ken link (Tri-gas Rep.)
 - Coordination with Hays County (Mary Torres) to follow up on status of permit processing for relocation of septic system
- Parcel 8 - "Foulkrod"
 - Relocation of onsite septic system
 - Field Visits
 - Coordinated with James Foulkrod
 - Coordination with TxDOT Area Office
 - Coordinated with Hays County (Mary Torres) for the processing of the permit for the septic system relocation
 - Coordinated with Hays County (Mary Torres) to obtain the existing system plans (at the request of the property owner) to properly stake the location of the limits of demolition of the "old" system
 - Coordinated with Hays County to have road department relocate the abandoned septic system
- Parcel 9 - "Elliott"
 - Attended Executive Session of Commissioners Court for litigation concerning condemnation proceedings on 05/19/09
- Parcels 10 thru 15 - "Sheldon"
 - Coordination with Hays County (Elly Dietz)
 - Coordination for review of agreements / offer letters prior to having Commissioner Barton authorize
 - See Change Order #2
- Parcel 17 - "Franke"
 - Coordination of driveway access to parcel

Exhibit B - 2 of 3

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

- Coordination with Mr. Franke
- Coordination with Andrew Gary (Franke Attorney)
- Coordination with TxDOT Area and District Office
- Coordination with Hays County (Elly Dietz) for review of appraisal / offer letters
- Coordinated with Hays County (Elly Dietz) for review of draft Temporary Easement Agreements
- Coordination with Hays County and TxDOT to provide documentation for a meeting with property owner Alton Franke (held November 2009)
- Development of construction estimate for driveway culverts
- Parcel X - "Phillips" (Added to County Project)
 - Surplus ROW Exchange (Corner Clip)
 - Coordination with TxDOT Area and District Office to provide ROW acquisition documents, appraisals, and checklists
 - Coordination with Hays County to develop draft letters to provide to TxDOT requesting ROW be declared Surplus
 - Developed Exhibit showing proposed ROW taking
 - Coordination with HRM for initial appraisal of full ROW taking
 - Coordination with HRM for appraisal of REDUCED ROW taking
 - Coordinated with Hays County, TxDOT, and PSI for preparation of documents to be used at the meeting with property owner Joe Phillips
- Parcel XX - "Eastbound" (Added to County Project)
 - Coordinated with HRM regarding the relocation of the existing barbed wire fence in order to complete utility relocations
- Change order # 1 - Revising Plans to remove ROW Take from Parcel 2 "Tex Best Property"
 - Modifications to original change order to reduce ROW from parcel "X" Phillips Parcel
- Change order # 2
 - General Coordination with TxDOT on Change Order
 - Coordination with Doucet and Assoc. on Sheldon access design
 - Coordination with TxDOT on Sheldon access design
 - Development of Sheldon access for future City Street
 - Coordination with LAN to add extension of Kohler's Crossing to change order
 - Coordination with Andrew Gary on Franke access
 - Development of Change order to TCB plans
 - Quantity Summary Sheets
 - Typical Sections
 - Plan and Profile Sheets
 - Drainage / Cross Culvert Sheets
 - Cross sections
 - Erosion Control Sheets
 - TxDOT Standard Sheets
 - Development of construction estimate

**SUPPLEMENTAL NO. 1 TO
WORK AUTHORIZATION NO. 11**

This Supplemental No. 1 to Work Authorization No. 11 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the FM 1626A – FM 2770 to FM 967 (PTT1539-01-013) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

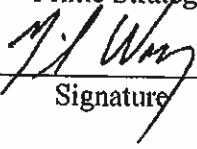
Part 2. The maximum amount payable for services under Work Authorization No. 11 without modification is \$159,200.00 reflecting an increase of \$20,000.00 through this supplemental No. 1.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 1 to Work Authorization No. 11 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 1 to Work Authorization No. 11 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 1 to Work Authorization No. 11 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.
By: 
Signature
Mike Weaver
Printed Name
Principal
Title

Date

COUNTY:
Hays County, Texas
By:
Signature
Jeff Barton
Printed Name
Commissioner – Precinct 2
Title

Date

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

EXHIBIT B – Services to be Provided by Consultant

FM 1626A (Southern Section):

- Kalbau Pond Coordination
 - Coordinated field visit with property owner, attorney, and Klotz
- Additional project plan reviews due to design changes
- Water Quality
 - Coordinated with Klotz and Contech to provide TxDOT with water quality proposals
 - Coordinated with Hays County and Hahn, Texas to incorporate information on Water Quality and pavement options into the Hays Roads website (at the request of Commissioner Barton)
 - Utility Coordination
 - Attended utility coordination kick-off meetings
 - Provided Klotz with draft Utility Tracking Report and Utility Joint Use Agreement formats
- Coordinated with Hays County, Hays CISD, TxDOT, and City of Buda for interim restriping of FM 1626 at Elm Grove Elementary
 - Developed re-striping exhibit

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

SUPPLEMENTAL NO. 1 TO
WORK AUTHORIZATION NO. 11

This Supplemental No. 1 to Work Authorization No. 11 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the FM 1626A – FM 2770 to FM 967 (PTT1539-01-013) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

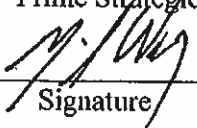
Part 2. The maximum amount payable for services under Work Authorization No. 11 without modification is \$159,200.00 reflecting an increase of \$20,000.00 through this supplemental No. 1.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 1 to Work Authorization No. 11 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 1 to Work Authorization No. 11 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 1 to Work Authorization No. 11 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.
By: 
Signature
Mike Weaver
Printed Name
Principal
Title

Date

COUNTY:
Hays County, Texas
By: _____
Signature
Jeff Barton
Printed Name
Commissioner – Precinct 2
Title

Date

EXHIBIT B – Services to be Provided by Consultant

FM 1626A (Southern Section):

- Kalbau Pond Coordination
 - Coordinated field visit with property owner, attorney, and Klotz
- Additional project plan reviews due to design changes
- Water Quality
 - Coordinated with Klotz and Contech to provide TxDOT with water quality proposals
 - Coordinated with Hays County and Hahn, Texas to incorporate information on Water Quality and pavement options into the Hays Roads website (at the request of Commissioner Barton)
 - Utility Coordination
 - Attended utility coordination kick-off meetings
 - Provided Klotz with draft Utility Tracking Report and Utility Joint Use Agreement formats
- Coordinated with Hays County, Hays CISD, TxDOT, and City of Buda for interim restriping of FM 1626 at Elm Grove Elementary
 - Developed re-striping exhibit

**SUPPLEMENTAL NO. 2 TO
WORK AUTHORIZATION NO. 12**

This Supplemental No. 2 to Work Authorization No. 12 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the FM 1626B – FM 967 to Brodie Lane (PTT1539-01-005) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

Part 2. The maximum amount payable for services under Work Authorization No. 12 without modification is \$228,347.00 reflecting an increase of \$21,000.00 through this supplemental No. 2.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 2 to Work Authorization No. 12 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 2 to Work Authorization No. 12 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 2 to Work Authorization no. 12 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.

By: _____

Signature

Mike Weaver

Printed Name

Principal

Title

Date

COUNTY:
Hays County, Texas

By: _____

Signature

Jeff Barton

Printed Name

Commissioner – Precinct 2

Title

Date

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

EXHIBIT B – Services to be Provided by the Consultant

FM 1626 (Northern Section):

- Work and coordination on environmental and traffic memo tasks
 - Extensive work associated with both
- Coordinated with Hays County, TxDOT, and Jacobs to prepare for the TxDOT public hearing
 - Coordinated with Hays County and Hahn, Texas to incorporate information about the project and public hearing into the Hays Roads website
 - Coordinated with Hahn, Texas and Hays County to obtain information on local neighborhood groups that could provide numbers to help organize a robo-call for the public hearing
 - Coordinated with Hays County to draft 2 items of Resolution to be placed on the Commissioners Court agenda
 - Coordinated with Commissioner Barton to develop a list of possible design changes to request at the FM 1626 public hearing
 - Coordinated with Commissioner Barton to develop a Master Contact List to obtain letters of support for the public hearing
 - Coordinated with Hays County, the Hays County Sheriff's office, and City of Kyle Fire Department to maintain the occupancy level at the public hearing

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

SUPPLEMENTAL NO. 2 TO
WORK AUTHORIZATION NO. 12

This Supplemental No. 2 to Work Authorization No. 12 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the FM 1626B – FM 967 to Brodie Lane (PTT1539-01-005) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

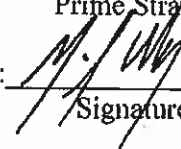
Part 2. The maximum amount payable for services under Work Authorization No. 12 without modification is \$228,347.00 reflecting an increase of \$21,000.00 through this supplemental No. 2.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 2 to Work Authorization No. 12 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 2 to Work Authorization No. 12 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 2 to Work Authorization no. 12 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.
By: 
Signature
Mike Weaver
Printed Name
Principal
Title
7/13/2011
Date

COUNTY:
Hays County, Texas
By: _____
Signature
Jeff Barton
Printed Name
Commissioner – Precinct 2
Title

Date

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

EXHIBIT B – Services to be Provided by the Consultant

FM 1626 (Northern Section):

- Work and coordination on environmental and traffic memo tasks
 - Extensive work associated with both
- Coordinated with Hays County, TxDOT, and Jacobs to prepare for the TxDOT public hearing
 - Coordinated with Hays County and Hahn, Texas to incorporate information about the project and public hearing into the Hays Roads website
 - Coordinated with Hahn, Texas and Hays County to obtain information on local neighborhood groups that could provide numbers to help organize a robo-call for the public hearing
 - Coordinated with Hays County to draft 2 items of Resolution to be placed on the Commissioners Court agenda
 - Coordinated with Commissioner Barton to develop a list of possible design changes to request at the FM 1626 public hearing
 - Coordinated with Commissioner Barton to develop a Master Contact List to obtain letters of support for the public hearing
 - Coordinated with Hays County, the Hays County Sheriff's office, and City of Kyle Fire Department to maintain the occupancy level at the public hearing

**SUPPLEMENTAL NO. 1 TO
WORK AUTHORIZATION NO. 14**

This Supplemental No. 1 to Work Authorization No. 14 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the FM 150 realignment (PTT0805-01-017) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

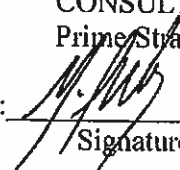
Part 2. The maximum amount payable for services under Work Authorization No. 14 without modification is \$152,500.00 reflecting an increase of \$22,000.00 through this supplemental No. 1.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 1 to Work Authorization No. 14 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 1 to Work Authorization No. 14 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 1 to Work Authorization No. 14 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.
By: 
Signature
Mike Weaver
Printed Name
Principal
Title
7/13/2011
Date

COUNTY:
Hays County, Texas
By: _____
Signature
Jeff Barton
Printed Name
Commissioner – Precinct 2
Title

Date

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

EXHIBIT B – Services to be Provided by Consultant

IH 35 Phase IIA (RM 150):

- Project design changes (supplements):
 - Negotiate with URS on three supplements
 - MSE Wall
 - Bridge added
 - Additional environ work
 - Util Coord.
 - Additional project plan reviews
- Modified Slides from City of Kyle Slide show to present to Kyle City Council
- Property Owner Coordination
 - MOU for donation
 - Meeting with Parcel 2 property owner at Commissioner Barton's office
- Coordinated with City of Kyle to provide URS with stamped concrete detail and illumination details
- Utility Coordination
 - Coordinated with Hays County, City of Kyle, URS, Doucet, Neptune Engineering, and utility companies
 - Provided URS with draft Utility Tracking Report and Utility Joint Use Agreement formats
 - Coordinated with Neptune Engineering, Doucet, and Hays County to review various cost values for proposed utility layouts
 - Coordinated with Hays County and City of Kyle to finalize location of Center Point Energy gas line relocation

Contract No. FY 2010 Program Management Budget
Hays County Pass Through Financing Program

SUPPLEMENTAL NO. 1 TO
WORK AUTHORIZATION NO. 14

This Supplemental No. 1 to Work Authorization No. 14 is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Prime Strategies, Inc. (*the "Consultant"*).

Part 1. The *Consultant* will provide the following engineering services:

Program management activities as specified in the Scope of Work related to the FM 150 realignment (PTT0805-01-017) pass through finance project, more specifically described in the attached Scope of Work-Exhibit B.

Part 2. The maximum amount payable for services under Work Authorization No. 14 without modification is \$152,500.00 reflecting an increase of \$22,000.00 through this supplemental No. 1.

Part 3. Payment to the *Consultant* for the services established under this Supplemental No. 1 to Work Authorization No. 14 shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on September 30, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Supplemental No. 1 to Work Authorization No. 14 does not waive the parties' responsibilities and obligations provided under the Agreement.

Part 6. This Supplemental No. 1 to Work Authorization No. 14 is hereby accepted and acknowledged below.

CONSULTANT:
Prime Strategies, Inc.

By: _____

Signature

Mike Weaver

Printed Name

Principal

Title

7/13/2011

Date

COUNTY:
Hays County, Texas

By: _____

Signature

Jeff Barton

Printed Name

Commissioner – Precinct 2

Title

Date

EXHIBIT B – Services to be Provided by Consultant

IH 35 Phase IIA (RM 150):

- Project design changes (supplements):
 - Negotiate with URS on three supplements
 - MSE Wall
 - Bridge added
 - Additional environ work
 - Util Coord.
 - Additional project plan reviews
- Modified Slides from City of Kyle Slide show to present to Kyle City Council
- Property Owner Coordination
 - MOU for donation
 - Meeting with Parcel 2 property owner at Commissioner Barton's office
- Coordinated with City of Kyle to provide URS with stamped concrete detail and illumination details
- Utility Coordination
 - Coordinated with Hays County, City of Kyle, URS, Doucet, Neptune Engineering, and utility companies
 - Provided URS with draft Utility Tracking Report and Utility Joint Use Agreement formats
 - Coordinated with Neptune Engineering, Doucet, and Hays County to review various cost values for proposed utility layouts
 - Coordinated with Hays County and City of Kyle to finalize location of Center Point Energy gas line relocation

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

Discussion and possible action to double fill the Site Manager position at the Wimberley Transfer Station.

CHECK ONE: **CONSENT** **☒ ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: Tuesday, July 20, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Pinnix

SPONSORED BY: Sumter/Conley

SUMMARY:

Site Manager will be absent from work at the Wimberley Station due to FMLA between 9/22 through 11/3/10. *It is anticipated that the employee may need to leave sooner than 9/22.*

The County currently allows temporary staffing for small offices (defined as 1-2 people) without Court approval. There is money budgeted County Wide for these expenses.

This department is unique in that while it has 5 employees, they are all deployed in specific site locations. There is 1 Site Manager at the Wimberley station and 1 Site Manager/Tech at the Driftwood station, with one Assistant Manager that floats from the two stations as well as other transporting/trouble shooter/managerial duties. The other employee is assigned to the Park.

To ensure continuity of service and support of the Wimberley station we respectfully ask the court to allow the hiring of temporary staff from September 22 through September 30. Staffing beyond that point will be discussed at Budget Workshop. Additionally, we would like funding available in case the employee needs to leave work prior to September 22.

Agenda Item Routing Form

DESCRIPTION OF Item: Double fill the Site Manager position at the Wimberley Transfer Station.

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$10.77 per hr X # of hours

LINE ITEM NUMBER: 001-645-00.5091

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS: Need to determine the # of hours to be worked in the 8 day period.

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: _____

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 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 execute a professional services agreement with K Friese & Associates (KFA) for professional engineering services related to a feasibility study at Post Road where it crosses the Blanco River north of San Marcos, a priority road bond project, and to authorize Commissioners Ford and Ingalsbe and Jerry Borcharding to enter contract negotiations and sign off on subsequent work authorizations.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: \$205,000.00

LINE ITEM NUMBER OF FUNDS REQUIRED: Priority Road bond amount was \$215K

REQUESTED BY:

SPONSORED BY: Commissioners Ford and Ingalsbe

SUMMARY:

Attached as backup please find key pages in the PSA/WA #1 with KFA, including page 1; Exhibit I (Compensation for Professional Service); and Exhibit II (Hourly Rates).

Agenda Item Routing Form

DESCRIPTION OF Item: Authorize the County Judge to execute a professional services agreement with K Friese & Associates (KFA) for professional engineering services related to a feasibility study at Post Road where it crosses the Blanco River north of San Marcos, a priority road bond project, and to authorize Commissioners Ford and Ingalsbe and Jerry Borcharding to enter contract negotiations and sign off on subsequent work authorizations.

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$205,000.00

LINE ITEM NUMBER: Total project budget is \$215,000.00

COUNTY PURCHASING GUIDELINES FOLLOWED: Yes

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS: The budget currently allocates \$200,000 for engineering & \$15,000 for program management. We have spent \$2,770 for program management & \$ 1,000 for signs.

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

WORK AUTHORIZATION NO. 1

THIS WORK AUTHORIZATION is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (the "County"), and K Friese & Associates, Inc (the "Engineer").

Part 1. The Engineer shall provide preliminary engineering, railroad coordination, and surveying services necessary to study possible alternative alignment, profile and structural improvements for the low water crossing on CR 140 (Post Road) over the Blanco River and beneath the UPRR bridge in Hays County. The responsibilities of the Engineer and project work schedule are further detailed in Attachments B and C, which are attached hereto and made a part of the Work Authorization.

Part 2. Without modification, the maximum amount payable for services performed under this Billing Rates Work Authorization is \$ 205,000.00. The fee schedule used to establish the maximum amount payable is attached hereto as Attachment D1. The Engineer may alter the compensation distribution between individual phases, tasks or work assignments to be consistent with services actually rendered, within the total amount. The billing rates and classifications are attached hereto as Attachment D2.

Part 3. Payment to the Engineer for services established under this Work Authorization will be made in accordance with the Agreement.

Part 4. This Work Authorization will become effective on the date of acceptance of the parties hereto and shall terminate on December 31, 2010, unless extended by a Supplemental Work Authorization.

Part 5. This Work Authorization does not waive the parties' responsibilities and obligations provided under the contract.

Part 6. This Work Authorization is hereby accepted and acknowledged below.

ENGINEER:
K Friese & Associates, Inc.

COUNTY:
Hays County, Texas

By: _____
Signature

Karen A Friese
Printed Name

President
Title

Date

By: _____
Signature

Printed Name

Title

Date

LIST OF ATTACHMENTS

- Attachment A – Services to be provided by the County.
- Attachment B – Services to be provided by the Engineer.
- Attachment C – Work Schedule.
- Attachment D1 – Fee Schedule.
- Attachment D2 – Rates and Classifications.

**Hays County
Post Road
Exhibit D1**

TASK	Hourly Rate:	KFA Cost	PE Structural Cost	CMEC Cost	Chaparral Survey Cost
I. Route and Design Studies (EC 110)					
A.1.(1) Develop initial set of alternatives		\$ 7,062.80	\$ 1,980.00	\$ 690.00	\$ -
A.1.(2) Screening of Initial alternatives		\$ 4,790.80	\$ 3,020.00	\$ 690.00	\$ -
A.1.(3) Analysis, refinement and evaluation of preferred alternative		\$ 3,742.80	\$ 4,140.00	\$ -	\$ -
A.1.(4) Horizontal & Vertical Alignments		\$ 6,208.00	\$ -	\$ -	\$ -
A.1.(5) Alternatives Summary Report		\$ 2,245.60	\$ 7,530.00	\$ -	\$ -
B. Sketch Level Schematics		\$ 4,888.00	\$ -	\$ -	\$ -
C. Cost Estimates		\$ 1,672.00	\$ 1,410.00	\$ -	\$ -
II. Survey (EC 150)					
A. Project Horizontal and Vertical Control / Right of Entry		\$ 994.80	\$ -	\$ -	\$ 2,050.00
B. Route Boundary Survey		\$ 419.40	\$ -	\$ -	\$ 5,000.00
C. Topographic Survey		\$ 601.40	\$ -	\$ -	\$ 5,180.00
III. Environmental Technical Memorandum (EC 110)					
A.1 - Cultural Resources Archeology		\$ 447.00	\$ -	\$ 9,188.50	\$ -
A.2 - Water Resources		\$ 447.00	\$ -	\$ 2,196.50	\$ -
A.3 - Biological Resources		\$ 447.00	\$ -	\$ 2,944.00	\$ -
A.4 - Hazardous materials		\$ 447.00	\$ -	\$ 1,155.78	\$ -
A.5 - Tech Memo Preparation/Comment Response		\$ 447.00	\$ -	\$ 8,866.52	\$ -
IV. Hydrology & Hydraulics (EC 161)					
A.1 Hydraulic Analysis - Duplicate Effective		\$ 6,416.00	\$ -	\$ -	\$ -
A.2 Hydraulic Analysis - Existing Conditions		\$ 7,508.00	\$ -	\$ -	\$ -
A.3 Hydraulic Analysis - Proposed Conditions		\$ 9,812.00	\$ -	\$ -	\$ -
B. Hydraulic Report		\$ 6,225.60	\$ -	\$ -	\$ -
V. Project Management & Administration (EC 110)					
A. Project Coordination Meetings (5)		\$ 4,780.20	\$ 3,060.00	\$ 1,920.52	\$ -
B. Public Meetings & Preparation (2)		\$ 8,630.80	\$ 8,560.00	\$ 2,990.08	\$ -
C. Project Administration & Controls (8 months)		\$ 4,676.00	\$ 1,230.00	\$ -	\$ -
D. Internal Quality Control (3 QA/QC reviews)		\$ 4,504.20	\$ -	\$ -	\$ -
VI. Bridge Design (EC 100)					
A. Geotechnical Coordination		\$ 560.80	\$ 1,830.00	\$ -	\$ -
B. Investigate Structural Configurations for Feasible Alternatives		\$ 306.00	\$ 6,290.00	\$ -	\$ -
C. Preliminary Design for Preferred Alternative		\$ 306.00	\$ 7,645.00	\$ -	\$ -
D. Prelim. Br. Layout w/ Typ. Section and Phasing for Pref. Alternate		\$ 306.00	\$ 9,830.00	\$ -	\$ -
E. Develop Aesthetic Treatment Alternatives		\$ 306.00	\$ 8,000.00	\$ -	\$ -
F. Prelim. Qlys and Refined Cost Estimate for Pref. Alternate		\$ 306.00	\$ 3,115.00	\$ -	\$ -
LABOR COST:		\$ 89,504.20	\$ 67,660.00	\$ 30,641.90	\$ 12,230.00
TOTAL DIRECT COST:		\$ 1,760.00	\$ 558.00	\$ 2,508.00	\$ 170.00
TOTAL COST:		\$ 91,264.20	\$ 68,218.00	\$ 33,149.90	\$ 12,400.00
TOTAL PROJECT COST:		\$205,032.10			

ATTACHMENT D2
RATES & CLASSIFICATIONS

K Friese & Associates, Inc.

Classification	Billing Rate/hr
Principal	\$185.00
Project Manager	\$178.00
Senior Engineer	\$178.00
Project Engineer	\$128.00
EIT	\$80.00
Sr. Engineering Tech	\$91.00
Engineering Tech	\$83.00
CADD Technician	\$51.50
Admin / Clerical	\$63.40

Cox McClain Environmental Consulting, Inc.

Classification	Billing Rate/hr
Senior Env Scientist II	\$138.00
Senior Env Scientist II	\$120.75
Environmental Professional II	\$100.63
Environmental Professional I	\$86.25
Environmental Staff II	\$71.88
Environmental Staff I	\$63.25
Environmental Tech II	\$51.75
Environmental Tech I	\$44.56

PE Structural, Inc.

Classification	Billing Rate/hr
Principal	\$185.00
Project Manager	\$155.00
Senior Engineer	\$155.00
Project Engineer	\$130.00
Design Engineer	\$100.00
EIT	\$80.00
Sr. Engineering Tech	\$100.00
Engineering Tech	\$78.00
Admin / Clerical	\$60.00

Chaparral Surveying, Inc.

Classification	Billing Rate/hr
3-Person Field Crew	\$165.00
2-Person Field Crew/Constru	\$135.00
2-Person GPS Crew	\$180.00
3-Person GPS Crew	\$210.00
Contract Crew Member	\$55.00
RPLS	\$125.00
Survey Technician	\$90.00
Administrative	\$50.00

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA: Discussion and possible action to allow Commissioner Ford to negotiate a professional services contract with Freese and Nichols, Inc. for engineering services related to the County's plan and response to TCEQ's Dam Safety Report on the River Oaks Ranch Dam.

TYPE OF ITEM: CONSENT-**ACTION**-PROCLAMATION-EXECUTIVE SESSION-WORKSHOP

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: Not known at this time

LINE ITEM NUMBER OF FUNDS REQUIRED: savings from McGregor Bridge construction

REQUESTED BY: Jerry Borcharding

SPONSORED BY: Commissioner Pct. 4, Karen Ford

SUMMARY:

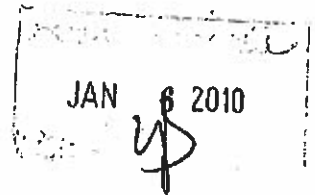
We discussed this item first in March 2010 (see TCEQ report attached again) and substantiated County ownership of the dam in June 2010. This will allow us to develop a plan for remediation.

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution



January 5, 2010

Hays County - Environmental Health Division – Transportation & Planning Dept.
1252 Civic Center Loop
San Marcos, Texas 78666

Subject: River Oaks Ranch Dam, TX07060

Dear: Mr. Jerry Borcharding, P.E., (Director)

As you are aware, the subject dam was inspected by staff from the Texas Commission on Environmental Quality (TCEQ) Dam Safety Program on July 17, 2009. Enclosed are copies of the inspection reports. Specific recommendations for your dam are given in the enclosed reports.

The structure was determined to be in a poor condition. In general, a maintenance program for the dam should be initiated to keep the embankment slopes and spillways clear of trees and brush.

Primary concerns for River Oaks Ranch Dam was overgrowth of trees and brush on the downstream slope and toe area, making it inaccessible to inspect further. Benching was observed on the upstream slope and undercutting/erosion was noted at the spillway approach and downstream end of the spillway chute. Cracks and low spots on the crest/roadway as well as erosion gullies were items also noted. Specific recommendations and a more thorough discussion of these and other items are given in the enclosed report.

The TCEQ appreciates your assistance in addressing the areas of concern regarding River Oaks Ranch Dam. Your efforts to maintain the dam will reduce the threat to downstream life and property.

Mr.
Page 2
January 5, 2010

Please provide a response to this letter and the report by January 31, 2009. The response should include your plan for addressing each of the items noted in the report.

Thank you for your efforts to maintain River Oaks Ranch Dam. If you have any questions, please feel free to contact Jose J. Ayala at (512)239-0441 or myself (512)239-6609.

Sincerely,



Tom Weirich, P.E., P.G.
Dam Safety Engineer/Geologist
Dam Safety Section
Field Operations Support Division, MC-174

Enclosure (River Oaks Ranch Dam Evaluation Report)

Cc: Dana Wilson (President)
River Oaks Ranch Homeowners Association
101 Lakeshore Dr.
Dripping Spring, Texas 78620



TCEQ DAM SAFETY
Field Operations
Dam Evaluation Report

River Oaks Ranch Dam

TX07060

GENERAL INFORMATION

INVENTORY NO.: TX07060

WATER RIGHT AUTHORIZATION: 05360-1

OWNER: River Oaks Ranch Homeowners Association

STREAM: Fitzhugh Creek

BASIN: Colorado

COUNTY: Hays

GENERAL LOCATION: 20 miles North of Wimberley

DAM HEIGHT: 26 ft

DOWNSTREAM HAZARD RATING: Significant

NORMAL CAPACITY: 119 ac.ft

MAXIMUM CAPACITY: 130 ac.ft

NORMAL WATER LEVEL: 1251.7 ft msl

CURRENT WATER LEVEL: 1243.5 ft msl

PREVIOUS INSPECTION DATE: None

CURRENT INSPECTION DATE: July 17, 2009

INSPECTION BY TCEQ PERSONNEL: Tom Weirich, P.E., P.G., Jose J. Ayala, and Michael Reyes, E.I.T.

PERSONNEL CONTACTED: None

SUMMARY

River Oaks Ranch Dam, a small, significant hazard dam in Hays County, was inspected by Texas Commission on Environmental Quality (TCEQ) staff as part of our regular inspection schedule. It was found in overall poor condition due to the heavy and dense vegetation on the downstream slope, which prevented its inspection. However, the upstream slope was inspected and had some evident benching occurring in three levels on the embankment. The crest had notable areas of depressions, cracks, and erosion, which were specifically occurring along the upstream and downstream edges of the crest. The service and emergency spillways were both found to be in fair condition, with some deficiencies. Repairs to these areas are recommended.

BACKGROUND

River Oaks Ranch Dam has never been inspected by TCEQ or its predecessor agencies. No other information is available in TCEQ records containing information regarding design and

Texas Commission on Environmental Quality • PO Box 13087 • Austin, Texas • 78711-3087

The TCEQ is an equal opportunity/affirmative action employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation, or veteran status. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the TCEQ at 512/239-0028, fax 239-4488, or 1-800-RELAY-TX (TDD), or by writing PO Box 13087, Austin, Texas, 78711-3087. Authorization for use or reproduction of any original material contained in this publication, i.e., not obtained by other sources, is freely granted. The Commission would appreciate acknowledgement.

- spillway approach. It was noted that the upstream spillway apron exhibited hollow sounds when its surface was tapped with survey rod.
- The service spillway outlet was almost completely covered in vegetation. In addition, vegetation was noted growing in numerous cracks in the spillway's concrete apron (Photo 18).
 - Cutback erosion and established vegetation was noted at the discharge end of the concrete spillway apron. Moderate brush was observed growing from this area (Photo 19).
 - The downstream channel had an approximate depth of 6 feet and a width of 30 feet. Also noted were training berm's that channeled water flow away from the toe and into the discharge channel (Photo 20). It was also noted that small trees were observed in the center of the discharge channel and on the side slopes of the channel (Photo 20 and 21).

Emergency Spillway & Discharge Channel

- The emergency spillway was in fair condition (Photo 22a).
- The emergency spillway channel was not well defined with an approximate depth of 3 feet and a width of 9 feet (Photos 22a and 22b).

Downstream Hazards

- A desktop ArcGIS analysis following the inspection indicated one residence at risk which was located approximately 300 yards downstream of the dam, with floor lines approximately 20 feet above the natural channel, (2) man made reservoirs of what may be water treatment reservoirs, and the county road (crest/roadway) crossing the emergency spillway (Figure 1 and Photo 11).

HYDROLOGIC / HYDRAULIC ANALYSES

There is no documentation in TCEQ records indicating that hydrologic and hydraulic analyses have been performed for this structure. In accordance with 30 Texas Administrative Code (TAC) §299.15, a dam of this size (small) and hazard classification (significant) should be able to safely pass 50% of the Probable Maximum Flood (PMF).

OPERATION AND MAINTENANCE (O&M) PLAN

We have no record of an Operation and Maintenance (O&M) for this dam.

EMERGENCY ACTION PLAN (EAP)


We have no record of an Emergency Action Plan (EAP) for this dam.

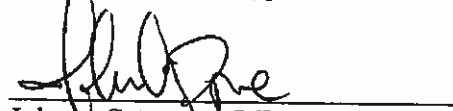
POTENTIAL FAILURE MODES


- The upstream slope showed wave benching occurring, where embankment material has been eroded away. If left unchecked, this could lead to instability of the crest/roadway and a loss of the reservoir.
- The downstream slope had heavy vegetation and tree growth allowing little or no visibility to further inspect the downstream slope. Probable consequences to these deficiencies may include tree root systems creating seepage paths and piping conditions within the embankment where internal erosion may be occurring. Additionally, the large trees may blow over during a storm and damage the dam or cause a breach. Heavy


CONCLUSIONS

The owner should address the recommendations made in this report as soon as possible and develop a regular maintenance and repair program. Designs for repairs of the dam structure that are not strictly of a maintenance nature should be prepared by a LTPE and sent to the TCEQ Dam Safety Program for review and approval before any work is initiated. It should be noted that it is the owner's responsibility to maintain the dam in a safe condition in order to prevent loss of life and limit the potential for property loss. In doing so, the owner will reduce liability exposure and, with regular maintenance, will minimize costs. Due to the overall "poor" condition, the dam will be re-inspected within two years.


Tom Weirich, P.E., P.G.
Dam Safety Program
Field Operations Support Division


Johnny Cosgrove, P.E.
Dam Safety Program
Field Operations Support Division


Jose J. Ayala
Dam Safety Program
Field Operations Support Division


Michael Reyes, E.I.T.
Dam Safety Program
Field Operations Support Division

River Oaks Ranch Dam - TX07060

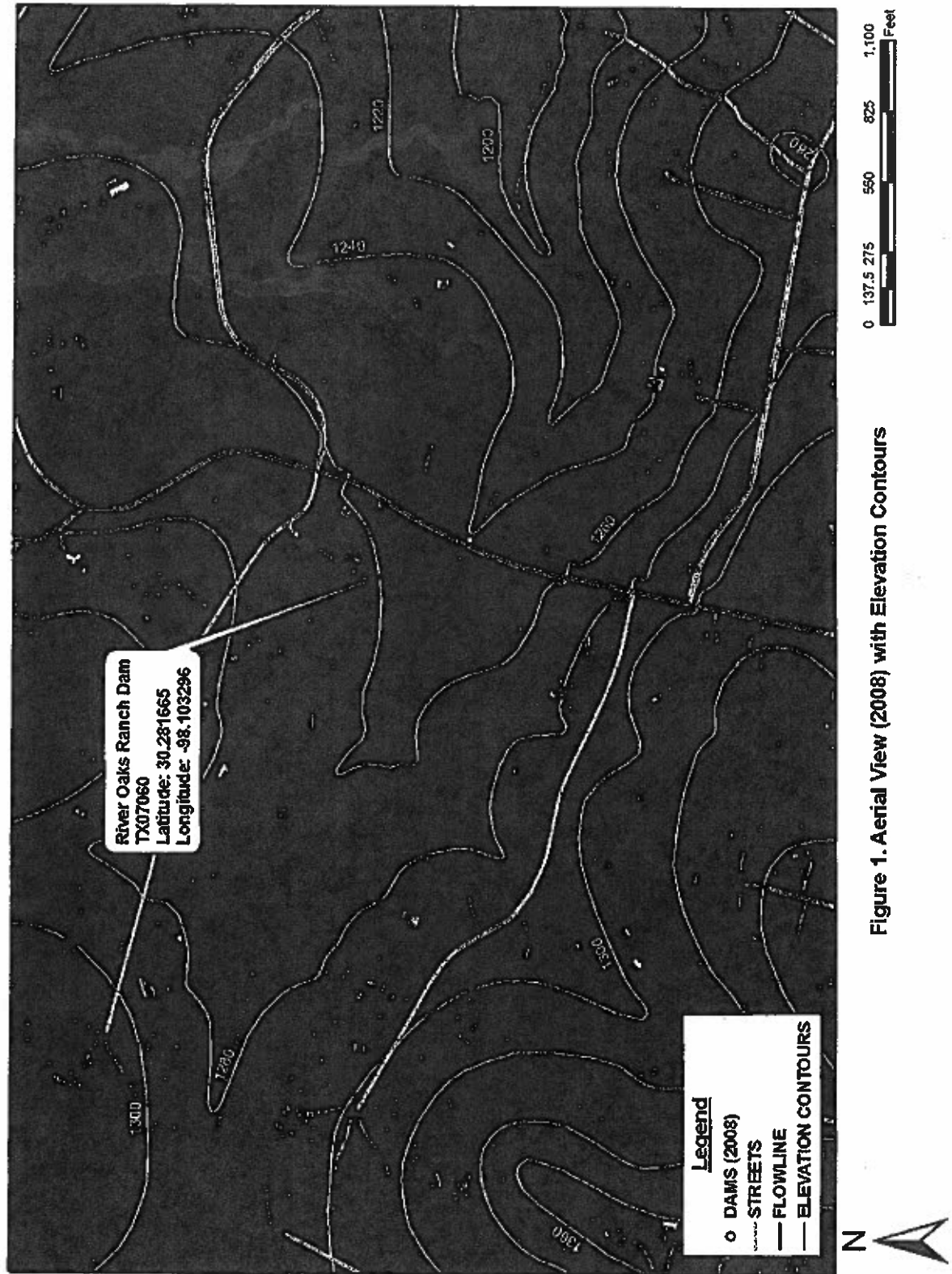


Figure 1. Aerial View (2008) with Elevation Contours

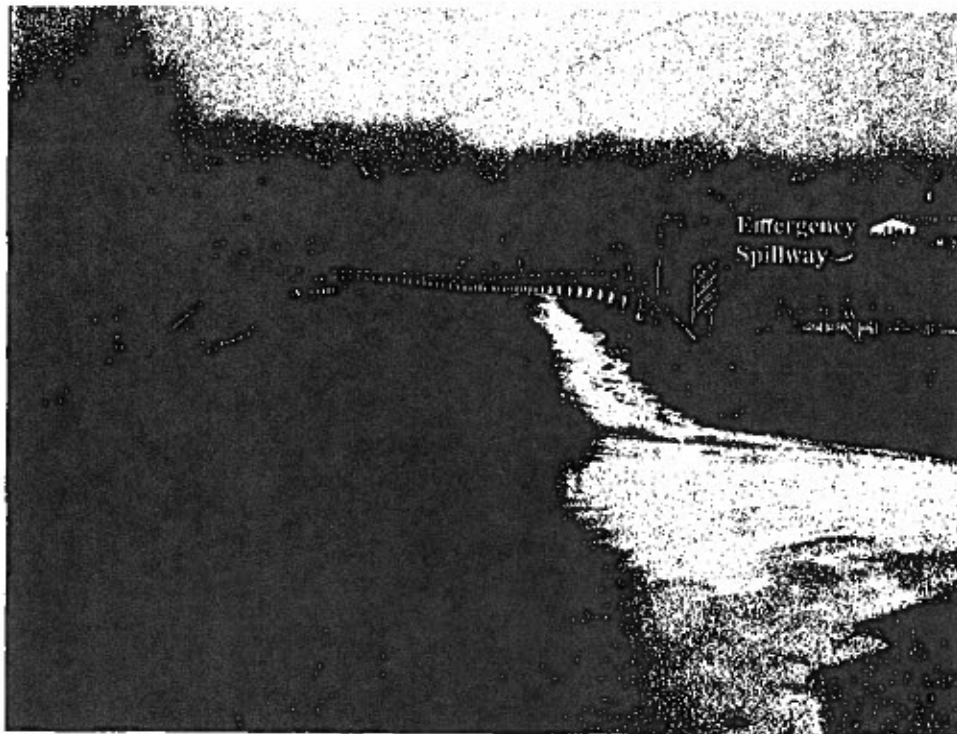


Photo 1. Crest/roadway facing south. Note the small rise of the crest roadway and the emergency spillway on the right side of the photo.

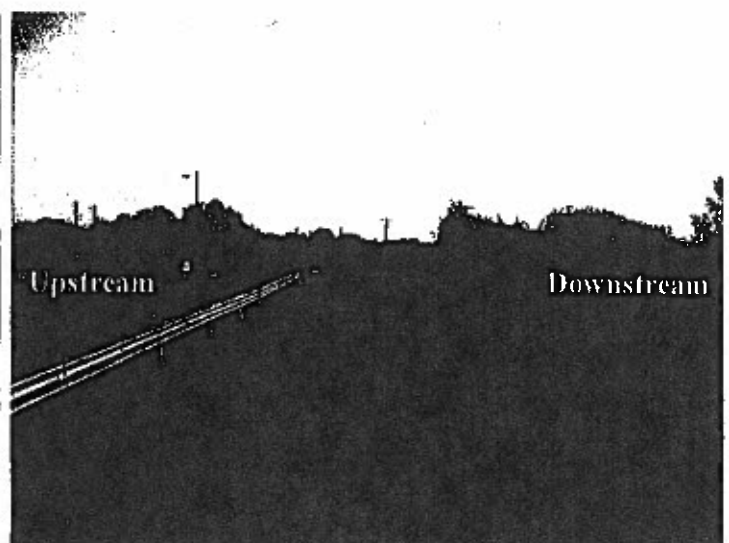
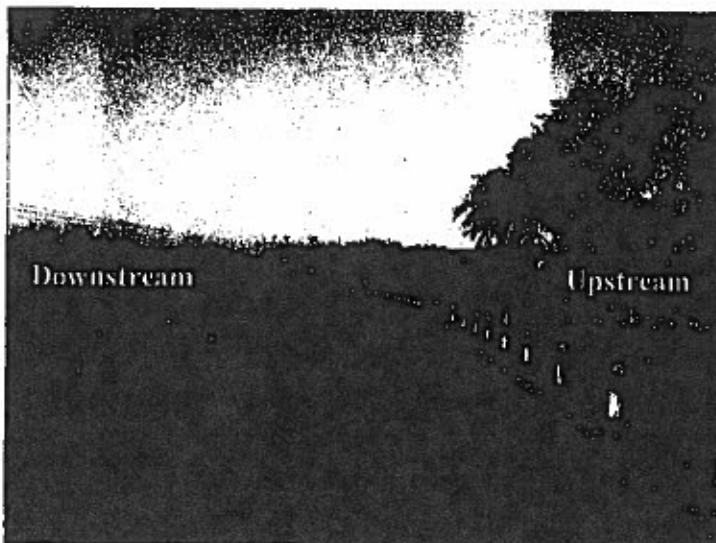


Photo 2. View of the crest/roadway as seen from a mid-point of the dam. Note the thick vegetation on the downstream slope.

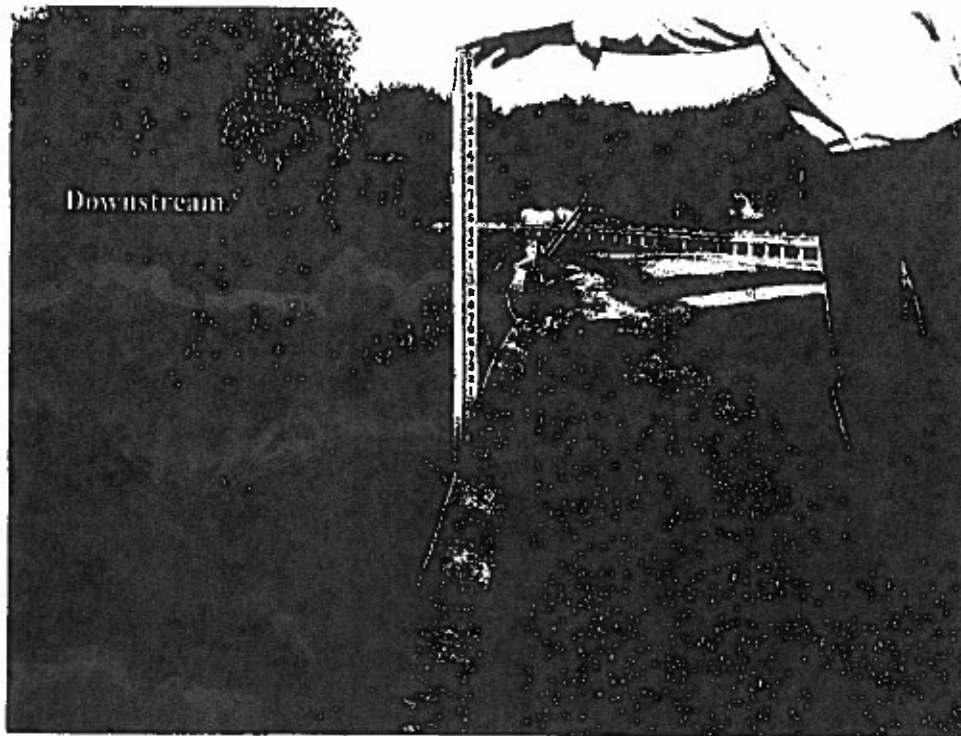


Photo 5. View of the guardrail leaning away from the crest. Note the eroding edge of crest material.

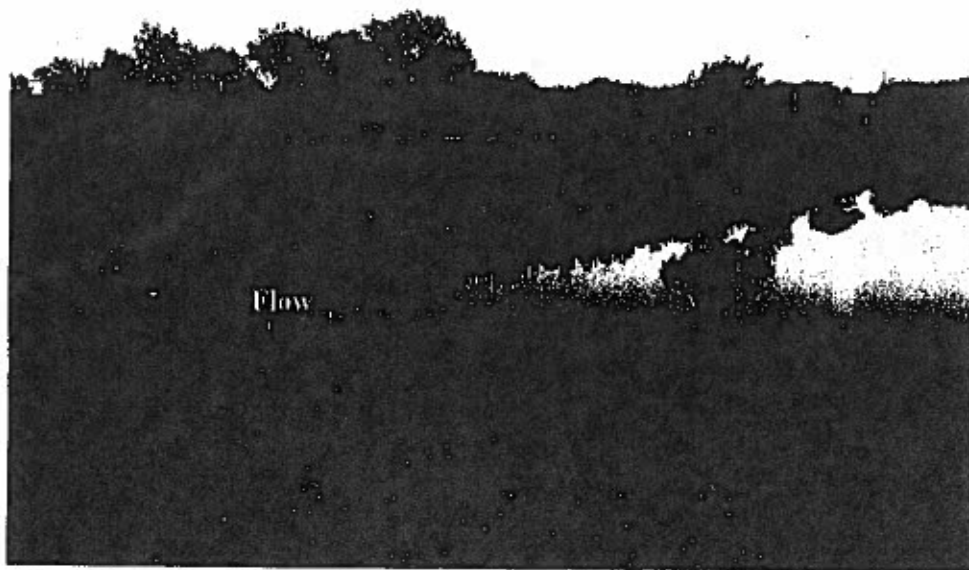


Photo 6. View of the upstream embankment slope as seen from the left side. Note the flow route of the emergency spillway.

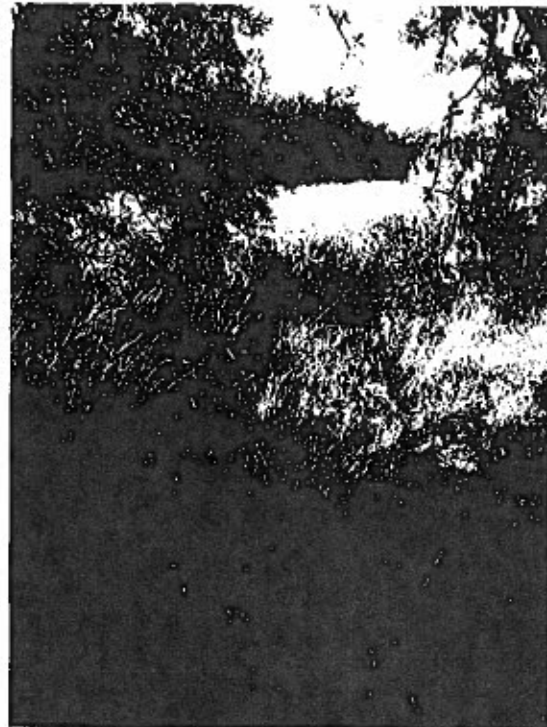


Photo 9. Erosion gullies from run-off was evident at the right end of the upstream embankment slope.

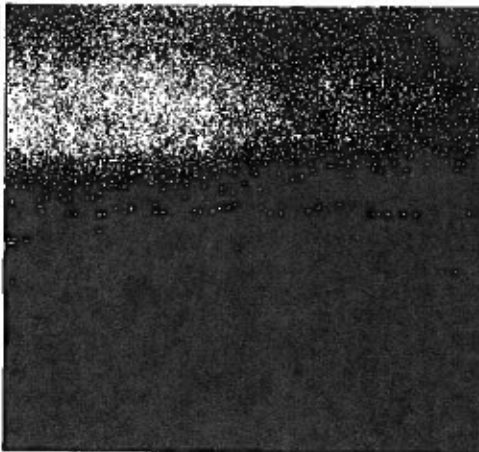
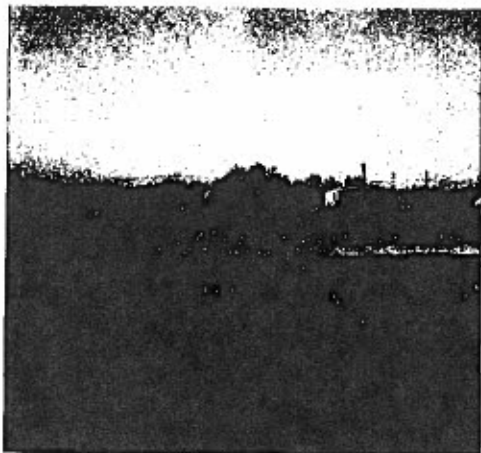


Photo 10. View facing upstream as seen from the upstream embankment slope.

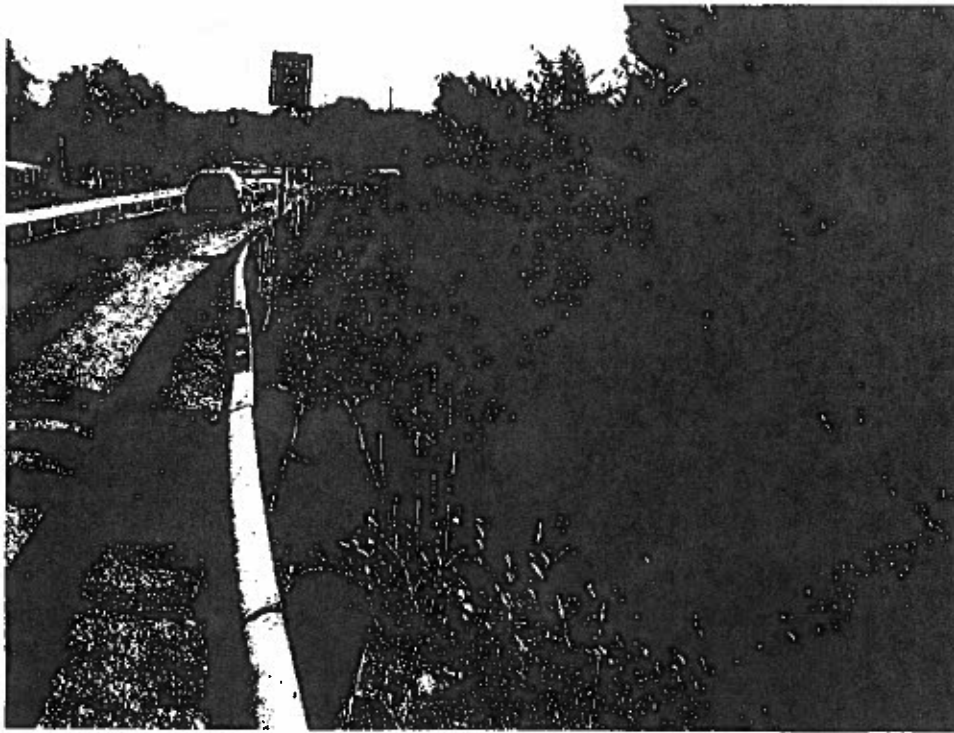


Photo 13. A view of the downstream embankment slope as seen from the crest facing north. Note the dense vegetation growing along the downstream embankment slope.



Photo 14. View of the downstream embankment as seen approximately 10 feet from the toe of the dam. The dashed lines delineate an approximate crest's edge and the toe of the dam.

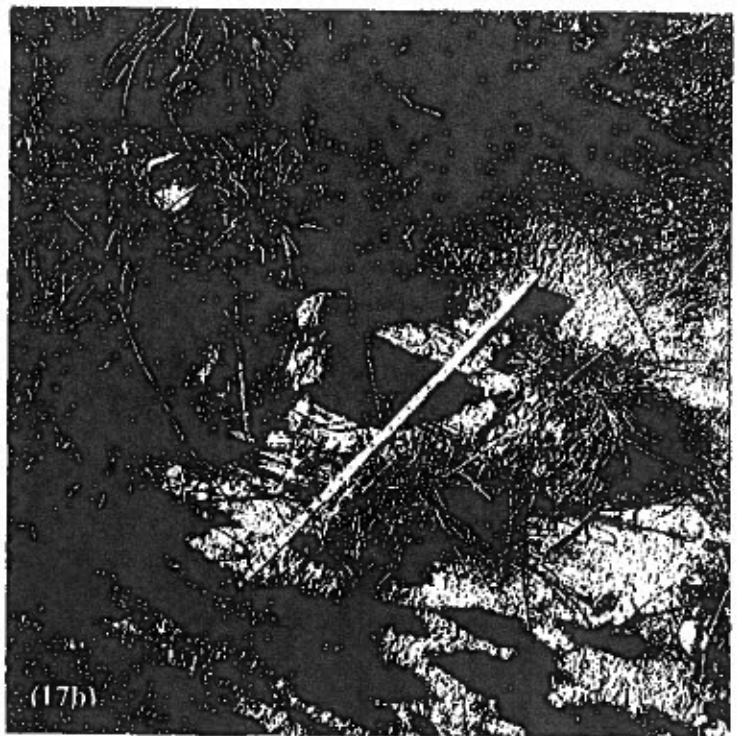
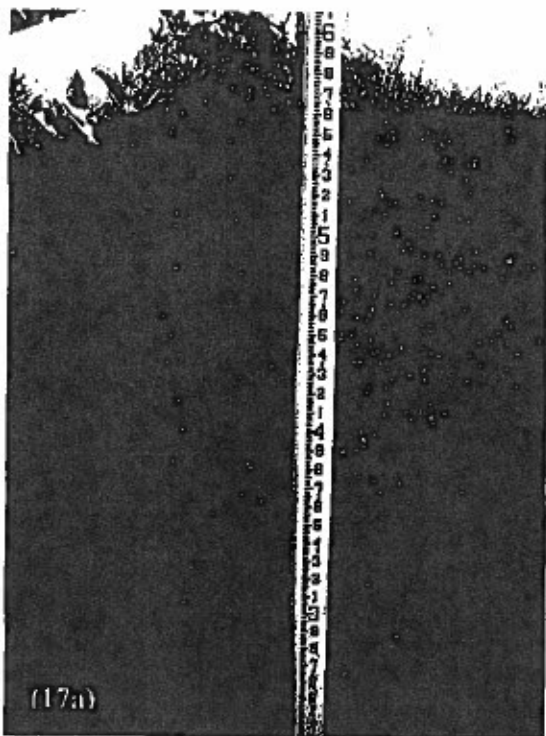


Photo 17a. Vertical cracks were noted in the left and right concrete wing walls. (Left wing wall shown) (17b.) Vegetation was also noted growing between numerous cracks found in the spillway's concrete apron.

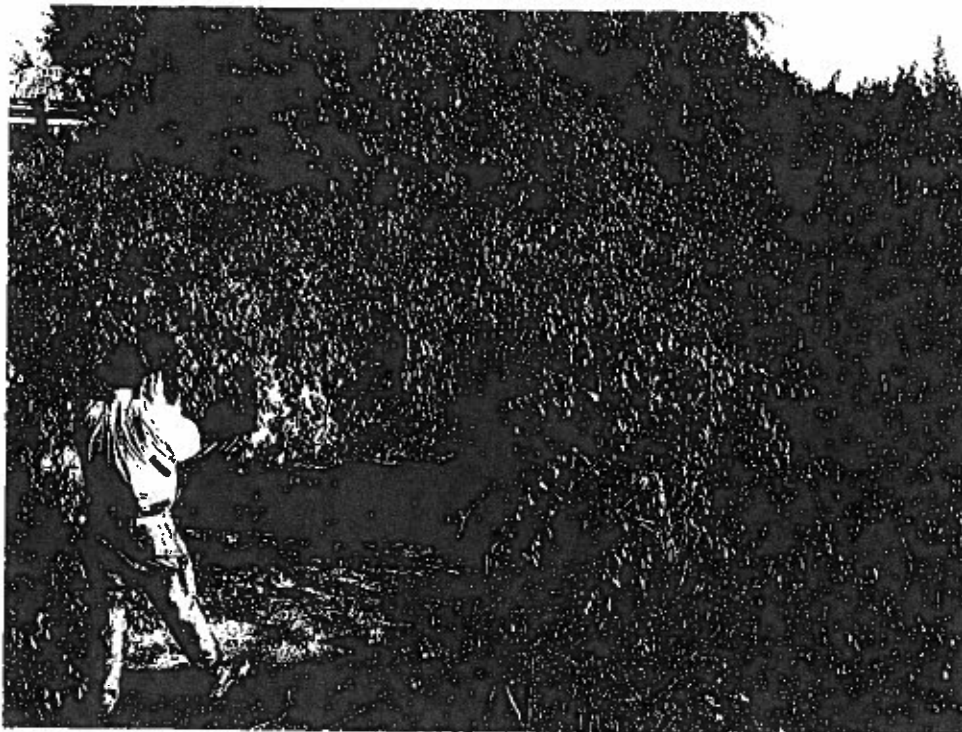


Photo 18. An almost complete cover of vegetation was observed on the service spillway outlet. Note the brush on the downstream edge of the spillway concrete apron.

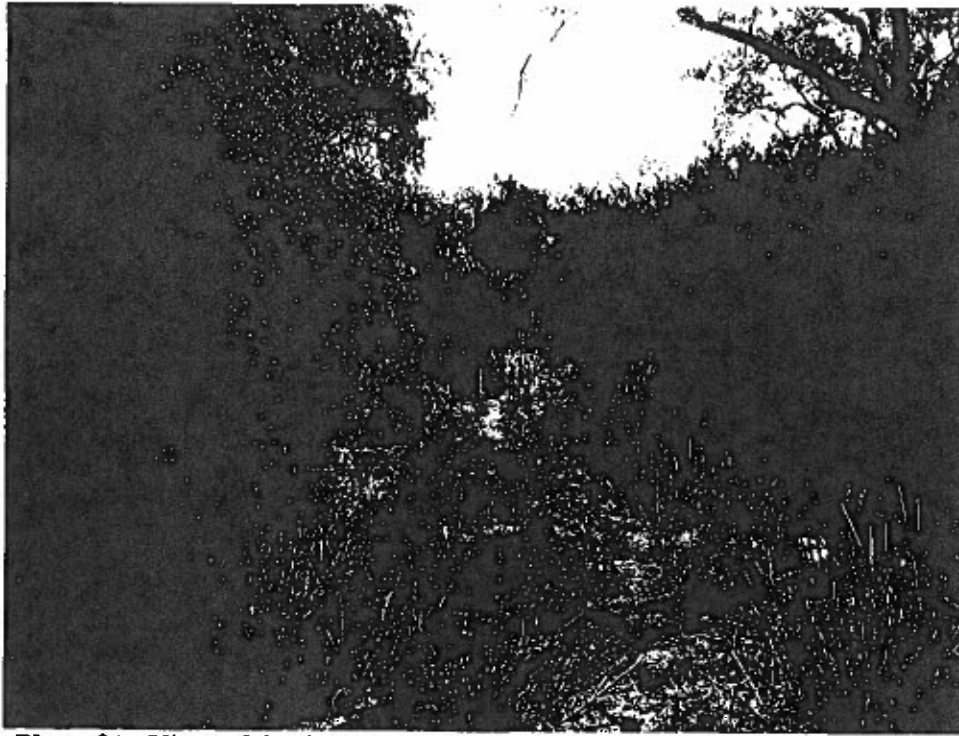


Photo 21. View of the downstream channel looking down at an easterly direction. Note the large trees, brush, and forest.

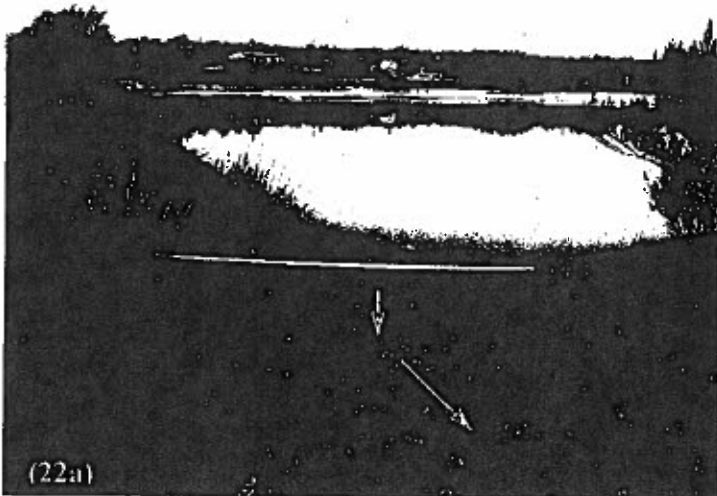


Photo 22a. A view looking upstream of the emergency spillway approach. Flow direction is marked by arrows. **(22b).** Downstream view of the emergency spillway channel.

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to approve 100% completion of Construction Documents associated with the Hays County Government Center.

TYPE OF ITEM: Action

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: INGALSBE

SPONSORED BY: INGALSBE

SUMMARY: HDR has now completed Construction Documents for the Government Center project and requests approval of those documents. Consultants from Broaddus and Associates will be present in Court to explain how acceptance of CDs fits within the overall scheme of the project.

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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to authorize the purchase of a countywide Microsoft Enterprise license and amend the budget accordingly.

CHECK ONE: **CONSENT** **X ACTION** ☐ **EXECUTIVE SESSION**

 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: \$154,000

LINE ITEM NUMBER OF FUNDS REQUIRED: To Be Determined

REQUESTED BY: Auditor & Information Technology

SPONSORED BY: Sumter

SUMMARY: Jeff McGill has discussed with the Court the recommendation to purchaser the Microsoft Enterprise license for \$154,000. If we plan to do that I recommend we do it now and begin saving the costs of individual licenses that we are incurring this year.

Agenda Item Routing Form

DESCRIPTION OF Item: Authorize the purchase of a countywide Microsoft Enterprise license.

PREFERRED MEETING DATE REQUESTED: July 20, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT: \$154,000.00

LINE ITEM NUMBER: 001-645-00.5712

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:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to consider supporting City of San Marcos in moving forward with the Change Order to construct the re-configured intersection of the City's McCarty Lane project with existing McCarty Lane.

CHECK ONE: ☐ **CONSENT** ☒ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a

REQUESTED BY: City of San Marcos and Michael Weaver

SPONSORED BY: Debbie Ingalsbe

SUMMARY: Please refer to back up



Debbie Gonzales Ingalsbe
Hays County Commissioner
Precinct 1

July 12, 2010

Mayor Susan Narvaiz
City of San Marcos
630 East Hopkins
San Marcos, Texas 78666

Re: FM 110 Construction

Dear Mayor Narvaiz:

As we have discussed over the past several weeks, Hays County supports the City of San Marcos in moving forward with the Change Order to construct the re-configured intersection of the City's McCarty Lane project with existing McCarty Lane. We understand that the City has prepared the necessary Change Order to facilitate the construction of this intersection.

We concur with Mr. Carlos Lopez at TxDOT that this is the best course of action from both a constructability and traffic operations standpoint. As you move forward with your project, the County is continuing to work with the Austin District to address the questions raised in Mr. Lopez' letter of June 9, 2010 and in our meeting on June 14, 2010.

If you have any questions, please let me know.

Sincerely,

Commissioner Debbie Ingalsbe
Hays County Precinct 1

cc: Laurie Moyer, Acting City Manager, City of San Marcos
Jerry Borcharding, P.E., Hays County Engineer
Mark Kennedy, Hays County Criminal District Attorney's Office
Michael J. Weaver, Prime Strategies, Inc.

0360\FM 110\COSM McCarty Lane Change Order_Ingalsbe let1.doc

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 **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

Executive Session pursuant to Section 551.074, Texas Government Code, to interview, discuss and deliberate the appointment of a Veteran Services Officer. Action may follow in open court.

CHECK ONE: ☐ **CONSENT** ☐ **ACTION** ☒ **EXECUTIVE SESSION**
 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: Tuesday, July 20, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Sumter

SPONSORED BY: Sumter

SUMMARY: Executive Session pursuant to Section 551.074, Texas Government Code, to interview, discuss and deliberate the appointment of a Veteran Services Officer. Action may follow in open court.

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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, or value of real property related to the acquisition of ROW on the Fischer Store Road project in Precinct 3. Possible action may follow in open Court.

CHECK ONE: **CONSENT** **ACTION** **X EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Commissioner Will Conley

SPONSORED BY: Commissioner Will Conley

SUMMARY:

Summary to be provided in Executive Session.

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 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, or value of real property related to the Parks and Open Space Advisory Board's call for projects. Possible action may follow in open Court.

CHECK ONE: **CONSENT** **ACTION** **X EXECUTIVE SESSION**

 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: July 20, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Commissioner Will Conley

SPONSORED BY: Commissioner Will Conley

SUMMARY:

Summary to be provided in Executive Session.

