

**Commissioners Court -September 13, 2011  
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 **13<sup>th</sup> day of September, 2011**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE - Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag**

**ROLL CALL**

**PRESENTATIONS & PROCLAMATIONS**

1	3	Presentation by LULAC Council 4876 "The New Generation" to Hays County. <b>INGALSBE</b>
2	4	Presentation on the Capital Area Food Bank. <b>COBB</b>
3	5-6	Proclamation declaring September 18 through September 24, 2011 as Child Passenger Safety Week. <b>INGALSBE/HARGRAVES</b>

**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.

4	7	Approve payments of county invoices. <b>HERZOG</b>
5	8-15	Approve Commissioners Court Minutes of September 6, 2011. <b>COBB/GONZALEZ</b>
6	16-17	Amend the Government Center Security budget for uniform allowance and holiday overtime expense. <b>COBB/STRAIN</b>
7	18-20	Approve award of IFB #2011-B07 Road Improvements/Hot-Mix Overlay to Asphalt Paving Company. <b>COBB/HERZOG/MAIORKA/BORCHERDING</b>
8	21-22	Amend the Budget of Constable Precinct 2 for fuel expenses. <b>JONES</b>
9	23-24	Amend the Budget of Juvenile Center for Food Supplies from Personnel savings. <b>COBB</b>
10	25-26	Accept donations for the Historical Jail Restoration Project and amend the budget for use of those funds for direct expenses related to the project. <b>COBB/JOHNSON</b>
11	27-33	Approve the July 2011 Treasurer's Report and Investment Report. <b>COBB/TUTTLE</b>
12	34-37	Amend Juvenile Probation budget in order to reflect TJPC contract changes effective September 1, 2011 and to use savings in travel for continuing education. <b>COBB/WILLIAMS</b>
13	38-40	Accept District Clerk Fee Collection Report for May - July 2011. <b>COBB/CRUMLEY</b>
14	41-42	Amend Sheriff Operating & Jail Division budgets for regular and holiday overtime pay. <b>COBB</b>
15	43-44	Amend the Budget of Constable Pct 1 for purchase of replacement computer and supplies. <b>INGALSBE/PETERSON</b>
16	45-47	Adopt the Comprehensive Fund Balance Policy For Hays County As Required Under Governmental Accounting Standards Board (GASB) 54. <b>COBB/HERZOG</b>
17	48-55	Approve Utility Permit(s). <b>COBB</b>

**ACTION ITEMS**

**ROADS**

18	56	Hold a public hearing to establish traffic regulations on Cypress Rd, CR 225. <b>JONES</b>
19	57	Hold a public hearing to establish traffic regulations on Indian Creek Road. <b>JONES</b>

**MISCELLANEOUS**

20	58-60	Discussion and possible action to authorize the County Judge to execute an agreement between Hays County and Tyler Technology for software licensing and professional services pertaining to the procurement of 5 electronic ticket writers for the Hays County Sheriff's Office. <b>CONLEY/DAVENPORT</b>
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21	61-72	Discussion and possible action to set Petit and Grand Juror reimbursement amount for jury duty service. <b>COBB/CRUMLEY</b>
22	73	Discussion and possible action to authorize the County Judge to adopt a Standard Project Construction Manual for future use on projects let by Hays County within the Pass Through Program. <b>JONES</b>
23	74-80	Discussion and possible action to consider a resolution endorsing and supporting TxDOT approval of funding for the FM 2439 (Hunter Road) project and the IH 35 project as described on the TxDOT Austin District Candidate List of Proposition 12 Projects dated August 9, 2011. <b>CONLEY</b>
24	81-82	Discussion and possible action to approve hiring, transfer and/or promotion of vacant position(s). <b>COBB/BAEN</b>
25	83-84	Discussion and possible action to increase Not-to-Exceed fee for Michael Aulick to \$50,000 and amend the budget accordingly. <b>CONLEY/BORCHERDING</b>
26	85	Discussion and Possible Action to authorize the County Judge to execute a Memorandum of Understanding (MOU) related to the inspection of utility improvements in and near the Wood Creek North subdivision. <b>CONLEY</b>
27	86	Discussion and possible action to authorize Development Services to negotiate a contract with CAPCOG for air photos. <b>CONLEY/GARZA</b>

### 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.

28	87	Executive Session pursuant to §551.087 of the Texas Government Code, to discuss Economic Development negotiations including Project Demeter and Project Sky Blue. <b>CONLEY</b>
29	88	Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding existing and/or contemplated litigation related to Jeremiah Venture. Possible action to follow in open Court. <b>COBB</b>
30	89	Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding all pending and/or contemplated litigation involving Hays County. <b>COBB</b>

### STANDING AGENDA ITEMS

The Commissioners Court utilizes Standing Agenda Items to address issues that are frequently or periodically discussed in court. This section allows the Court to open the item when a need for discussion arises.

31	Discussion and possible action related to the burn ban and/or disaster declaration. <b>COBB/CHAMBERS</b>
32	Discussion of issues related to proposed capital construction projects in Hays County, including but not limited to the Government Center; the proposed Precinct 2 office; and the Law Enforcement Center Immediate Needs Project. Possible action may follow. <b>INGALSBE</b>
33	Discussion of issues related to the road bond projects, including updates from Mike Weaver, Prime Strategies and Jeff Curren, HDR. Possible action may follow. <b>COBB</b>
34	Discussion of material relating to the Hays County Water and Sewer Authority and/or the LCRA divestiture. <b>WHISENANT</b>

### ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 9<sup>th</sup> day of September, 2011

**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 Fax (512) 393-2282

**AGENDA ITEM: Presentation by LULAC Council 4876 "The New Generation" to Hays County.**

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

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**AMOUNT REQUIRED: N/A**

**LINE ITEM NUMBER OF FUNDS REQUIRED: N/A**

**REQUESTED BY: Debbie Ingalsbe**

**SPONSORED BY: Debbie Ingalsbe**

**SUMMARY:**



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**AGENDA ITEM:** Presentation on the Capital Area Food Bank.

<b>CHECK ONE:</b>	<b>CONSENT</b>	<b>ACTION</b>	<b>EXECUTIVE SESSION</b>
	<b>WORKSHOP</b>	<b>PROCLAMATION</b>	<b>X PRESENTATION</b>

**PREFERRED MEETING DATE REQUESTED:** 9/13/11

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:**

**SPONSORED BY:** COBB

The Capital Area Food Bank serves a 21 county area, including Hays County. Kathy Golson will present an update on the food bank, its programs, and how it serves the citizens in Hays County. Additional information will be provided in court.



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**AGENDA ITEM:**

**Adopt a Proclamation declaring September 18 through September 24, 2011 as Child Passenger Safety Week.**

**CHECK ONE:**

**CONSENT**

☐

**ACTION**

☐

**EXECUTIVE SESSION**

☐

**WORKSHOP**

☒

**PROCLAMATION**

☐

**PRESENTATION**

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**AMOUNT REQUIRED: N/A**

**LINE ITEM NUMBER OF FUNDS REQUIRED: N/A**

**REQUESTED BY: Priscilla Hargraves**

**SPONSORED BY: Debbie Ingalsbe**

**SUMMARY: Please see Proclamation.**





**PROCLAMATION DECLARING SEPTEMBER 18 - 24, 2011 AS  
CHILD PASSENGER SAFETY WEEK**

**STATE OF TEXAS           §**  
**§**  
**COUNTY OF HAYS       §**

**WHEREAS**, children are our country's most precious resource; and

**WHEREAS**, as parents and caregivers it is our responsibility to keep America's children safe; and

**WHEREAS**, every year, thousands of children are tragically injured or killed in motor vehicle traffic crashes. For children age 3 and older, it is the leading cause of death; and

**WHEREAS**, it is hard to overstate the toll this takes on families. Together we can put an end to this; and

**WHEREAS**, today, all 50 States, the District of Columbia, and our Territories have laws requiring the use of child safety seats and seat belts for children traveling in motor vehicles; and

**WHEREAS**, these laws were enacted because of the tremendous safety benefits they provide; and

**WHEREAS**, we know that child safety seats help save lives and reduce injuries. We also know that they are most effective when installed and used correctly. Sadly, nearly 3 out of 4 child safety seats are not used properly; and

**WHEREAS**, starting now, working together, we must join forces to prevent these deaths and injuries; and

**WHEREAS**, Hays County is committed to working closely with our partners and safety advocates to help reduce the number of young lives lost on our roadways; and

**WHEREAS**, our goal is to educate parents and caregivers on how to properly install and use child safety seats; and

**WHEREAS**, during Child Passenger Safety Week, there will be hundreds of free child safety seat inspection stations set up across the country; and

**WHEREAS**, we encourage all parents and caregivers to take advantage of this service and ensure that their children are getting the very best protection. To locate an inspection station in your area, please go to [www.nhtsa.gov](http://www.nhtsa.gov).

**NOW, THEREFORE, BE IT PROCLAIMED** that the Hays County Commissioners' Court does hereby proclaim September 18 through September 24, 2011, as Child Passenger Safety Week and urge everyone to help reduce injuries and the tragic loss of life by buckling up themselves and every child on every trip, every time.

**ADOPTED THIS THE 13<sup>TH</sup> DAY OF SEPTEMBER, 2011**

\_\_\_\_\_  
**Bert Cobb**  
Hays County Judge

\_\_\_\_\_  
**Debbie Gonzales Ingalsbe**  
Commissioner, Pct. 1

\_\_\_\_\_  
**Mark Jones**  
Commissioner, Pct. 2

\_\_\_\_\_  
**Will Conley**  
Commissioner, Pct. 3

\_\_\_\_\_  
**Ray Whisenant**  
Commissioner, Pct. 4

**ATTEST:**

\_\_\_\_\_  
**Liz Q. Gonzalez**  
Hays County Clerk



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Phone (512) 393-2205

**AGENDA ITEM: Approve payment of County invoices.**

<b>CHECK ONE:</b>	<input checked="" type="checkbox"/> <b>CONSENT</b>	<input type="checkbox"/> <b>ACTION</b>	<input type="checkbox"/> <b>EXECUTIVE SESSION</b>
	<input type="checkbox"/> <b>WORKSHOP</b>	<input type="checkbox"/> <b>PROCLAMATION</b>	<input type="checkbox"/> <b>PRESENTATION</b>

**PREFERRED MEETING DATE REQUESTED: 9/13/11**

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY: Auditor's Office**

**SPONSORED BY: Bill Herzog**



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

**AGENDA ITEM: APPROVE COMMISSIONER COURT MINUTES OF SEPTEMBER 6, 2011.**

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

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:** GONZALEZ

**SPONSORED BY:** COBB

**SUMMARY:**





SEPTEMBER 6, 2011

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VOLUME U PG 677

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 6<sup>TH</sup> DAY OF SEPTEMBER A.D., 2011, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR  
MARK JONES  
WILL CONLEY  
LIZ Q. GONZALEZ

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

WITH DEBBIE GONZALES INGALSBE, COMMISSIONER, PCT. 1, RAY O. WHISENANT JR. COMMISSIONER, PCT. 4, NOT PRESENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the flags. Judge Cobb called the meeting to order.

#### PUBLIC COMMENTS

Rob Roark – San Marcos resident made public comments.

**Clerk's Note Agenda Item #1 RE: PRESENTATION BY LULAC COUNCIL 4876 "THE NEW GENERATION" TO HAYS COUNTY – was pulled**

#### 28374 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve payments of county invoices in the amount of \$523,970.38 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### 28375 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 30, 2011

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve Commissioners Court minutes of August 30, 2011 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

#### 28376 AUTHORIZE COUNTY JUDGE TO EXECUTE CONTRACT FOR UP TO \$12,000.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE TITLE V PRENATAL PROGRAM

This is annual contract between Texas Department of State Health Services and Hays County Personal Health Department to provide prenatal services for the Title V-eligible clients prior to their eligibility for the Medicaid program. This contract provides funding for the program from September 1, 2011 through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize County Judge to execute contract for up to \$12,000.00 from the Texas Department of State Health Services for the Title V Prenatal program. All present voting "Aye". MOTION PASSED

#### 28377 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT FOR UP TO \$192,341.00 FROM THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE IMMUNIZATION PROGRAM

This is a renewal contract in the amount of \$192,341.00 between the Texas Department of State Health Services and Hays County Personal Health Department to fund the Immunization program. The contract provides funding for the program from September 1, 2011 through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute contract for up to \$192,341.00 from the Department of State Health Services for the Immunization program. All present voting "Aye". MOTION PASSED

#### 28378 AUTHORIZE COUNTY JUDGE TO RENEW THE TUBERCULOSIS CONTRACT FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT WITH TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR \$14,710.00

This is a renewal of the annual contract between the Texas Department of State Health Services and the Hays County Personal Health Department for the Health Department to provide for surveillance, case identification, contract investigation, treatment or preventive therapy, and follow-up for Tuberculosis. These services will be provided from September 1, 2011 through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize County Judge to renew the Tuberculosis contract for the Hays County Personal Health Department with Texas Department of State Health Services for \$14,710.00. All present voting "Aye". MOTION PASSED





- 28379 APPROVE RENEWAL OF DOCTORS' ANNUAL CONTRACTS TO PROVIDE PHYSICIAN SERVICES AND SUPERVISION FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT WOMEN'S HEALTH CLINIC AND ITS NURSE PRACTITIONER. THE COLLABORATING DOCTORS ARE: DR. BARRETT RANDALL BLAUE, MD, DR. TERESA IRWIN, MD, DR. BETH D. REID, MD, AND DR. KARI FAY, MD**

These are annual contracts for Doctors' Blaue, Irwin, Reid, and Fay to provide physician services, consultation, and supervision for maternity and post-partum clients of the Hays County Personal Health Department Women's Clinic. Under the Title V grant program they will also provide prenatal visits at their location for high risk clients. These services will be provided from September 1, 2011 through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve renewal of Doctors' annual contracts to provide physician services and supervision for the Hays County Personal Health Department Women's Health Clinic and its Nurse Practitioner. The collaborating doctors are: Dr. Barrett Randall Blaue, MD, Dr. Teresa Irwin, MD, Dr. Beth D. Reid, MD, and Dr. Kari Fay, MD. All present voting "Aye". MOTION PASSED

- 28380 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT FOR UP TO \$51,463.35 FROM THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE RLSS-LOCAL PUBLIC HEALTH SERVICES GRANT**

This is to renew the annual contract between the Texas Department of State Health Services and the Hays County Personal Health Department, to fund Communicable Disease surveillance and reporting. The contract provides funding for the program from September 1, 2011 through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute contract for up to \$51,463.35 from the Department of State Health Services for the RLSS-Local Public Health Services grant. All present voting "Aye". MOTION PASSED

- 28381 APPROVE SPECIFICATIONS AND AUTHORIZE PURCHASING TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR WAYFINDING AND SIGNAGE FOR THE HAYS COUNTY GOVERNMENT CENTER**

Hays County and Broaddus & Associates are soliciting proposals for selection of Wayfinding and Signage, fabrication and installation for the new Government Center located at 712 S. Stagecoach Trail, San Marcos, Texas. Bob Hinkle of Broaddus & Associates gave a brief explanation of the signage. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve specifications and authorize purchasing to advertise for Request For Proposals for Wayfinding and Signage for the Hays County Government Center. All present voting "Aye". MOTION PASSED

- 28382 APPROVE CONTRACT FOR DR. CHARLES P. ANDERSON, M.D., TO PROVIDE CONSULTATION AND SUPERVISORY SERVICES FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT WOMEN'S' HEALTH CLINIC**

This is a contract for Dr. Charles Anderson, MD to provide consultation and supervisory services to the Hays County Personal Health Department Woman's Health Clinic and its Family Nurse Practitioner. Dr. Anderson will provide these services for the clinic's family planning clients. These services will be provided from September 1, 2011 through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve contract for Dr. Charles P. Anderson, M.D., to provide consultation and supervisory services for the Hays County Personal Health Department Women's' Health clinic. All present voting "Aye". MOTION PASSED

- 28383 APPROVE THE RENEWAL OF ANNUAL AGREEMENT RELATED TO THE APPOINTMENT OF DR. CHARLES P. ANDERSON, MD AS THE HAYS COUNTY LOCAL HEALTH AUTHORITY PURSUANT TO CHAPTER 121.023, TEXAS HEALTH AND SAFETY CODE**

This is an annual renewal for Dr. Anderson, MD stating his duties as the Local Health Authority and the duty of Hays County to reimburse him for this service. This agreement is for one year beginning September 1, 2011 and extending through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve the renewal of annual agreement related to the appointment of Dr. Charles P. Anderson, MD as the Hays County Local Health Authority pursuant to Chapter 121.023, Texas Health and Safety Code. All present voting "Aye". MOTION PASSED





SEPTEMBER 6, 2011

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**28384 APPROVE RENEWAL OF CONTRACTS FOR DR. CHARLES P. ANDERSON, MD AND DR. ALBERTO SANTOS, DO TO PROVIDE SERVICES FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT FAMILY CLINIC**

These are annual contracts for Dr. Anderson, MD and Dr. Santos, DO to provide supervision and consultation for the Hays County Personal Health Department's Family Clinic Nurse Practitioner. These services will be provided from September 1, 2011 through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve renewal of contracts for Dr. Charles P. Anderson, MD and Dr. Alberto Santos, DO to provide services for the Hays County Personal Health Department Family Clinic. All present voting "Aye". MOTION PASSED

**28385 AMEND THE BUDGET OF CONSTABLE PCT 3 FOR SUPPLIES FROM EQUIPMENT SAVINGS**

Constable Ayers wishes to purchase lapel microphones and other supplies not deemed equipment. Amount required \$279.00 to 001-637-00.5206 Law Enforcement Supplies from 001-637-00.5717. A motion was made by Commissioner Jones, seconded by Commissioner Conley to amend the Budget of Constable Pct 3 for supplies from equipment savings. All present voting "Aye". MOTION PASSED

**28386 AMEND INFORMATION TECHNOLOGY BUDGET TO PURCHASE AN HP PRO CURVE SWITCH FOR THE EMC BUILDING**

This is due to other offices moving to the EMC Building, there is a need for a higher capacity switch to accommodate all of the equipment. The HP Pro Curve switch with 48 port capacity will provide the adequate coverage needed. Savings in continuing education will fund this purchase. Amount required \$2,000 to 001-680-00.5712 computer equipment. A motion was made by Commissioner Jones, seconded by Commissioner Conley to amend Information Technology budget to purchase an HP Pro Curve switch for the EMC Building. All present voting "Aye". MOTION PASSED

**28387 AMEND THE BUDGET OF COURTHOUSE SECURITY FUND FOR CONTINUING EDUCATION**

Balancing of licensing/certification is needed for the courthouse security fund. Amount required is \$30.00 to 107-612-00.5551 Continuing Ed from 107-612-00.5301 Operating. A motion was made by Commissioner Jones, seconded by Commissioner Conley to amend the Budget of Courthouse Security Fund for Continuing Education. All present voting "Aye". MOTION PASSED

**28388 AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND EXECUTE SERVICE AGREEMENT RENEWAL WITH APPRISS FOR THE VICTIM INFORMATION AND NOTIFICATION EVERYDAY (VINE) PROGRAM FOR UP TO \$30,710.00**

The VINE program is administered by the Office of the Attorney General of Texas to provide statewide automated system to provide crime victims with accurate and up-to-date information and notification of county inmate status and court events. Appriss is the contract provider selected by the OAG to support the Vine program. The original maintenance renewal agreement is in the amount of \$30,710.00 to cover costs for the renewal of services through August 31, 2012. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to accept and execute service agreement renewal with Appriss for the Victim Information and Notification Everyday (VINE) program for up to \$30,710.00. All present voting "Aye". MOTION PASSED

**28389 AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND EXECUTE A MAINTENANCE GRANT CONTRACT FROM THE OFFICE OF THE ATTORNEY GENERAL IN THE AMOUNT OF \$30,710.00 FOR STATEWIDE CRIME VICTIM NOTIFICATION SERVICE (SAVNS) AND TO AMEND THE BUDGET ACCORDINGLY**

This grant contract is a statewide crime victim notification service (SAVNS) grant program is to maintain Texas Counties in a statewide system that will provide relevant offender release information, notification of relevant court settings or events, promote public safety and support the right of victims of crime. The Office of the Attorney General will reimburse Hays County for certain costs incurred in the implementation and operation of its portion of the statewide crime victim notification service. Hays County has participated in this program for a number of years, and this is a renewal for the service. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to accept and execute a Maintenance Grant Contract from the Office of the Attorney General in the amount of \$30,710.00 for statewide crime victim notification service (SAVNS) and to amend the budget accordingly. All present voting "Aye". MOTION PASSED





**28390 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS (SCHOOL ZONE) OF 25 MPH ON POSEY ROAD BETWEEN THE RAILROAD TRACKS WEST TO HUNTER ROAD**

Judge Cobb opened the Public Hearing. Willie Thomas – San Marcos resident, Tina Owens – San Marcos resident and Rob Roark – San Marcos resident made public comments. Judge Cobb declared the Public Hearing closed. Jerry Borcharding Transportation Director gave staff recommendation. This is to establish a school zone due to volume of traffic, especially larger truck traffic, and the daycare/preschool that is located on Posey. A motion was made by Commissioner Conley, seconded by Commissioner Jones to establish traffic regulations (school zone) of 25 mph on Posey Road between the railroad tracks west to Hunter Road. All present voting "Aye". MOTION PASSED

**28391 RESUBDIVISION OF LOTS 19 AND 20, LOS RANCHOS [11-4-9 – 5 LOTS] APPROVE FINAL PLAT**

Greg Boyce – Driftwood resident, Larry Spector – Driftwood resident made public comments. Clint Garza Development Services Director gave staff recommendations. Los Ranchos is a recorded subdivision located off of F.M. 150 in Precinct 4. The subdivision was originally platted in 1978 as a 28 lot subdivision. There are 35 taxable parcels on the CAD records. The current configuration of the two lots consists of seven unplatted parcels, three of which are currently developed. The purpose of this resubdivision is to plat five new lots, thereby allowing the existing parcels to be further developed. In response to concerns from the neighborhood, the property owner has submitted a revised final plat which reduces the density by one lot. The proposed lot size are as follows; Lot 20A, 6.68 acres, Lot 20B, 2.54 acres, Lot 20C, 4.71 acres, Lot 20D, 2.00 acres, Lot 19A, 4.61 acres. Water and wastewater service for all lots will be provided by individual water wells and on-site sewage facilities. Lots 20B and 20D are restricted to advanced septic systems only. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve final plat of resubdivision of lots 19 & 20 Los Ranchos. All present voting "Aye". MOTION PASSED

**28392 ROADRUNNER RIDGE SUBDIVISION [11-4-25 – 2 LOTS] APPROVAL OF PRELIMINARY PLAN**

Clint Garza Development Services Director gave staff recommendation. The Roadrunner Ridge Subdivision is a proposed subdivision of 12.10 acres of land located off Twin Oaks Trail in Precinct 4. The division will consist of two lots- Lot 1, 6.10 acres, Lot 2, 6.00 acres. Water and wastewater services will be provided by private wells and on-site sewage facilities for each lot at the time of development. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve preliminary plan of Roadrunner Ridge Subdivision. All present voting "Aye". MOTION PASSED

**28393 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL ASSISTANCE AGREEMENT FOR CONTINUANCE OF THE REGIONAL AUTO THEFT ENFORCEMENT TASK FORCE**

The Travis County Sheriff's Office is requesting approval of the annual agreement with the Automobile Burglary and Theft Prevention Authority to continue the Sheriff's Combined Auto Theft Task Force Grant. Funding for the program includes Travis County and 14 other counties with the Sheriff of each county forming the Advisory Board of the program. The goal of the program is to reduce auto theft rates in the task force areas. A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Assistance Agreement for continuance of the Regional Auto Theft Enforcement Task Force. All present voting "Aye". MOTION PASSED

**28394 APPROVE THE 2012 SHERIFF'S AND CONSTABLES' FEES**

Constable Pct 3 Darrell Ayres gave a brief explanation of fees and the need to increase them. This is pursuant to Local Government Code 118.131 changes to the Sheriff's and Constables fees for 2012 which must be submitted and approved prior to October 1, 2011. The law requires each Commissioners Court to set fees charged for Civil Services by the offices of the Sheriff and Constables and directs that these fees be reported to the Comptroller. The Constables and Sheriffs are requesting some increases in fees. These increases will help to cover the increased costs of fuel, man power, and the general costs associated with operations. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve the 2012 Sheriff's and Constables' fees. All present voting "Aye". MOTION PASSED

**28395 ADOPT A RESOLUTION IN SUPPORT OF THE I-35 FRONTAGE ROADS PROJECT IN PRECINCT 2**

Commissioner Jones spoke about the need to adopt this resolution in support of the I-35 Frontage Roads. There will be a public hearing on Thursday, September 8, 2011 at the Hays High School at 6:30 p.m. A motion was made by Commissioner Jones, seconded by Commissioner Conley to adopt a resolution in support of the I-35 Frontage Roads project in Precinct 2. All present voting "Aye". MOTION PASSED





SEPTEMBER 6, 2011

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**28396      ADOPT A RESOLUTION IN SUPPORT OF THE FM 150 REALIGNMENT PROJECT IN PRECINCT 2**

Commissioner Jones spoke about the need to adopt this resolution in support of the FM 150 realignment project in precinct 2. There will be a public hearing on Thursday, September 8, 2011 at the Hays High School at 6:30 p.m. A motion was made by Commissioner Jones, seconded by Commissioner Conley to adopt a resolution in support of the FM 150 Realignment project in Precinct 2. All present voting "Aye". MOTION PASSED

**28397      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN EXTENSION OF THE CONTRACT WITH SMITH ROBERTSON FOR WORK SPECIFICALLY RELATED TO APPROVAL AND CONSTRUCTION OF FM 1626**

This is designed to allow our consultants to aid TxDOT in responding to comments and preparing final environmental paperwork and approvals, thus expediting the project and saving money for the county in the long run. As the Court will recall, we have been working with TxDOT to improve reaction time and to "get back on schedule" with respect to the environmental process. SREG is familiar with the area and the environmental issues, both from work on the road and from our habitat plan, we can help expedite and refine TxDOT's work with USFW & FHWA. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute an Extension of the Contract with Smith Robertson for work specifically related to approval and construction of FM 1626 up to \$10,000. All present voting "Aye". MOTION PASSED

**28398      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER TO TXDOT, EXPLAINING HAYS COUNTY'S POSITION ON THE FM 110 PROJECT AND THE 3<sup>RD</sup> AMENDMENT TO THE PASS THROUGH TOLL AGREEMENT**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute a letter to TXDOT, explaining Hays County's position on the FM 110 project and the 3<sup>rd</sup> Amendment to the Pass Through Toll Agreement. All present voting "Aye". MOTION PASSED

**28399      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH TXDOT FOR INSPECTION SERVICES FOR PASS-THROUGH PROJECTS**

TxDot will perform material inspection and testing services for FM 110 and FM 1626 as requested by Hays County in an amount not to exceed \$65,000. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute an Interlocal Agreement with TxDOT for inspection services for Pass-Through projects. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #28 RE:** *AUTHORIZE THE COUNTY JUDGE TO ADOPT A STANDARD PROJECT CONSTRUCTION MANUAL FOR FUTURE USE ON PROJECTS LET BY HAYS COUNTY WITHIN THE PASS THROUGH PROGRAM – was pulled*

**28400      APPROVE INCREASING THE NOT-TO-EXCEED FEE AND COMPENSATION CAP ON THE KENNEDY CONSULTING, LTD. PROFESSIONAL SERVICE AGREEMENT AND THE SUPPLEMENTAL WORK AUTHORIZATION NO. 2 TO WORK AUTHORIZATION NO. 1 FOR NECESSARY ADDITIONAL CONSTRUCTION PHASE SERVICES ON THE RM 12 AT SPORTS PARK PROJECT IN PRECINCT 4**

The RM 12 at Sports Park project was identified as a key project in Precinct 4 as part of the 2008 Priority Road Bond Program. The project design is complete and is currently under construction. With construction advancing, it has become necessary to supplement Kennedy Consulting work authorization to provide construction phase services. These services were not included in the initial work authorization to permit development of an appropriate scope and fee for these services once it was determined who would be providing construction management/engineering services and a more accurate construction schedule was available. Construction phase services include: 1) Attend construction progress meetings, 2) Respond to contractor requests for information (RFI's), 3) Review contractor change order requests, and 4) Verify/re-establish project control for initiation of construction. Funds are available within the project's bond program budget. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve increasing the not-to-exceed fee and compensation cap on the Kennedy Consulting, Ltd. Professional Service Agreement and the Supplemental Work Authorization No. 2 to Work Authorization No. 1 for necessary additional construction phase services on the RM 12 at Sports Park project in Precinct 4. All present voting "Aye". MOTION PASSED A motion was made by Commissioner Jones, seconded by Conley to authorize County Judge to sign Supplemental Work authorization No. 2 to Work Authorization No. 1 for necessary additional Construction Phase Services on the RM 12 at Park Project in Pct 4. All present voting "Aye". MOTION PASSED





**28401      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER OF INTENT WITH LOTT BROTHERS CONSTRUCTION COMPANY FOR CONSTRUCTION OF THE PRECINCT 2 BUILDING IN AN AMOUNT NOT TO EXCEED \$223,626**

Lott Brothers has been requested to act as the contractor on behalf of Hays County, Texas in connection with the Hays County Precinct 2 Office Building. The project is generally understood to be the design and construction of an approximately 15,000 SF Precinct 2 office building in the Plum Creek master-planned community in Kyle, Texas per the specifications set forth in the County's RFP 2011-P10-B. Lott Brothers has commenced design efforts pertaining to the Pre-Construction Phase of the Project. Lott Brothers is willing to commence the work pursuant to the following terms: (1) This agreement confirms that the Parties intend to enter into a final agreement between the County and Contractor in connection with the project, the terms of which shall be negotiated upon court approval of the work (2) While the terms of a final agreement as referenced are being negotiated and until such is executed by the parties, the County agrees to pay contractor \$223,626.00 for the Pre-Construction Work (3) Contractor agrees to invoice the County, and the County will make payment to contractor within 30 days of the County's receipt of contractor's invoice. (4) Contractor will provide the County with certificates of insurance evidencing the amounts and types of insurance the Parties agree upon in writing as the Pre-Construction Work progresses. The County shall be named as an additional insured on Contractor's General Liability, Automobile and Umbrella/ Excess Liability insurance policies. Contractor agrees that its subcontractors engaged in this Project will have liability and worker's compensation coverage (5) In consideration of the County's agreements herein, Contractor agrees to commence the Pre-construction work on the Work based on the County's execution of this agreement. (6) Finally, to provide for mutual waiver of subrogation, it is agreed that the County and Contractors waive all rights against (a) each other and any of their subcontractors, sub-subcontractors, agents and employees, each of the other, and (b) the designers for the Project for claims and damages to the extent such are covered by insurance obtained by County, Contractor, Designers or other insurance. This waiver of subrogation shall be effective as to a person or entity even though that person or entity would otherwise have a duty of indemnification, contractual or otherwise, did not pay the insurance premium directly or indirectly, and whether or not the person or entity had an insurable interest in the property damaged. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute a Letter of Intent with Lott Brothers Construction Company for construction of the Precinct 2 building in amount not to exceed \$223,626.00. All present voting "Aye". MOTION PASSED

**28402      AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND EXECUTE A GRANT AWARD CONTRACT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, UNDER THE FY11 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR EQUIPMENT FOR THE DISTRICT CLERK'S OFFICE, DISTRICT ATTORNEY'S OFFICE AND COUNTY COURT-AT-LAW IN THE AMOUNT OF \$12,165.00**

On June 21, 2011 Commissioners Court authorized submission of a grant application to the U.S. Department of Justice, Office of Justice Programs, under the FY11 Edward Byrne Memorial Justice assistance Grant (JAG) program for equipment (scanners, laptops, monitor and computer) for the District Clerk's Office, District Attorney's Office and County Court-at-Law in the amount of \$12,165. The equipment will allow and enhance both input and retrieval of digital information and facilitate the rapid sharing of data between parties involved in court cases. The equipment purchases will be placed in the FY12 budget. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to accept and execute a grant award contract from the U.S. Department of Justice, Office of Justice Programs, under the FY11 Edward Byrne Memorial Justice Assistance Grant (JAG) program for equipment for the District Clerk's Office, District Attorney's Office and County Court-at-Law in the amount of \$12,165.00. All present voting "Aye". MOTION PASSED

**28403      AUTHORIZE A COMMERCIAL OSSF PERMIT AT 312 GRANDE, DRIFTWOOD, TX IN PRECINCT 4**

Greg Boyce - Driftwood resident made public comment. Clint Garza Development Services gave staff recommendation. Larry Spector is replacing his existing on-site sewage facility on an existing house which has been changed in use to a weekend rental/vacation home. This permit will grant authorization to construct a low pressure dosed on-site sewage facility that is designed for 360 gallons per day. The property is 2.0151 acres in size. This permit issuance is contingent on approval of the final plat approval of this lot (Los Ranchos, 20C), which is also on the Court agenda on this date. The water will be supplied by private water well. No variances to the Hays County OSSF Rules were required/granted. A motion was made by Commissioner Conley, seconded by Commissioner Jones to table until Commissioner Whisenant and staff can coordinate to bring back later date. All present voting "Aye". MOTION PASSED





SEPTEMBER 6, 2011

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**28404 APPROVE FORMATION AND GENERAL REPRESENTATION OF A STAKEHOLDERS GROUP TO PROVIDE INPUT AND FEEDBACK ON THE JACOB'S WELL DEVELOPMENT PROJECT**

Jimmy Skipton – Dripping Springs resident made public comment. On August 23, 2011 the commissioner Court approved the selection of a consultant to prepare a development Master Plan for the 81-acre Jacob's Well property. Contract negotiations currently are underway and expected to be completed in the next few weeks. With the various interests involved in this project and the importance of the Jacob's Well property, it would be beneficial for the County to form a Citizen Stakeholders Group representative of those interests to provide input and feedback on the planning and development of the project area. Suggested representation in the Stakeholders group is as follows: Appointments by Commissioner Court members (5), Wimberley Valley Watershed Association (2), Hays Trinity Groundwater Conservation District (2), City of Wimberley (1), Woodcreek (1), Woodcreek North (1), TSU/RSI (1), The Nature Conservancy (1), Hays County Parks and Open Space Advisory Board (1). A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve formation and general representation of a stakeholders group to provide input and feedback on the Jacob's Well development project. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #34 RE: 10:00 A.M. PROGRESS REPORT BY THE GREATER SAN MARCOS PARTNERSHIP** was pulled

**EXECUTIVE SESSION PURSUANT TO §551.087 OF THE TEXAS GOVERNMENT CODE, TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS INCLUDING PROJECT DEMETER AND PROJECT SKY BLUE**

Court convened into executive session at 10:50 am and reconvened into open meeting at 11:35 am. In attendance were Commissioner Jones, Commissioner Conley, Judge Cobb, Lon Shell Executive Administrative Assistant, Special Counsel Mark Kennedy, and Amy Madison- No Action Taken

**ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

At this time the Burn Ban will remain in effect.

**Clerk's Note Agenda Item #37 RE: DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; THE PROPOSED PRECINCT 2 OFFICE; AND THE LAW ENFORCEMENT CENTER IMMEDIATE NEEDS PROJECT** – was pulled

**Clerk's Note Agenda Item #38 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR** – was pulled

**Clerk's Note Agenda Item #39 RE: DISCUSSION OF MATERIAL RELATING TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND/OR THE LCRA DIVESTITURE** – was pulled

A motion was made by Commissioner Jones, seconded by Commissioner Conley to adjourn court.

I, LIZ Q. GONZALEZ, 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 September 6, 2011.



LIZ Q GONZALEZ, 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:** Amend the Government Center Security budget for uniform allowance and holiday overtime expense.

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

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** \$3,210.00

**LINE ITEM NUMBER OF FUNDS REQUIRED:** 001-613-00.5192 - \$810.00

001-613-00.5036 - \$2,400.00

**REQUESTED BY:** Lt. Ronnie Strain

**SPONSORED BY:** Judge Bert Cobb, M.D.

Funds for the monthly uniform stipend and holiday overtime are needed for the remainder of FY2011 for the additional staff that has been hired. Funds from the uniform expense line item & staff salaries will be used to cover this amendment.

**Budget Amendment:**

Decrease Uniform Expense: 001-613-00.5474: (810.00)  
Increase Uniform Allowance: 001-613-00.5192: 810.00  
Decrease Staff Salary: 001-613-00.5021 (2,400.00)  
Increase Holiday Overtime: 001-613-00.5036 2,400.00



**DESCRIPTION OF Item:** Amend the Government Center Security budget for uniform allowance and holiday overtime expense.

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**COUNTY AUDITOR**

**AMOUNT:** \$3,210.00

**LINE ITEM NUMBER:** 001-613-00.5192 - \$810.00

001-613-00.5036 - \$2,400.00

**COUNTY PURCHASING GUIDELINES FOLLOWED:** N/A

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:** See budget amendment.

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

**COUNTY JUDGE**

*Signature Required if Approved*

**DATE CONTRACT SIGNED:** \_\_\_\_\_



## *Agenda Item Request Form*

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**AGENDA ITEM: Approve award of IFB #2011-B07 Road Improvements/Hot-Mix Overlay to Asphalt Paving Company.**

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

**PREFERRED MEETING DATE REQUESTED: Sept 13, 2011**

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY: Herzog/Maiorka/Borcherding**

**SPONSORED BY:**

**SUMMARY: (See attached tabulation) Purchasing received five (5) bids with Asphalt Paving Company providing the lowest and best bid for the project.**



# 2011-B07 Road Improvements / Hot-Mix Overlay Tabulation Sheet

<b>Project Sites</b>		<b>\$ Per Ton</b>	<b>Total Paving Tonnage</b>	<b>\$ Level Up</b>	<b>Lump Sum Milling</b>	<b>Type B Mix</b>	<b>Type C Mix</b>
<b>#1: Winters Mill Parkway (Drive) PCT 3</b>							
	JD Ramming Paving Co., Ltd.	\$61.25	440	\$61.25			
	APAC - Texas	\$85.00	25	\$75.00			
	Asphalt Paving of Austin	\$52.80	21	\$57.80			
	Lone Star Paving Co	\$150.00	25	\$150.00			
	Hunter Industries, Ltd	\$102.66	25	\$126.92			
<b>#2: Skyline Drive (part) PCT 3</b>							
	JD Ramming Paving Co., Ltd.	\$61.25	440	\$61.25			
	APAC - Texas	\$85.00	450	\$70.00			
	Asphalt Paving of Austin	\$57.80	440	\$57.80			
	Lone Star Paving Co	\$63.00	450	\$63.00			
	Hunter Industries, Ltd	\$57.93	450	\$67.52			
<b>#3: Elder Hill Road, CR 179 (La Ventanna-RR12) PCT 4</b>							
	JD Ramming Paving Co., Ltd.	\$58.40	4400	\$58.40			
	APAC - Texas	\$69.00	4500	\$60.00			
	Asphalt Paving of Austin	\$57.80	4400	\$57.80			
	Lone Star Paving Co	\$61.50	4500	\$61.50			
	Hunter Industries, Ltd	\$57.93	4500	\$62.67			
<b>#4: River Hills Subdivision PCT 1 (Dedeke Place, Picasso Dr, River Hills Dr, Ruiz St)</b>							
	JD Ramming Paving Co., Ltd.	\$60.29	2966	\$60.29			
	APAC - Texas	\$69.00	3200	\$60.00			
	Asphalt Paving of Austin	\$57.80	2966	\$57.80			
	Lone Star Paving Co	\$61.75	3200	\$61.75			
	Hunter Industries, Ltd	\$54.64	3200	\$59.38			



# **2011-B07 Road Improvements / Hot-Mix Overlay Tabulation Sheet**

<b>Project Sites</b>		<b>\$ Per Ton</b>	<b>Total Paving Tonnage</b>	<b>\$ Level Up</b>	<b>Lump Sum Milling</b>	<b>Type B Mix</b>	<b>Type C Mix</b>
<b>#5: Copper Hills Subdivision PCT 2 (Copper Hills Dr, Copperleaf Trail, Copper Place, Hawk Dr)</b>							
	JD Ramming Paving Co., Ltd.	\$59.30	1877.26	\$59.30	\$15,000.00		
	APAC - Texas	\$69.00	2000	\$60.00	\$60,000.00		
	Asphalt Paving of Austin	\$57.80	1877	\$57.80	\$11,000.00		
	Lone Star Paving Co	\$60.50	2000	\$60.50	\$6,000.00		
	Hunter Industries, Ltd	\$59.02	2000	\$63.77	\$17,558.06		
<b>#6: Kyle Crossing Connector PCT 2</b>							
	JD Ramming Paving Co., Ltd.	\$59.05	514.80	\$59.05			
	APAC - Texas	\$69.00	530	\$60.00			
	Asphalt Paving of Austin	\$60.78		\$60.78		350	175
	Lone Star Paving Co	\$61.00	530	\$61.00			
	Hunter Industries, Ltd	\$62.76		\$72.32		350	
	Hunter Industries, Ltd	\$62.76		\$75.82			180



## *Agenda Item Request Form*

### **Hays County Commissioners' Court**

9:00 a.m. Every Tuesday

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no later than **2:00 p.m.** on **WEDNESDAY.**

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

**AGENDA ITEM: Amend the budget of Constable Precinct 2 for fuel expenses.**

**TYPE OF ITEM: CONSENT**

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**AMOUNT REQUIRED: \$1,100**

**LINE ITEM NUMBER OF FUNDS REQUIRED: to 001-636-00.5271 Fuel**

**from 001-645-00.5441 Countywide Legal**

**REQUESTED BY: Commissioner Precinct 2 Mark Jones/Auditor**

**SPONSORED BY: Commissioner Precinct 2 Mark Jones**

**SUMMARY:**

Constable 2 requires additional fuel, after transferring all available within his budget, will need \$1,100 from Countywide; requesting from savings in Legal Services.

(see budget amendment)



**DESCRIPTION OF Item:** Amend the budget of Constable Precinct 2 for fuel expenses.

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**COUNTY AUDITOR**

**AMOUNT:** \$1,100

**LINE ITEM NUMBER:** to 001-636-00.5271 Fuel

from 001-645-00.5441 Countywide Legal

**COUNTY PURCHASING GUIDELINES FOLLOWED:** N/A

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:** See budget amendment.

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

**COUNTY JUDGE**

*Signature Required if Approved*

**DATE CONTRACT SIGNED:** \_\_\_\_\_



## *Agenda Item Request Form*

### **Hays County Commissioners' Court**

9:00 a.m. Every Tuesday

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

**AGENDA ITEM: Amend Budget of Juvenile Center for Food Supplies from Personnel savings.**

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

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**Amount Required: \$6,500**

**LINE ITEM NUMBER OF FUNDS REQUIRED: to 070-685-99-017.5232 Food Supplies**  
**from 070-685-00.5160\_400 Medical Insur**

**REQUESTED BY: Brett Littlejohn/Auditors Office**

**SPONSORED BY: Cobb**

**SUMMARY:**

**Juvenile Center will require additional food supplies, and will need to transfer from personnel savings**



**DESCRIPTION OF Item:** Amend Budget of Juvenile Center for Food Supplies from Personnel savings.

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**COUNTY AUDITOR**

**AMOUNT:** \$6,500

**LINE ITEM NUMBER:** to 070-685-99-017.5232 Food Supplies

from 070-685-00.5160\_400 Medical Insur

**COUNTY PURCHASING GUIDELINES FOLLOWED:** N/A

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:** See budget amendment. Increase in food supplies is as a result of additional juveniles being housed in the Center beyond the original budget.

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

**COUNTY JUDGE**

*Signature Required if Approved*

**DATE CONTRACT SIGNED:** \_\_\_\_\_



## *Agenda Item Request Form*

### **Hays County Commissioners' Court**

9:00 a.m. Every Tuesday

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no later than 2:00 p.m. on WEDNESDAY.

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

**AGENDA ITEM: Accept donations for the Historical Jail Restoration Project and amend the budget for use of those funds for direct expenses related to the project.**

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

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**AMOUNT REQUIRED: \$420.00**

**LINE ITEM NUMBER OF FUNDS REQUIRED: 144-676-00.4610**

**REQUESTED BY: Kate Johnson**

**SPONSORED BY: Judge Bert Cobb, M.D.**

#### **SUMMARY:**

The Historical Commission has received several donations for the Historical Jail Restoration Project from various entities. These funds will be used for contract services along with funds that were previously donated.

#### **Budget Amendment:**

144-676-00.4610 – contributions      (420.00)

144-676-00.5448 – contract services      420.00

144-676-00.5741 – misc cap improve (13,850.00)

144-676-00.5448 – contract services      13,850.00



**DESCRIPTION OF Item: Accept donations for the Historical Jail Restoration Project and amend the budget for use of those funds for direct expenses related to the project.**

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**COUNTY AUDITOR**

**AMOUNT: \$ 420.00**

**LINE ITEM NUMBER: 144-676-00.4610 – contributions (420.00)**

**144-676-00.5448 – contract services 420.00**

**COUNTY PURCHASING GUIDELINES FOLLOWED: N/A**

**PAYMENT TERMS ACCEPTABLE: N/A**

**COMMENTS: See budget amendment.**

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE: \_\_\_\_\_**

**COMMENTS:**

**COUNTY JUDGE**

*Signature Required if Approved*

**DATE CONTRACT SIGNED: \_\_\_\_\_**



## *Agenda Item Request Form*

### **Hays County Commissioners' Court**

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no later than 2:00 p.m. on WEDNESDAY.

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

**AGENDA ITEM: Approve the July 2011 Treasurer's Report and Investment Report**

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

**PREFERRED MEETING DATE REQUESTED:** 9/13/11

**AMOUNT REQUIRED:** None

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:** Michele Tuttle, Hays County Treasurer

**SPONSORED BY:** Bert Cobb, Hays County Judge

**SUMMARY:**

**Approve the July 2011 Treasurer's Report and Investment Report**



# HAYS COUNTY TREASURER'S REPORT

FOR THE MONTH OF JULY 2011

## CHECKING

OPERATING FUNDS:	BEGINNING BALANCE	Interest	Revenues	Deposits From Investments	Disbursements	Transfer to Investments	ENDING BALANCE	Total Investments	TOTAL FUND
General	\$ 59,016.55	\$ 65.02	\$ 2,507,342.56	\$ 2,620,000.00	\$ 5,131,019.05	\$ -	\$ 55,405.08	\$ 24,091,250.20	\$ 24,146,655.28
Road and Bridge General	\$ 20,045.11	\$ 4.00	\$ 98,268.40	\$ 648,825.56	\$ 754,310.61	\$ 12,827.46	\$ 5.00	\$ 4,205,994.63	\$ 4,205,999.63
Medical and Dental Fund	\$ 1,839.04	\$ 0.97	\$ 608,408.57	\$ -	\$ 611,246.61	\$ -	\$ 1.97	\$ 1,718,637.91	\$ 1,718,639.88
Sheriff's Drug Forfeiture	\$ 1.00	\$ -	\$ -	\$ 1,310.63	\$ 1,310.63	\$ -	\$ 1.00	\$ 104,549.10	\$ 104,550.10
District Attorney Drug Forfeiture	\$ 3,818.38	\$ -	\$ -	\$ 835.93	\$ 2,162.43	\$ 2,490.88	\$ 1.00	\$ 63,112.25	\$ 63,113.25
Hot Check Fee Fund	\$ 9,231.49	\$ -	\$ 488.72	\$ -	\$ 814.68	\$ -	\$ 8,905.53	\$ -	\$ 8,905.53
Health Services Grants	\$ 2.40	\$ 1.09	\$ 51,574.33	\$ -	\$ 49,388.59	\$ -	\$ 2,189.23	\$ 40.76	\$ 2,229.99
Family Health Services	\$ 929.79	\$ 0.31	\$ 268,898.45	\$ -	\$ 269,745.32	\$ -	\$ 83.23	\$ 421.92	\$ 505.15
Juvenile Detention Center	\$ 136,424.59	\$ 12.98	\$ 247,598.60	\$ 87,000.00	\$ 371,290.73	\$ 1,455.46	\$ 98,289.98	\$ 2,159.77	\$ 100,449.75
Tobacco Settlement Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 721,825.54	\$ 721,825.54
Historical Commission Trust Fund	\$ 1.00	\$ -	\$ 246.00	\$ -	\$ -	\$ 229.00	\$ 18.00	\$ 28,157.03	\$ 28,175.03

## CONSTRUCTION FUNDS:

Certificates of Obligation 1997	\$ 0.01	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.01	\$ -	\$ 0.01
Road Construction Bond 2006	\$ 1.00	\$ -	\$ -	\$ 2,435.00	\$ 2,435.00	\$ -	\$ 1.00	\$ 1,694,695.13	\$ 1,694,696.13
Parks Bond 2008	\$ 1.00	\$ -	\$ -	\$ 220,955.29	\$ 220,956.29	\$ -	\$ -	\$ -	\$ -
Certificates of Obligation 2009	\$ 3.49	\$ -	\$ -	\$ 9,107.50	\$ 9,107.50	\$ -	\$ 3.49	\$ 3,346,525.52	\$ 3,346,529.01
Road Construction Bond 2009	\$ 1.21	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1.21	\$ 1.11	\$ 2.32
Pass Thru Revenue Bond 2009	\$ 1.79	\$ 0.27	\$ -	\$ 752,343.74	\$ 752,344.53	\$ -	\$ 1.27	\$ 25,956,197.59	\$ 25,956,198.86
Certificates of Obligation 2010	\$ 1.00	\$ -	\$ -	\$ 3,584,090.51	\$ 3,584,090.51	\$ -	\$ 1.00	\$ 32,014,857.25	\$ 32,014,858.25
Parks Bond 2011	\$ -	\$ -	\$ -	\$ 10,958.26	\$ 10,957.26	\$ -	\$ 1.00	\$ 9,824,392.59	\$ 9,824,393.59
Priority Road Bond Series 2011	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 37,727,381.97	\$ 37,727,381.97
Pass Thru Road Bond Series 2011	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 43,001,534.75	\$ 43,001,534.75
TCDP Disaster Relief Blanco	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LCRA Service Fee Fund	\$ 1.00	\$ -	\$ -	\$ 12,654.50	\$ 12,654.50	\$ -	\$ 1.00	\$ 320,135.86	\$ 320,136.86
SECO Energy Eff & Conservation	\$ 27,463.50	\$ -	\$ 14,787.50	\$ -	\$ 42,251.00	\$ -	\$ -	\$ -	\$ -
Cedar Oaks Mesa	\$ 23,651.00	\$ -	\$ 30,710.00	\$ -	\$ 54,361.00	\$ -	\$ 0.00	\$ -	\$ 0.00

## INTEREST AND SINKING FUNDS:

Hays County I & S	\$ 29,004.12	\$ 12.99	\$ 665,551.34	\$ -	\$ -	\$ 694,554.46	\$ 13.99	\$ 14,799,609.86	\$ 14,799,623.85
<b>GRAND TOTALS:</b>	\$ 311,438.47	\$ 97.63	\$ 4,494,874.47	\$ 7,950,516.92	\$ 11,880,446.24	\$ 711,557.26	\$ 164,923.99	\$ 199,621,480.74	\$ 199,786,404.73
Transfers Outstanding:									
General Fund to Cedar Oaks Mesa		\$ 42,755.76							
General Fund to Juvenile Center		\$ 568,851.28							
General Fund to SECO		\$ 42,250.00							



# **Hays County Treasurer's Investment Report**

PAGE 1

For July 2011

## **SAGE CAPITAL BANK CHECKING**

<u>Description</u>	<u>6/30/11 Balance</u>	<u>Interest</u>	<u>Deposits</u>	<u>Debits</u>	<u>7/31/11 Balance</u>
All Funds (see Page 1)	\$ 311,438.47	97.63	12,445,391.39	12,592,003.50	164,923.99

## **TEXPOOL**

	0.0865%	1:000050			
<u>Description</u>	<u>6/30/11 Balance</u>	<u>Interest</u>	<u>Deposits</u>	<u>Debits</u>	<u>7/31/11 Balance</u>
General	\$ 5,116,785.31	246.45	203,416.31	2,620,000.00	2,700,448.07
Road and Bridge General	\$ 3,060,901.22	159.59	38,704.72	648,825.56	2,450,939.97
Medical and Dental Fund	\$ 1,717,150.14	97.01	-	-	1,717,247.15
Sheriff's Drug Forfeiture	\$ 105,853.77	5.96	-	1,310.63	104,549.10
D.A. Drug Forfeiture	\$ 60,555.42	3.40	2,490.88	-	63,049.70
Health Services Grants	\$ 4.11	-	-	-	4.11
Juvenile Center	\$ 87,700.72	3.59	1,455.46	87,000.00	2,159.77
Tobacco Settlement Fund	\$ 721,784.76	40.78	-	-	721,825.54
Historical Commission Trust	\$ 20,700.90	1.18	229.00	-	20,931.08
Road Construction 2006	\$ 1,697,034.28	95.85	-	2,435.00	1,694,695.13
Parks Bond 2008	\$ 220,948.10	7.19	-	220,955.29	-
Certificates of Obligation '09	\$ 5,393.90	0.35	-	-	5,394.25
Pass Thru Revenue 2009	\$ 7,801,435.00	428.70	-	752,343.74	7,049,519.96
Certificates of Obligation '10	\$ 35,512,841.30	1,912.17	-	3,499,896.22	32,014,857.25
Parks Bond 2011	\$ -	350.85	9,835,000.00	10,958.26	9,824,392.59
Priority Road Bond Series 2011	\$ -	1,366.17	38,278,000.00	551,984.20	37,727,381.97
Pass Thru Road Bond Series 20	\$ -	1,534.75	43,000,000.00	-	43,001,534.75
LCRA Service Fee Fund	\$ 332,771.75	18.61	-	12,654.50	320,135.86
Hays County I & S	\$ 9,267,964.14	625.79	3,345,241.53	-	12,613,831.46
All Funds	65,729,824.82	6,898.39	94,704,537.90	8,408,363.40	152,032,897.71

## **ICT Funds Management**

	0.0300%				
<u>Description</u>	<u>6/30/11 Balance</u>	<u>Interest</u>	<u>Deposits</u>	<u>Debits</u>	<u>7/31/11 Balance</u>
General	\$ 11,262,417.68	317.87	-	-	11,262,735.55
Certificates of Obligation '09	\$ 1,001,275.01	28.22	-	-	1,001,303.23
Pass Thru Revenue 2009	\$ 7,860,278.65	221.80	-	-	7,860,500.45
All Funds	20,123,971.34	567.89	-	-	20,124,539.23



## CLASS - MBIA

0.1400%

NAV 1.00

Description	6/30/11 Balance	Interest	Deposits	Debits	7/31/11 Balance
General	\$ 3,751,613.72	445.52	-	-	3,752,059.24
Certificates of Obligation '09	\$ 2,008,295.43	238.51	-	-	2,008,533.94
Pass Thru Revenue 2009	\$ 6,024,886.16	715.53	-	-	6,025,601.69
All Funds	11,784,795.31	1,399.56	-	-	11,786,194.87

## LOGIC

0.1424%

1.00007

Description	6/30/11 Balance	Interest	Deposits	Debits	7/31/11 Balance
General	\$ 5,520,030.12	667.69	-	-	5,520,697.81
Road and Bridge General	\$ 1,754,842.40	212.26	-	-	1,755,054.66
Medical and Dental Fund	\$ 1,390.59	0.17	-	-	1,390.76
D.A. Drug Forfeiture	\$ 62.54	0.01	-	-	62.55
Health Services Grants	\$ 36.65	-	-	-	36.65
Family Health Services	\$ 421.87	0.05	-	-	421.92
Historical Commission Trust	\$ 7,225.08	0.87	-	-	7,225.95
Certificates of Obligation '09	\$ 340,360.59	41.01	-	-	331,294.10
Road Construction 2009	\$ 1.11	-	-	9,107.50	1.11
Pass Thru Revenue 2009	\$ 5,019,968.29	607.20	-	-	5,020,575.49
Hays County I & S	\$ 1,935,556.92	234.12	-	-	1,936,791.04
All Funds	14,579,896.16	1,763.38	-	9,107.50	14,572,552.04

## TREASURY BILLS AND NOTES

Description	Price	Yield	Maturity	Par Value	Balances 6/30/11 Book Value	Market Value	Purchases	Transactions Maturities	Par Value	Balances 7/31/11 Book Value	Market Value
9127953A7	99.9848		.051 7/21/11	250,000.00	249,962.08	249,997.08		250,000.00			
			Hays County I & S	250,000.00	249,962.08	249,997.08		250,000.00			
9127953A3	99.9836		.056 7/28/11	500,000.00	499,917.85	500,000.00		500,000.00			
			General	500,000.00	499,917.85	500,000.00		500,000.00			
9127953A8	99.9861		.058 8/25/11	100,000.00	99,986.10	99,999.32			100,000.00	99,986.10	99,989.73
			General	100,000.00	99,986.10	99,999.32			100,000.00	99,986.10	99,989.13
9127953E6	99.9848		.051 9/1/11	200,000.00	199,969.67	199,996.50			200,000.00	199,969.67	199,984.89
			General	200,000.00	199,969.67	199,996.50			200,000.00	199,969.67	199,984.89
9127953K6	99.9949		.02 10/20/11				250,000.00		250,000.00	248,987.38	249,959.65
			Hays County I & S				250,000.00		250,000.00	249,987.38	249,959.65
9127953Q2	99.9849		.061 10/27/11				500,000.00		500,000.00	499,924.17	499,893.75
			General				500,000.00		500,000.00	499,924.17	499,893.75
TOTAL				1,050,000.00	1,049,835.70	1,049,992.80	750,000.00	750,000.00	1,050,000.00	1,049,867.30	1,049,827.42



## LINKED DEPOSIT PROGRAM CERTIFICATES OF DEPOSITS

Description	Fund	Yield/ Maturity	Balances 6/30/11		Transactions		Balances 7/31/11				
			Par Value	Book Value	Market Value	Purchases	Maturities	Par Value	Book Value	Market Value	
Security State Bank	General	2.72% 11/7/09									
Security State Bank	General	3.06% 6/14/10	156.19	156.19	156.19			156.19	156.19	156.19	156.19
Security State Bank	General	3.14% 6/14/12	11,877.81	11,877.81	11,877.81			11,877.81	11,877.81	11,877.81	11,877.81
Security State Bank	General	2.94% 7/10/10									
Security State Bank	General	2.99% 7/10/12	8,314.77	8,314.77	8,314.77			8,314.77	8,314.77	8,314.77	8,314.77
Security State Bank	General	2.56% 1/4/13	7,110.73	7,110.73	7,110.73			7,110.73	7,110.73	7,110.73	7,110.73
Security State Bank	General	2.99% 1/4/13	10,187.17	10,187.17	10,187.17			10,187.17	10,187.17	10,187.17	10,187.17
Security State Bank	General	2.99% 1/4/13	8,122.75	8,122.75	8,122.75			8,122.75	8,122.75	8,122.75	8,122.75
Security State Bank	General	2.99% 1/4/13	9,487.38	9,487.38	9,487.38			9,487.38	9,487.38	9,487.38	9,487.38
Franklin Bank	General	2.64% 8/8/12									
Franklin Bank	General	1.91% 10/19/11	172.79	172.79	172.79			172.79	172.79	172.79	172.79
TOTAL			55,429.59	55,429.59	55,429.59	-	-	55,429.59	55,429.59	55,429.59	55,429.59

TOTAL Fund Balances 113,635,191.39

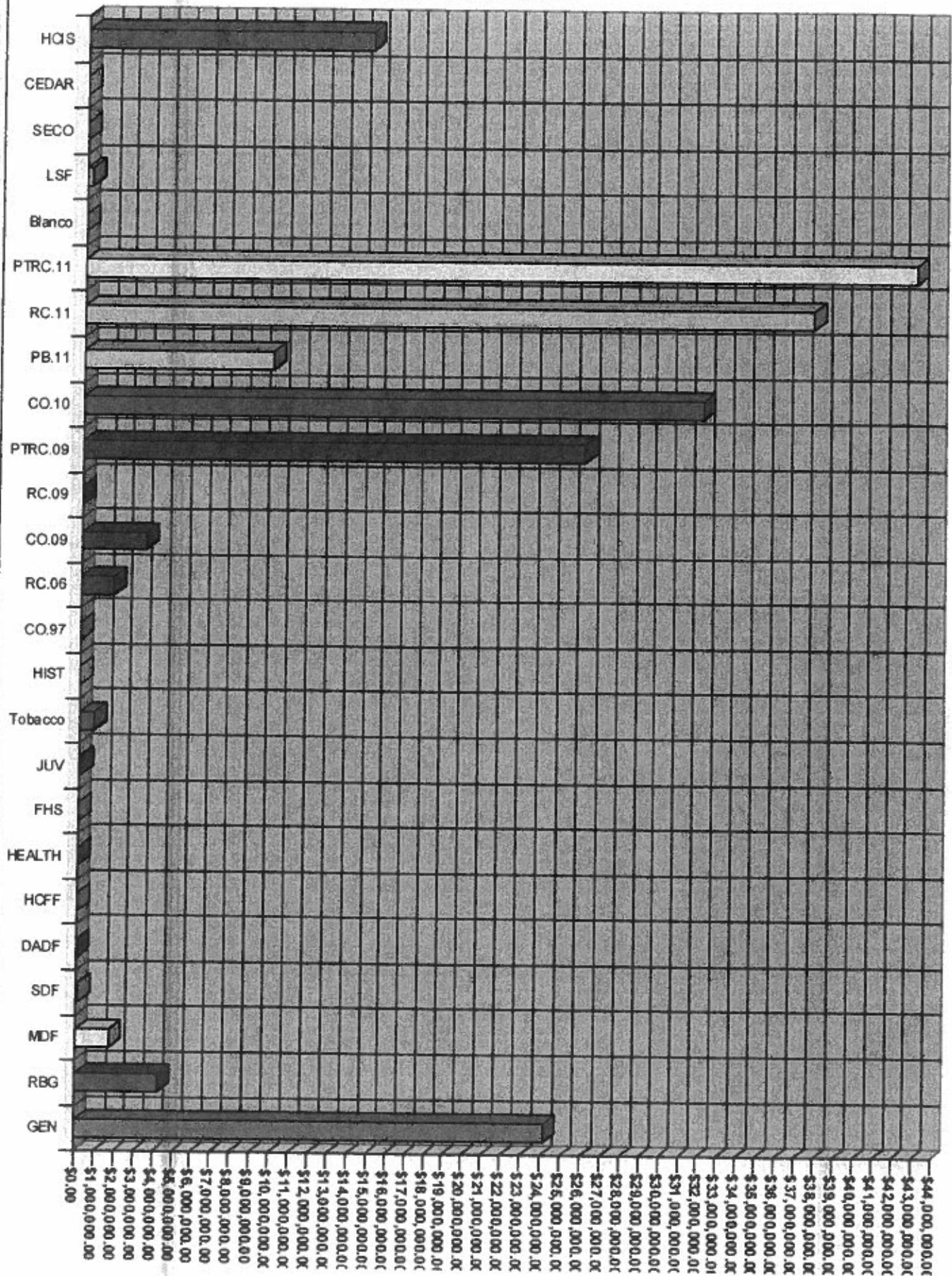
199,786,404.73

## BENCHMARK

CURRENT 90 DAY TREASURY BILL YIELDING .086%

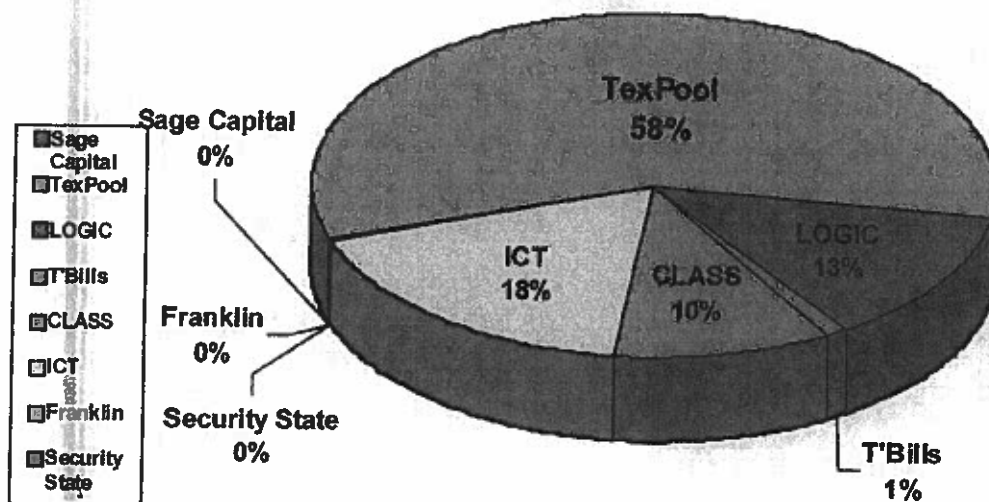


# Fund balances for 7/31/11





# INVESTMENT ALLOCATION TOTALS JUNE 2011



All maturity dates are less than 180 days. The Treasurer's Office invests with prudence to keep security and liquidity as the primary goals. The strategy used for each fund is based on the terms described in the Hays County Investment Policy. The Treasurer's Office strictly adheres to all laws and statutes concerning the investment of public funds.

*Manuel Villanueva*  
Bill Herzog, Hays County Auditor

*Michele Tuttle*  
Michele Tuttle, Hays County Treasurer

*Britney Richey*  
Britney Richey, Assistant Hays County Treasurer



## *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:** Amend Juvenile Probation budget in order to reflect TJPC contract changes effective September 1, 2011 and to use savings in travel for continuing education.

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

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** \$45,238.02 budgeted in Juvenile Probation

**LINE ITEM NUMBER OF FUNDS REQUIRED:** see budget amendment below

**REQUESTED BY:** Shelly Williams

**SPONSORED BY:** Judge Bert Cobb, M.D.



**SUMMARY:**

Historically, the Juvenile Probation Department has received Grants A, F, H, O, X, Y, and Z as individual awards from the Texas Juvenile Probation Commission. On September 1, 2011 these grants collapsed into one award referred to as A – State Financial Assistance. This budget amendment is required in order to properly capture the grant activity for the month of September.

**Budget Amendment:**

001-686-99-027.5011	74.78
001-686-99-027.5021	19,159.30
001-686-99-027.5031	1,008.00
001-686-99-027.5101_100	717.09
001-686-99-027.5101_200	339.75
001-686-99-027.5101_300	(3,739.68)
001-686-99-027.5160_400	2,128.39
001-686-99-027.5160_500	82.16
001-686-99-027.5160_600	6.99
001-686-99-027.5271	1,418.22
001-686-99-027.5360	(4,556.00)
001-686-99-027.5361	15,843.88
001-686-99-027.5489	750.00
001-686-99-028.5021	(2,137.50)
001-686-99-029.5021	(3,613.91)
001-686-99-029.5101_200	(638.72)
001-686-99-029.5101_300	638.72
001-686-99-029.5360	(1,240.50)
001-686-99-029.5361	(16,414.00)
001-686-99-029.5489	(1,410.98)
001-686-99-030.5021	(6,366.61)
001-686-99-030.5101_100	(19.80)
001-686-99-030.5101_200	19.09
001-686-99-031.5021	(2,208.50)
001-686-99-026.5021	(766.28)
001-686-99-026.5101_100	(61.20)
001-686-99-026.5101_200	37.25
001-686-99-026.5101_300	42.59
001-686-99-026.5160_400	725.50
001-686-99-026.5160_500	26.67
001-686-99-026.5160_600	(4.52)
001-686-99-026.5501	331.10
001-686-99-026.5551	(331.10)



**September 13, 2011 Juvenile Probation****Budget Amendment Continued:**

001-686-99-033.5021	683.40
001-686-99-033.5061	615.00
001-686-99-033.5101_100	77.02
001-686-99-033.5101_200	18.01
001-686-99-033.5101_300	133.45
001-686-99-033.5160_400	(160.02)
001-686-99-033.5160_500	6.66
001-686-99-033.5160_600	(12.60)
001-686-99-033.5201	(38.20)
001-686-99-033.5360	(1,064.27)
001-686-99-033.5489	(17.13)
001-686-99-033.5551	(81.50)
001-686-00.5501	(400.00)
001-686-00.5551	400.00



**DESCRIPTION OF Item:** Amend Juvenile Probation budget in order to reflect TJPC contract changes effective September 1, 2011 and to use savings in travel for continuing education.

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**COUNTY AUDITOR**

**AMOUNT:** \$45,238.02 budgeted in Juvenile Probation

**LINE ITEM NUMBER:** see budget amendment

**COUNTY PURCHASING GUIDELINES FOLLOWED:** N/A

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:** see budget amendment.

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

**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: District Clerk Fee Collection Report for May – July 2011**

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

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** None

**LINE ITEM NUMBER OF FUNDS REQUIRED:** None

**REQUESTED BY:** Beverly Crumley, District Clerk

**SPONSORED BY:** Cobb

**SUMMARY:**

Art. 103.005, Code of Criminal Procedure, Required Report of an officer listed in Article 103.003 who collects money other than taxes for a county shall report to the commissioners court of the county for which the money was collected during each term of the court.



CODE OF CRIMINAL PROCEDURE

TITLE 2. CODE OF CRIMINAL PROCEDURE

CHAPTER 103. COLLECTION AND RECORDKEEPING

Art. 103.005. REPORT REQUIRED. (a) An officer listed in Article 103.003 who collects money other than taxes for a county shall report to the commissioners court of the county for which the money was collected during each term of the court.

(b) An officer listed in Article 103.003 who collects money other than taxes for the state shall report to the district court having jurisdiction in the county the officer serves on the first day of each term of the court.

(c) The report must state for the reporting period:

- (1) the amount of money collected by the officer;
- (2) when and from whom the money was collected;
- (3) the process by which the money was collected; and
- (4) the disposition of the money.

(d) The report must be in writing and under the oath of the officer.

(e) If an officer has not collected money since the last report required to be filed with the court or the commissioners court, the officer shall report that fact to the court or commissioners court.

Added by Acts 1985, 69th Leg., ch. 269, Sec. 1, eff. Sept. 1, 1985.



THE STATE OF TEXAS

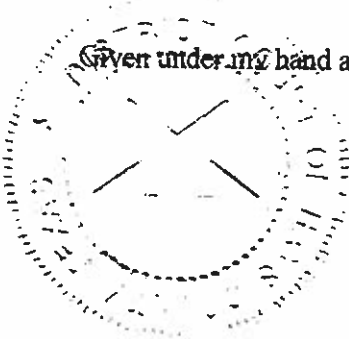
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COUNTY OF HAYS

**CLERK'S CERTIFICATE  
FACT OF RECORD**

I, BEVERLY CRUMLEY, do hereby certify that I am the duly qualified District Clerk of Hays County, Texas. In my capacity as District Clerk I am the fee officer of all financial records and of all monies collected for any District Court of Hays County, Texas.

Attached hereto are the financial reports indicating all criminal fees collected and disposed through this office for the period of May 1, 2011 through July 31, 2011.



BEVERLY CRUMLEY  
District Clerk, Hays County

*Beverly Crumley*



*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

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

**AGENDA ITEM: Amend Sheriff Operating & Jail Division budgets for regular and holiday overtime pay.**

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

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

<p><b>AMOUNT REQUIRED: \$20,000 – Sheriff Operating regular overtime</b></p> <p><b>\$8,000 – Jail Division regular overtime</b></p> <p><b>\$17,000 – Jail Division holiday overtime</b></p>
---

<b>LINE ITEM NUMBER OF FUNDS REQUIRED:</b>	<b>001-618-00.5031 - \$20,000</b>
	<b>001-618-03.5031 - \$8,000</b>
	<b>001-618-03.5036 - \$17,000</b>

REQUESTED BY: Sheriff Gary Cutler

**SPONSORED BY: Judge Bert Cobb, M.D.**

**Due to staffing shortages and coverage over the holidays, the SO & Jail will require additional overtime funds to complete this fiscal year. Funds from the Sheriff's Office salary savings and the Jail Division insurance savings will be used to cover this amendment.**

**Budget Amendment:**

<b>Increase Sheriff overtime - 001-618-00.5031:</b>	<b>20,000</b>
<b>Decrease Sheriff salary – 001-618-00.5021:</b>	<b>(20,000)</b>
<b>Increase Jail overtime - 001-618-03.5031:</b>	<b>8,000</b>
<b>Increase Jail holiday overtime - 001-618-03.5036:</b>	<b>17,000</b>
<b>Decrease Jail medical ins – 001-618-03.5160_400:</b>	<b>(25,000)</b>



**DESCRIPTION OF Item:** Amend Sheriff Operating & Jail Division budgets for regular and holiday overtime pay.

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**COUNTY AUDITOR**

**AMOUNT:** \$20,000 – Sheriff Operating regular overtime  
\$8,000 – Jail Division regular overtime  
\$17,000 – Jail Division holiday overtime

**LINE ITEM NUMBER:** 001-618-00.5031 - \$20,000  
001-618-03.5031 - \$8,000  
001-618-03.5036 - \$17,000

**COUNTY PURCHASING GUIDELINES FOLLOWED:** N/A

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:** See budget amendment.

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

**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: Amend Budget of Constable Pct 1 for purchase of replacement computer and supplies**

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

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

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**Amount Required: \$ 4,410**

**LINE ITEM NUMBER OF FUNDS REQUIRED: to 001-635-00.5206/001-680-00.5712**

**from 001-635-00.5021**

**REQUESTED BY: David Peterson/Auditors Office**

**SPONSORED BY: Ingalsbe**

**SUMMARY:**

Constable would transfer \$3,350 to Information Technology for replacement computer, monitor, and scanner and \$860 to his Law Enf Supplies for car seat, charger, and cones, all from personnel savings.

**See Budget Amendment**



**DESCRIPTION OF Item:** Amend Budget of Constable Pct 1 for purchase of replacement computer and supplies

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**COUNTY AUDITOR**

**AMOUNT:** \$4,410

**LINE ITEM NUMBER:** 001-635-00.5206/001-680-00.5712

from 001-635-00.5021

**COUNTY PURCHASING GUIDELINES FOLLOWED:** N/A

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:** See budget amendment.

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

**COUNTY JUDGE**

*Signature Required if Approved*

**DATE CONTRACT SIGNED:** \_\_\_\_\_



# Hays County Commissioners' Court

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

**SUMMARY:** The Governmental Accounting Standards Board (GASB) released Statement 54, "Fund Balance Reporting and Governmental Fund Type Definitions," which is effective for the fiscal year ending September 30, 2011. The new Statement is intended to improve the usefulness of the amount reported in fund balance by providing more structured classifications. Under GASB 54, the County needs to formally adopt a policy for the new fund balance classification. The policy is attached for your review.



## FUND BALANCE POLICY

### COUNTY OF HAYS, TEXAS

#### **Background:**

The Governmental Accounting Standards Board (GASB) released Statement 54, "Fund Balance Reporting and Governmental Fund Type Definitions," which is effective for the fiscal year ending September 30, 2011. The new Statement is intended to improve the usefulness of the amount reported in fund balance by providing more structured classifications. This Statement applies to fund balance reported in the General Fund and does not apply to Enterprise Funds, Internal Service Funds, and extremely restricted reserves.

Currently fund balance is classified as "reserved" or "unreserved." Unreserved fund balance may be further allocated into designated and undesignated. GASB Statement 54 will change how fund balance is reported.

**Purpose:** The purpose of this policy is to establish operating and reporting guidelines for the fund balances of the governmental funds of Hays County, Texas.

**Fund Balance Classification:** The county governmental-fund financial statements will present fund balances classified in a hierarchy based on the strength of the constraints governing how those balances can be spent. These classifications are listed below in descending order of restrictiveness:

- **Nonspendable Fund Balance:** This classification includes amounts that cannot be spent because they: (a) are not in spendable form (e.g., inventories and prepaid items); (b) are not expected to be converted into cash within the current period or at all (e.g., long-term receivables); or (c) are legally or contractually required to be maintained intact (e.g., the non-spendable corpus of an endowment).
- **Restricted Fund Balance:** This classification includes amounts subject to usage constraints that have either been: (a) externally imposed by creditors (e.g., through a debt covenant), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.
- **Committed Fund Balance:** This classification includes amounts that are constrained to use for specific purposes pursuant to formal action of Commissioners Court.<sup>1</sup> These amounts cannot be used for other purposes unless the Court removes or changes the constraints via the same type of action used to initially commit them.
- **Assigned Fund Balance:** This classification includes amounts intended by the county for use for a specific purpose but which do not qualify for classification as either restricted or committed. The intent can be expressed by Commissioners Court or by a Court designee (e.g., County Auditor).<sup>2</sup> This classification applies to the positive unrestricted and uncommitted fund balances of all governmental funds except the General Fund.
- **Unassigned Fund Balance:** This classification applies to the residual fund balance of the General Fund and to any deficit fund balances of other governmental funds.

**Order of Spending:** Where appropriate, Hays County will typically use restricted, committed, and/or assigned fund balances, in that order, prior to using unassigned resources, but it reserves the right to deviate from this general strategy.



**Minimum Fund Balance:** Hays County generally aims to maintain the following minimum fund balance:

- General Fund: Unassigned fund balance of approximately 3 to 6 months of budgeted expenditures for the fiscal year, to be used for unanticipated needs.

---

**1. A commitment of fund balance requires formal action as to purpose but not as to amount; the latter may be determined and ratified by the Court at a later date. This is often important near year-end, when a purpose or need is known but a cost is not.**

**2. An assignment of fund balance implies an intent of Commissioners Court, but operationally, the ability to implement the intent may be delegated to one or more persons.**



## *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 Utility Permits.**

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

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

**PREFERRED MEETING DATE REQUESTED: 9/13/11**

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**SPONSORED BY: COBB**

<b>Permit</b>	<b>Road Name</b>	<b>Type of Utility</b>
---------------	------------------	------------------------

<b>836</b>	<b>Woodacre Dr., Deer Ridge Dr., Acacia Dr., Mesquite Dr., Persimmon Dr.</b>	<b>Waterline</b>
------------	--	------------------

<b>TBD</b>	<b>Creek Rd.</b>	<b>Waterline</b>
------------	------------------	------------------



**HAYS COUNTY RESOURCE PROTECTION, TRANSPORTATION and  
PLANNING DEPARTMENT**



**UTILITY PERMIT APPROVAL**

Approval of Utility Permit: 836

Application Date: 06/08/2011

Commissioner Court Approval Date: 08/30/11

Company Name: Aqua Texas

Company Address: 1106 Clayton Lane, Ste. 400W  
Austin, TX 78723

Company Phone: 512-990-4400 EXT. 56101

Company Contact: Brent C. Reeh

Type of Utility: Waterline

Road Name: Woodacre, Deer Ridge Dr., Acacia Dr., Mesquite Dr., Persimmon Dr.

Subdivision: N/A      Pct #: 3

Specs: Water main to be placed outside the edge of pavement with water services crossing roadway

County Provisions: Min 36" in depth required; open cuts to be backfilled and repaired per Hays County spec; notify Hays County 24 hours prior to construction

Variance requested: Aqua Texas is requesting a change in the water line depth from 36" to 24"





Road and Bridge Department  
2171 Yarrington Road  
P O Box 906  
San Marcos, TX 78667-0906  
(512) 393-7385

## Application for Installation

### Utility Line on Hays County Right of Way

Date: 6/8/11

Formal notice is hereby given that Aqua Texas  
Company proposes to place a 6-inch waterline  
line within the right-of way of Woodacre, Deer Ridge, Acacia, Mesquite, Persimmon Drives  
as follows: (give location, length, general design, etc.)

Replacement of approximately 20,000 LF of 6" waterline in the Woodcreek

#### Phase II Subdivision.

If the proposed installation is a parallel installation, then the installation shall be located two feet within the edge of right-of-way unless otherwise approved by the County.

The line will be constructed and maintained on the road right-of-way as directed by the Hays County Road Department (HCRD), an agency of the Commissioners Court of Hays County, in accordance with governing laws, including but not limited to the "Federal Clean Water Act," the "Federal Endangered Species Act," and the "Federal Historic Preservation Act." Upon request by the HCRD, proof of compliance with all governing laws, rules, and regulations will be submitted to HCRD before commencement of construction.

Our firm will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and we will revegetate the project area as indicated under "General Special Provisions."

Our firm will insure that traffic control measures complying with applicable portions of the *Texas Manual of Uniform Traffic Control Devices* will be installed and maintained during this installation.

The location and description of the proposed line and appurtenances is more fully shown by \_\_\_\_\_ complete sets of drawings attached to this notice.

It is expressly understood that Hays County does not purport, hereby, to grant any right, claim, title, or easement in or upon this road; and it is further understood that Hays County may require the owner to relocate this line, subject to provisions of governing laws, by giving thirty (30) days' written notice.

It is understood and agreed that any damages sustained to the appurtenances installed under this proposal as a result of road construction and/or maintenance, including but not limited to mowing, ditch cleaning, culvert repair or replacement, roadway excavation and base work shall be the sole burden and expense of the owner.

Applicant agrees to notify HCRD prior to commencement of any routine of periodic maintenance which requires pruning of trees within the road right-of-way, so that the County may provide specifications for the extent and methods to govern in trimming, topping, tree balance, type of cuts, painting cuts and clean up.

The installation shall not damage any part of the road and adequate provisions must be made to cause minimum inconveniences to traffic and adjacent property owners. In the event the Applicant fails to comply with any or all of the requirements as set forth herein, Hays County may take such action as it deems appropriate to compel compliance.

Construction of this line will begin on or after the 1st day of July, 20 11.

General Special Provisions:

**BLUE-PRINTS  
ON FILE  
HCRD**

By signing below, I certify that I am authorized to represent the Firm listed below, and that the Firm agrees to the conditions/provisions included in this permit.

Firm Aqua Texas, Inc.

Title Central Texas Area Manager


By (Print) Brent C. Reeh

Address 1106 Clayton Lane, Ste. 400W

Signature Brent C. Reeh

Austin, Texas 78723

Phone (512) 990-4400 ext. 56101

Approved by Hays County Road & Bridge Department		
	Inspector	8/22/11
Signature	Title	Date





Road and Bridge Department  
2171 Yarrington Road  
P O Box 906  
San Marcos, TX 78667-0906  
(512) 393-7385

## Application for Installation

### Utility Line on Hays County Right of Way

Date: 8/31/11

Formal notice is hereby given that Dripping Springs Water Supply Corp  
Company proposes to place a waterline  
line within the right-of way of Creek Rd  
as follows: (give location, length, general design, etc.)  
please see attached plans

If the proposed installation is a parallel installation, then the installation shall be located two feet within the edge of right-of-way unless otherwise approved by the County.

The line will be constructed and maintained on the road right-of-way as directed by the Hays County Road Department (HCRD), an agency of the Commissioners Court of Hays County, in accordance with governing laws, including but not limited to the "Federal Clean Water Act," the "Federal Endangered Species Act," and the "Federal Historic Preservation Act." Upon request by the HCRD, proof of compliance with all governing laws, rules, and regulations will be submitted to HCRD before commencement of construction.

Our firm will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and we will revegetate the project area as indicated under "General Special Provisions."

Our firm will insure that traffic control measures complying with applicable portions of the *Texas Manual of Uniform Traffic Control Devices* will be installed and maintained during this installation.

The location and description of the proposed line and appurtenances is more fully shown by 1 complete sets of drawings attached to this notice.

It is expressly understood that Hays County does not purport, hereby, to grant any right, claim, title, or easement in or upon this road: and it is further understood that Hays County may require the owner to relocate this line, subject to provisions of governing laws, by giving thirty (30) days' written notice.

It is understood and agreed that any damages sustained to the appurtenances installed under this proposal as a result of road construction and/or maintenance, including but not limited to mowing, ditch cleaning, culvert repair or replacement, roadway excavation and base work shall be the sole burden and expense of the owner.

Applicant agrees to notify HCRD prior to commencement of any routine of periodic maintenance which requires pruning of trees within the road right-of-way, so that the County may provide specifications for the extent and methods to govern in trimming, topping, tree balance, type of cuts, painting cuts and clean up.

The installation shall not damage any part of the road and adequate provisions must be made to cause minimum inconveniences to traffic and adjacent property owners. In the event the Applicant fails to comply with any or all of the requirements as set forth herein, Hays County may take such action as it deems appropriate to compel compliance.

Construction of this line will begin on or after the 14<sup>th</sup> day of September, 2011.

General Special Provisions:

By signing below, I certify that I am authorized to represent the Firm listed below, and that the Firm agrees to the conditions/provisions included in this permit.

Firm DSWSC

Title R. M.

By (Print) DOUG CONES

Address P.O. Box 354

Signature Doug Cones

Dripping Springs 78620

Phone 512 4136161

Approved by Hays County Road & Bridge Department

Signature

Title

Date



# DRIPPING SPRINGS WATER SUPPLY CORPORATION CREEK ROAD RANCH WATER LINE EXTENSION

HAYS COUNTY, TEXAS

## BOARD OF DIRECTORS

**RON KELLY**  
**JIM WALDEN**  
**MARGARET FOSTER**  
**TRANS GARNETT**  
**GREG PERRIN**  
**DOUG CONES**

**PRESIDENT**  
**VICE PRESIDENT**  
**SECRETARY-TREASURER**  
**DIRECTOR**  
**DIRECTOR**  
**MANAGER**

### GENERAL NOTES

1. THE CORPORATION SHALL HOLD AND HAVE CONTROL OVER THE PROJECT AND ALL CONSTRUCTION LOCATIONS FOR THE PROJECT.
2. PRIOR TO ANY CONSTRUCTION, THE CORPORATION SHALL OBTAIN A RECONSTRUCTION CONTRACT TO THE PROJECT FROM THE HAYS COUNTY COMMISSION AND ANY OTHER AFFECTED AGENCIES.
3. THE CORPORATION SHALL OBTAIN THE NECESSARY PERMITS FROM THE HAYS COUNTY COMMISSION AND ANY OTHER AFFECTED AGENCIES.
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10. THE CORPORATION SHALL OBTAIN THE NECESSARY PERMITS FROM THE HAYS COUNTY COMMISSION AND ANY OTHER AFFECTED AGENCIES.

### CONSTRUCTION NOTES

1. SHALL NOT BE CONSIDERED A FINAL DESIGN. THE CORPORATION SHALL OBTAIN THE NECESSARY PERMITS FROM THE HAYS COUNTY COMMISSION AND ANY OTHER AFFECTED AGENCIES.
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### GENERAL NOTES

1. ALL UTILITIES SHOWN ON THE PLANS WERE PLACED ON THE PLANS BY THE CORPORATION. THE CORPORATION SHALL OBTAIN THE NECESSARY PERMITS FROM THE HAYS COUNTY COMMISSION AND ANY OTHER AFFECTED AGENCIES.
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## LOCATION MAP

Scale: 1" = 2000'

JUNE 2011

## CONTENTS

- 2 WATER LINE LAYOUT
- 3 STANDARD DETAILS
- 4 STANDARD DETAILS

The Seal Approving  
ON THIS Drawing Was  
Affixed by  
JUL 10 2011



**NWA**  
Professional Engineer  
Nathan W. Anderson, Inc.  
4010 Woodbine Road  
(942) 482-5375  
Anaheim, Texas  
92804

## COVER

Project	Sheet No.	Scale	Drawn By	Check By
CREEK ROAD RANCH WATER LINE EXTENSION	1	AS SHOWN	JUL 10 2011	

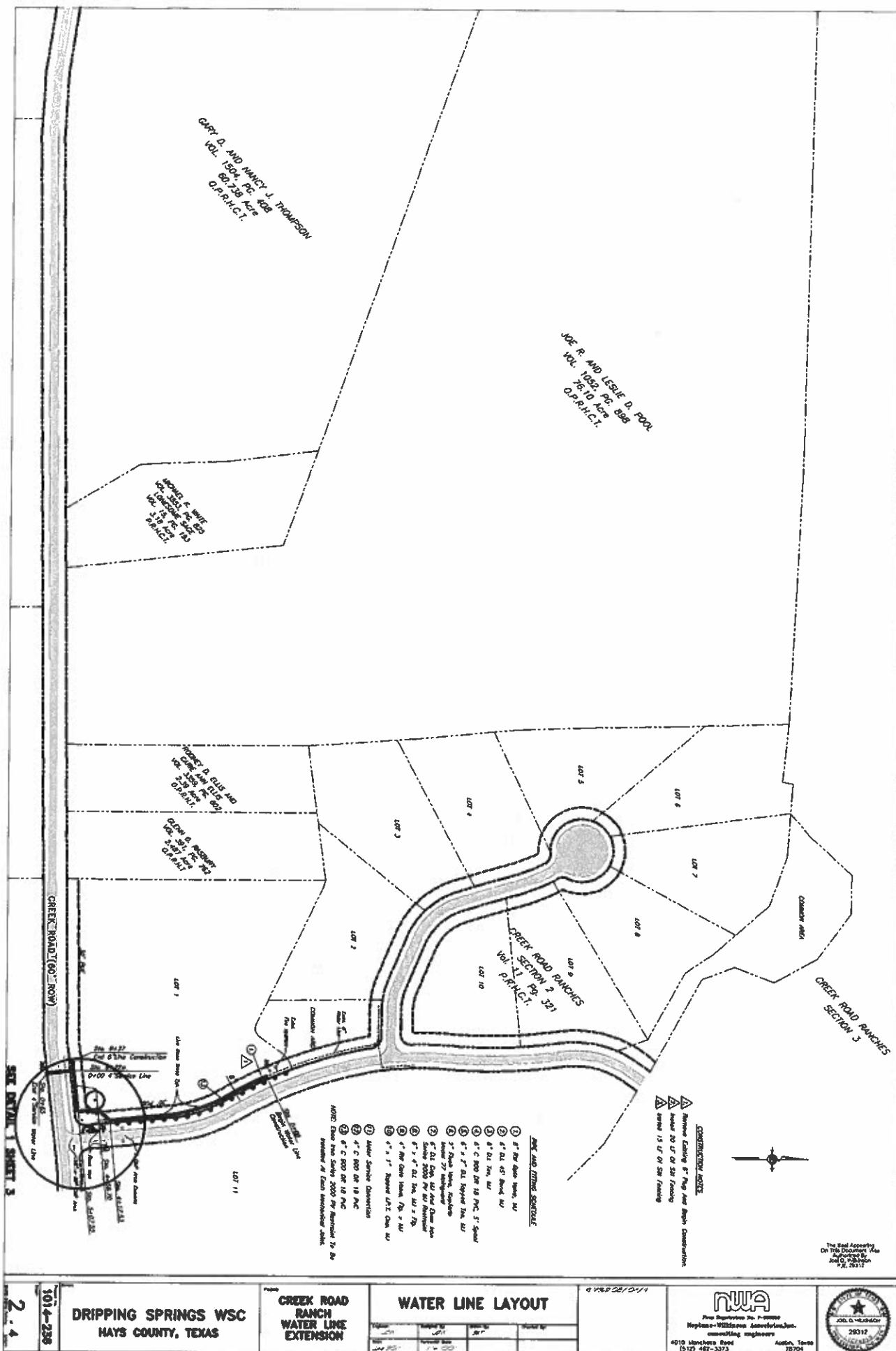
**CREEK ROAD RANCH  
WATER LINE  
EXTENSION**

**DRIPPING SPRINGS W.S.C.**  
**HAYS COUNTY, TEXAS**

1014-236

1 of 4



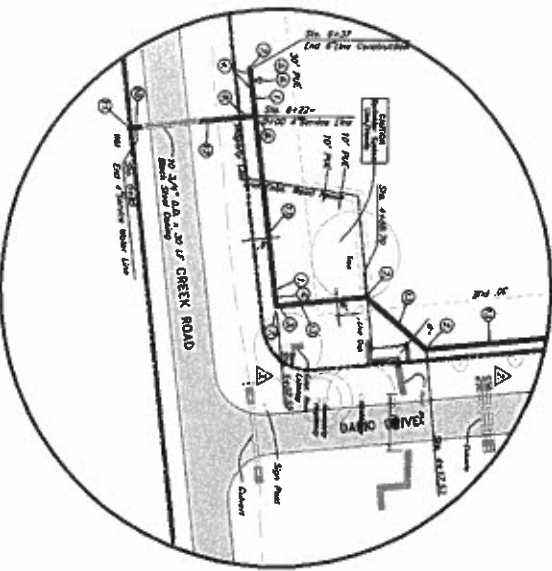




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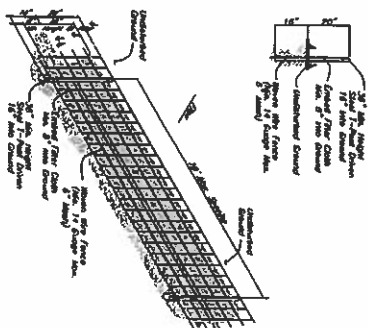
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-  Remove Existing 6" Poly And Begin Construction



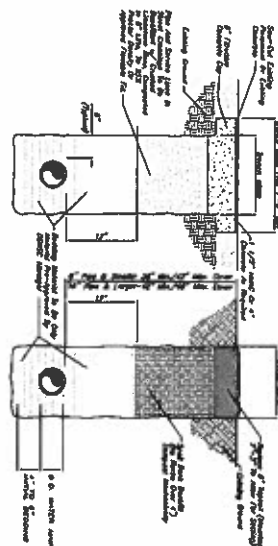
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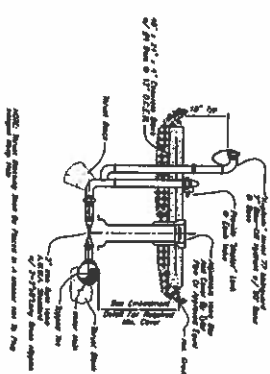


1. **Available Products:** Available under the name of **Amphipol** in 100 g and 500 g quantities. The product is a white, waxy solid, soluble in water and organic solvents. It is stable under storage conditions and is not flammable.
2. **Use:** The product is used for the preparation of emulsions and for the treatment of various diseases.
3. **Formulation:** The product is formulated as a 10% emulsion in water. The emulsion is stable for up to 12 months.
4. **Preparation:** The product is prepared by the following steps:
  - a. Weighing: The product is weighed in a 100 g quantity.
  - b. Mixing: The product is mixed with water in a 100 g quantity.
  - c. Homogenization: The mixture is homogenized in a 100 g quantity.
  - d. Packaging: The product is packaged in a 100 g quantity.
5. **Storage:** The product is stored in a 100 g quantity.
6. **Disposal:** The product is disposed of in a 100 g quantity.
7. **Other Information:** The product is a 100 g quantity.

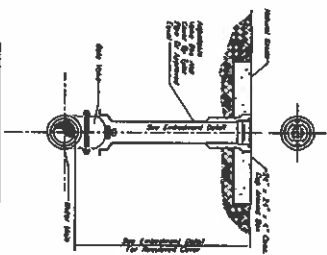




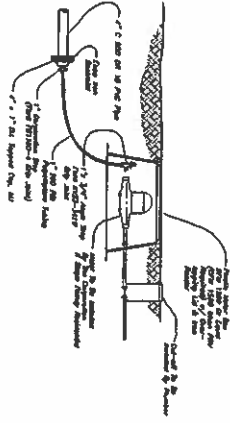
**TYPICAL ROADWAY BOX**



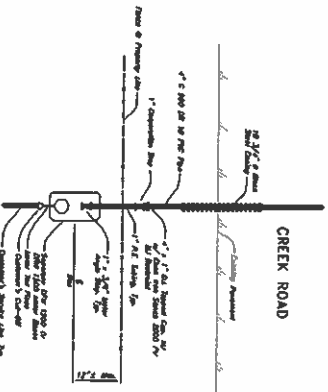
**TYPICAL ROADWAY BOX**



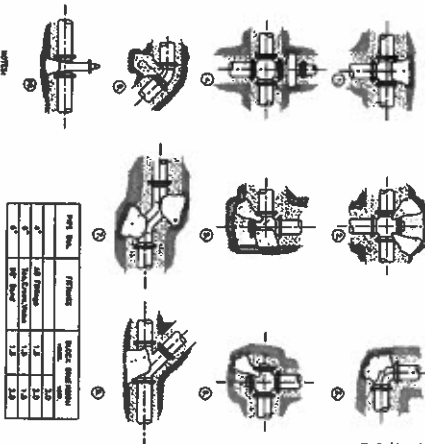
**GATE VALVE & BOX**



**WATER SERVICE CONNECTION**



**WATER METER PAN**



**TYPICAL THRUST BLOCKING**

**STANDARD DETAILS**

**DRIPPING SPRINGS W.S.C.**  
HAYS COUNTY, TEXAS

**CREEK ROAD RANCH WATER LINE EXTENSION**

**NWA**

Neptune-Wilkinson Associates, Inc.  
Engineering & Construction  
4010 Montague Road  
(512) 482-5373 Austin, Texas 78704





***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: Hold a public hearing to establish traffic regulations on Cypress Rd, CR 225.**

<b>CIRCLE ONE ACTION ITEM</b>	<b>Subdivision</b>	<b>Road</b>	<b>Staff Recommendation</b>
-------------------------------	--------------------	-------------	-----------------------------

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:** Jerry Borcharding

**SPONSORED BY:** Commissioner Precinct 2 Mark Jones

**SUMMARY:**

The request is to hold a public hearing to establish a stop sign on Cypress Rd at Old Stagecoach Rd and a speed limit of 30 MPH on Cypress Rd, off of Old Stagecoach Rd near Kyle.

**STAFF REVIEW/COMMENTS**

**ENVIRONMENTAL HEALTH DIRECTOR:**

**ROAD DIRECTOR:**

**STAFF RECOMMENDATIONS:**



***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: Hold a public hearing to establish traffic regulations on Indian Creek Road.**

<b>CIRCLE ONE ACTION ITEM</b>	<b>Subdivision</b>	<b>Road</b>	<b>Staff Recommendation</b>
-------------------------------	--------------------	-------------	-----------------------------

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:** Jerry Borcharding

**SPONSORED BY:** Commissioner Precinct 2 Mark Jones

**SUMMARY:**

The request is seeking to hold a public hearing to establish a speed limit of 25 MPH on Indian Creek Rd near Mountain City.

**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 authorize the County Judge to execute an agreement between Hays County and Tyler Technology for software licensing and professional services pertaining to the procurement of 5 electronic ticket writers for the Hays County Sheriff's Office.

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

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** \$7,480.

**LINE ITEM NUMBER OF FUNDS REQUIRED:** 0053 618 005362

**REQUESTED BY:** Capt. Mike Davenport

**SPONSORED BY:** Commissioner Will Conley

**SUMMARY:**

This agreement will amend the current Maintenance and Service Agreement between Hays County and Tyler Technology; adding licensing and additional services for the software required to operate the electronic ticket writers purchased from Brazos Technology.



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

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

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

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

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

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

SOFTWARE PRODUCTS		LICENSE FEE	ANNUAL M&S INCREASE
Brazos Technology eCitations Connector		\$5,000	\$1,050
LICENSE FEE PAYMENT TERMS		TOTAL LICENSE FEE	ANNUAL M&S INCREASE
Net 30 in full upon contract execution.		\$5,000	\$1,050
PROFESSIONAL SERVICES	HOURS	RATE/HR.	T&M AMOUNT
Setup, Configuration, and Consulting	16	\$155	\$2,480
TOTAL T&M SERVICES			Upon Installation
\$2,480			TOTAL LIC & SERVICES
			\$7,480

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

**CLIENT**

**TYLER TECHNOLOGIES, INC.**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



## Terms and Conditions

### 1. SOFTWARE PRODUCT LICENSE

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

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

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

1.4. **Embedded Third Party Software.** The license grant set forth herein includes the right to use any embedded third party software, which shall be accessed and used only in accordance with the terms, conditions, and licenses imposed by the manufacturers and licensors of such embedded third party software. Tyler hereby passes through to Client all warranties granted by the owners and licensors of embedded third party software, if any.

1.5. **Title.** Tyler represents and warrants that it is the owner of all right, title, and interest in and to the Software Products and all components and copies thereof. Nothing in this Agreement shall be deemed to vest in Client any ownership or intellectual property rights in and to Tyler's intellectual property (including, without limitation, Tyler Confidential and Proprietary Information), any components and copies thereof, or any derivative works based thereon prepared by Tyler.

### 2. RESPONSIBILITIES OF TYLER

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

### 3. RESPONSIBILITIES OF CLIENT

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

### 4. PROFESSIONAL SERVICES

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

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

### 5. FEES AND INVOICING

5.1. **License Fee.** Tyler shall invoice to the Client the License Fee in accordance with the payment terms set forth on the first page of this Agreement, and Client shall pay such License Fee in accordance with Section 5.4.

5.2. **Professional Services Charges.** T&M charges for all professional services to be performed hereunder shall be invoiced and paid by Client in accordance with Section 5.4.

5.3. **Expenses.** Client shall reimburse Tyler for travel, lodging, and food expenses actually and reasonably incurred by Tyler in performing its professional services herein in accordance with Section 5.4.

5.4. **Invoice and Payment.** Tyler shall invoice Client for services and associated expenses herein on a monthly basis. Each invoice shall state the total invoiced amount and shall be accompanied by a reasonably detailed itemization of services and expenses. Following receipt of a properly submitted invoice, Client shall pay amounts owing therein thirty (30) days in arrears. All payments shall be made in U.S. currency. Any undisputed sum not paid when due shall bear interest at the rate of prime rate (as set forth in the Wall Street Journal) plus five percent (5%) per annum or the highest rate allowed by governing law, whichever is less.

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

### 6. ACCEPTANCE OF THE SOFTWARE PRODUCT

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

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

### 7. TYLER CONFIDENTIAL AND PROPRIETARY INFORMATION

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

existing in, on or about Tyler's premises or Client's offices, residence(s), or facilities and regardless of how such information came into being, as well as regardless of who created, generated or gathered the information), including, without limitation, all information contained in, embodied in (in any media whatsoever) or relating to Tyler's inventions, ideas, creations, works of authorship, business documents, licenses, operations, manuals, operating data, projections, customer lists and data, sales data, cost data, profit data, financial statements, strategic planning data, designs, logos, proposed trademarks or service marks, test results, product or service literature, product or service concepts, process data, specification data, know how, software, databases, database layouts, design documents, release notes, algorithms, source code, screen shots, and other research and development information and data. Notwithstanding the foregoing, Tyler Confidential and Proprietary Information does not include information that: (a) becomes public other than as a result of a disclosure by Client in breach hereof; (b) becomes available to Client on a non-confidential basis from a source other than Tyler, which is not prohibited from disclosing such information by obligation to Tyler; (c) is known by Client prior to its receipt from Tyler without any obligation of confidentiality with respect thereto; or (d) is developed by Client independently of any disclosures made by Tyler.

7.2. **Protection of Tyler Confidential and Proprietary Information.** Client shall not disclose, disseminate, transmit, publish, distribute, make available, or otherwise convey Tyler Confidential and Proprietary Information, and Client shall not use, make, sell, or otherwise exploit any such Tyler Confidential and Proprietary Information for any purpose other than the performance of this Agreement, without Tyler's written consent, except: (a) as may be required by law, regulation, judicial, or administrative process; or (b) as required in litigation pertaining to this Agreement, provided that Tyler is given advance notice of such intended disclosure in order to permit it the opportunity to seek a protective order. Client shall ensure that all individuals assigned to perform services herein shall abide by the terms of this Section 9.1 and shall be responsible for breaches by such persons.

7.3. **Judicial Proceedings.** If Client is requested or required (by oral questions, interrogatories, requests for information or documents in legal proceedings, subpoena, civil investigative demand, or other similar process) to disclose any Tyler Confidential and Proprietary Information, Client shall provide Tyler with prompt written notice of such request or requirement so that Tyler may seek protective orders or other appropriate remedies and/or waive compliance with the provisions of this Agreement. If, in the absence of a protective order or other remedy or the receipt of a waiver by Tyler, Client nonetheless is legally compelled to disclose Tyler Confidential and Proprietary Information to any court or tribunal or else would stand liable for contempt or suffer other censure or penalty, Client may, without liability herein, disclose to such court or tribunal only that portion of Tyler Confidential and Proprietary Information which the court requires to be disclosed, provided that Client uses reasonable efforts to preserve the confidentiality of Tyler Confidential and Proprietary Information, including, without limitation, by cooperating with Tyler to obtain an appropriate protective order or other reliable assurance that confidential treatment shall be accorded Tyler Confidential and Proprietary Information by such court or tribunal.

### 8. LIMITATION OF LIABILITY

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

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

### 9. CLIENT INFORMATION

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

### 10. DATA SECURITY

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

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

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

### 11. GOVERNING LAW

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

### 12. ENTIRETY OF AGREEMENT; AMENDMENTS

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

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

### 13. APPROVAL OF GOVERNING BODY

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



## *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 set Petit and Grand Juror reimbursement amount for jury duty service.

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

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** None

**LINE ITEM NUMBER OF FUNDS REQUIRED:** None

**REQUESTED BY:** Beverly Crumley, District Clerk

**SPONSORED BY:** Cobb

#### **SUMMARY:**

§ 61.001, Government Code requires the Commissioner's Court to determine the daily reimbursement for jury service.

SB 1 Article 40 provides that jurors receive reimbursements for jury service to the level, or amount provided for in the General Appropriations Act, as opposed to the current guaranteed \$40 a day reimbursement after the first day.

Currently, Hays County pays its petit jurors at the rate of \$6.00 per day for voir dire and \$40.00 per day for service as a member of the jury. Grand jurors are paid \$10.00 for the first day and \$40.00 for each day of service thereafter.

See attached copies of §61.001, Government Code (before amendments), a copy of the pertinent portion of SB 1, a copy of the General Appropriations Act and letter from the Texas Comptroller of Public Accounts regarding the changes in juror program beginning September 28, 2011.



GOVERNMENT CODE

TITLE 2. JUDICIAL BRANCH

SUBTITLE E. JURIES

CHAPTER 61. GENERAL PROVISIONS

Sec. 61.001. REIMBURSEMENT OF EXPENSES OF JURORS AND PROSPECTIVE JURORS. (a) Except as provided by Subsection (c), a person who reports for jury service in response to the process of a court is entitled to receive as reimbursement for travel and other expenses an amount:

(1) not less than \$6 for the first day or fraction of the first day the person is in attendance in court in response to the process and discharges the person's duty for that day; and

(2) not less than \$40 for each day or fraction of each day the person is in attendance in court in response to the process after the first day and discharges the person's duty for that day.

(b) In preparing and approving the annual budget for a county, the commissioners court of the county shall determine the daily amount of reimbursement for expenses for a person who reports for jury service and discharges the person's duty. The amount of reimbursement for each day must be within the minimum and maximum amounts prescribed by this section and paid out of the jury fund of the county. The commissioners court may set different daily amounts of reimbursement for:

(1) grand and petit jurors; or

(2) different petit jurors based on:

(A) whether a juror serves in a small claims court, justice court, constitutional county court, county court at law, or district court; or

(B) any other reasonable criteria determined by the commissioners court.



(c) A person who reports for jury service in a municipal court is not entitled to reimbursement under this chapter, but the municipality may provide reimbursement for expenses to the person in an amount to be determined by the municipality.

(d) In a specific case, the presiding judge, with the agreement of the parties involved or their attorneys, may increase the daily amount of reimbursement for a person who reports for jury service in that case. The difference between the usual daily amount of reimbursement and the daily amount of reimbursement for a person who reports for jury service in a specific case shall be paid, in equal amounts, by the parties involved in the case.

(e) A check drawn on the jury fund by the district clerk of the county may be transferred by endorsement and delivery and is receivable at par from the holder for all county taxes.

(f) A reimbursement for expenses under this section is not a property right of a person who reports for jury service for purposes of Chapters 72 and 74, Property Code. If a check, instrument, or other method of payment authorized under Section 113.048, Local Government Code, representing a reimbursement under this section is not presented for payment or redeemed before the 90th day after it is issued:

(1) the instrument or other method of payment is considered forfeited and is void; and

(2) the money represented by the instrument or other method of payment may be placed or retained in the county's jury fund, the county's general fund, or any other fund in which county funds can be legally placed, at the discretion of the commissioners court.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.  
Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.79(a), eff. Sept. 1, 1987; Acts 1993, 73rd Leg., ch. 64, Sec. 1, eff. Aug. 30, 1993; Acts 1997, 75th Leg., ch. 758, Sec. 1, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1119, Sec. 1, eff. Sept. 1,



1999; Acts 2003, 78th Leg., ch. 1136, Sec. 1, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 1360, Sec. 1, eff. January 1, 2006.

Acts 2007, 80th Leg., R.S., Ch. 1378, Sec. 1, eff. September 1, 2007.

Acts 2009, 81st Leg., R.S., Ch. 734, Sec. 2, eff. September 1, 2009.



examine the feasibility and potential cost of converting those statutory county courts into district courts, among other provisions. *Effective 1-1-2012, except for certain sections.*

### **Fiscal Matters**

**SB 1 by Duncan:** relating to certain state fiscal matters; providing penalties. SB 1 is omnibus finance legislation addressing financial matters across a broad array of disciplines. The following are summaries of some specific articles within the legislation that are relevant to the operations of county government. Article 6 changes the classification of the Judicial and Court Personnel Training Fund to an account within the general revenue fund. Article 36 provides a homestead exemption for unmarried surviving spouses of veterans. Article 40 provides that jurors receive reimbursements for jury service to the level, or amount provided for in the General Appropriations Act, as opposed to the current guaranteed \$40 a day reimbursement after the first day. Article 41 amends the Code of Criminal Procedure to require counties with a population of 50,000 or greater to participate in the Collection Improvement Program (reversing changes made by HB 2949 during the Regular Session that would have made this participation discretionary).

Article 48 amends Chapter 11 of the Tax Code, regarding property taxation and exemptions, to change the definition of "goods-in-transit" to require that the personal property be stored under a contract of bailment by a public warehouse operator at one or more public warehouses that are not in any way owned or controlled by the owner of the personal property. Article 58 is the mixed beverage tax amendment. It directs the legislature to return the mixed beverage tax reimbursements to cities and counties to 10.7 percent of the tax collected in the biennium beginning September 2013. This will restore to cities and counties more than \$72 million the state appropriated when it reduced the reimbursement rate to 8.2 percent for the coming biennium. Article 62 abolishes the Texas Department of Rural Affairs and creates the Office of Rural Affairs within the Texas Department of Agriculture (TDA). This article transfers all of the appropriations, powers, duties, FTEs and performance measures to the new office within TDA. The bill also establishes a "Rural Health and Economic Development Advisory Council" in order to review rural policies and allocations of community development block grant funding. It is mandated that a county official with health care expertise be appointed to this committee, as well.

Article 69 repeals the 15-cent state court cost associated with the offense of failing to secure a child passenger in a motor vehicle. Article 71 directs the Health and Human Services Commission to efficiently leverage state and local funds in order maximize federal Medicaid matching funds. Specifically, the commission would establish a waiver program for individuals eligible to receive service through the county for chronic health conditions. Additionally, Article 75 authorizes the governor to designate an agency to administer the community development block grant program. *Effective 9-28-2011, except for certain sections.*

### **Insurance**

**HB 3 by Smithee:** relating to the operation of the Texas Windstorm Insurance Association, to the resolution of certain disputes concerning claims made to that association, and the issuance of



# General Appropriations Act - HB 1 (2012-13 Biennium): Fiscal Impact on Counties

(Including SB 2 from 82nd Legislature, 1st Called Special Session)\*

Prepared by Texas Association of Counties, County Information Project (CIP)

Article I General Government	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Comptroller of Public Accounts	<b>Fiscal Research &amp; Studies:</b> Seminars and workshops to local government officials on financial matters.	\$16,992,517	\$226,819	(\$16,765,698)	-99%
	<b>Lateral Road Fund Districts:</b> These funds are allocated from the state motor fuel tax. The funds are to be used for improvements or construction on county lateral roads (Transportation Code, section 256.002).	\$14,600,000	\$14,600,000	\$0	0%
	<b>Gross Weight/Axle:</b> This fund is dedicated to counties for partial reimbursement for overweight truck road damage. Rider 19.	\$13,136,564	\$15,000,000	\$1,863,436	14%
	<b>Mixed Beverage Tax Reimbursement:</b> Reimbursements to counties and incorporated municipalities from mixed beverage tax collections (not to exceed 8.3065 percent, but Torres' amendment amends that to 10.7143 percent). Rider 16.	\$261,255,000	\$246,020,807	(\$15,234,193)	-6%
	<b>Grants Programs Local Continuing Education (LEOSE):</b> These funds may be used to pay for continuing education for law enforcement personnel. The fund are allocated to the county based on the number of law enforcement personnel.	\$11,997,108	\$0	(\$11,997,108)	-100%
Commission on State Emergency Communications	<b>9-1-1 Services:</b> Grants and assistance to local governments through Regional Planning Commissions as they develop and implement regional plans and maintenance for 911 services. (Note: \$11.7 million was added during the 82nd Legislature, 1st Called Session. This amount is reflected in the overall appropriation for 2012-13).	\$92,016,432	\$96,032,252	\$4,015,820	4%
Office of the Governor (Trusteed Program)	<b>Disaster Funds:</b> Helps cover the cost of the 25 percent match required for FEMA local disaster grants. These funds play a vital part in the rebuilding of local communities. (Note: \$39 million was added during the 82nd Legislature, 1st Called Session. This amount is reflected in the overall appropriation for 2012-13).	\$96,812,716	\$39,000,000	(\$57,812,716)	-60%
	<b>Criminal Justice:</b> Grants to local entities, non-profit organizations, and independent school districts for a variety of criminal justice related projects.	\$318,955,010	\$140,853,779	(\$178,101,231)	-56%
	<b>County Essential Services Grant:</b> Funding to local government with unanticipated and extraordinary criminal justices related expenditures.	\$2,879,894.00	\$0	(\$2,879,894)	-100%
	<b>Economic Development and Tourism:</b> Loans to local economic development corporations that assist local regions and communities with economic growth and development through job creation and capital investment.	\$148,708,395	\$35,998,087	(\$112,710,308)	-76%



Article I General Government	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Office of the Governor (Trusteed Historical Commission)	<b>Drug Courts Grants:</b> Funding for those counties that would like to implement a drug court. Rider 12.	\$3,187,000	\$1,500,000	(\$1,687,000)	-53%
	<b>Courthouse (Article 9):</b> Grants to counties for the renovation and rehabilitation of historic courthouses. GO-Bond Proceeds.	\$27,426,179	\$20,426,552	(\$6,999,627)	-26%
	<b>Development Assistance Programs:</b> Grants to cities and counties that promote economic development through historic preservation.	\$9,057,684	\$1,403,661	(\$7,654,023)	-85%
	<b>Aid to Local Libraries:</b> Funding for the Loan Star Libraries grants for public library service enhancements, including the Texas Reads grants for literacy programs and Library System Negotiated Grants for regional library system initiatives.	\$34,704,622	\$9,720,097	(\$24,984,525)	-72%
Secretary of State	<b>Elections Administration:</b> Funds for the primary elections financing program and reimburses counties for postage for voter registration applications. Wages for the poll workers are also included.	\$5,006,455	\$4,414,514	(\$591,941)	-12%
	<b>Elections Improvement (HAVA):</b> Provides for elections improvements for equipment that meets voting systems standards; provisional voting; statewide voter information for election officials, poll workers, and election volunteers.	\$44,075,000	\$43,028,175	(\$1,046,825)	-2%
Article II Health & Human Services	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Department of Family & Protective Services	<b>Child Abuse and Neglect Prevention Program:</b> Abused children that do not receive intervention services are more likely to run away, drop out of school and end up in jail. When prevention is not prioritized, communities see heightened substance abuse and criminal activity.	\$88,109,457	\$61,995,401	(\$26,114,056)	-30%
	<b>Mental Health SVCS Adults:</b> Contracts with 39 Community Mental Health Centers to deliver mental health services in communities across Texas. When funding is reduced, counties will be faced with increased jail costs, an increase in hospital emergency room visits and increased demand for state hospital beds.	\$578,919,568	\$553,129,071	(\$25,790,497)	-4%
Department of State Health Services	<b>Mental Health SVCS Children:</b> Funding for children in need of health and medical services.	\$132,932,210	\$153,465,918	\$20,533,708	15%
	<b>Mental Health Crisis SVCS:</b> Funding to address mental health and substance abuse crisis.	\$164,953,850	\$164,953,850	\$0	0%
	<b>North-Star Behavioral Health:</b> Funding to NorthSTAR which is a Medicaid managed care plan that serves seven counties in the Dallas Medicaid service region.	\$201,509,432	\$225,224,965	\$23,715,533	12%



Article II Health & Human Services	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Department of State Health Services	<b>Indigent Health Care UTMB:</b> Health care for the uninsured and indigent in Texas.	\$18,500,000	\$11,500,000	(\$7,000,000)	-38%
	<b>County Indigent Health Care:</b> Counties are required to offer basic health services to indigent residents as the payers of last resort. Once a county spends 8 percent of its general revenue tax levy (GRTL) on indigent care, the county can then request state matching funds.	\$9,383,708	\$4,403,759	(\$4,979,949)	-53%
	<b>EMS and Trauma Care System:</b> Provides EMS certifications, including funding for local project grants.	\$163,277,289	\$133,307,027	(\$29,970,262)	-18%
	<b>FQHC Infrastructure Grants:</b> Grants to establish new or expand existing facilities that can qualify as Federally Qualified Health Center (FQHC).	\$6,900,000	\$0	(\$6,900,000)	-100%
Article III Higher Education	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Texas Forest Service	<b>Volunteer Fire Dept. Association Acct. 5064:</b> Grant programs to local volunteer fire departments (mainly cities and counties) – providing them with equipment and training. (Note: \$40 million was added during the 82nd Legislature, 1st Called Session. This amount is reflected in the overall appropriation for 2012-13).	\$60,000,000	\$67,000,000	\$7,000,000	12%
	<b>Rural Volunteer Fire Dept. Acct. 5066:</b> Grant programs to local volunteer fire departments – providing them with equipment and training.	\$2,000,000	\$1,900,000	(\$100,000)	-5%
Article IV Judiciary	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Office of Court Administration	<b>Indigent Defense :</b> State funding to assist counties in providing quality legal representation in a cost-effective manner. (Note: \$7.6 was added during the 82nd Legislature, 1st Called Session. This amount is reflected in the overall appropriation for 2012-13).	\$63,378,079	\$69,887,844	\$6,509,765	10%
Court of Criminal Appeals	<b>Judicial and Court Personnel Training:</b> Used to provide for the continuing legal education of judges and of court personnel. Rider 7.	\$2,000,000	\$1,700,000	(\$300,000)	-15%
Comptroller's Judiciary Section	<b>County Level Judges GR/573 Salary Supplements (Strategy C.1.1):</b> A county judge is entitled to an annual salary supplement from the state of \$15,000 if at least 40 percent of the functions that the judge performs are judicial functions. (Govt. Code 26.006).	\$4,230,000	\$4,230,000	\$0	0%



Article IV Judiciary	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Comptroller's Judiciary Section	<b>County Level Judges 573 Salary Supplements</b> (Strategy C.1.2): These funds are used for court-related purposes for the support of the judiciary. (Govt. code 51.703(d)).	\$3,173,390	\$3,173,390	\$0	0%
	<b>Juror Pay:</b> Used to reimburse counties for the cost of juror services.	\$21,604,000	\$18,363,400	(\$3,240,600)	-15%
	<b>District Attorney - Salaries</b> (Strategy B.1.1): Help defray the salaries and expenses of the office.	\$2,611,140	\$1,103,454	(\$1,507,686)	-58%
	<b>Asst. Prosecutor Longevity Pay</b> (Strategy D.1.1): These funds are used to supplement the pay of assistant district attorneys that have at least four years of lifetime service credit as an assistant prosecutor.	\$7,518,000	\$7,518,000	\$0	0%
	<b>Felony Prosecutors:</b> Payments shall not exceed \$11,083 per year in single-county districts with populations over \$50,000; or \$22,500 per year in districts with populations over 50,000; or \$27,500 per year in districts with populations under 50,000 for those district Attorneys, criminal district attorneys and county attorneys (Rider 6). <b>Note:</b> Funding for the County Attorney Supplement increased from \$10.6 million to \$10.7 million for 2012-13.	\$34,100	\$22,166	(\$11,934)	-35%
Article V Public Safety & Criminal Justice	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Department of Criminal Justice	<b>Basic Supervision:</b> State aid to the local community supervision and corrections department (CSCD) to pay for misdemeanor probation funding - primarily staff and departmental operations. Currently the state pays only \$0.70 per day for 182 days, per misdemeanor defendant. Without this funding the counties will be burdened with making up the difference in necessary community supervision programs, sentencing options will be restricted, jails will become overcrowded and the court system can expect to become backlogged.	\$224,124,371	\$220,324,955	(\$3,799,416)	-2%
	<b>Diversion Program:</b> Residential treatment and rehabilitation programs for offenders in lieu of incarceration in jail or prison.	\$241,562,841	\$241,405,716	(\$157,125)	0%
	<b>Community Corrections:</b> For the treatment and rehabilitation of offenders in the community, including some special needs programs, restitution programs, etc. Without funding, counties are likely to see increased jail populations, reduced sentencing options, increased recidivism and probation revocations.	\$77,540,176	\$72,498,406	(\$5,041,770)	-7%



Article V Public Safety & Criminal Justice	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Department of Criminal Justice	<b>TRMT Alternatives to Incarceration:</b> Community based programs targeted to treating offenders in community in lieu of revoking to jail or prison. Without funding to TAIP (Treatment Alternatives to Incarceration Program), counties are likely to experience increased recidivism, unemployment, child support arrears and probation revocations.	\$23,209,823	\$22,258,692	(\$951,131)	-4%
	<b>Academic/ Vocational Training:</b> Provides TDCJ inmates with education and skills training so they will be better qualified in the workforce upon release from prison. Without funding, counties will inherit convicted offenders lacking basic education and job skills.	\$4,841,279	\$2,727,766	(\$2,113,513)	-44%
	<b>Project Reintegration of Offenders:</b> Coordinated with the Texas Workforce Commission after paroled from TDCJ, assists offenders in reintegrating into the workforce, job searches and placement.	\$9,494,217	\$0	(\$9,494,217)	-100%
	<b>In-Prison Treatment:</b> Provides treatment to incarcerated offenders, including drug/alcohol and special needs programs. Without funding offenders will be released into the communities without the skills necessary to address the problems or behaviors that lead to incarceration.	\$74,760,471	\$69,887,230	(\$4,873,241)	-7%
	<b>Operate Parole:</b> Without adequate funding for parole supervision, department operations and programs, counties can anticipate increased crime and parole revocation proceedings, increased jail populations and increased demands on the court system.	\$309,901,011	\$311,619,594	\$1,718,583	1%
Commission on Jail Standards	<b>Jail Standards: (Goal A)</b> The Inspection and Enforcement strategy in the budget was restored.	\$1,360,768	\$1,212,183	(\$148,585)	-11%
Juvenile Probation Commission	<b>Juvenile Justice Alternative Education:</b> Provides for an alternative educational setting for expelled youth that focus on discipline, behavior management and academic achievement. The funding to JJAEP is vital in keeping youth out of TYC and TDCJ.	\$23,789,147	\$17,185,003	(\$6,604,144)	-28%
	<b>Harris County Boot Camp:</b> Eliminating/reducing would cause Harris County to close the boot camp which would require these young offenders to be shipped off to Texas Youth Commission facility, if not to the TDCJ.	\$2,000,000	\$2,000,000	\$0	0%
	<b>Probation Training:</b> Funding is for training of juvenile probation department staff.	\$16,569,544	\$822,646	(\$15,746,898)	-95%




Article VI Natural Resources	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Parks & Wildlife Department	<b>Local Park, Boating Access and Other Grants:</b> Reduced funding at this level would required the sale of seven state parks (or transfer to local governments) and would eliminate the local park grant funding program to counties.	\$31,172,057	\$881,460	(\$30,290,597)	-97%
Commission on Environmental Quality	<b>Low-Income Vehicle Repair Assist. Program (LIRAP):</b> This program along with the Texas Emission Reduction Plan (TERP) have been critical in reducing emissions in Texas. Reductions in funding for these programs will hinder efforts to improve air quality. LIRAP funds are dedicated funds, paid by local citizens with the understanding they would help restore air quality in their counties. Bider 31	\$90,000,000	\$11,250,000	(\$78,750,000)	-88%
Article VII Business & Economic Development	Program Name/Purpose	81st Legislature (Current Budget) 2010-11	82nd Legislature HB 1 2012-13 (Including SB 2)	Difference between 81st Session and 82nd Session	Percent Change
Department of Motor Vehicles	<b>Automobile Burglary &amp; Theft Grants:</b> This program has been a huge success, especially in the Metroplex area around Dallas in reducing the number of vehicles stolen each year in Texas.	\$31,300,482	\$29,823,740	(\$1,476,742)	-5%
Department of Transportation	<b>Contracted Planning &amp; Design:</b> Provides funding for all aspect of structural planning, design, review, construction and inspection of bridges. <b>Right of Way Acquisition:</b> Provides funding to build, widen and enhance roads.	\$541,467,390	\$727,433,656	\$185,966,266	34%
		\$819,306,066	\$1,008,604,471	\$189,298,405	23%
		\$5,154,244,442	\$4,891,038,506	-\$263,205,936	-5%
<p><b>Number of State Agency Programs Impacting Counties: 52 Programs</b></p> <p><b>Total Expenditures (2010-11): \$5.1 billion</b></p> <p><b>Total Expenditures (2012-13): \$4.8 billion</b></p> <p><b>Total Reductions for 2012-13: - \$263 million</b></p> <p><b>Total percent change: -5 percent</b></p>					

\*HB 1, also known as the General Appropriations Act (GAA) was signed by the Governor on June 17, 2011. Additional funding for several state agency programs were provided in SB 2, during the 82nd Legislature, 1st Called Session. The Governor signed SB 2 on July 19, 2011.

**Note:** Any questions, please contact Paul Emerson, Texas Association of Counties, County Information Projects (revised on July 19, 2011).



<div style="text-align: center;"> <b>S U S A N</b>  <b>C O M B S</b> </div>	<div style="text-align: center;"> <b>TEXAS COMPTROLLER of PUBLIC ACCOUNTS</b>  P.O. Box 13528 • AUSTIN, TX 78711-3528 </div>
	

August 24, 2011

**To:** County Treasurer and Auditor

**From:** Leonard Higgins

**Subject:** Changes in Juror Program beginning September 28, 2011

On July 19, 2011 the Governor signed SB 1, 82nd Legislature, 1<sup>st</sup> Called Session, which changes the reimbursement rate for jury service after the second day of service. This bill also requires the Comptroller to provide a daily reimbursement rate to the counties based on funding in the General Appropriations Act.

- H  
*How much will the daily rate be for the first day of service?*

As of September 28, 2011, each juror is still entitled to not less than \$6 for the first day or fraction of the first day the person is in attendance in court in response to the process and discharges the person's duty for that day. (Section 61.001 (a-1) (1) of the Texas Government Code.)

- H  
*How much is the daily rate reimbursement after the first day of service?*

As of September 28, 2011 each county will be entitled to an amount not less than the amount as provided in the General Appropriations Act for each day or fraction of each day the person is in attendance in court in response to the process after the first day and discharges the person's duty for that day. (Section 61.001 (a-1) (2) of the Texas Government Code.)

The Comptroller's Judiciary Section has determined that the county reimbursement amount will be **\$28** per day or fraction of a day for juror service beginning on the second day. This amount will be reviewed quarterly and is subject to adjustment based on claims filed and remaining funds. SB 1 specifically provides that the Comptroller may permit a different rate of juror reimbursement for each quarterly payment to counties provided the funds available in the General Appropriations Act.

If you have additional questions or need further information concerning the Juror Program, please contact the Comptroller's Judiciary Section by e-mail at [leonard.higgins@cpa.state.tx.us](mailto:leonard.higgins@cpa.state.tx.us) or by phone at 1-800-531-5441, extension 6-6100.

Thank you.



## *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 adopt a Standard Project Construction Manual for future use on projects let by Hays County within the Pass Through Program.

**TYPE OF ITEM:** ACTION

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**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 Jones.

**SPONSORED BY:** Commissioner Precinct 2 Mark Jones.

**SUMMARY:** Adoption of the proposed Project Construction Manual will set forth a statute for all contractors to abide by when submitting bid packages; the Construction Manual will include but is not limited to:

- 1) Addenda
- 2) Invitation for Bids
- 3) Bid Instruction / Requirements
- 4) Bid Forms / Schedule of Rate and Prices / Conflict of Interest Statements / etc.
- 5) Standard Forms of Contract
- 6) Contractors Assurance
- 7) Wage Rates
- 8) Performance / Payment / Retainage Bonds
- 9) Certificates of Insurance
- 10) General / Special Conditions
- 11) Technical Specifications



## *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 a resolution endorsing and supporting TxDOT approval of funding for the FM 2439 (Hunter Road) project and the IH 35 project as described on the TxDOT Austin District Candidate List of Proposition 12 Projects dated August 9, 2011.

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

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:** Conley

**SPONSORED BY:** Conley

**SUMMARY:**





San Marcos, Texas

**RESOLUTION**

**WHEREAS**, in the adopted FY 2012-FY 2013 budget the Texas Legislature has authorized the Texas Department of Transportation to go to construction for \$3 billion of Proposition 12 bond funded projects; and

**WHEREAS**, one of the funding categories is a \$1.4 billion allocation that is divided among the department's 25 District offices, with a Austin District's allocation of \$91.3 million, to be approved by the Texas Transportation Commission; and

**WHEREAS**, the Austin District has developed a candidate list of projects which TxDOT staff has assessed meet project criteria and can be ready to go to construction within the specified FY 2012 – FY 2013 time frame, including two projects in Hays County; and

**WHEREAS**, the first project is on FM 2439 (Hunter Rd.) from Centerpoint Rd. to Posey Rd. to reconstruct the existing 2-lane roadway to a 2-lane divided roadway; and

**WHEREAS**, the second project is on IH 35 at Cement Plant Road (Robert S. Light Blvd and Hillside Terrace) to widen the bridge to add 2 lanes and construct turnaround bridges; and

**WHEREAS**, both projects meet TxDOT Proposition 12 criteria, including increasing safety, relieving congestion, preserving the existing transportation system, and supporting economic vitality; and

**WHEREAS**, Hays County has partnered with TxDOT through a pass-through funding agreement for improvements to IH 35 adjacent to the TxDOT proposed IH 35 project, as well as on US 290, FM 1626, FM 150 and FM 110 on the state highway system; and

**WHEREAS**, Hays County, the City of Buda, the Buda Economic Development Corporation and private landowners funded the construction of Robert S. Light Blvd, the "Buda Truck Bypass" leading to the new IH 35 overpass (Cement Plant Road); and

**WHEREAS**, Hays County has applied to the Capital Area Metropolitan Planning Organization to fund additional improvements to IH 35 between Buda and Kyle, which are compatible with and support the TxDOT proposed IH 35 project, and

**NOW, THEREFORE, BE IT RESOLVED** that Hays County strongly supports the two candidate projects for IH 35 and FM 2439 in Hays County and requests that the Austin District of TxDOT encourages their funding approval by the Texas Transportation Commission;

**RESOLVED, ORDERED, AND DECLARED** this the 13th day of September 2011.

\_\_\_\_\_  
**Bert Cobb**  
Hays County Judge

\_\_\_\_\_  
**Debbie Gonzales Ingalsbe**  
Commissioner, Pct. 1

\_\_\_\_\_  
**Mark Jones**  
Commissioner, Pct. 2

\_\_\_\_\_  
**Will Conley**  
Commissioner, Pct. 3

\_\_\_\_\_  
**Ray Whisenant**  
Commissioner, Pct. 4

**ATTEST:**

\_\_\_\_\_  
**Liz Q. Gonzalez**  
Hays County Clerk



## ATTACHMENT A

### **42. Appropriations from Proposition 12 General Obligation Bond Proceeds for Bridge, Safety, Connectivity, and Congestion Relief Projects.**

Out of funds appropriated above, \$3 billion of Bond Proceeds - GO Bonds (Proposition 12, 2007) shall be used to fund projects that will relieve congestion, enhance bridge and roadway safety, and connect the state's population centers.

a. The Department of Transportation shall use \$300 million of this amount to acquire right of way, conduct feasibility studies and project planning, and outsource engineering work for the most congested roadway segments in each of the four most congested regions of the state that are included in the 50 most congested roads in the state as listed on the State's Top 100 Most Congested Roadways list as of January 1, 2011. These funds shall be allocated by the Texas Transportation Commission to those regions using the formula used to allocate funds among the Transportation Management Areas in Category 2, Metropolitan and Urban Area Corridor Projects, in the department's Unified Transportation Program. The Department of Transportation shall provide \$3 million out of State Highway Funds appropriated above to the Texas Transportation Institute for the purposes of:

(1) serving as a facilitator and project coordinator of studies to be conducted by the four

most congested regions to:

- i. determine which projects would have the greatest impacts considering such factors as congestion, economic benefits, user costs, safety, and pavement quality;
- ii. identify funding options to support completion of the projects and suggest the best use of future revenues for the projects;
- iii. include implementation of best traffic and demand management practices;
- iv. ensure open and transparent public participation;
- v. make recommendations to the Department of Transportation at each major decision point for the projects; and

(2) reporting the preliminary findings and results to the Eighty-third Legislature and the Transportation Commission no later than September 1, 2012.



**ATTACHMENT A (continued)**

b. The department shall use \$3 million out of appropriations from Bond Proceeds - GO Bonds (Proposition 12, 2007) for the purpose of reimbursing State Highway Fund No. 006 for funds provided to the Texas Transportation Institute in subsection (a) of this rider.

c. The department shall use \$500 million of this amount to fund the bridge projects listed below. These General Obligation Bond Proceeds may only be used to develop and construct the necessary bridge elements as determined by the Texas Transportation Commission. If the amount of General Obligation Bond Proceeds expended for the bridges listed below is less than \$500 million, the Texas Transportation Commission may allocate the remaining General Obligation Bond Proceeds to other eligible bridge projects.

<b>District</b>	<b>County</b>	<b>Feature Crossed</b>	<b>Facility Carried</b>
Dallas	Dallas	Trinity River	IH 30
Dallas	Dallas	Trinity River and Brazos St	IH 35E SB & NB
Beaumont	Orange	Neches River	IH 10
Houston	Harris	IH 10	Elysian Street
Paris	Hunt	Lake Tawakoni	SH 276
Dallas	Dallas	IH 30, US 75 & DART	IH 345 SB & NB
San Angelo	Tom Green	US 277	US 67 SB & NB
Childress	Knox	Brazos River	SH 6
Childress	Collingsworth	Red River	SH 203

d. The commission shall allocate \$600 million of this amount statewide to fund metropolitan and urban mobility projects, using the formula used to allocate funds in Category 2, Metropolitan and Urban Area Corridor Projects, in the department's Unified Transportation Program.

e. The department shall use \$200 million of this amount to fund statewide connectivity projects selected by the commission.

f. The commission shall allocate \$1.4 billion of this amount statewide to fund rehabilitation and safety projects using the formula used to allocate funds in Category 1, Preventive Maintenance and Rehabilitation, in the department's Unified Transportation Program.





## **Texas Department of Transportation**

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

August 16, 2011

Ms. Betty Voights  
Executive Director  
Capital Area Council of Governments  
Capital Area Regional Transportation Planning Organization  
6800 Burleson Road  
Building 310, Ste 165  
Austin, Texas 78744

Re: Proposition 12 Bonds

Dear Ms. Betty Voights:

As a member of the Central Texas transportation community, we are seeking your input on candidate projects to be funded with Proposition 12 bonds. The Austin District will be providing a recommendation to the Texas Transportation Commission for consideration and approval at their September 29, 2011 meeting.

In November 2007 Texas voters approved Proposition 12, authorizing the State of Texas to issue bonds backed by the state's general revenue to provide improvements to the State highway system. In July 2009, the Texas Legislature authorized the department to go to contract on approximately \$2 billion of the Proposition 12 bonds. Projects are underway that have been funded with this \$2 billion (a list and status of the projects are available at [www.txdot.gov/project\\_information/prop12.htm](http://www.txdot.gov/project_information/prop12.htm)).

In the recently adopted FY 2012-FY 2013 budget, the Texas Legislature has authorized the department to go to construction for an additional \$3 billion of Proposition 12 bond funded projects. Direction provided under Rider 42 of the department's budget (see Attachment A) subdivided the Proposition 12 funding through several categories of work. One of the categories is a \$1.4 billion allocation that is divided among the department's 25 District Offices. The Austin District's allocation is \$91.3 million.

In discussions among our staff, a candidate list of projects has been developed which staff has assessed can be ready to go to construction within the FY 2012 - FY 2013 budget time frame (see Attachment B). As shown at the bottom of Attachment B, we will be considering six evaluation criteria and eight secondary factors to help develop a final list of priority projects.

We seek your input as to your support of the candidate projects as well as your input as to other well deserved projects that you would like the Austin District to consider. We welcome your comments and request that, if you choose to recommend additional projects, you work closely with your Texas Department of Transportation Area Engineer

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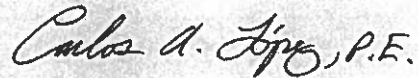
August 16, 2011

to seek his guidance on the cost and project development time frame for any proposed highway improvements.

As we value your consideration and input in our development of a final Proposition 12 project list, it is requested that we receive your comments no later than Wednesday, September 14, 2011, so that we can fully consider your input.

We look forward to working with you and your colleagues in getting much needed projects from the project development phase to the construction phase. Please feel free to call me at (512) 832-7022 if you have any questions.

Sincerely,



Carlos A. Lopez, P.E.  
Austin District Engineer

cc: Donald E. Nyland, P.E., South Travis Area Engineer, TxDOT  
Terry G. McCoy, P.E., North Travis Area Engineer, TxDOT  
Howard L. Lyons, P.E., Burnet Area Engineer, TxDOT  
John R. Wagner, P.E., Georgetown Area Engineer, TxDOT  
Roy Dill, Bastrop Area Engineer, TxDOT



## DRAFT CANDIDATE LIST OF PROPOSITION 12 PROJECTS IN TxDOT's AUSTIN DISTRICT

ROADWAY	COUNTY	BEGINNING LIMIT	ENDING LIMIT	WORK DESCRIPTION	CONSTRUCTION COST	TOTAL PROJECT COST
SH 71	Bastrop	At Loop 150 East		Construct overpass	\$16,100,000	\$ 19,803,000
US 290	Bastrop	8.9 miles east of FM 696	FM 2104	Reconstruct 4-lane undivided to 4-lane divided	\$22,000,000	\$ 30,060,000
US 290	Bastrop	1 mile east of FM 696	8.9 miles east of FM 696	Reconstruct 4-lane undivided to 4-lane divided	\$28,500,000	\$ 38,055,000
US 281	Blanco	South of FM 32	Station Estates Drive	Add passing lane	\$5,100,000	\$ 6,273,000
US 290	Gillespie	Dusty Farm Lane	Jung Lane	Construct 2-way left turn lane	\$2,500,000	\$ 3,075,000
FM 2439	Hays	Centerpoint Road	Posey Road	Reconstruct 2-lane to 2-lane divided	\$4,000,000	\$ 4,920,000
IH 35	Hays	At Cement Plant Road		Widen bridge to add 2 lanes and construct turnaround bridges	\$3,000,000	\$ 3,690,000
FM 2304	Travis	Ravencroft Drive	FM 1626	Add 2-lanes to existing 3-lane section	\$4,500,000	\$ 5,535,000
IH 35	Travis	South of Howard Lane	North of FM 734	Relocate northbound exit and entrance ramps	\$3,000,000	\$ 3,690,000
Loop 1	Travis	North of Loop 360	North of US 290	Restripe for southbound auxiliary lane and construct bicycle bridge	\$5,000,000	\$ 6,150,000
Loop 360	Travis	At Westlake Drive, Cedar Street and Courtyard Drive		Construct intersection improvements	\$4,250,000	\$ 5,227,500
SH 71	Travis	Thomas Springs Road	Covered Bridge Drive	Reconstruct 4-lane undivided to 5-lane section	\$8,200,000	\$ 10,086,000
FM 1431	Williamson	Ronald Reagan Blvd	IH 35	Construct innovative intersection improvements	\$5,300,000	\$ 6,519,000
FM 1460	Williamson	Quail Valley Drive	North of Westinghouse Road	Reconstruct 2-lane to 4-lane divided	\$20,600,000	\$ 25,338,000
IH 35	Williamson	0.1 mile north of CR 312 (Corn Hill Road)	0.1 mile south of CR 312 (Corn Hill Road)	Replace bridge and approaches	\$3,000,000	\$ 3,690,000
Please add below additional project(s) for consideration as a candidate Proposition 12 funded project:						
CANDIDATE PROJECT TOTAL					\$136,060,000	\$172,111,600
AUSTIN DISTRICT ALLOCATION						\$ 91,322,000

## PROPOSITION 12 EVALUATION CRITERIA

The Austin District proposes to apply the following criteria for selecting projects for funding that is used for the department's Unified Transportation Program, Chapter 43 of the Texas Administrative Code [43 TAC 16.105(d)(1)(A)] where the Texas Transportation Commission considers the following:

The potential of the project to:

- (i) increase the safety of the transportation system for all transportation users;
- (ii) maintain and preserve the existing transportation system
- (iii) provide congestion relief;
- (iv) increase the accessibility and mobility of the transportation system for all transportation users;
- (v) support the economic vitality of the area, especially by enabling global competitiveness, productivity, and efficiency;
- (vi) promote efficient system management and operation

## SECONDARY CONSIDERATIONS/FACTORS

The Austin District also proposes to use a secondary set of considerations. Many of these secondary considerations may support the primary criteria shown above. Also, consideration will be given to the timing of bringing projects forward to construction. Issues such as environmental clearance, inclusion in financially constrained portions of the CAMPO 2035 Regional Transportation Plan and consultation with Rural Planning Organizations like CARTPO and AARPO as well as with local elected officials, design, and right of way will be considered in project selection. The projects funded from this allocation of Proposition 12 funds should be under construction by the end of FY 2013.

The secondary considerations will include the projects impact to:

- (a) hurricane evacuation routes,
- (b) freight corridors,
- (c) pavement conditions,
- (d) bridge conditions,
- (e) closing corridor gaps,
- (f) fund leveraging opportunities, and
- (g) previous legislative and local input.
- (h) air quality improvements.



## *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:** Discussion and possible action to approve hiring, transfer and/or promotion of vacant position(s).

<b>CHECK ONE:</b>	<b>CONSENT</b>	<b>X ACTION</b>	<b>EXECUTIVE SESSION</b>
	<b>WORKSHOP</b>	<b>PROCLAMATION</b>	<b>PRESENTATION</b>

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY: BAEN**

**SPONSORED BY: COBB**

DEPT.	POSITION	GRADE	SALARY RANGE	DATE VACANT
Law Library	Law Librarian	106	\$10.55/hr - \$15.82/hr	10/02/11

Please see the attached Position Request Forms for more information.





## Position Request Form

Date: 9/7/11 Name of Department: Law Library

Department Head: Leslie Howe (Law Library Committee Chair) Contact # 512-847-9361

Name of position to be discussed: Law Librarian ☒ Budgeted/Existing Position ☐ New Position

☐ Full-Time ☒ Part-Time ☐ Temporary ☒ Regular

Person Leaving: Robert Harris Date Vacant: 10/2/11

Ending Salary: \$13.56/hr (\$14,102.40)\* Fringe (yearly): \$2548.30 Grade: 106 Range: \$10.55-\$13.19-\$15.85

\*Current work schedule is: 10am-2pm Monday thru Friday

Reason for Leaving/Name of New Employer Retirement

Adverse impact to County or department if position is not filled:

The Law Librarian provides assistance to patrons, controls inventory and purchasing, performs clerical, office, and reception duties. The work involves filing, daily customer relations, and computer applications. The Law Library is a busy and important resource, especially for low income residents of the county, and those who must find inexpensive answers to their legal questions. It is also used by attorneys in the area. The materials must be constantly updated. The Library cannot run without a Librarian – if this position is not filled, there would be a significant adverse impact on the users of the Library who may not be able to find materials or have access to updated materials. There would be a adverse impact on the Court System as attorneys often use Library resources during a hearing if the judge has a question. On the other hand, every time a case is filed in Hays County a portion of the filing fee is designated to a Law Library Fund which cannot be reapplied for other county spending, so there would be no corresponding benefit to the county for eliminating this position to outweigh these negative impacts.

HR Review: Dee Dee Baen Date: 09/06/11

Auditor Review: \_\_\_\_\_ Date: \_\_\_\_\_



## *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 increase Not-to-Exceed fee for Michael Aulick to \$50,000 and amend the budget accordingly.

**TYPE OF ITEM:** ACTION

**PREFERRED MEETING DATE REQUESTED:** September 13,2011

**AMOUNT REQUIRED:** Not to exceed \$50,000

**LINE ITEM NUMBER OF FUNDS REQUIRED:** From Salary Savings to 5448-008

**REQUESTED BY:** Borcharding

**SPONSORED BY:** Conley

**SUMMARY:** Existing funds allocated for submission and monitoring of CAMPO and TxDOT funding opportunities have been exhausted. Program changes published after the initial Call-For-Projects required additional time to research and apply to Hays County submissions, causing an increase in preparation expense. There is an immediate need for continuing assistance with monitoring the funding programs and actively promoting Hays County projects through Campo and TxDot staff. The approval process continues to be extreamly complicated and warrants the continued use of Michael Aulick Associates. An overview of current status of submissions will be presented in Court.



**DESCRIPTION OF Item:** Discussion and possible action to increase Not-to-Exceed fee for Michael Aulick to \$50,000.

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**COUNTY AUDITOR**

**AMOUNT:** Not to exceed \$50,000

**LINE ITEM NUMBER:** From Salary Savings to 5448-008

**COUNTY PURCHASING GUIDELINES FOLLOWED:**

**PAYMENT TERMS ACCEPTABLE:**

**COMMENTS:** This will require a budget amendment. Will the work be completed prior to the end of the fiscal year?

**Bill Herzog**

**SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

**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 Memorandum of Understanding (MOU) related to the inspection of utility improvements in and near the Wood Creek North subdivision.

**TYPE OF ITEM:** ACTION

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** n/a

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

**REQUESTED BY:** CONLEY

**SPONSORED BY:** CONLEY

**SUMMARY:** Aqua Texas is in the process of repairing some water lines in and near the Woodcreek North Subdivision. The MOU will grant Hays County the responsibility and right to inspect the work for utility repairs in the ROW of both, Hays County roads and Woodcreek North Roads.



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9:00 a.m. Every Tuesday

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

**AGENDA ITEM:**

Discussion and possible action to authorize Development Services to negotiate a contract with CAPCOG for air photos.

**TYPE OF ITEM:** ACTION

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** \$15,000

**LINE ITEM NUMBER OF FUNDS REQUIRED:** 001-657-00.5448

**REQUESTED BY:** Clint Garza

**SPONSORED BY:** Will Conley

**SUMMARY:**

In May of 2011 CAPCOG began soliciting its member organizations to submit any areas of interest for the GeoMap Project. Due to other local participants and CAPCOG's interest in this project, the County participation has been reduced by 40%.

Air photos would be flown, and GeoMap's economy of scale could help us get an image resolution of twelve inches. Our current air photos were flown in March 2010, and the image resolution is twenty four inches.

**Potential funding source - County-Wide legal 001-645-00.5441.**



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9:00 a.m. Every Tuesday

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no later than 2:00 p.m. on WEDNESDAY.

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

**AGENDA ITEM:** Executive Session pursuant to §551.087 of the Texas Government Code, to discuss Economic Development negotiations including Project Demeter and Project Sky Blue.

**TYPE OF ITEM:** EXECUTIVE SESSION

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** n/a

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

**REQUESTED BY:** CONLEY

**SPONSORED BY:** CONLEY

**SUMMARY:**

Summary to be provided in Executive Session.



## *Agenda Item Request Form*

### **Hays County Commissioners' Court**

9:00 a.m. Every Tuesday

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no later than **2:00 p.m.** on **WEDNESDAY.**

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

**AGENDA ITEM:** Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding existing and/or contemplated litigation related to Jeremiah Venture.

Possible action to follow in open Court.

**TYPE OF ITEM:** Executive

**PREFERRED MEETING DATE REQUESTED:** September 13, 2011

**AMOUNT REQUIRED:** N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:** COBB

**SPONSORED BY:** COBB

**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 551.071 of the Texas Government Code: consultation with counsel regarding all pending and/or contemplated litigation involving Hays County.**

**TYPE OF ITEM: Executive**

**PREFERRED MEETING DATE REQUESTED: September 13, 2011**

**AMOUNT REQUIRED: N/A**

**LINE ITEM NUMBER OF FUNDS REQUIRED: N/A**

**REQUESTED BY: KENNEDY**

**SPONSORED BY: COBB**

**SUMMARY:**

**Litigation update to be provided in Executive Session.**



