

Commissioners Court -February 1, 2011
NOTICE OF A MEETING OF THE
COMMISSIONERS COURT OF HAYS COUNTY, TEXAS



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNONS TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at **9:00 A.M.** on the **1st day of February, 2011**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

CALL TO ORDER /ROLL CALL

INVOCATION:

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

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.

1	4	Approve payments of county invoices. HERZOG
2	5-10	Approve Commissioner Court Minutes of January 25, 2011 COBB/GONZALEZ
3	11-14	Authorize the County Judge to sign renewal contracts for Generator Planned Maintenance at the Hays County Justice Center and Hays County Personal Health Department. COBB/KNOTT
4	15-20	Approve specifications for RFQ #2011-P04 Request for Qualifications for Professional Surveying Services on an As-Needed-Basis and authorize Purchasing to solicit for proposal and advertise. COBB/MAIORKA
5	21-26	Approve specifications for RFQ #2011-P05 Request for Qualifications for Professional Engineering Services on an As-Needed Basis and authorize Purchasing to solicit for proposal and advertise. COBB/MAIORKA
6	27-34	Approve specifications for RFQ #2011-P06 "Qualifications for Construction Inspection & Materials Testing for Improvements to FM 1626 & FM 110" and authorize purchasing to solicit for proposal and advertise. COBB/MAIORKA
7	35-38	Approve the amendment of Constable 1, 3, 4, 5 budgets for the Texas Workforce Commission on-line resources agreement. COBB/HOOD

ACTION ITEMS

ROADS

8	39-42	Discussion and possible action to consider the release of the maintenance bond and accept for maintenance all road and drainage improvements within County ROW for Shadow Creek subdivision, Phase 3. JONES/BORCHERDING
9	43-44	Hold a public hearing to establish a "No Parking" zone on the cul-du-sac on Rich Lane. Discussion and possible action may follow. JONES/BORCHERDING

10	45-49	Discussion and possible action to consider the release of the maintenance bond and accept for maintenance all road and drainage improvements within County ROW for Big Sky Ranch subdivision. CONLEY/BORCHERDING
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SUBDIVISIONS

11	50-52	10-3-10 Amending Plat of Lots 130, 154, and 155 of Wimberley Campfire #2, Section 3. Discussion and possible action to consider waiver of public hearing and Preliminary Plan; approve variance to minimum lot size in Section 10.1 of Hays County OSSF regulations and approve final plat. CONLEY
12	53-57	10-4-49 Highpointe Phase IV, Section 2. Subdivision (48 lots). Discussion and possible action to consider approval of Final Plat. WHISENANT

MISCELLANEOUS

13	58-62	Discussion and possible action to nominate Jerry Borcharding to the Lone Star Rail District Technical Advisory Committee. COBB
14	63-66	Discussion and possible action to adopt a resolution in support of HJR 56 (House Joint Resolution 56) by Representative Solomons regarding unfunded mandates. INGALSBE
15	67-71	Discussion and possible action to adopt a resolution in support of Expedited Environmental Review for Locally-Funded Projects by TxDOT. INGALSBE/CONLEY
16	72-73	Discussion regarding Hays County's possible participation with the City of Kyle in an application for a Regional Water and Wastewater Planning Grant from the Texas Water Development Board. JONES
17	74-75	Discussion and possible action to transfer a 2006 White Crown Victoria (VIN # 2FAFP71W76X125482) from the Hays County Sheriff's Office to the Constable Precinct 3 office that will replace the 2002 Crown Victoria (VIN # 2FAFP71W52X132859) that is currently being used. CONLEY/AYRES
18	76-78	Discussion and possible action to promote and fund Health Check 2011 for Hays County employees and eligible dependents, authorize payroll deduction of additional fees for optional services employees may elect, and add Health Check as a budgeted line item. COBB/BAEN
19	79	Discussion and possible action to approve the appointment of Mike Owens to ESD #2 for a two year term, beginning February 1, 2011. JONES
20	80-83	Discussion and possible action to approve the Exception of the Promotion Salary Administration Policy of two staff members of the County Clerk's Office at the 25 th percentile effective February 1, 2011. INGALSBE/GONZALEZ
21	84-85	Discussion and possible action to ratify the extended double fill of Administrative Assistant III position in the County Judge's Office. COBB/BAEN
22	86	Discussion and possible action regarding a Hays County Water/Wastewater Plan. CONLEY

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.

23	87	Executive Session pursuant to Section 552.071 Texas Government Code: consultation with counsel regarding pending or contemplated litigation related to CCN amendment applications (CCN Nos. 11157 and 20453) from Aqua Utilities, Inc. Possible action to follow in open court. CONLEY/KENNEDY
24	88	Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding collective bargaining. Possible action may follow in open Court. COBB
25	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. COBB/KENNEDY

STANDING AGENDA ITEM

26	Discussion and possible action related to the burn ban. COBB/CHAMBERS
27	Discussion of issues related to proposed capital construction projects in Hays County, including but not limited to the government center; precinct offices; Resources Protection Transportation and Planning Department; and space needs projections for the Hays County Jail and related criminal justice analysis. Possible action may follow. INGALSBE
28	Discussion of issues related to the road bond projects, including updates from Mike Weaver, Prime Strategies and Jeff Curren, HDR. Possible action may follow. COBB
29	Presentations by Department Heads to update and inform the Commissioners Court of department structure, performance, and goals. COBB/BAEN

ADJOURNMENT

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

2:00 p.m. Every Wednesday

Request forms are due in the County Judge's Office

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

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

AGENDA ITEM: Approve payment of county invoices.

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

PREFERRED MEETING DATE REQUESTED: 2/1/11

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: As attached.

REQUESTED BY: Auditor's Office

SPONSORED BY: Bill Herzog

SUMMARY:

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

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

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

AGENDA ITEM: APPROVE COMMISSIONER COURT MINUTES OF JANUARY 25, 2011

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: GONZALEZ

SPONSORED BY: COBB

SUMMARY:



JANUARY 25, 2011

VOLUME U PAGE 525

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25TH DAY OF JANUARY 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	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Erich Siemens of the Calvary Chapel of Springs gave the invocation and Commissioner Whisenant led the court in the pledge of allegiance to the flags. Judge Cobb called the meeting to order.

Public Comments

Jerry Borchering of the Hays County RTP Department recognized Donna Kruger for her years of services, Mark Key made a public comment

27753 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$1,376,231.26 submitted by the County Auditor. All voting "Aye". MOTION PASSED

27754 APPROVE COMMISSIONER COURT MINUTES OF JANUARY 11TH AND JANUARY 18TH, 2011

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court minutes of January 11th and January 18th, 2011 as presented by the County Clerk. All voting "Aye". MOTION PASSED

27755 APPROVE OUT OF STATE TRAVEL FOR CHARLES CHAPMAN RN, EMERGENCY PREPAREDNESS COORDINATOR TO ATTEND AN EMERGENCY PREPAREDNESS CONFERENCE PRESENTED BY THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) AND THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) IN ATLANTA, GEORGIA FROM MARCH 21-24, 2011

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for Charles Chapman RN, Emergency Preparedness Coordinator to attend an Emergency Preparedness Conference presented by the National Association of County and City Health Officials (NACCHO) and the centers for Disease Control and prevention (CDC) in Atlanta, Georgia from March 21-24, 2011. All voting "Aye". MOTION PASSED

27756 ACCEPT THE DELIVERY OF THE 2010 INTERNAL EXAMINATION REPORTS FOR THE OFFICES OF JUSTICE OF THE PEACE PCT. 1, PLACE 1; PERSONAL HEALTH DEPARTMENT; SHERIFF'S JAIL COMMISSARY; JUSTICE OF THE PEACE PCT. 2; JUSTICE OF THE PEACE 3; JUSTICE OF THE PEACE PCT. 1, PLACE 2; SAN MARCOS/HAYS COUNTY EMS; CONSTABLE PCT. 3; AND JUVENILE PROBATION OFFICE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the delivery of the 2010 Internal Examination Reports for the offices of Justice of the Peace Pct.1, Place 1, Personal Health Department; Sheriff's Jail Commissary; Justice of the Peace Pct.2; San Marcos/Hays County EMS; Constable Pct. 3 and Juvenile Probation Office. All voting "Aye". MOTION PASSED



- 27757 AUTHORIZE THE COUNTY JUDGE TO SUBMIT AN EMPG GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, DIVISION OF EMERGENCY MANAGEMENT FOR UP TO \$ 36,305**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to submit an EMPG Grant application to the Office of the Governor, Division of Emergency Management for up to \$36,305. All voting "Aye". MOTION PASSED

- 27758 CALL FOR A PUBLIC HEARING ON FEBRUARY 8, 2011 TO ESTABLISH TRAFFIC REGULATIONS ON TIGER LANE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on February 8, 2011 to establish traffic Regulations on Tiger Lane. All voting "Aye". MOTION PASSED

- 27759 GREAT HILLS SUBDIVISION, SECTION IV [11-2-2-57 LOTS] APPROVE OF FINAL PLAT**

A motion was made by Commissioner Jones seconded, by Commissioner Whisenant to approve final plat on Great Hills Subdivision Section IV. All voting "Aye". MOTION PASSED

- 27760 RESUBDIVISION OF LOT 62 GOLDENWOOD, SECTION II [10-4-14--2 LOTS] APPROVE PRELIMINARY PLAN AND CALL FOR PUBLIC HEARING ON FEBRUARY 22, 2011**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve preliminary plan Resubdivision of Lot 62 Goldenwood, Section II and call for a public hearing on February 22, 2011. All voting "Aye". MOTION PASSED

- 27761 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE 2010 TAX ABATEMENT CERTIFICATES FOR CFAN, GENLYTE - HADCO DIVISION, AND GENLYTE - WIDE-LITE DIVISION PER PREVIOUSLY APPROVED AGREEMENTS**

Beverly Pennington of Genlyte-HADCO spoke on this item, Benoit Cloutier of CFAN gave a Powerpoint presentation. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley, to authorize the County Judge to execute the 2010 Tax Abatement Certificates for CFAN, Genlyte - HADCO Division, and Genlte - Wide-Lite division per previously approved agreements. All voting "Aye". MOTION PASSED

- 27762 ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM CONSTABLE PCT. 1.**

Constable Peterson gave a presentation on the Annual Racial Profile Report. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant, to accept the Annual Racial Profiling Report from Constable Pct.1. All voting "Aye". MOTION PASSED

- 27763 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO HAYS COUNTY'S LEASE OF SPACE FOR COMMISSIONER, PRECINCT 3 AT 109 E. HOPKINS IN SAN MARCOS, TEXAS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute a Letter Amendment to Hays County's Lease of space for Commissioner, Precinct 3 at 109 E. Hopkins in San Marcos, Texas. All voting "Aye". MOTION PASSED



JANUARY 25, 2011

VOLUME U PAGE 527

27764 CONSIDER LIFTING THE COUNTY BURN BAN AND REVIEW THE BURN BAN POLICY

Mark Chambers Hays County Fire Marshall explained about Procedure to lift and to place a burn ban, Dan and Karen Evans gave a Powerpoint presentation on lifting the county burn ban. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to lift the burn ban. MOTION WITHDRAWN A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to keep the burn ban in effect until review next week, this item will be placed on the agenda as a standing agenda item. All voting "Aye". MOTION PASSED

27765 APPROVE THE RE-ORGANIZATION OF RPTP, INCLUDING BUT NOT LIMITED TO MODIFICATION OF JOB DESCRIPTIONS AND THE SEPARATION OF THE CURRENT RPTP DEPARTMENT INTO TWO SEPARATE DEPARTMENTS: TRANSPORTATION AND DEVELOPMENT SERVICES

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe. to authorize the separation of the current RPTP Department into two separate departments: Transportation and Development Services; approve a title change to the Director, RPTP to Director, Transportation position, no change in grade; approve the Director, Transportation job description and assign Jerry Borcherding to the position, no change in salary; Approve a title change to the Deputy Director, Development Services position to Director, Development Services, no change in grade; approve an exception to the county posting policy and appoint Clint Garza to the Director, Development Services position, without posting the position; Approve an exception to the county promotion salary administration policy and authorize a salary of \$66,515, the 12.5% percentile of the range, for Clint Garza (23.31% increase above current salary of \$53,969; promotion policy would increase salary 16% to the grade 117 minimum of \$62,602); approve the addition of a Subdivision Coordinator position, salary grade 111; approve an exception to the county promotion salary administration policy and authorize a salary \$38,000, the 15.07% percentile of the range, upon selection of Roxie Botkin to the Subdivision Coordinator position (total increase of 15.95% above current salary of \$32,773, promotion policy would increase salary 7.82% to the grade 111 minimum of \$35,337); approve the elimination of one Environmental Health Specialist I, position, after Roxie Botkin vacates the position; all actions effective immediately. All voting "Aye". MOTION PASSED

27766 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD IN THE AMOUNT OF \$100,000 FROM THE TEXAS PARKS AND WILDLIFE DEPARTMENT, NATIONAL RECREATIONAL TRAILS FUND, FOR THE DEVELOPMENT OF THE DAHLSTROM RANCH PUBLIC ACCESS AREA AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to accept a grant award in the amount of \$100,000 from the Texas Parks and Wildlife Department, National Recreational Trails Fund, for the Development of the Dahlstrom Ranch public access area and amend the budget accordingly. All voting "Aye". MOTION PASSED

27767 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE COMMERCIAL LEASE BETWEEN HAYS COUNTY (INFORMATION TECHNOLOGY DEPT.) AND YELLOW ROCK BUSINESS PARK, LLC TO EXTEND THE LEASE FOR A TERM OF ONE (1) YEAR

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Letter Amendment to the Commercial Lease between Hays County (Information Technology Dept) and Yellow Rock Business Park, LLC to extend the lease for a tem of one (1) year. All voting "Aye". MOTION PASSED

27768 HIRE A TEMPORARY POSITION IN THE TREASURER'S OFFICE AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to hire a temporary position in the Treasurer's office not to exceed one thousand hours and amend the budget accordingly. All voting "Aye". MOTION PASSED



Clerk's Note Agenda # 17 Re; AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL OF AGREEMENT, WITH MODIFICATIONS, BETWEEN HAYS COUNTY PERSONAL HEALTH DEPARTMENT (PHD) AND DR. JURAIRAT MOLINA, MD FOR PEDIATRIC ALLERGY SERVICES TO BE PROVIDED IN THE PERSONAL HEALTH DEPARTMENT FACILITY **was PULLED no discussion and no action taken**

27769 RESOLUTION OF THE COMMISSIONERS COURT, ESTABLISHING POLICIES AND PROCEDURES ASSOCIATED WITH RIGHT OF WAY AND RIGHT OF WAY ACQUISITION, INCLUDING BUT NOT LIMITED TO THE INDEPENDENT AUTHORITY OF HAYS COUNTY COMMISSIONERS ACTING AS EX OFFICIO ROAD COMMISSIONERS AND THE AUTHORITY OF THE COUNTY JUDGE TO EXECUTE POSSESSION AND USE AGREEMENTS

Lene-e Lovejoy, Sam Brannon made public comments. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept amendment to Resolution of the Commissioners Court, establishing policies and procedures associated with Right of Way and Right of Way Acquisition, including but not limited to the independent authority of Hays County Commissioners acting as EX Officio Road Commissioners and the authority of the County Judge to execute Possession and Use Agreements. All voting "Aye". MOTION PASSED

27770 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT NO. 1 TO THE ADVANCE FUNDING AGREEMENT REGARDING REALIGNMENT OF FM 2001 EAST OF I-35 IN BUDA, CSJ# 1776-02-015

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment No.1 to the Advance Funding Agreement regarding realignment of FM 2001 East of I-35 in Buda, CSJ# 1776-02-015. MOTION WITHDRAWN A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe, to table this item for one week. All voting "Aye". MOTION PASSED

27771 AUTHORIZE THE HAYS COUNTY JUVENILE CENTER TO CONTRACT WITH AVATT AIR CONDITIONING AND ELECTRICAL TO REPLACE ONE 15 TON AIR CONDITIONER IN THE AMOUNT OF \$12,256.44 AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Hays County Juvenile Center to contract with Avatt Air Conditioning and Electrical to replace one 15 ton air conditioner in the amount of \$12,256.44 and amend the budget accordingly. All voting "Aye". MOTION PASSED

27772 SET AN INFORMATIONAL WORKSHOP ON THE LCRA ISSUES ON FEBRUARY 8, 2011

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to set an informational workshop on the LCRA issues on February 8, 2011. All voting "Aye". MOTION PASSED

Clerk's Note--Agenda # 22 Re; ACTION TO CONSIDER GRANTING A VARIANCE TO HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 715, SUBCHAPTER 4.01 TO ALLOW PERMITTING OF AN ON SITE SEWAGE FACILITY AND DEVELOPMENT PERMIT TO LARRY SPECTOR, OWNER OF APPROXIMATELY 9.254 ACRES IN THE LOS RANCHOS SUBDIVISION IN PRECINCT 4 **was PULLED no discussion and no action taken**

EXECUTIVE SESSION PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE, TO RECEIVE INFORMATION ONLY ON PROJECT SUNBURST AND PROJECT BIOCENTRAL

Court convened into closed executive session at 11:05 a.m. and reconvened into open meeting at 11:38 a.m. No action taken.



JANUARY 25, 2011

VOLUME U PAGE 529

Clerk's Note - Agenda # 24 Re: DISCUSSION OF RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; PRECINCT OFFICES; RESOURCES PROTECTION TRANSPORTATION AND PLANNING DEPARTMENT; AND SPACE NEEDS PROJECTIONS FOR THE HAYS COUNTY JAIL AND RELATED CRIMINAL JUSTICE ANALYSIS. POSSIBLE ACTION MAY FOLLOW **was PULLED no discussion and no action taken**

Clerk's Note - Agenda # 25 Re: DISCUSSION OF ISSUES RELATED TO THE RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR **was PULLED no discussion and no action taken**

A motion was made by Commissioner Jones seconded by Commissioner Whisenant to adjourn Commissioners Court. All voting "Aye". MOTION PASSED

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 JANUARY 25, 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

AGENDA ITEM: Authorize the County Judge to sign renewal contracts for Generator Planned Maintenance at the Hays County Justice Center and Hays County Personal Health Department.

CHECK ONE:	XCONSENT	ACTION	EXECUTIVE SESSION
	WORKSHOP	PROCLAMATION	PRESENTATION

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: \$2716.00

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: KNOTT

SPONSORED BY: COBB

SUMMARY: The generator planned maintenance contracts are up for renewal for the Hays County Justice Center and the Hays County Personal Health Department. The services are to include periodic planned maintenance and load bank tests per the attached contracts.

Agenda Item Routing Form

DESCRIPTION OF Item: Authorize the County Judge to sign renewal contracts for Generator Planned Maintenance at the Hays County Justice Center and Hays County Personal Health Department.

PREFERRED MEETING DATE REQUESTED: February 1, 2011

COUNTY AUDITOR

AMOUNT: \$2716.00

LINE ITEM NUMBER: 001-695-00.5411

COUNTY PURCHASING GUIDELINES FOLLOWED: Yes

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS:

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____



PLANNED MAINTENANCE (PM) AGREEMENT

Clifford Power Systems, Inc. ("CPS") agrees to provide Hays County Justice Center ("Customer"), and Customer agrees to accept and pay for parts and services necessary to perform periodic Planned Maintenance ("PM") of ("Equipment").

Customer Address: 110 Milk Dr City: San Marcos ST: TX ZIP: 78666

EQUIPMENT

Generator Mfr: Generac	M/N: 30REOZJ	S/N: 638727	Spec #: PA 189142 30KW
ATS Mfr:	M/N:	S/N:	Spec #:

This agreement will be in accordance to the following terms and conditions, for a period of one (1) year.

In consideration of the agreements herein contained:

1. Customer agrees to: Remit the full annual amount of \$ 696.00 payable prior to the initial maintenance inspection service performed by CPS. Customer will receive a copy of CPS maintenance inspection report with all applicable areas filled out by the service technician. *Customer also agrees to pay all applicable taxes and environmental fees.*
2. CPS agrees to: Perform PM inspections of Equipment 2 times per year at approximate 6 month intervals. Work to be performed during regular business hours 8:00AM to 5:00PM Monday through Friday. All applicable items of Equipment shall be inspected and reported to the Customer. CPS shall also report any noted problems with Equipment and recommended courses of corrective action to the Customer. CPS will perform normal maintenance on Equipment including oil and filter changes. The following are maintenance service intervals for filter and fluid changes, and other services not performed at every inspection. *All applicable items will be performed or checked at the first inspection after this agreement is accepted.*

INCLUDED PM ITEMS

A. Oil change once per year.	B. Oil filter change at time of oil change.
C. Fuel filter change (if applicable) once per year.	D. Oil analysis will be done (by outside laboratory) at time of oil change.
E. Coolant maintenance as necessary. Includes testing for freeze point & inhibitor levels. Conditioners added as needed. If coolant replacement necessary, a disposal fee of \$1.00 per gallon will be assessed.	

OPTIONAL PM SERVICE & APPLICABLE CHARGES

F. Perform two (2) hr Load Bank Test in accordance with NFPA 110. \$ <u>512.00</u> cost Performed Annually	Accept <u> </u> Decline <u> </u> Initial Appropriate Line
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3. Customer also authorizes: CPS to perform repairs deemed necessary for proper operation of the standby power system at time of inspection. The cost of repairs shall not exceed \$ 0.00 (\$500 recommended) without customer authorization, and shall be documented on the inspection report. Repairs estimated to exceed this amount will be referred to the Customer for action and additional authorization. Cost for additional repairs will be charged at CPS prevailing labor rates plus parts costs and prevailing mileage rates (if additional trips are required).
4. CPS warrants its work: For a period of thirty (30) days from the date of service. This warranty is limited to failure as a result of workmanship and does not include failures resulting from improper or unauthorized installation, misuse, negligence, accident, over-loading, over-speeding, repairs made by someone other than CPS, fire, flood, vandalism, theft or any other acts beyond the control of CPS
5. Failures of new parts installed by CPS: Failure of any new part/s installed by CPS during the course of maintenance service, shall be covered by the manufacturer's warranty of said part/s.
6. Renewal: This agreement will automatically renew at the completion of the agreement period unless cancelled per paragraph 7.
7. This agreement may be cancelled by either party: With a ninety (90) day written notification.
8. Limitation of Liability: Clifford Power System, Inc.'s liability under this agreement, if any, shall be limited to the contract amount of this agreement. In no event shall CPS be liable for any consequential, incidental or exemplary damages, including, but not limited to, loss of profits or down time.

CPS and Customer have agreed to the above this day.

By: _____
Customer-Representative

By: Scott Boddicker
CPS-Representative

Date: _____

Date: January 13, 2011

Tulsa, OK
918-836-0066
918-836-0094 Fax
Original-Customer

Dallas-Ft. Worth, TX
817-640-5544
817-453-0219 Fax

2nd Page-CPS

Oklahoma City, OK
405-949-2332
405-842-4864 Fax

Austin, TX
512-477-6937
512-477-6938 Fax
3rd Page-CPS



PLANNED MAINTENANCE (PM) AGREEMENT

Clifford Power Systems, Inc. ("CPS") agrees to provide Hays County Personal Health Dept C/O Hays County Maintenance ("Customer"), and Customer agrees to accept and pay for parts and services necessary to perform periodic Planned Maintenance ("PM") of ("Equipment").

Customer Address: 401A Broadway City: San Marcos ST: TX ZIP: 78666

EQUIPMENT

Generator Mfr: Generac	M/N: 3177150200	S/N: 2072096	Spec #: SD0180G367.5D18EPYYC
ATS Mfr: Generac	M/N: 3177140100	S/N: 83227	Spec #: 800 amps

This agreement will be in accordance to the following terms and conditions, for a period of one (1) year.

In consideration of the agreements herein contained:

1. Customer agrees to: Remit the full annual amount of \$ 738.00 payable prior to the initial maintenance inspection service performed by CPS. Customer will receive a copy of CPS maintenance inspection report with all applicable areas filled out by the service technician. *Customer also agrees to pay all applicable taxes and environmental fees.*
2. CPS agrees to: Perform PM inspections of Equipment 2 times per year at approximate 6 month intervals. Work to be performed during regular business hours **8:00AM to 5:00PM Monday through Friday**. All applicable items of Equipment shall be inspected and reported to the Customer. CPS shall also report any noted problems with Equipment and recommended courses of corrective action to the Customer. CPS will perform normal maintenance on Equipment including oil and filter changes. The following are maintenance service intervals for filter and fluid changes, and other services not performed at every inspection. *All applicable items will be performed or checked at the first inspection after this agreement is accepted.*

INCLUDED PM ITEMS

A. Oil change once per year.	B. Oil filter change at time of oil change.
C. Fuel filter change (if applicable) once per year.	D. Oil analysis will be done (by outside laboratory) at time of oil change.
E. Coolant maintenance as necessary. Includes testing for freeze point & inhibitor levels. Conditioners added as needed. If coolant replacement necessary, a disposal fee of \$1.00 per gallon will be assessed.	

OPTIONAL PM SERVICE & APPLICABLE CHARGES

F. Perform two (2) hr Load Bank Test in accordance with NFPA 110. \$ <u>770.00</u> cost Performed Annually	Accept _____ Decline _____ Initial Appropriate Line
--	--

3. Customer also authorizes: CPS to perform repairs deemed necessary for proper operation of the standby power system at time of inspection. The cost of repairs shall not exceed \$ 0.00 (\$500 recommended) without customer authorization, and shall be documented on the inspection report. Repairs estimated to exceed this amount will be referred to the Customer for action and additional authorization. Cost for additional repairs will be charged at CPS prevailing labor rates plus parts costs and prevailing mileage rates (if additional trips are required).
4. CPS warrants its work: For a period of thirty (30) days from the date of service. This warranty is limited to failure as a result of workmanship and does not include failures resulting from improper or unauthorized installation, misuse, negligence, accident, over-loading, over-speeding, repairs made by someone other than CPS, fire, flood, vandalism, theft or any other acts beyond the control of CPS
5. Failures of new parts installed by CPS: Failure of any new part/s installed by CPS during the course of maintenance service, shall be covered by the manufacturer's warranty of said part/s.
6. Renewal: This agreement will automatically renew at the completion of the agreement period unless cancelled per paragraph 7.
7. This agreement may be cancelled by either party: With a ninety (90) day written notification.
8. Limitation of Liability: Clifford Power System, Inc.'s liability under this agreement, if any, shall be limited to the contract amount of this agreement. In no event shall CPS be liable for any consequential, incidental or exemplary damages, including, but not limited to, loss of profits or down time.

CPS and Customer have agreed to the above this day.

By: _____
Customer-Representative

By: Scott Boddicker
CPS-Representative

Date: _____

Date: January 13, 2011

Tulsa, OK
918-836-0066
918-836-0094 Fax
Original-Customer

Dallas-Ft. Worth, TX
817-640-5544
817-453-0219 Fax

Oklahoma City, OK
405-949-2332
405-842-4864 Fax

Austin, TX
512-477-6937
512-477-6938 Fax
3rd Page-CPS

2nd Page-CPS

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 specifications for RFQ #2011-P04 Request for Qualifications for Professional Surveying Services on an As-Needed-Basis and authorize Purchasing to solicit for proposal and advertise.

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

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Herzog/Maiorka/Borcherding

SPONSORED BY:

SUMMARY: See attached specifications

**REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SURVEYING SERVICES ON AN-
AS-NEDED BASIS**

Hays County, Texas

RFQ #2011-P04

GENERAL CONDITIONS

1. Hays County will be accepting sealed proposals for furnishing the services set forth in this Request for Proposals.
2. Proposals received in the County Purchasing office after the submission deadline shall be returned unopened and will be returned unopened and will be considered void and unacceptable. Hays County is not responsible for lateness of mail, carrier, etc.
3. Proposals may be withdrawn at any time prior to the official opening. Alterations made before opening time must be initialed by offer or guaranteeing authenticity.
4. The County is exempt; therefore tax must not be included in this offer.
5. The proposer agrees if this proposal is accepted, to furnish any and all items upon which prices are offered, at the price(s) and upon the terms and conditions contained in the specifications.
6. The County reserves the right to accept or reject in part or in whole any proposals submitted, and to waive any technicalities in the best interest of the County. The County further reserves the right to negotiate, discuss and/or interview those vendors considered to be responsive.
7. Proposals will be received and publicly opened at the location, date and time stated herein. Only the names of the proposers will be read at that time. Proposers, their representatives, and interested persons may be present.
8. By submitting a proposal, the proposer certifies that he has fully read and understands the "Request for Proposals" and has knowledge of the scope and quality of the services to be furnished and intends to adhere to the provisions described herein.
9. The proposer shall furnish any additional information as Hays County may require.
10. This proposal, when properly accepted by Hays County, shall constitute a contract equally binding between the successful proposer and Hays County.
11. No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract.
12. Hays County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provisions of services.
13. Any interpretations, corrections or changes to this RFP will be made by addenda. Sole issuing authority of addenda shall be vested in Hays County Purchasing Manager. Addenda will be mailed to all that are known to have received a copy of this request for proposal. Proposers shall acknowledge receipt of all addenda.
14. Proposals are due no later than 2:00 p.m., Thursday, February 24, 2011 in the Hays County Purchasing Office, to the attention of Cindy Maiorka, 111 E. San Antonio St., Suite 101, San Marcos, Texas 78666.

**REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SURVEYING SERVICES ON AN-
AS-NEEDED BASIS
HAYS COUNTY, TEXAS
RFQ #2011-P04**

Overview

Hays County is seeking to develop a pool of surveying firms from which to select, to provide surveying expertise on an-as-needed basis. As individual projects requiring land surveying expertise are developed, Hays County will select from the pool of pre-qualified surveyors. The chosen firm will enter into a professional service contract with Hays County, which has been approved by the Commissioners Court to perform required duties. **No firm is guaranteed work of any kind by its selection into the pool.**

Qualifications Desired

Demonstrated competence and qualifications will be a major consideration in the evaluation process. In your proposal, please provide information about your firm, also include a list of business references and be sure to include name, address, email address (if available), telephone and fax numbers.

Scope

This "Request for Qualifications" is for general professional surveying firms performed or supervised by a surveyor licensed in the State of Texas to perform services that will include, but not limited to right-of-way (row) surveys, grading plans, topographic surveys, property corner locates, setting of roadway horizontal and vertical alignments, GPS/GIS associated assignments, and deed research. It is anticipated that the scope of projects will result in total billings of \$25,000 or less.

Format for Proposal

Prospective vendors may provide any level of submittal documentation. Hays County prefers that proposals be in narrative form with a maximum length of five (5) pages.

- General description of capabilities
- Resumes of personnel
- Listings of past projects
- Professional certifications

**REQUEST FOR QUALIFICATIONS FOR SURVEYING SERVICES ON AN-AS-NEEDED
BASIS**

HAYS COUNTY, TEXAS

RFQ 2011-P04

Evaluation Criteria

Proposals will be evaluated by the Hays County Transportation Department Director and Development Services Director.

Proposal Submittal

Proposals must be submitted in a sealed envelope clearly marked "Proposal for Professional Surveying Services On An-As-Needed" and addressed to Hays County Purchasing Office, Attn: Cindy Maiorka, 111 E. San Antonio Street, Ste. 101, San Marcos, Texas 78666.

Proposals must be delivered no later than 2:00 p.m., Thursday, February 24, 2011.

Direct questions concerning this RFQ to Cindy Maiorka, Purchasing Manager, at 512-393-2271 or email cindym@co.hays.tx.us .

Hays County is an Affirmative Action and Equal Opportunity Employer.

Please submit one (1) original and two (2) copies.

Please sign the Code of Ethics below and return with proposal.

CODE OF ETHICS FOR HAYS COUNTY

Public employment is a public trust. It is the policy of Hays County to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by Hays County. Such a policy implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public services.

Public servants must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Hays County procurement organization.

To achieve the purpose of this article, it is essential that those doing business with Hays County also observe the ethical standards prescribed here.

1. It shall be a breach of ethics to attempt to influence any public employee, elected official or department head to breach the standards of ethical conduct set forth in this code.
2. It shall be a breach of ethics for any employee of Hays County or a vendor doing business with the county to participate directly or indirectly in a procurement when the employee or vendor knows that:
 - A. The employee or any member of the employee's immediate family, or household has a substantial financial interest pertaining to the procurement. This means ownership of 10% or more of the company involved and/or ownership of stock or other interest or such valued at \$2500.00 or more.
 - B. A business or organization in which the employee, or any member of the employee's family immediate family, has a financial interest pertaining to the procurement.
 - C. **Gratuities:** It shall be breach of ethics to offer, give or agree to give any employee of Hays County or for any employee to solicit, demand, accept or agree to accept from a vendor, a gratuity of consequence or any offer of employment in connection with any decision approval, disapproval, recommendation, preparation or any part of a program requirement or purchase request influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or controversy, any particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government.
 - D. **Kickbacks:** It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for Hays County as an inducement for the award of a contract or order.

- E. **Contract Clause:** The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation therefore.
- F. **Any effort to influence any employee, elected official, or department head to violate the standards of this code are grounds to void the contract. Please certify by your signature below that you understand the ethics policy of Hays County and in no way will attempt to violate the code.**

SIGNATURE: _____

PRINT NAME AND TITLE: _____

COMPANY NAME: _____

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

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

Phone (512) 393-2205

AGENDA ITEM: Approve specifications for RFQ #2011-P05 Request for Qualifications for Professional Engineering Services on an As-Needed Basis and authorize Purchasing to solicit for proposal and advertise.

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

☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: February 2, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Herzog/Maiorka/Borcherding

SPONSORED BY:

SUMMARY: See attached specifications

**REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL CIVIL
ENGINEERING SERVICES ON AN-AS-NEEDED BASIS**

HAYS COUNTY, TEXAS

RFQ #2011-P05

GENERAL CONDITIONS

1. Hays County will be accepting sealed proposals for furnishing the services set forth in this Request for Proposals.
2. Proposals received in the County Purchasing office after the submission deadline shall be returned unopened and will be returned unopened and will be considered void and unacceptable. Hays County is not responsible for lateness of mail, carrier, etc.
3. Proposals may be withdrawn at any time prior to the official opening. Alterations made before opening time must be initialed by offer or guaranteeing authenticity.
4. The County is exempt; therefore tax must not be included in this offer.
5. The proposer agrees if this proposal is accepted, to furnish any and all items upon which prices are offered, at the price(s) and upon the terms and conditions contained in the specifications.
6. The County reserves the right to accept or reject in part or in whole any proposals submitted, and to waive any technicalities in the best interest of the County. The County further reserves the right to negotiate, discuss and/or interview those vendors considered to be responsive.
7. Proposals will be received and publicly opened at the location, date and time stated herein. Only the names of the proposers will be read at that time. Proposers, their representatives, and interested persons may be present.
8. By submitting a proposal, the proposer certifies that he has fully read and understands the "Request for Proposals" and has knowledge of the scope and quality of the services to be furnished and intends to adhere to the provisions described herein.
9. The proposer shall furnish any additional information as Hays County may require.
10. This proposal, when properly accepted by Hays County, shall constitute a contract equally binding between the successful proposer and Hays County.
11. No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract.
12. Hays County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provisions of services.
13. Any interpretations, corrections or changes to this RFP will be made by addenda. Sole issuing authority of addenda shall be vested in Hays County Purchasing Manager. Addenda will be mailed to all that are known to have received a copy of this request for proposal. Proposers shall acknowledge receipt of all addenda.
14. Proposals are due no later than 2:00 p.m., Thursday, February 24, 2011 in the Hays County Purchasing Office, to the attention of Cindy Maiorka, 111 E. San Antonio St., Suite 101, San Marcos, Texas 78666.

REQUEST FOR QUALIFICATION FOR PROFESSIONAL CIVIL ENGINEERING SERVICES ON AN-AS-NEEDED BASIS

RFQ #2011-05

HAYS COUNTY, TEXAS

Overview

Hays County is seeking to develop a pool of engineering firms from which to choose to provide civil engineering design, consultation, and general expertise on an as-needed basis. As individual projects requiring civil engineering expertise are developed, Hays County will choose from this pool of pre-qualified engineering firms. The chosen firm will enter into a professional service contract with Hays County to perform the required duties. **No firm is guaranteed work of any kind by its selection into the pool.**

Qualifications Desired

Demonstrated competence and qualifications will be a major consideration in the evaluation process. In your proposal, please provide information about your firm, also include a list of business references and be sure to include name, address, e-mail address, telephone and fax numbers.

This "Request for Qualifications" is for general professional civil engineering services performed or supervised by a registered professional engineer in the State of Texas to perform services that will include, but not limited to general civil engineering services including civil design, land surveying (right-of-way surveys, grading plans, topographic surveys, property corner locates, setting of roadway horizontal and vertical alignments, GPS/GIS associated assignments, deed research), general consultant services for civil engineering projects, plan preparation, plan review, land surveys and reviews, subdivision plan review, hydraulic design and design review, water availability report review, flood plain determinations, and project cost estimates.

Format for Proposal

Prospective vendors may provide any level of submittal documentation. Hays County prefers that proposals be in narrative form with a maximum length of five (5) pages. Content should include, but not limited to:

- General description of capabilities
- Resumes of Principle Personnel
- Professional certifications

**REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL CIVIL
ENGINEERING SERVICES ON AN-AS-NEEDED BASIS**

Hays County, Texas

RFQ #2011-P05

Evaluation Criteria

Proposals will be evaluated by the Hays County Transportation Department Director and Development Services Director.

Proposal Submission

Proposals must be submitted in a sealed envelope clearly marked "Proposal for Professional Civil Engineering Services on An-As-Needed Basis" and addressed to Hays County Purchasing Manager, Attention: Cindy Maiorka, Purchasing Department, 111 E. San Antonio St. Suite 101, San Marcos, Texas 78666.

Proposals must be delivered no later than 2:00 p.m., Thursday, February 24, 2011.

Direct questions concerning this RFQ to Cindy Maiorka, Purchasing Manager at 512-393-2273 or email cindym@co.hays.tx.us .

Hays County is an Affirmative Action and Equal Opportunity Employer.

Please submit one (1) original and two (2) copies.

Please sign the Code of Ethics below and return with proposal.

CODE OF ETHICS FOR HAYS COUNTY

Public employment is a public trust. It is the policy of Hays County to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by Hays County. Such a policy implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public services.

Public servants must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Hays County procurement organization.

To achieve the purpose of this article, it is essential that those doing business with Hays County also observe the ethical standards prescribed here.

1. It shall be a breach of ethics to attempt to influence any public employee, elected official or department head to breach the standards of ethical conduct set forth in this code.
2. It shall be a breach of ethics for any employee of Hays County or a vendor doing business with the county to participate directly or indirectly in a procurement when the employee or vendor knows that:
 - A. The employee or any member of the employee's immediate family, or household has a substantial financial interest pertaining to the procurement. This means ownership of 10% or more of the company involved and/or ownership of stock or other interest or such valued at \$2500.00 or more.
 - B. A business or organization in which the employee, or any member of the employee's family immediate family, has a financial interest pertaining to the procurement.
 - C. **Gratuities:** It shall be breach of ethics to offer, give or agree to give any employee of Hays County or for any employee to solicit, demand, accept or agree to accept from a vendor, a gratuity of consequence or any offer of employment in connection with any decision approval, disapproval, recommendation, preparation or any part of a program requirement or purchase request influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or controversy, any particular matter pertaining to

any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government.

- D. **Kickbacks:** It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for Hays County as an inducement for the award of a contract or order.
- E. **Contract Clause:** The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation therefore.
- F. **Any effort to influence any employee, elected official, or department head to violate the standards of this code are grounds to void the contract. Please certify by your signature below that you understand the ethics policy of Hays County and in no way will attempt to violate the code.**

SIGNATURE: _____

PRINT NAME AND TITLE: _____

COMPANY NAME: _____

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 specifications for RFQ #2011-P06 "Qualifications for Construction Inspection & Materials Testing for Improvements to FM 1626 & FM 110" and authorize purchasing to solicit for proposal and advertise.

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Herzog/Maiorka/Borcherding

SPONSORED BY:

SUMMARY: See attached specifications

REQUEST FOR QUALIFICATIONS
FOR CONSTRUCTION INSPECTION AND MATERIALS TESTING
FOR IMPROVEMENTS TO FM 1626 AND FM 110

HAYS COUNTY

RFQ #2011-P06

GENERAL CONDITIONS

1. Hays County will be accepting sealed proposals for furnishing the services set forth in this Request for Qualifications.
2. Proposals received in the County Purchasing office after the submission deadline shall be returned unopened and will be returned unopened and will be considered void and unacceptable. Hays County is not responsible for lateness of mail, carrier, etc.
3. Proposals may be withdrawn at any time prior to the official opening. Alterations made before opening time must be initialed by offer or guaranteeing authenticity.
4. The County is exempt; therefore tax must not be included in this offer.
5. The proposer agrees if this proposal is accepted, to furnish any and all items upon which prices are offered, at the price(s) and upon the terms and conditions contained in the specifications.
6. The County reserves the right to accept or reject in part or in whole any proposals submitted, and to waive any technicalities in the best interest of the County. The County further reserves the right to negotiate, discuss and/or interview those vendors considered to be responsive.
7. Proposals will be received and publicly opened at the location, date and time stated herein. Only the names of the proposers will be read at that time. Proposers, their representatives, and interested persons may be present.
8. By submitting a proposal, the proposer certifies that he has fully read and understands the "Request for Qualifications" and has knowledge of the scope and quality of the services to be furnished and intends to adhere to the provisions described herein.
9. The proposer shall furnish any additional information as Hays County may require.
10. Invoices shall be sent directly to Prime Strategies, Inc., Program Manager, Attention: Michael J. Weaver, 1508 S. Lamar Blvd., Austin, Texas 78704.

REQUEST FOR QUALIFICATIONS
FOR CONSTRUCTION INSPECTION AND MATERIALS TESTING
FOR IMPROVEMENTS TO FM 1626 AND FM 110

Hays County, Texas

RFQ #2011-P06

11. This proposal, when properly accepted by Hays County, shall constitute a contract equally binding between the successful proposer and Hays County.
12. No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract.
13. Hays County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provisions of services.
14. Any interpretations, corrections or changes to this RFQ will be made by addenda. Sole issuing authority of addenda shall be vested in Hays County Purchasing Manager. Addenda will be mailed to all that are known to have received a copy of this request for proposal. Proposers shall acknowledge receipt of all addenda.
15. Proposals are due no later than 2:00 p.m., Monday, February 28, 2011 in the Hays County Purchasing Office, to the attention of Cindy Maiorka, 111 E. San Antonio St., Suite 101, San Marcos, Texas 78666.

REQUEST FOR QUALIFICATIONS
FOR CONSTRUCTION INSPECTION AND MATERIALS TESTING
FOR IMPROVEMENTS TO FM 1626 AND FM 110

Hays County, Texas

RFQ #2011-P06

Overview

Hays County, through TxDOT's Pass-Through Financing program, is constructing improvements to FM 1626 from FM 2770 to Brodie Lane and FM 110 from McCarty Lane to SH 123. Hays County needs to supplement its in-house construction inspection program for these improvements. All work will be performed on behalf of the County in accordance with TxDOT standards and procedures as specified in the final Pass-Through Financing Agreement.

Selected firms, following the Hays County construction manual and contracts, would provide on-site construction inspection/testing services. All of the projects are in Hays County and all work will be performed on behalf of Hays County.

Requirements

Hays County intends to enter into contracts with prime providers to provide on-site construction inspection/testing services. To be considered, a prime provider (or sub-provider(s) proposed on a team) can utilize the TxDOT pre-certified work category(s) to demonstrate their competency and experience in performing similar work. A firm may also present examples of similar services being provided to cities and/or counties. If team pre-qualifications are submitted, the selected prime provider must perform a minimum of 60% of the actual contract work. To be considered a team must demonstrate that it has a Project Manager and the necessary support staff to provide the requested level of service for those assignments.

Any or all of the following TxDOT pre-certified work categories will be considered in evaluating firm qualifications:

- 11.1.1 Roadway Construction Management and Inspection
- 11.2.1 Major Bridge Construction Management and Inspection
- 12.1 Material Testing
 - 12.1.1 Asphaltic Concrete
 - 12.1.2 Portland Cement Concrete
- 12.2.1 Plant Inspection and Testing
- 14.1.1 Soil Exploration
- 14.2.1 Geotechnical Testing
- 14.3.1 Transportation Foundation Studies
- 15.2.1 Design and Construction Survey

Qualifications Desired

Prime providers will be evaluated from statements of qualifications based on the proposed project requirements (staff capability/experience) and similar project related experience of the proposed project manager and team members, if proposed as a team.

While Hays County does not have a specific goal for minority (MBE/WBE) or Historically Underutilized Businesses (HUB) participation, it is encouraged that prime providers submitting as a team identify work to be performed by MBE/WBE/HUB certified businesses. Hays County also encourages the use of local Hays County firms as appropriate.

Format for Proposal

The Statement of Qualifications (SOQ) is limited to ten (10) 8 ½ x 11 pages, 12 pitch font size, single-sided, including an organizational chart containing the names, addresses, telephone numbers, fax numbers, and e-mail addresses for the prime provider and any sub-providers if proposed for the team and their contract responsibilities by work category; confirmation agreement of proposed team individuals to perform the identified contract responsibilities if the team is selected; the prime provider's proposed project manager(s) and key personnel proposed; overview of the firm's specific experience on comparable projects (limit to a total of five (5) projects) for proposed project manager and key personnel proposed; and minimum of three (3) references from similar projects including any experience with Hays County in the last five (5) years. References should include: name of agency/firm, contact person, phone number and e-mail address; year the service was provided; and type of project and scope of services provided.

The SOQ should incorporate the least amount of plastic/laminate or other non-recyclable binding materials. Supporting attachments and/or appendices (related project graphics, resumes, etc.) are not included in the twelve-page limit, but should be conservative in their inclusion. Seven (7) copies and one (1) electronic copy on CD are required for submission.

Contact: Requests for additional information regarding this notice of invitation should be addressed to:

Michael J. Weaver
Program Manager for Hays County Pass-Through Financing Program
(512) 445-7074 Phone
(512) 445-7064 Fax
mike@primestrategies.net Email

REQUEST FOR QUALIFICATIONS
FOR CONSTRUCTION INSPECTION AND MATERIALS TESTING
FOR IMPROVEMENTS TO FM 1626 AND FM 110

Hays County, Texas

RFQ #2011-P06

Evaluation Criteria

SOQ's to be ranked according to the criteria outlined below. Awarding of the contract will be made by the Hays County Commissioners' Court.

<u>Criteria</u>	<u>Points</u>
References	40
Project Manager	10
In-field Inspectors	15
Performance and Qualifications	35

Proposal Submittal

Proposals must be submitted in a sealed envelope clearly marked "Proposal for Pass-Through Financing Program" and addressed to the Hays County Purchasing Office, to the attention of Cindy Maiorka, 111 E. San Antonio St., Suite 101, San Marcos, Texas 78666.

Proposals must be delivered no later than 2:00 p.m., Monday, February 28, 2011.

Hays County is an Affirmative Action and Equal Opportunity Employer.

Please submit seven (7) copies and one (1) electronic copy on CD.

CODE OF ETHICS FOR HAYS COUNTY

Public employment is a public trust. It is the policy of Hays County to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by Hays County. Such a policy implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public services.

Public servants must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Hays County procurement organization.

To achieve the purpose of this article, it is essential that those doing business with Hays County also observe the ethical standards prescribed here.

1. It shall be a breach of ethics to attempt to influence any public employee, elected official or department head to breach the standards of ethical conduct set forth in this code.
2. It shall be a breach of ethics for any employee of Hays County or a vendor doing business with the county to participate directly or indirectly in a procurement when the employee or vendor knows that:
 - A. The employee or any member of the employee's immediate family, or household has a substantial financial interest pertaining to the procurement. This means ownership of 10% or more of the company involved and/or ownership of stock or other interest or such valued at \$2500.00 or more.
 - B. A business or organization in which the employee, or any member of the employee's family immediate family, has a financial interest pertaining to the procurement.
 - C. **Gratuities:** It shall be breach of ethics to offer, give or agree to give any employee of Hays County or for any employee to solicit, demand, accept or agree to accept from a vendor, a gratuity of consequence or any offer of employment in connection with any decision approval, disapproval, recommendation, preparation or any part of a program requirement or purchase request influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or controversy, any particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government.
 - D. **Kickbacks:** It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for Hays County as an inducement for the award of a contract or order.
 - E. **Contract Clause:** The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation therefore.
 - F. **Any effort to influence any employee, elected official, or department head to violate the standards of this code are grounds to void the contract. Please certify by your signature**

below that you understand the ethics policy of Hays County and in no way will attempt to violate the code.

SIGNATURE: _____

PRINT NAME AND TITLE: _____

COMPANY NAME: _____

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 Constable 1, 3, 4, 5 budgets for the Texas Workforce Commission on-line resources agreement.

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: \$1,500

LINE ITEM NUMBER OF FUNDS REQUIRED: Constables Pct. 1, 3, 4, 5 contract services

REQUESTED BY: Ron Hood

SPONSORED BY: Judge Bert Cobb, M.D.

The Constables offices (with the exception of precinct 2) are utilizing the Texas Workforce Commission on-line resources to research addresses, etc for issuing warrants. The funds (\$1,500) for this agreement were budgeted in the Constable Pct. 4 budget. In order to track these expenses accurately the funds need to be distributed to each Constables budget that is participating. No additional funds needed.

Budget Amendment:

001-638-00.5448: (1,125)

001-635-00.5448: 375

001-637-00.5448: 375

001-639-00.5448: 375

Agenda Item Routing Form

DESCRIPTION OF Item: Amend Constable 1, 3, 4, 5 budgets for the Texas Workforce Commission on-line resources agreement.

PREFERRED MEETING DATE REQUESTED: February 1, 2011

COUNTY AUDITOR

AMOUNT: \$ 1,125

LINE ITEM NUMBER: See budget amendment

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS:

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

AMENDMENT
No. 2011-012 CC
FY2011 BUDGET
2/1/2011

FUND NO. 001
FUND TITLE: GENERAL FUND

<u>Line Item - Expenditures</u>	<u>Appropriation before Amendment</u>	<u>Amendment</u>		<u>Appropriation as Amended</u>
		<u>Increases</u>	<u>Decreases</u>	
<u>Constable 1 (635):</u>				
001-635-00.5448 Contract Svcs	300	375		675
<u>Constable 3 (637):</u>				
001-637-00.5448 Contract Svcs	0	375		375
<u>Constable 5 (639):</u>				
001-639-00.5448 Contract Svcs	0	375		375
<u>Constable 4 (638):</u>				
001-638-00.5448 Contract Svcs	1,645		(1,125)	520

Transfer for Tx Workforce Commission warrant services to budget within each Constable.

ORDER AMENDING THE COUNTY OF HAYS BUDGET
FOR FY ENDING SEPTEMBER 30, 2011

THE STATE OF TEXAS
COUNTY OF HAYS

WHEREAS, on the 1st day of February, A.D., 2011, the Commissioners' Court of Hays County, Texas, has determined that a need exists for the reallocation of certain appropriations included in the FY 2011 Budget in accordance with the attached list which is hereby made a part hereof. It was also determined and agreed that the need was of such a nature as to justify and require amendment of the Budget, as provided in Section 111.010(D), Local Government Code.

NOW, THEREFORE, the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, pursuant to the authority granted to it under Section 111.010(D), Local Government Code, ORDERS that the pertinent parts of the County of Hays Budget for the Fiscal Year ending September 30, 2011 be and they are hereby amended as indicated on the attached list.

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

Passed by the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, this 1st day of February, 2011

FOR ()
AGAINST () DR. BERT COBB
ABSTAIN () COUNTY JUDGE, HAYS COUNTY, TEXAS

FOR ()
AGAINST () DEBBIE GONZALES - INGALSBE
ABSTAIN () COMMISSIONER, PRECINCT 1

FOR ()
AGAINST () MARK JONES
ABSTAIN () COMMISSIONER, PRECINCT 2

FOR ()
AGAINST () WILL CONLEY
ABSTAIN () COMMISSIONER, PRECINCT 3

FOR ()
AGAINST () RAY WHISENANT
ABSTAIN () COMMISSIONER, PRECINCT 4

ATTEST:
LIZ Q. GONZALEZ
COUNTY CLERK, HAYS COUNTY, TEXAS

Subdivision/Road/Staff Review Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

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

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

AGENDA ITEM: Discussion and possible action to consider the release of the maintenance bond and accept for maintenance all road and drainage improvements within County ROW for Shadow Creek subdivision, Phase 3.

TYPE OF AGENDA ITEM	Subdivision	Road	Staff Recommendation
----------------------------	--------------------	-------------	-----------------------------

PREFERRED MEETING DATE REQUESTED: February 1, 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 RPTP Department/Transportation Division staff has inspected and recommends its acceptance for maintenance.

STAFF REVIEW/COMMENTS

ENVIRONMENTAL HEALTH DIRECTOR:

ROAD DIRECTOR:



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

1/12/11

Honorable Bert Cobb, M.D.
111 E. San Antonio Street
San Marcos, Texas 78666

RE: Shadow Creek Phase 3

Dear Commissioners and Judge:

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

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

Respectfully,

Jerry Borcharding, P.E.
Road Engineer Superintendent
Hays County Road & Bridge Department



C FAULKNER ENGINEERING

400 Bowie Street, Suite 250
Austin, Texas 78703

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

P: 512.495.9470
F: 512.495.9473

August 17, 2007

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

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

Dear Mr. Borcharding,

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

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

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

[illegible]

Subdivision/Road/Staff Review 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: Call for a public hearing to establish a "No Parking" zone on the cul-du-sac on Rich Lane.

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

PREFERRED MEETING DATE REQUESTED: February 1, 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:

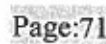
The public hearing will be held to establish a "No Parking" zone on the Rich Lane cul-du-sac. (see attached map)

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

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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 the release of the maintenance bond and accept for maintenance all road and drainage improvements within County ROW for Big Sky Ranch subdivision.

TYPE OF AGENDA ITEM	Subdivision	Road	Staff Recommendation
---------------------	-------------	------	----------------------

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Jerry Borcharding

SPONSORED BY: Commissioner Will Conley

SUMMARY: The maintenance bond for Big Sky Ranch subdivision expired January 14, 2011. The Road Department has inspected and recommends its acceptance for maintenance. The roads in Big Sky Ranch include: Blue Sky Lane (3,322 ft.), Starlight Trail (1,031 ft.) and Moondance Trail (713 ft.)

STAFF REVIEW/COMMENTS

ENVIRONMENTAL HEALTH DIRECTOR:

ROAD DIRECTOR:

STAFF RECOMMENDATIONS:



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

1/25/11

Honorable Bert Cobb, M.D.
111 E. San Antonio Street
San Marcos, Texas 78666

RE: Big Sky Ranch

Dear Commissioners and Judge:

Randy Myers, Owner, is requesting that Hays County release the maintenance bond and accept the maintenance of roads in Big Sky Ranch. I have reviewed the file on this subdivision and find that all the requirements have been met per Hays County Subdivision Regulations. Kelly Kilber, P.E. has submitted a concurrence letter and as-built plans as required by Hays County.

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

Respectfully,

Jerry Borcharding, P.E.
Road Engineer Superintendent
Hays County Road & Bridge Department

FILE COPY

April 27, 2009

Resource, Transportation, and Planning Department
Hays County Engineer's Office
P.O. Box 906
San Marcos, Tx 78667

Attn: Jerry Borcharding, P.E.

Re: Big Sky Ranch Subdivision
Hays County, Texas

Dear Sir:

Mr. Randy Myers of Myers Construction, Owner, and Contractor for the road and drainage improvements constructed in the above referenced project, has informed me that all items of construction listed on the Inspection Reports dated February 24, 2009 and April 2, 2009, as issued by Todd Spencer and Betty Lambert, as well as those items cited in our last inspection on April 16, have been completed. Enclosed herewith, please find the following:

1. As Built Plans for Road and Drainage Improvements.
2. Original Maintenance Bond.
3. Original Revegetation Bond.
4. Detailed Proposal from Central Texas Environmental Services to provide revegetation services, if required.
5. Warranty extension letter for hot mix asphalt paving.

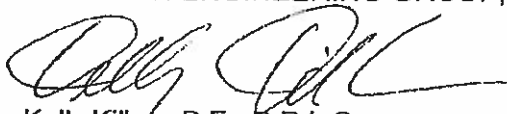
This letter shall also serve as my concurrence letter that this construction has been completed in general conformance with the plans and specifications for this project.

Jerry Borcharding
April 27, 2009
Page 2

Please be advised that there is also a request pending with the Subdivision Coordinator for the roads within this project to become publicly maintained county roads, not private roads as specified by the plat. A copy of the request is attached. Please contact, Clint Garza when you are ready to place this item on the Commissioners Court Agenda, so that the public road request can be acted on concurrently with the road acceptance.

If you have any questions or require additional information please call.

Respectfully,
PRO-TECH ENGINEERING GROUP, INC.

A handwritten signature in black ink, appearing to read 'Kelly Kilber', written over a horizontal line.

Kelly Kilber, P.E., R.P.L.S.
President

KK/cl

xc: Randy Myers

EO# 14875
Hays Co. Rd. Dept. - Jerry Borcharding 042709.doc

**RESOURCE PROTECTION, TRANSPORTATION AND PLANNING DEPARTMENT**

P.O. BOX 906
San Marcos, TX 78667
<http://co.hays.tx.us>

512/393-7385 EXT 29
CELL:512/738-2555
FAX: 512/393-7391

INSPECTION REPORT

LOCATION:	Big Sky Ranch	DATE:	1/6/2011
OWNER:	Randy Myers	WEATHER:	Partly Cloudy
CONTRACTOR:	Myers Construction	TIME:	7:00am
INSPECTOR:	Todd Spencer		

SITE OBSERVATIONS:**Big Sky Ranch
Punchlist**

1. Repair damaged asphalt at cattleguard
2. Clean silt off concrete riprap
3. Need a loose live stock sign

A handwritten signature in black ink, appearing to read "Todd Spencer", is written over a horizontal line.

Todd Spencer, Construction Inspector

1/6/2011
Date

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:

10-3-10 Amending Plat of Lots 130, 154, and 155 of Wimberley Campfire #2, Section 3. Discussion and possible action to consider waiver of public hearing and Preliminary Plan; approve variance to minimum lot size in Section 10.1 of Hays County OSSF regulations and approve final plat.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Botkin

SPONSORED BY: Conley

SUMMARY:

Wimberley Campfire #2 is a platted Subdivision located off of High Mesa and River Road in Precinct 3. All 5 sections were platted in the early 1970's and consisted of very small lots throughout. The owners of Lots 130, 154, and 155 wish to dissolve the lot lines between them and create two new lots 130A (.36 Ac) and 155A (.33 Ac). Both lots will be served by existing, permitted On-Site Sewage facilities and public water supply provided by Cedar Oaks Mesa WSC.

Even though this is a combination of existing and developable lots, the current Hays County Minimum lot size for this area is 1.5 acres and approval of this replat requires formal variance approval.

BEARING BASIS: ALL BEARINGS WERE OBTAINED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH 3000000.00, ZONE 14N, DATUM NAD83 (GRS), ALL DISTANCES WERE ADJUSTED TO 1.0001760001.

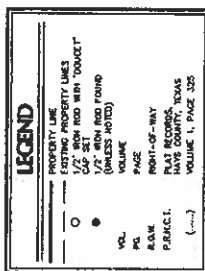
SURVEY CONTROL: THE PROPERTY AND CONTROL FOR THIS SURVEY IS BASED ON THE 1/2" IRON ROD WITH "DOWEL" CAP SET AND FOUND (VALUES NOTED) DERIVED FROM GPS STATIC OBSERVATIONS ON JULY 28, 2005. THE SURVEY WAS CONDUCTED BY DA DOUTCH & ASSOCIATES, INC. A PUBLISHED GRID COORDINATE & NAVD 83 ELEVATION OF N 1300358.41, E 2231748.03, ELEV. 1042.23.

FLOODPLAIN NOTE: THIS PROPERTY IS LOCATED WITHIN ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN, AS SHOWN ON THE FLOODPLAIN MAP OF HAYS COUNTY, TEXAS DATED SEPTEMBER 2, 2005.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY IS FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

GENERAL NOTES: THIS SURVEY IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT OF LOTS 130, 131 AND 132 OF WIMBERLEY CAMPFIRE #2, SECTION 3, RECORDS OF HAYS COUNTY, TEXAS.

STREETS: 30 FEET



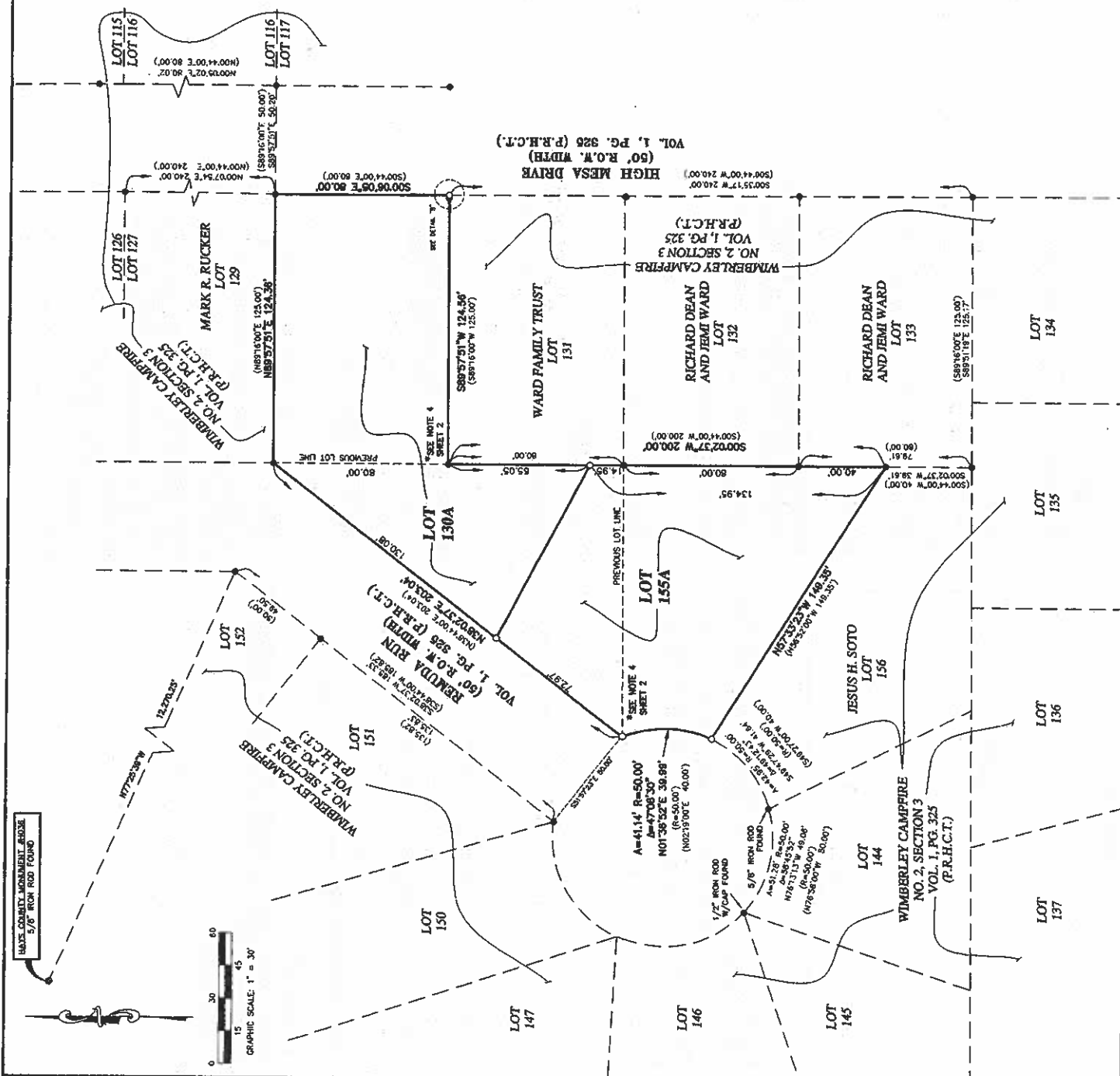
DETAIL "B"
NOT TO SCALE



AMENDING PLAT OF LOTS 130, 131 AND 132 OF WIMBERLEY CAMPFIRE #2, SECTION 3 City of Wimberley, Hays County, Texas

DA DOUTCH & ASSOCIATES, Inc.
7401 S Hwy 711, Suite 140
Austin, TX 78721, Phone (512) 383-3600 Fax (512) 383-3601
AUSTIN TEXAS - HOUSTON TEXAS - DALLAS TEXAS - ARLINGHAM TEXAS - SAN ANTONIO TEXAS
WWW.DADOUTCHANDASSOCIATES.COM

Date: 8/29/2010
Scale: 1"=30'
Drawn by: JMS
Reviewed by: JMS
Project: 010-001
Sheet: 1 of 2
Party: Client
Survey Date: 1/10/2008



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:

10-4-49 Highpointe Phase IV, Section 2. Subdivision (48 lots); Consider approval of Final Plat.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

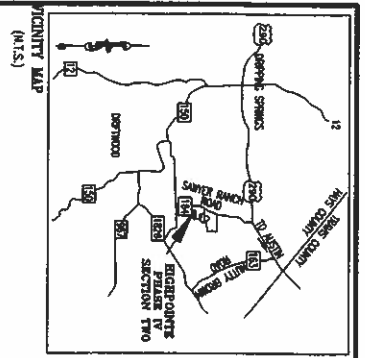
REQUESTED BY: Botkin

SPONSORED BY: Whisenant

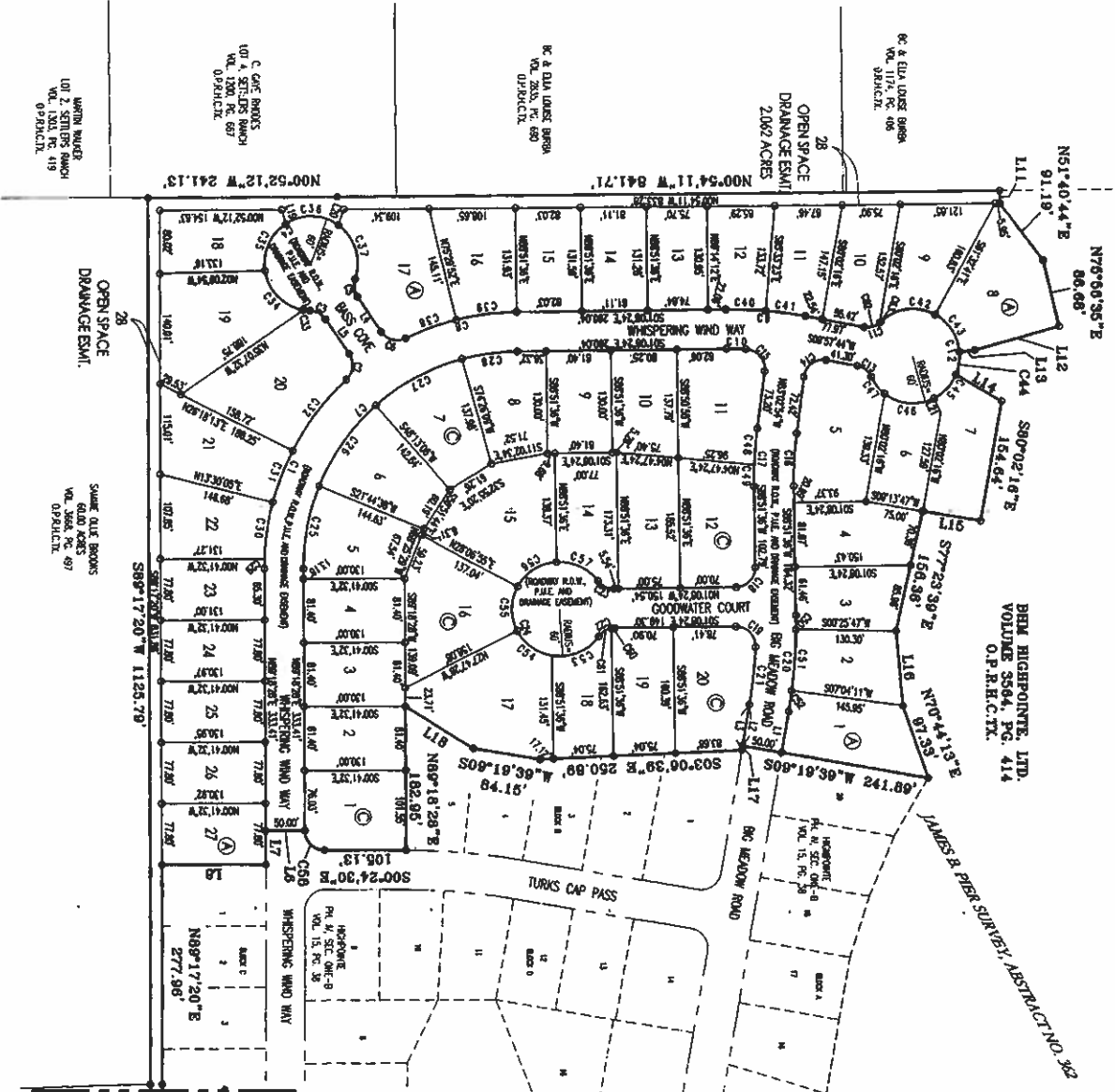
SUMMARY:

The preliminary plan for Highpointe Subdivision Phase IV was originally approved in June 2006 as a 118 lot subdivision covering 75.79 acres with an average lot size of .56 acres. Sections I-A and I-B were final platted in November 2008 with a total of 69 lots. Section 2 consists of 48 lots covering 19.181 acres with an average lot size of 0.334 acres. Water will be provided by LCRA surface water and wastewater service will be provided by Hays County MUD #5. The entire section lies within The City of Dripping Springs ETJ.

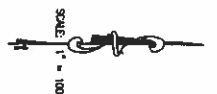
HIGHPOINTE, PHASE IV, SECTION TWO



DATE: JANUARY 7, 2011
 OWNER: BHM HIGHPOINTE, LTD.
 3600 CAPITAL OF TEXAS HIGHWAY
 BLDG. 8, SUITE 170
 AUSTIN, TX 78746
 AGENCIES: 19,181 ACRES
 SURVEY: JAMES B. PIER SURVEY
 ABSTRACT NUMBER 362, HAYS
 COUNTY, TEXAS
 NUMBER OF SINGLE FAMILY LOTS: 47
 NUMBER OF OPEN SPACE LOTS: 1
 NUMBER OF BLOCKS: 2
 ENGINEER: CMA ENGINEERING, INC.
 235 LEE STONE DRIVE
 AUSTIN, TX 78737
 PHONE: 512-432-1000
 SURVEYOR: CARLSON, BRIDGES & DOERNBECK, INC.
 5501 W. WILLOW CANYON
 AUSTIN, TX 78746
 PHONE: 512-280-5160



MATCH-LINE SHEET 2

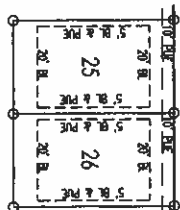


LEGEND

- FROM ROD SET
- FROM ROD FOUND
- BUILDING SETBACK LINE
- PROPERTY LINE
- LOT NUMBER
- ② BLOCK NUMBER

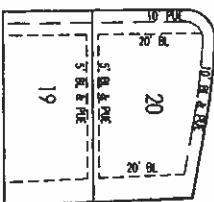
TRUCK LANE EXISTING ROAD

R.O.W.



TRUCK LANE EXISTING ROAD

R.O.W.

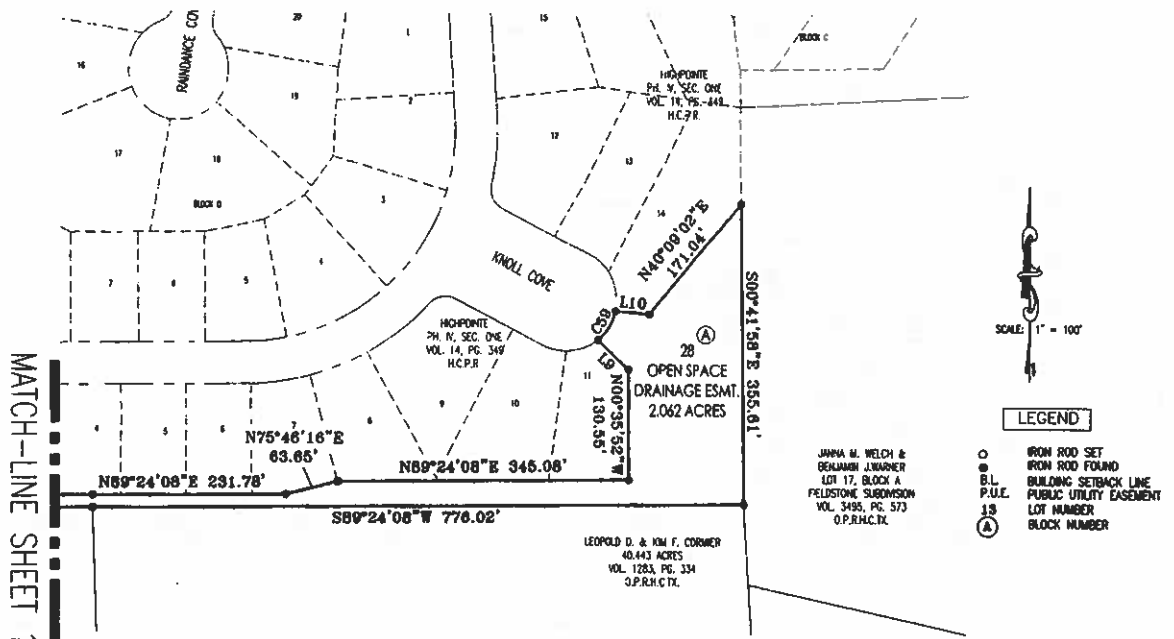


SHEET 1 OF 4

A SUBDIVISION OF 19,181 ACRES BEING
 HIGHPOINTE, PH. IV, SECTION TWO, IN
 THE JAMES B. PIER SURVEY, ABSTRACT
 362, HAYS COUNTY, TEXAS



HIGHPOINTE, PHASE IV, SECTION TWO



CURVE	ANGLE	LENGTH	CHORD	CHORD BEARING	THICKET
C1	325.00°	220.34'	280.34'	S89°11'11"W	143.00
C2	25.00°	33.81'	33.81'	S89°08'11"W	21.76
C3	25.00°	23.55'	23.55'	S87°37'26"W	12.75
C4	80.00°	201.53'	70.89'	S89°30'30"W	43.84
C5	25.00°	33.85'	33.85'	S89°13'31"W	12.75
C6	25.00°	33.85'	33.85'	S89°07'30"W	21.54
C7	275.00°	158.82'	36.72'	S89°24'08"W	272.88
C8	225.00°	144.54'	143.35'	S89°24'08"W	272.88
C9	325.00°	181.73'	181.87'	S89°24'08"W	51.82
C10	275.00°	25.87'	25.87'	S89°24'08"W	12.54
C11	25.00°	33.85'	33.85'	S89°17'30"W	12.75
C12	80.00°	301.53'	70.89'	S89°08'11"W	43.84
C13	25.00°	33.85'	33.85'	S89°07'30"W	12.75
C14	25.00°	41.48'	41.48'	S89°07'30"W	27.31
C15	25.00°	41.48'	41.48'	S89°07'30"W	27.31
C16	275.00°	87.08'	87.08'	S89°07'30"W	33.40
C17	225.00°	74.14'	74.08'	S89°07'30"W	37.13
C18	25.00°	38.27'	38.27'	S89°07'30"W	23.00
C19	25.00°	40.67'	40.67'	S89°11'30"W	26.00
C20	875.00°	133.52'	124.14'	S89°11'30"W	61.85
C21	275.00°	15.88'	15.88'	S89°11'30"W	37.00
C22	25.00°	33.85'	33.85'	S89°11'30"W	12.75
C23	25.00°	33.85'	33.85'	S89°11'30"W	12.75
C24	80.00°	301.53'	70.89'	S89°11'30"W	43.84
C25	275.00°	107.88'	107.88'	S89°11'30"W	54.54
C26	275.00°	122.87'	126.94'	S89°11'30"W	61.85
C27	275.00°	125.83'	125.24'	S89°11'30"W	64.84
C28	275.00°	15.88'	15.88'	S89°11'30"W	37.00
C29	275.00°	12.58'	12.58'	S89°11'30"W	6.25
C30	325.00°	72.88'	72.20'	S89°11'30"W	36.58
C31	325.00°	70.44'	70.31'	S89°11'30"W	35.30
C32	325.00°	114.65'	113.88'	S89°11'30"W	57.83
C33	80.00°	8.78'	8.78'	S89°11'30"W	4.41
C34	80.00°	74.77'	70.82'	S89°11'30"W	43.11
C35	80.00°	86.71'	86.67'	S89°11'30"W	38.88
C36	80.00°	72.57'	86.67'	S89°11'30"W	47.32
C37	80.00°	78.88'	71.72'	S89°11'30"W	44.72
C38	325.00°	86.74'	86.81'	S89°11'30"W	34.50
C39	325.00°	75.78'	75.82'	S89°11'30"W	38.87
C40	325.00°	51.16'	51.16'	S89°11'30"W	25.80
C41	325.00°	50.57'	50.55'	S89°11'30"W	25.30
C42	80.00°	75.88'	75.82'	S89°11'30"W	43.88
C43	80.00°	58.52'	58.25'	S89°11'30"W	31.84
C44	80.00°	28.88'	28.28'	S89°11'30"W	15.05
C45	80.00°	42.83'	41.17'	S89°11'30"W	21.52
C46	80.00°	87.40'	83.91'	S89°11'30"W	37.78
C47	80.00°	28.18'	27.87'	S89°11'30"W	14.35
C48	575.00°	44.35'	44.35'	S89°11'30"W	23.19
C49	325.00°	77.87'	77.72'	S89°11'30"W	33.88
C50	275.00°	18.88'	18.88'	S89°11'30"W	9.45
C51	275.00°	26.88'	26.88'	S89°11'30"W	13.50
C52	80.00°	86.83'	83.51'	S89°11'30"W	37.43
C53	80.00°	55.87'	53.97'	S89°11'30"W	30.18
C54	80.00°	58.85'	58.25'	S89°11'30"W	31.84
C55	80.00°	60.87'	58.31'	S89°11'30"W	33.38
C56	25.00°	58.25'	58.88'	S89°11'30"W	32.29
C57	25.00°	38.15'	38.17'	S89°11'30"W	24.88
C58	80.00°	41.48'	40.72'	S89°11'30"W	21.85
C59	25.00°	4.12'	4.12'	S89°11'30"W	2.08
C60	25.00°	18.45'	18.88'	S89°11'30"W	10.23
C61	25.00°	21.28'	21.08'	S89°11'30"W	11.62
C62	25.00°	1.79'	1.79'	S89°11'30"W	0.90

LINE	LENGTH	BEARING
L1	53.12	S89°07'11"W
L2	53.12	S89°07'11"W
L3	58.41	S89°07'11"W
L4	54.04	S89°07'11"W
L5	53.53	S89°07'11"W
L6	80.00	S89°07'11"W
L7	43.00	S89°07'11"W
L8	130.00	S89°07'11"W
L9	51.48	S89°07'11"W
L10	40.58	S89°07'11"W
L11	18.00	S89°07'11"W
L12	113.40	S89°07'11"W
L13	20.00	S89°07'11"W
L14	88.17	S89°07'11"W
L15	72.81	S89°07'11"W
L16	85.42	S89°07'11"W
L17	5.20	S89°07'11"W
L18	100.78	S89°07'11"W
L19	18.51	S89°07'11"W
L20	21.81	S89°07'11"W
L21	20.81	S89°07'11"W

LOT SIZE	NO.
< 1 ACRE	47
1-2 ACRE	1
2-5 ACRE	0
5-10 ACRE	0
> 10 ACRE	0
MINIMUM LOT SIZE: 0.227 AC (9988 sq. ft.)	
AVERAGE LOT SIZE: 0.334 AC (14507 sq. ft.)	

AREA TABLE			
AREA WITHIN SUBDIVISION		19.181 ACRES (835,516 sq. ft.)	
AREA OF SINGLE FAMILY LOTS		13.982 ACRES (608,478 sq. ft.)	
AREA OF OPEN SPACE LOTS		2.062 ACRES	
AREA WITHIN PHASE SUBDIVISION		3.127 ACRES	
BLOCK 'A'		BLOCK 'B'	
LOT NO.	ACREAGE	LOT NO.	ACREAGE
1	0.251 ACRES	1	0.250 ACRES
2	0.271 ACRES	2	0.243 ACRES
3	0.284 ACRES	3	0.243 ACRES
4	0.280 ACRES	4	0.243 ACRES
5	0.405 ACRES	5	0.288 ACRES
6	0.233 ACRES	6	0.313 ACRES
7	0.290 ACRES	7	0.305 ACRES
8	0.400 ACRES	8	0.279 ACRES
9	0.303 ACRES	9	0.243 ACRES
10	0.263 ACRES	10	0.248 ACRES
11	0.256 ACRES	11	0.338 ACRES
12	0.230 ACRES	12	0.347 ACRES
13	0.227 ACRES	13	0.288 ACRES
14	0.245 ACRES	14	0.272 ACRES
15	0.248 ACRES	15	0.435 ACRES
16	0.287 ACRES	16	0.482 ACRES
17	0.400 ACRES	17	0.482 ACRES
18	0.258 ACRES	18	0.242 ACRES
19	0.415 ACRES	19	0.278 ACRES
20	0.481 ACRES	20	0.348 ACRES
21	0.237 ACRES		
22	0.280 ACRES		
23	0.234 ACRES		
24	0.234 ACRES		
25	0.234 ACRES		
26	0.234 ACRES		
27	0.234 ACRES		
28	2.082 ACRES		

A SUBDIVISION OF 19.181 ACRES BEING HIGHPOINTE, PH. IV, SECTION TWO, IN THE JAMES B. PIER SURVEY, ABSTRACT 362, HAYS COUNTY, TEXAS

SHEET 2 OF 4



HIGHPOINTE, PHASE IV, SECTION TWO

GENERAL NOTES:

1. THIS FINAL PLAT IS LOCATED ENTIRELY WITHIN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF DRIPPING SPRINGS AND ENTIRELY WITHIN THE BOUNDARIES OF THE HAYS COUNTY M.U.D. NO. 5
2. NO PORTION OF THIS PLAT LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE
3. THIS PLAT LIES WITHIN THE BOUNDARIES OF THE CONTRIBUTING ZONE OF THE BARTON SPRINGS SEGEMENT OF THE EDWARDS AQUIFER
4. THIS PLAT IS LOCATED WITHIN THE BOUNDARY OF THE DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT
5. THIS PLAT IS BASED UPON THE TOPOGRAPHICAL INFORMATION TAKEN FROM AN AERIAL SURVEY PERFORMED BY KERRY MACALLISTER, DATED: JULY 2001
6. ALL PROPERTY CORNERS ARE SET WITH 1/2-INCH IRON RODS WITH PLASTIC CAPS STAMPED "CBO 5780", UNLESS OTHERWISE NOTED
7. WATER SERVICE WILL BE PROVIDED TO EACH LOT FROM THE LOWER COLORADO RIVER AUTHORITY'S SURFACE WATER SUPPLY
8. ORGANIZED WASTEWATER SERVICE WILL BE PROVIDED TO EACH LOT BY HAYS COUNTY MUD NO. 5
9. ELECTRIC SERVICE WILL BE PROVIDED BY THE PEDERNALES ELECTRIC COOPERATIVE
10. TELEPHONE SERVICE WILL BE PROVIDED BY VERIZON
11. ORGANIZED GAS SERVICE WILL BE PROVIDED BY TEXAS GAS
12. MINIMUM FRONT SETBACK LINE SHALL BE 20 FEET UNLESS OTHERWISE NOTED
13. MINIMUM REAR SETBACK LINE SHALL BE 20 FEET UNLESS OTHERWISE NOTED
14. MINIMUM SIDE AND INTERIOR SIDE YARD SETBACKS WILL BE 5 FEET, UNLESS OTHERWISE NOTED
15. UTILITY EASEMENTS OF 10 FEET SHALL BE LOCATED ALONG EACH SIDE OF DEDICATED RIGHTS-OF-WAY AND 5 FEET WIDE ALONG EACH SIDE OF ALL LOTS
16. THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE CITY OF DRIPPING SPRINGS REQUIREMENTS AS APPLICABLE TO THIS DEVELOPMENT AND IS IN COMPLIANCE WITH THE CONSENT AGREEMENT FOR HAYS COUNTY MUD NO. 5, DATED JULY 23, 2002
17. RESIDENTIAL LOTS ARE LIMITED TO ONE SINGLE FAMILY RESIDENCE PER LOT
18. ALL RESIDENTIAL LOTS WILL ACCESS STREETS VIA PAVED DRIVEWAYS; FOR LOTS ACCESSING STREETS WITH ROLLED CURB AND GUTTER DRAINAGE, NO CULVERTS WILL BE NECESSARY
19. COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATES, NAD 83, SOUTH CENTRAL ZONE (US SURVEY FEET) AND ARE SURFACE VALUES
20. NO PART OF HIGHPOINTE PHASE IV, SECTION TWO, IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN AS DELINEATED ON FLOOD INSURANCE RATE MAP NO. 48209C 0140F, DATED SEPTEMBER 2, 2005
21. CORNER LOTS SHALL BE RESTRICTED TO HAVING DRIVEWAY ACCESS TO ONLY ONE STREET
22. CONSTRUCTION STANDARDS CONCERNING STRUCTURES PROJECTING ABOVE THE GROUND SURFACE (INCLUDING MAILBOXES, SIGNS, ETC.) INSTALLED WITHIN THE RIGHT-OF-WAY OF PUBLIC ROADWAYS REQUIRE ALL SUCH STRUCTURES TO BE MADE OF BREAK-AWAY OR COLLAPSIBLE MATERIALS, AS DEFINED BY THE DEPARTMENT
23. ALL STREETS SHALL BE DESIGNED IN ACCORDANCE WITH APPLICABLE CITY OF DRIPPING SPRINGS AND HAYS COUNTY REQUIREMENTS, APPROVED BY THE CITY OF DRIPPING SPRINGS AND THE HAYS COUNTY ROAD DEPARTMENT. ALL STREETS SHALL BE PRIVATE AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
24. PRIVATELY MAINTAINED PAVED STREETS:
BHM HIGHPOINTE, LTD. BY FILING THIS PLAT OF RECORD, AND ALL FUTURE OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, BY PURCHASING SUCH PROPERTY ACKNOWLEDGE AND AGREE THAT THE CITY OF DRIPPING SPRINGS OR HAYS COUNTY SHALL HAVE NO OBLIGATION WHATSOEVER TO REPAIR, OR ACCEPT MAINTENANCE OF THE ROADS SHOWN ON THIS SUBDIVISION PLAT UNTIL, AND UNLESS BHM HIGHPOINTE, LTD. AND/OR THE HOMEOWNERS ASSOCIATION HAS IMPROVED THE ROADWAYS TO THE THEN CURRENT STANDARDS REQUIRED BY THE CITY OF DRIPPING SPRINGS OR HAYS COUNTY AND THE ROADS HAVE BEEN ACCEPTED FOR MAINTENANCE BY FORMAL WRITTEN ACTION OF THE COUNTY COMMISSIONER'S COURT AND THE ROADWAY WITH ALL REQUIRED RIGHT-OF-WAY HAS BEEN DEDICATED TO THE OWNERS THEREOF, AND ACCEPTED BY THE COUNTY AS A PUBLIC STREET. BHM HIGHPOINTE, LTD. AND ALL FUTURE OWNERS OF PROPERTY WITHIN THIS SUBDIVISION SHALL LOOK SOLELY TO THE HOMEOWNER'S ASSOCIATION FOR FUTURE MAINTENANCE AND REPAIR OF THE ROADS AND STREETS SHOWN ON THIS SUBDIVISION PLAT.
25. THERE ARE APPROXIMATELY 2275 LINEAR FEET OF STREET AND 3.127 ACRES (136,213 SQ. FT.) OF RIGHT-OF-WAY LOCATED WITHIN THE SUBDIVISION BOUNDARY, PER NOTE 24, THESE WILL BE PRIVATELY MAINTAINED.
26. CRITICAL WATER QUALITY ZONES AND WATER QUALITY BUFFER ZONES, AS DEFINED BY THE CITY OF DRIPPING SPRINGS, SHALL BE CONTAINED WITHIN THE GREENBELT AND DRAINAGE EASEMENTS SHOWN HEREON.

HIGHPOINTE PHASE IV, SECTION TWO, IS LOCATED ENTIRELY WITHIN THE BOUNDARIES AND SERVICE AREA OF HAYS COUNTY MUD NO. 5. WASTEWATER SERVICE, AS REGULATED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, WILL BE PROVIDED TO ALL LOTS REQUIRING SERVICE THROUGH THE DISTRICT'S PUBLIC WASTEWATER SYSTEMS.

HAYS COUNTY MUD, NO. 5

DATE: _____

HIGHPOINTE PHASE IV, SECTION TWO, IS LOCATED ENTIRELY WITHIN THE BOUNDARIES AND SERVICE AREA OF THE LOWER COLORADO RIVER AUTHORITY (LCRA) WATER SERVICE, AS REGULATED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, WILL BE PROVIDED TO ALL LOTS REQUIRING SERVICE THROUGH LCRA'S PUBLIC WATER SYSTEMS.

LOWER COLORADO RIVER AUTHORITY

DATE: _____

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION TO-WIT:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

TOM POPE
HAYS COUNTY FLOOD PLAIN ADMINISTRATOR

DATE: _____

JERRY BORCHERTING, DIRECTOR
HAYS COUNTY RESOURCE PROTECTION, TRANSPORTATION &
PLANNING DEPARTMENT

DATE: _____

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 20_____, A.D., THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT AND SAID ORDER HAS BEEN ENTERED IN THE MINUTES OF SAID COURT IN BOOK _____, PAGE _____.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20_____, A.D.

LIZ GONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

BY: _____

ROBERT "BERT" COBB
COUNTY JUDGE
HAYS COUNTY, TEXAS

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20_____, A.D., AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN VOLUME _____, PAGE(S) _____.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 20_____, A.D.

LIZ GONZALEZ BY: _____
COUNTY CLERK
HAYS COUNTY, TEXAS

A SUBDIVISION OF 19.181 ACRES BEING
HIGHPOINTE, PH. IV, SECTION TWO, IN
THE JAMES B. PIER SURVEY, ABSTRACT
362, HAYS COUNTY, TEXAS

SHEET 3 OF 4



HIGHPOINTE, PHASE IV, SECTION TWO

STATE OF TEXAS }
COUNTY OF HAYS }

KNOWN ALL MEN BY THESE PRESENTS:

THAT BHM HIGHPOINTE, LTD., BEING THE OWNER OF 19.181 ACRES OF LAND OUT OF THE JAMES P. PIER SURVEY, ABSTRACT NUMBER 362 SITUATED IN HAYS COUNTY, TEXAS AS CONVEYED BY DEED RECORDED IN VOLUME 3564, PAGE 413 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE 19.181 ACRES OF LAND IN ACCORDANCE WITH THIS PLAT, TO BE KNOWN AS:

HIGHPOINTE, PHASE IV, SECTION TWO

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE ____ DAY OF _____, 20____ A.D.

BHM HIGHPOINTE, LTD.
3600 CAPITAL OF TEXAS HWY., BLDG 'B', SUITE 170
AUSTIN, TX 78746

STATE OF TEXAS }
COUNTY OF HAYS }

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NOTARY NAME _____
MY COMMISSION EXPIRES: _____

STATE OF TEXAS }
COUNTY OF HAYS }
CITY OF DRIPPING SPRINGS }

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF DRIPPING SPRINGS, TEXAS AND IS HEREBY APPROVED.


APPROVED THIS THE ____ DAY OF _____, 20____ A.D., BY THE CITY COUNCIL.

JO ANN TOUCHSTONE, CITY SECRETARY

TODD PURCELL, MAYOR

STATE OF TEXAS }
COUNTY OF HAYS }

I, JACY M. WARWICK, A LICENSED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED 100-YEAR FLOOD ZONE AREA, AS DELINEATED ON THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANELS 48209C 0140F, DATED DECEMBER 2, 2005, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.


JACY M. WARWICK
LICENSED PROFESSIONAL ENGINEER
STATE OF TEXAS NO. 103823
CMA ENGINEERING, INC.
235 LEDGE STONE DRIVE
AUSTIN, TX 78737
512-432-1000



DATE: 1/7/11

STATE OF TEXAS }
COUNTY OF HAYS }

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


DOUGLAS R. RUMMEL, JR., R.P.L.S. No. 5780
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON
AUSTIN, TX 78749
PH. (512) 280-5160 FAX (512) 280-5165
dougjr@cbbdeng.com

DATE: 1-7-11



A SUBDIVISION OF 19.181 ACRES BEING
HIGHPOINTE, PH. IV, SECTION TWO, IN
THE JAMES B. PIER SURVEY, ABSTRACT
362, HAYS COUNTY, TEXAS
SHEET 4 OF 4



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 nominate Jerry Borcharding to the Lone Star Rail District Technical Advisory Committee.

CHECK ONE:	CONSENT	XACTION	EXECUTIVE SESSION
	WORKSHOP	PROCLAMATION	PRESENTATION

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: \$

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: COBB

SPONSORED BY: COBB

SUMMARY: The Lone Star Rail District would like to have a Hays County Staff member serve on a technical advisory committee and attend two station location workshops as part of an Environmental Impact Statement on the Georgetown to San Antonio passenger rail project.

LONE STAR RAIL DISTRICT

October 1, 2010

Honorable Judge Sumter
Hays County
111 E. San Antonio Street, Suite 300
San Marcos, Texas 78666

RE: Hays County Station Location Technical Advisory Committee,
LSTAR Environmental Impact Statement (EIS)

Honorable Judge Sumter:

The Lone Star Rail District would like to invite one County staff representative to serve on a technical advisory committee of approximately 19 total members and attend two station location workshops as part of the LSTAR EIS process.

The Rail District is preparing an Environmental Impact Statement (EIS) on its Georgetown to San Antonio passenger rail project, the LSTAR, in compliance with the National Environmental Policy Act. As part of the LSTAR EIS, the Rail District has met with all of the corridor municipalities over the last several months to determine if any local policy, planning, or development changes have occurred that would alter the previously adopted LSTAR station locations. As a result, some station locations are identical to what was previously adopted, while other locations have had suggested alternatives.

The Rail District would like your assistance in identifying one committee member from the County's staff. Your staff representative will act as liaison between your local jurisdiction, the Rail District, and our consultant team conducting the EIS, so they should be familiar with current plans and development proposals and convey project information back to their respective staff and elected officials. For your consideration, the Rail District developed a list of potential members for the Technical Advisory Committee (see attached list).

The first station location workshop will be scheduled by the Rail District and its EIS Team in October/November 2010 to discuss the station locations within Hays County. A second station location workshop is planned for early 2011. The results of these workshops and meetings will be incorporated into the LSTAR EIS to develop a better project for the local communities and the Austin-San Antonio region.

In closing, the Rail District is requesting your participation in the LSTAR EIS process at this first station location workshop. We are kindly requesting you to identify the appropriate technical staff and their contact information within two weeks from the receipt of this letter so that we may invite them to the first workshop.

Feel free to contact Alison Schulze, Lone Star Rail District Administrator, at (512) 558-7367 or Joe Clemens, LSTAR EIS Public Involvement Manager, at (512) 314-3135 if you have any questions about these efforts.

Respectfully,

A handwritten signature in black ink, appearing to be "RMilloy", written in a cursive style.

Ross Milloy, Interim Executive Director
Lone Star Rail District

cc:
Commissioner Will Conley, LSRD Board Member
Commissioner Jeff Barton, LSRD Board Member
Commissioner Debbie Ingalsbe, LSRD Board Member

LONE STAR RAIL DISTRICT

Hays County Station Location Technical Advisory Committee (19 potential members)

Hays County (1 member)

County letter contact:

- Liz Sumter, County Judge

County letter "cc" list:

- Will Conley, County Commissioner, LSRD Board Member
- Jeff Barton, County Commissioner, LSRD Board Member
- Debbie Ingalsbe, County Commissioner, LSRD Board Member

County potential members:

- Jerry Borcharding, P.E., Director, Development Services, Resource Protection, Transportation & Planning

Buda (3-5 members)

City letter contact:

- Kenneth Williams, City Manager

City letter "cc" list:

- Bobby Lane, Mayor

City potential members:

- Brian LaBorde, Assistant City Manager/City Planner
- Stanley Fees, City Engineer

Kyle (3-5 members)

City letter contact:

- James R Earp, Interim City Manager

City letter "cc" list:

- Lucy Johnson, Mayor

City potential members:

- Shira Rodgers, Director of Planning
- Diana Blank, Director, Economic Development
- Joel Wilkinson, City Engineer
- John Bartle, City Engineer

San Marcos (3-5 members)

City letter contact:

- Laurie Moyer, Interim City Manager

(Hays County Contact List, cont'd.)

City letter "cc" list:

- Susan Clifford-Narvaiz, Mayor
- John Thomaides, Councilmember, LSRD Board Member
- Collette Jamison, Assistant City Manager

City potential members:

- Matt Lewis, Assistant Director, Development Services & Planning

CARTS (1 member)

Agency letter contact:

- David L. Marsh, General Manager

Agency letter "cc" list:

- Debbie Ingalsbe, Commissioner, LSRD Board Member

Agency potential members:

- Pearl Jackson, Deputy General Manager

CAMPO (1 member)

Agency letter contact:

- Maureen McCoy, Interim Executive Director

Agency letter "cc" list:

- Jeff Barton, Commissioner, LSRD Board Member

Agency potential members:

- Cathy Stephens, Environmental Program Manager
- Stevie Greathouse, Principal Planner, Metro Transit Plan, Land Use
- Michelle Meaux, Senior Planner, Transportation

Capital Area COG (1 member)

Agency letter contact:

- Betty Voights, Executive Director

Agency letter "cc" list:

- None

Agency potential members:

- Mark Sweeney, Director of Regional Services
- David Fowler, Senior Planner, Regional Services
- Chris Ramser, Planner, Community & Economic Development

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: Discussion and Possible action to adopt HJR 56 (House Joint Resolution 56) by Representative Solomons regarding unfunded mandates.

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Ingalsbe

SPONSORED BY: Ingalsbe

SUMMARY: For many years, counties have requested the Legislature to end the passage of unfunded and underfunded mandate sent down to local governments.

Rep. Burt Solomons (R-Carrollton) asks that county officials assist him in obtaining co-sponsors of his HJR 56, a constitutional amendment that would make the state either pay for unfunded mandates or absolve local governments from carrying them out if the state does not provide appropriated funds or reimbursements. He hopes to get most of the House to sign on and will be working to do so. I have a call into Rep. Isaac's office encouraging him to seriously consider co-sponsorship of this resolution.

The more who sign on, the more likely it is that the resolution will finally make it to the Calendars Committee and get to the House floor for a vote.

Rep. Solomons wants to gather as many resolutions favoring his HJR as possible. At his news conference, he took note that several sessions ago, 253 counties passed resolutions decrying unfunded mandates and supporting a constitutional amendment prohibiting them. He believes it would help his message if all 254 counties pass resolutions now.

The Texas Conference of Urban Counties (CUC) and The Texas Association of Counties (TAC) have joined the effort to obtain resolutions in favor of HJR 56.

This resolution embodies the proposal from our state unfunded mandate resolution passed at our state conference in October 2010. Both resolutions were drafted by Jim Allison, General Counsel, County Judges and Commissioners Association of Texas.

Sen. Corona will introduce the Senate version this week. We are requesting that the Governor certify it as an emergency item. We are optimistic that it can be passed if we can get to the floor.



RESOLUTION IN SUPPORT OF HJR 56 BY SOLOMONS

STATE OF TEXAS §
 §
COUNTY OF HAYS §

WHEREAS, the rising costs of local government are driven by two main factors: growth in demand as the population grows and growth in required services or levels of service mandated by the state; and

WHEREAS, many in state government rightly oppose unfunded federal mandates on the states, yet every legislative session at least a few new unfunded mandates on local governments are passed; and

WHEREAS, the time delay between the legislature mandating a certain level of services and the setting of local budgets to provide those services, Hays County residents often do not know whom to hold accountable for the budget decisions that must be made to accommodate unfunded mandates; and

WHEREAS, HJR 56 provides cities, counties, and community colleges with protection against unfunded mandates by providing that a mandate on local government that requires the spending of additional local funds has no effect unless the state provides funding or reimbursement; and

WHEREAS, HJR 56 is modeled on the same practice the legislature has followed for many years in establishing new mandates on state agencies – if a proposed mandate increases costs, a legislator must have funds included in the appropriations act or identify a new funding source to pay for the new mandate; and

WHEREAS, HJR 56 is a budgetary reform measure that provides an incentive for the legislature to tie funding to mandates passed on to local governments; and

WHEREAS HJR 56 will improve accountability to taxpayers and voters and represents common sense reform that both statewide and local constituents are demanding;

NOW THEREFORE BE IT RESOLVED by the Commissioners Court of Hays County, that the state legislature should pass HJR 56 as filed by Representative Solomons to provide relief from unfunded mandates for local governments.

ADOPTED THIS THE 1ST DAY OF FEBRUARY, 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



January 12, 2011

Chairman
Commissioner
Mike Cantrell
Dallas County

Chair Elect
Commissioner
Sylvia Garcia
Harris County

Immediate Past Chair
Judge
Mike Bradford
Midland County

Vice-Chairmen
Comm. Tommy Adkisson
Bexar County
Comm. Bobbie Mitchell
Denton County
Comm. Eddie Arnold
Jefferson County
Comm. Fred Nardini
San Patricio County
Judge Dan Gattis
Williamson County

Executive Director
Donald Lee

Member Counties
Bell ~ Bexar
Brazoria ~ Brazos
Cameron ~ Chambers
Collin ~ Comal
Dallas ~ Denton
Ector ~ El Paso
Fort Bend ~ Galveston
Grayson ~ Gregg
Guadalupe ~ Harris
Hays ~ Hidalgo
Hunt ~ Jefferson
Johnson ~ Kaufman
Lubbock ~ McLennan
Midland ~ Nueces
Randall ~ Rockwall
San Patricio ~ Smith
Tarrant ~ Travis
Webb ~ Williamson
Wise

500 West 13th Street
Austin, TX 78701

Phone: 512.476.6174
Fax: 512.476.5122

www.cuc.org

To: All Urban Counties

From: Donald Lee, Executive Director

Re: **Delegation Support Needed for HJR 56 by Solomons**

While you are in Austin today, please visit with your delegation and request that they sign on as a co-sponsor of HJR 56 by Solomons.

Talking points:

- HJR 56 provides cities, counties, and community colleges with a defense against lawsuits that compel additional spending because of new legislation passed after January 1, 2012.
- HJR 56 does not prevent the legislature from passing mandates on local government – it simply requires the legislature to provide funding for what it does mandate.
- HJR 56 uses the same practice the legislature already follows in requiring new mandates on state agencies – a legislator must find money in the appropriations act or identify a funding source to pay for the new mandate.
- HJR 56 is self-enacting and does not require additional legislation.
- HJR 56 is self-enforcing and does not rely on special committees or officials to make determinations. The definition of an unfunded mandate is clearly stated in the joint resolution.
- HJR 56 does not prevent the State from reducing appropriations. The definition of unfunded mandate built into HJR 56 does not include reductions in State funding even when it impacts local governments.
- HJR 56 will not prevent the legislature from solving problems. The fiscal note process has not prevented the adoption of countless reforms and solutions by the legislature – it simply required that they be funded to maintain balanced budgets. HJR 56 does the same for bills wanting to solve local government problems.
- HJR 56 does not create a rollback on civil rights for certain persons. Nothing in HJR 56 exempts cities and counties from complying with the requirements of the State and Federal Constitution, or even all existing statutes.
- HJR 56 will improve accountability to taxpayers and voters. It is common sense reform that our constituents are demanding.

Bill Number: TX82RHJR 56

Filed: 01-10-2011

Author: Solomons

A JOINT RESOLUTION

1 proposing a constitutional amendment to restrict the power of the
2 legislature to mandate requirements upon certain local
3 governments.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article III of the Texas Constitution is amended
6 by adding Section 68 as follows:

7 Sec. 68. (a) No bill enacted by the legislature on or after
8 January 1, 2012 requiring a local government to establish, expand,
9 or modify a duty or activity that requires the expenditure of
10 revenue by the local government shall be effective until and unless
11 the legislature appropriates or otherwise provides for the payment
12 or reimbursement, from a source other than the revenue of the local
13 government, or the costs incurred for the biennium by the local
14 government in complying with the requirement.

15 (b) For the purpose of this section, "local government"
16 includes a county, a city, a hospital district, a community college
17 district, or a special district created by the action of a county,
18 city, hospital district, or community college.

19 SECTION 2. This proposed constitutional amendment shall be
20 submitted to the voters at an election to be held November 8, 2011.
21 The ballot shall be printed to permit voting for or against the
22 proposition: "The constitutional amendment to restrict the power
23 of the legislature from mandating unfunded requirements upon local
24 governments."

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 adopt a resolution in Support for Expedited Environmental Review for Locally-Funded Projects by TxDOT

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Ingalsbe/Conley

SPONSORED BY: Ingalsbe/Conley

SUMMARY: Hays County officials and staff, along with our program managers, have had many discussions with TxDOT concerning the excessive time it takes for the Environmental Approval Process. This has resulted in undue delays and can cost us hundreds of thousands of dollars in increased construction and right-of-way costs. It can also create or increase dangers to the public traveling on these roadways.

Many counties are experiencing these same issues and Williamson County has taken a lead role in preparing resolutions and presenting the issues to local county governments. Many counties are considering adoption of this resolution which was presented to our 37 member counties at our last Conference of Urban Counties Meeting on January 12, 2011.



HAYS COUNTY RESOLUTION OF SUPPORT FOR EXPEDITED ENV REVIEW FOR LOCALLY-FUNDED PROJECTS

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

WHEREAS, the current process for securing environmental approval from the Texas Department of Transportation (TxDOT) has become arduous and protracted with unnecessary and excessive delays, especially for locally-funded projects; and,

WHEREAS, this process does not address project priorities, meaningful deadlines or accountability by TxDOT's Environmental Affairs Division; and,

WHEREAS, the process has resulted in millions of dollars obligated by local entities that cannot be spent on projects which have uncertain development and construction deadlines, preventing local officials from meeting obligations to the constituents who are paying property taxes to fund improvements on State Highways; and,

WHEREAS, in 2006 Hays County entered in a Pass-Through Finance agreement to accelerate the development and construction of several regionally-significant improvements, including the expansion of FM 1626 from FM 2770 to Brodie Lane, FM 110 in San Marcos and several critical Interstate 35 frontage road, bridge and ramp improvements, where it is estimated that the County's share of funding various design, right-of-way and utility costs for projects on the State Highway System will be approximately \$43 million; and,

WHEREAS, the environmental clearance for the FM 1626 project from FM 967 to Brodie Lane was initiated by TxDOT in 2003, three years previous to the County's entering into the Pass-Through Finance agreement, and as of the date of this Resolution the project still has not been environmentally cleared and with an anticipated April 2011 approval date it will have taken TxDOT between seven and eight years to environmentally clear the project during which time more accidents and fatalities on this roadway have occurred, and project costs have continued to increase; and,

WHEREAS, the current environmental approval process endangers the lives of the traveling public and significantly increases construction and right-of-way costs while projects wait for approval.

NOW, THEREFORE, BE IT RESOLVED that Hays County supports the adoption of the proposals outlined in Attachment A for the expedited environmental review process for any project that is wholly or partially funded by local tax dollars or bond proceeds, based on the basic, fundamental components of streamlined organization, accountability, quality assurance, enforceability, and transparency.

ADOPTED THIS THE 1st DAY FEBRUARY, 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 O. Gonzalez

ATTACHMENT A

REFORMING THE TxDOT REVIEW PROCESS FOR LOCALLY-SPONSORED TRANSPORTATION PROJECTS

Over the last several years, a significant change has taken place in the way the Texas Department of Transportation (TxDOT) has processed environmental documents and managed the environmental clearance process, especially for those projects which are being funded by local entities and yet require State and Federal approval.

The process has become arduous, with unnecessary recurring reviews that are conducted without project priorities, meaningful deadlines, or accountability. The dysfunctional nature of this process has resulted in millions of dollars obligated by local entities that cannot be spent on projects which have uncertain development and construction deadlines – a situation that escalates costs and endangers the lives of the traveling public.

The reforms outlined below would create a special, expedited review process that TxDOT *must follow* for any project that is wholly or partially funded by local tax dollars or bond proceeds. In order for these reforms to be effective, they must be mandated by statute through the Legislature. The Legislature can only control the response times and processing taken by TxDOT and other state agencies, not those of FHWA and other federal agencies. But most importantly, the Legislature can control when TxDOT submits items to a federal agency (including FHWA) for their review and approval. The reforms are driven by these basic, fundamental components:

1. **Streamlined Organization**: Early coordination between local sponsors and TxDOT should be designed to produce scheduling commitments that yield both timely review and meaningful public involvement.
2. **Accountability**: Deadlines are the key to affecting change in the environmental review process. For example, the review for most projects is handled through Categorical Exclusions (CE's). Currently, decisions on CEs are complicated by the extensive involvement of ENV, which cannot handle the multitude of requests from around the state in a timely fashion. Under this proposal, CE-eligible projects would have their environmental clearance in 60 days facilitated by their local TxDOT District.
3. **Quality Assurance**: For a project to be eligible for expedited review, the local sponsor must utilize qualified and certified consultants, engineers and counsel.
4. **Enforceability**: When projects are not reviewed according to the schedule, local sponsors can resort to a simple legal remedy to ensure compliance with the program's requirements.
5. **Transparency**: TxDOT must be required to disclose where projects are in the environmental process and TxDOT must include local project sponsors in any and all meetings with other agencies concerning the project.

SUMMARY OF LEGISLATIVE PROPOSALS
FOR EXPEDITED ENVIRONMENTAL REVIEW OF
LOCALLY-SPONSORED PROJECTS

I. BASIC POLICY REFORMS

A. Eligibility Requirements

1. Projects must be funded by at least 25% local tax dollars or bond proceeds.
2. Local sponsors must utilize qualified and certified personnel to facilitate the process. TxDOT would be responsible for developing and implementing the training/certification program.

B. Assistance for the Districts

1. Enable local sponsors to fund Full-Time Equivalents (FTE's) at their local TxDOT district who would be dedicated to the review process for locally-sponsored projects.

C. Developing Sustainable, Enforceable Commitments

1. Enable the 25 TxDOT districts to make basic determinations involving the level of compliance required (Categorical Exclusion/Environmental Assessment/Environmental Impact Statement) for a given project. **This determination process would be completed within a 10-day deadline and would include the District's ability to make the final determination on which projects would be developed through a CE. The Districts would also have final approval and sign-off on all CE projects.**
2. Require an early project scheduling (Early Coordination) process that includes the development of an environmental risk assessment and a compliance action plan (CAP), in cooperation with the District (and in some cases, ENV for EIS projects). The CAP would establish **statutory deadlines** for all elements of the required environmental review process that cannot be changed without the consent of the local sponsor.
3. Develop an enforcement mechanism to ensure compliance with applicable deadlines.
4. Utilize a streamlined Alternative Dispute Resolution (ADR) process to resolve disputes between the agencies and local sponsors regarding comment responses, environmental mitigation and similar issues.

II. REFORMS FOR PROCESSING OF SPECIFIC ENVIRONMENTAL DOCUMENTS

A. Processing of Categorical Exclusions (CE's)

Most CEs would be processed within 60 days of submittal. Review and approval would be conducted by the District without involvement by ENV. Provisions would be made for a slightly longer process if there is a public involvement component and the public involvement is not addressed in connection with Early Coordination. "Processing" in this context means approval by TxDOT for state-level projects, or submittal of the CE to FHWA for "federalized" projects. **In cases where a Programmatic Categorical Exclusion (PCE) is sufficient, these documents would be processed within a 30-day deadline.** All deadlines are inclusive of all comment periods. Failure to comply with the aforementioned deadlines constitutes approval of the submittal.

B. Processing of Environmental Assessments (EA's)

Most EAs would be processed by the District and ENV within 90 to 180 days depending on the level of public involvement. The 180-day deadline would include the necessary public involvement for approvals. The CAP would include 2 "stops" for legal sufficiency review and QA/QC. All deadlines are inclusive of all comment periods. Failure to comply with the aforementioned deadlines constitutes approval of the submittal.

C. Processing of Environmental Impact Statements (EIS's)

Most Draft EISs would be processed according to the agreed-upon schedule in the CAP. **However, the statute would place an overall deadline of one year from the approval of the CAP for the entire environmental clearance process.** The CAP would include 2 "stops" for legal sufficiency review and QA/QC. All deadlines are inclusive of all comment periods.

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 regarding Hays County's possible participation with the City of Kyle in an application for a Regional Water and Wastewater Planning Grant from the Texas Water Development Board.

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

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: JONES

SPONSORED BY: JONES

SUMMARY: The City of Kyle has presented a proposed resolution to Hays County for participation in the above-cited grant. The resolution would commit certain human resources and other in-kind services, as determined by the Commissioners Court, to the project. The proposed resolution is attached. However, before the Court should contemplate taking action on the resolution, a discussion should be had regarding: 1) what human resources should be (or need to be) dedicated to the project, 2) what an interlocal agreement with the City of Kyle would entail, and 3) how this project would fit with other Water and Wastewater projects being pursued by Hays County. After discussion, appropriate action could be placed on the February 8th agenda.



February 1, 2011

WHEREAS, Hays County is a stakeholder in the development and implementation of the Plum Creek Watershed Protection Plan; **AND**,

WHEREAS, Hays County is located in the South Central Texas Region L Water Planning area; **AND**,

WHEREAS, pursuant to the 2006 and 2011 Region L Water Plans, additional water supply sources are needed; **AND**,

WHEREAS, the Region L Water Plan had identified reclaimed water as a potential water supply source; **AND**,

WHEREAS, the City of Kyle now desires to evaluate reclaimed water as a potential water supply source; **AND**

WHEREAS, Texas Water Development Board offers grants to political subdivisions of the State of Texas for the evaluation of the most feasible alternatives to meet water supply facility needs, estimate the costs associated with implementing feasible water supply facility alternatives, and identify institutional arrangements to provide water supply services; **AND**,

WHEREAS, the Hays County can provide services in-kind to the project;

NOW THEREFORE BE IT RESOLVED THAT:

- 1) The County will participate with the City of Kyle in applying for a Regional Water and Wastewater Planning Grant from the Texas Water Development Board;
- 2) If awarded, the County may enter into an interlocal agreement with the City of Kyle;
- 3) In-kind services of the County for participation in the planning process, equivalent to \$ _____ are hereby committed.

DULEY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF HAYS COUNTY ON THIS 1st DAY OF February 2010.

Bert Cobb
Hays County Judge

Debbie Gonzales Ingalsbe, Precinct 1

Mark Jones, Precinct 2

Will Conley, Precinct 3

Ray Whisenant, Precinct 4

Attest:

Liz Gonzalez, County Clerk

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

- (a) **AGENDA ITEM:** Discussion and possible action to transfer a 2006 White Crown Victoria (VIN # 2FAFP71W76X125482) from the Hays County Sheriff's Office to the Constable Precinct 3 office that will replace the 2002 Crown Victoria (VIN # 2FAFP71W52X132859) that is currently being used.

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: 0

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Constable Darrell Ayres

SPONSORED BY: Commissioner Will Conley

SUMMARY:

This car is being given to the Constable Pct. 3 office to replace the 2002 model that is currently being used.

Please see attached list tag numbers and a detailed list of equipment included in exchange.

Hays County Commissioners Court Agenda Item

Transfer 2006 White Crown Victoria Patrol Car to replace old 2002 Crown Victoria with over a 165,000 miles on it.

Vehicle Description, VIN # 2FAFP71W76X125482, Texas License Plate 214-940, Co Tag# 015296

Mileage is about 117,000 miles

Equipment, Mobile Vision VHS Camera- Co Tag# 011070

Light Bar- Co Tag# 015590

Vehicle Cage- No Co Tag Numbers Located

Radar- Co Tag# 11630

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 promote and fund Health Check 2011 for Hays County employees and eligible dependents. Authorize payroll deduction of additional fees for optional services employees may elect. Add Health Check as a budgeted line item.

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

PREFERRED MEETING DATE REQUESTED: Tuesday, February 1, 2011

AMOUNT REQUIRED: \$5000

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Baen

SPONSORED BY: Cobb

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to promote and fund Health Check 2011 for Hays County employees and eligible dependents. Authorize payroll deduction of additional fees for optional services employees may elect. Add Health Check as a budgeted line item.

PREFERRED MEETING DATE REQUESTED: February 1, 2011

COUNTY AUDITOR

AMOUNT: \$5000

LINE ITEM NUMBER: 003-730-00.5342 (Medical/Dental Fund)

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS: We have done this for several years. The Court may wish to approve this as an ongoing benefit so that it doesn't have to come to Court each year. This should result in an overall savings to the County's insurance plan if detection of individual health issues are discovered and treated early so more serious issues do not develop later which results in a greater expense.

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

SUMMARY:

Health Check is a community wide celebration offering health screenings including blood analysis for diabetes, cardiac risk profile (Cholesterol, Triglycerides, HDL, Cholesterol, LDL) and a complete Blood cell count (red, white, hemoglobin, hematocrit and platelets). Per Central Texas Medical Center (CTMC), these tests, valued at hundreds of dollars, are offered for only \$25 per person through Health Check (reduced from \$35 last year, approx -30%).

This year marks a 25th anniversary for the Health Check program.

Additionally, CTMC is offering Hays County employees the option of pre-registering which allows for blood draws at our worksite.

Thursday, March 24: Road and Bridge, Yarrington Rd

Tuesday, April 12: Sheriff's Office

Wednesday, April 20: Justice Center

A recap of the last four years of our participation in Health Check is as follows:

Hays County paid 100% of the participant's fee.

Dependents over the age of 18 that are covered on our health plan were allowed to participated at no cost (with the exception of the additional tests)

Historical participation is as follows:

2007: 150 employees participated, \$3725

2008: 187 employees participated, \$6545; Optional EE-paid Tests: Thyroid (71); PSA (26)

2009: 165 employees participated, \$5775; Optional EE-paid Tests: Thyroid (68); PSA (34)

2010: 168 employees participated, \$5880; Optional EE-paid Tests: Thyroid (62); PSA (34)

The requested amount of \$5,000 (200 employees x \$25) is an estimate, (20% over last years participation of 168 employees).

In addition to the basic blood screenings, employees can choose to have a prostate specific antigen (PSA) test (\$15), a thyroid specific hormone (TSH) test (\$15), and/or a carotid artery test (\$15). They are also adding an A1C test to the optional tests for \$10 (blood sugar levels). Similar to last year and in order to minimize cash handling, reconciling and balancing, we are requesting the voluntary fees associated with optional tests to be payroll deducted. This has been coordinated with the Treasurer's office for payroll purposes and Treasurer Tuttle is supportive of this automation.

The actual day-long health fair portion of Health Check will be held on Thursday April 28 from 7am to 6pm at Embassy Suites.

Additionally, discuss possibility of Health Check added as a line item during the budget process.

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 the appointment of Mike Owens ESD #2 for a two year term, beginning February 1, 2011.

TYPE OF ITEM: Consent

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Commissioner Precinct 2 Mark Jones

SPONSORED BY: Commissioner Precinct 2 Mark Jones

SUMMARY:

Mike Owens is replacing Celedonio Mendoza, Jr. as a member of ESD #2. (see attachment for additional information)

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: Discussion and possible action to approve the Exception of the Promotion Salary Administration Policy of two staff members of the County Clerk's Office at the 25th percentile effective February 1, 2011.

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: \$4,232.00 (already within County Clerk's Budget)

LINE ITEM NUMBER OF FUNDS REQUIRED: Salaries

REQUESTED BY: Liz Gonzalez

SPONSORED BY: Debbie Ingalsbe

SUMMARY: Two staff members were promoted to Chief Deputy position in the County Clerk's Office. County policy states that when someone is promoted that they are to receive a 6% increase. The problem is that a few of staff that they would be supervising would be earning more than the Chief Deputies would. These ladies have been with the County Clerk's Office for over 12 years and are very knowledgeable. At this time I am requesting that the Court make an exception to the Promotion Salary Administration Policy to the 25th percentile. The request for increase on one of the deputies is 3.95% and on the other deputy it's 8.59% above what they are currently earning. This will come out of salary savings within the County Clerk's budget. This has been reviewed by both Auditor and HR Departments.

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to approve the Exception of the Promotion Salary Administration Policy of two staff members of the County Clerk's Office at the 25th percentile effective February 1, 2011.

PREFERRED MEETING DATE REQUESTED: February 1, 2011

COUNTY AUDITOR

AMOUNT: \$4,232.00 + FB (within County Clerk's Budget)

LINE ITEM NUMBER: 001-617-00.5021

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS:

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

Commissioner:
Background, etc:

1) Rosalinda was promoted from Deputy Clerk III-Records, grade 109, salary \$32800.
To
Chief Deputy Clerk-Records, grade 110, salary \$34768 (6% per Promotion policy)
a) She feels that Rosalinda's salary is too close to Olga's DCIII \$32800 and Beverly Bookkeeper \$34399

2) Linda Duran was promoted from Deputy Clerk II-Courts, grade 107, salary \$31399
To
Chief Deputy Clerk-Courts, grade 110, salary \$33282 (6% per Promotion policy)

b) Linda's salary is less than Alfredo's DCII 33800 and Delana (Dee Dee) DCIII 34399

Minimum of Chief Deputy Clerk grade 110 is \$32105.
Moving them both to the 25th percentile (\$36,141) will create separation of a 5% of their highest paid employee that they supervise.

Currently what budgeted for both Chief positions is \$40,500 which is what Liz and Gina both made prior to 1/1/11.
Her requested 25th of \$36,141 will still result in salary savings for the remaining 9 months of over \$7700.

Dee Dee Baen, SPHR
Human Resources Director of Hays County

County Clerk

Salary Exception - (effective 1/1/11)
(3125 - 4617)

Position	Budgeted Salary	Fringe	Total	9 months	Requested 25% Salary	Fringe	Total	9 months	Savings
Chief Deputy Clerk	40,500	7,294	47,794	35,846	36,141	6,509	42,649	31,987	3,858
Chief Deputy Clerk	40,500	7,294	47,794	35,846	36,141	6,509	42,649	31,987	3,858
									7,717

3/2/09 - Deputy Clerk - position
10/1/08 - to full time
11/1/02 - promoted to Deputy Clerk Sr.

Salary history: \$31,650 EIC 10/1/08
\$31,737 02/02 10/1/08 (promotion)
\$32,200 02/02 10/1/08 (promotion)
\$32,800 02/02 12/1/10 (promotion)
\$34,768 02/02 1/1/11 (promotion) (16.45% per month)
(requesting \$36,141 - 3.95% raise over 2008)

Salary:

Oliga DCE 32800
Alisha DCE 28099
Samantha DCE 27099
Christine DCE 27099
Lynn DCE 30225
Beverly DCE 34399
Rosanne ADI 25044
Courtney ADI 24599
Vivian

Linka:
making request for position
up to full time

Salary history:
\$29,257 6/1/08 10/1/08
\$30,169 10/1/08 (Pay Plan)
\$31,339 10/1/08 (raise)
\$33,282 1/1/11 (promotion)
requesting \$36,141 - 8.59% above current &

Requesting:

Rosanne DCE 27573
Lupe DCE 30750
Katie DCE 26500
Suzanne DCE 25720
Alfred DCE 33800
Dale DCE 34399
Kareel DCE 30600

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 ratify the extended double fill of Administrative Assistant III position in the County Judge's Office.

CHECK ONE: ☐ CONSENT ☒ ACTION ☐ EXECUTIVE SESSION

☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: Budgeted:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: BAEN/COBB

SPONSORED BY: COBB

SUMMARY: In order to ease the transition of executive administration, the County Judge's Office requested that the Administrative Assistant III position be double-filled for the month of January 2011. By error, the request was never submitted to Commissioners Court, which is required for any double-fill that extends beyond 2 weeks. Now that the double-fill has entered the second half of January, counsel has advised that the best way to accommodate this issue is to request ratification.

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to ratify the extended double fill of Administrative Assistant III position in the County Judge's Office.

PREFERRED MEETING DATE REQUESTED: February 1, 2011

COUNTY AUDITOR

AMOUNT: \$ 3,756 + FB

LINE ITEM NUMBER: 001-600-00.5021

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS: Funded by salary savings in 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

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 have the Court discuss the Hays County Water/Wastewater Plan.

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

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

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: 0

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: Commissioner Will Conley

SUMMARY:

I would like to have a discussion with the Court to talk about what the next steps should be with the water/wastewater study.

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: Executive Session pursuant to Section 552.071 Texas Government Code: consultation with counsel regarding pending or contemplated litigation related to CCN amendment applications (CCN Nos. 11157 and 20453) from Aqua Utilities, Inc.

CHECK ONE: ☐ CONSENT ☐ ACTION ☒ EXECUTIVE SESSION

☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: February 1, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: KENNEDY/CONLEY

SPONSORED BY: CONLEY

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 collective bargaining.

Possible action may follow in open Court.

TYPE OF ITEM: Executive

PREFERRED MEETING DATE REQUESTED: February 1, 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.

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

PREFERRED MEETING DATE REQUESTED: February 1, 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.

