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## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

Request forms are due in Microsoft Word Format via email by 2:00 p.m. on Wednesday.

#### AGENDA ITEM

Approve Commissioner Court Minutes of February 26, 2013.

#### ITEM TYPE

CONSENT

#### MEETING DATE

March 5, 2013

#### AMOUNT REQUIRED

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A

AUDITOR REVIEW: N/A

#### REQUESTED BY

Gonzalez

#### SPONSOR

COBB

#### CO-SPONSOR

N/A

#### SUMMARY



FEBRUARY 26, 2013

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VOLUME V PG 93

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 26<sup>TH</sup> DAY OF FEBRUARY A.D., 2013, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR  
DEBBIE GONZALES INGALSBE  
MARK JONES  
WILL CONLEY  
RAY O. WHISENANT JR  
LIZ Q. GONZALEZ

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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Gary Smith, Retired Air Force Chaplain introduced Dr. Jenna Hart of the First United Methodist Church of San Marcos who gave the invocation and Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

#### PUBLIC COMMENTS

Judge Cobb spoke of the fire that happened this weekend at Ace Hardware in Wimberley and thanked all those who helped out.

#### 28780 ADOPT A PROCLAMATION RECOGNIZING "HEROES BEHIND THE BADGE", A DOCUMENTARY CREATED TO RAISE AWARENESS OF THE ULTIMATE SACRIFICE MADE BY THE MEN AND WOMEN OF LAW ENFORCEMENT

Jeff Barnett Chief of Police for the City of Kyle spoke. The Kyle Citizen Police Academy Alumni Association is joining forces with Modern City Entertainment, the National Law Enforcement Officers Memorial Fund, other Alumni Associations, criminal justice officials, and concerned citizens throughout the City of Kyle, Hays County and America to raise awareness of the ultimate sacrifice made by the men and women of law enforcement and to honor the ultimate sacrifice and those who continue to serve and protect. The law enforcement documentary, Heroes Behind the Badge, provides an opportunity to educate all the people about the honor and distinction of the men and women who become law enforcement officers and the work performed for the community regardless of economic, racial, and social background. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing "Heroes Behind the Badge", a documentary created to raise awareness of the ultimate sacrifice made by the men and women of law enforcement. All voting "Aye". MOTION PASSED

#### 28781 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$1,250,608.06 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

#### 28782 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 12, 2013

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of February 12, 2013 as presented by the County Clerk. All voting "Aye". MOTION PASSED

#### 28783 AMEND THE PERSONAL HEALTH, DEPARTMENT OF STATE HEALTH SERVICES TITLE V GRANT CONTRACT SERVICES BUDGET FOR LAB WORK ASSOCIATED WITH PROGRAM

Amount required \$525.00 from line item # 120-675-99-020.5448. Increase DSHS Title V Contract Services \$525; Decrease DSHS Title V Travel (\$125); Decrease DSHS Title V Continuing Ed (\$250; Decrease P Health Op Contingencies (\$150). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Personal Health, Department of State Health Services Title V grant contract services budget for lab work associated with program. All voting "Aye". MOTION PASSED



**28784        AUTHORIZE THE SHERIFF'S OFFICE TO TRANSFER FUNDS FROM THE JAIL OPERATIONS BUDGET TO THE INFORMATION TECHNOLOGY BUDGET TO PURCHASE TWO BACK-UP TOWERS FOR THE JAIL**

The Jail is in need of purchasing two computer towers that will serve as backup for control room pickets when the computers go down. The Jail will be able to maintain the safety and security of the facility and inmates; installing backup computers would allow the Jail to maintain the camera system operational. The recommendation of the additional towers comes from I.T. and will be ordered by their department. The towers will be pre-installed with pertinent software for speedy installation by I.T. No additional funds are needed for this purchase; the funds have been identified in the Jail budget. Amount required \$1,550.00; 001-680-00.5712\_400 Computer Equipment. 001-618-03.5211 Office & Computer Supplies (\$1,550.00); 001-680 00.5712\_400/Computer Equipment Operating - I.T. \$1,550.00. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to transfer funds from the Jail Operations budget to the Information Technology budget to purchase two back-up towers for the Jail. All voting "Aye". MOTION PASSED

**28785        APPROVE OUT OF STATE TRAINING TRAVEL REQUEST FOR DEPUTY RYAN WATKINS**

The Hays County Sheriff's Office would like to send Deputy Ryan Watkins to the Law Enforcement Control Tactics instructor Program scheduled in Glynco, GA on March 4-15, 2013. This comprehensive defensive tactics program is essential to the quality of training Deputy Watkins provides as a Training Instructor assigned to the Hays County Training Academy. Amount \$1,830.00; 001-618-00.5551. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Out of State Training Travel Request for Deputy Ryan Watkins. All voting "Aye". MOTION PASSED

**28786        APPROVE SPECIFICATIONS FOR RFP 2013-P03 JANITORIAL SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFP 2013-P03 Janitorial Services and authorize Purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

**28787        APPOINT CLIFF ALEXANDER TO EMERGENCY SERVICES DISTRICT #2 TO REPLACE MIKE OWENS**

Cliff Alexander agreed to serve a two year term beginning February 26, 2013. Mike Owens chose to resign from the position. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to appoint Cliff Alexander to Emergency Services District #2 to replace Mike Owens. All voting "Aye". MOTION PASSED

**28788        APPROVE UTILITY PERMITS**

City of Kyle-Public Works Dept Company proposes to place a 2" water line within the right-of-way of Old Stagecoach Rd. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permit #877 to City of Kyle - Public Works Dept on Old Stagecoach Rd South in Precinct 4 for water line installation as submitted by the Road Department. All voting "Aye". MOTION PASSED

**28789        AMEND THE EDWARD BYRNE LAW ENFORCEMENT TECHNOLOGY GRANT BUDGET TO DECREASE COMPUTER EQUIPMENT AND INCREASE OFFICE AND COMPUTER SUPPLIES**

The Edward Byrne Law Enforcement Technology Grant was accepted on September 18, 2012 and supports the Jail booking area, Narcotics Task Force, and the Criminal Investigation Division. The award period ends on March 31, 2013. This amendment does not require matching funds. Amount required \$903.00; Decrease Expense-Computer Equipment Operating 001-618-99-075.5712\_400 (\$903.00) Increase Expense-Office and Computer Supplies 001-618-99-075.5211 \$903.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Edward Byrne Law Enforcement Technology Grant budget to decrease computer equipment and increase office and computer supplies. All voting "Aye". MOTION PASSED



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**28790      AUTHORIZE THE COUNTY JUDGE TO EXECUTE LETTER AMENDMENTS TO THE INTERLOCAL AGREEMENTS BETWEEN HAYS COUNTY AND THE CITIES OF NIEDERWALD AND UHLAND REGARDING ROADWAY MAINTENANCE**

The letter amendment shall reflect the addition of Hays County providing trash pickup services, on an as-needed basis, along county and city roadways. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute Letter Amendments to the Interlocal Agreements between Hays County and the cities of Niederwald and Uhland regarding roadway maintenance. All voting "Aye". MOTION PASSED

**28791      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ENGAGEMENT LETTER BETWEEN HAYS COUNTY AND SEDGWICK, LLP FOR LEGAL SERVICES TO BE PERFORMED BY ALAN GLEN, ET AL**

This Engagement Letter simply replaces the Engagement Letter that has been in place for Alan Glen's legal services performed in his capacity as a partner of Smith, Robertson, Elliott, Glen, Klein, and Douglas, LLP. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an Engagement Letter between Hays County and Sedgwick, LLP for legal services to be performed by Alan Glen, et al. All voting "Aye". MOTION PASSED

**28792      AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE MARCH 1ST FOR THE LEAD PARKS ATTENDANT, SLOT NUMBER 0174-001 AND AMEND THE BUDGET ACCORDINGLY**

The Lead Parks Attendant position requires the use of a smart phone in order to conduct daily activities. This authorization is for a new phone allowance. The County issued cell phone for this position has been turned in and service to that phone will be deactivated. Amount required \$245.00; Decrease Telephone and Data Lines: 140-700-00.5489 (\$245) Increase Telephone Allowance: 140-700-00.5194 \$245. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Development and Community Services Department to add a telephone allowance effective March 1st for the Lead Parks Attendant, slot number 0174-001 and amend the budget accordingly. All voting "Aye". MOTION PASSED

**28793      ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM CONSTABLE, PRECINCT 1**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept the annual Racial Profiling Report from Constable, Precinct 1. All voting "Aye". MOTION PASSED

**28794      GRANT A VARIANCE REGARDING A DRIVEWAY AT 701 PIONEER TRAIL IN PCT. 4**

Jerry Borcharding Transportation Director spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to grant a variance regarding a driveway at 701 Pioneer Trail in Pct. 4. All voting "Aye". MOTION PASSED

**28795      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES ON THE CR 266, OLD BASTROP HIGHWAY, PRIORITY ROAD BOND PROGRAM PROJECT**

Jerry Borcharding Transportation Director Spoke. The CR 266, Old Bastrop Highway, project was identified as a key project in Precinct 1 as part of the 2008 Priority Road Bond Program. The project design is complete and construction is expected to begin mid-March. CR 266 is an off-system roadway, therefore, TxDOT will not be providing construction administration and inspection services. As such, it has become necessary to authorize CE&I services on the CR 266 project. Amount \$309,408.00 funds are available within the bond program budget. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement with HDR Engineering, Inc. to provide construction administration and inspection services on the CR 266, Old Bastrop Highway, Priority Road Bond Program project. All voting "Aye". MOTION PASSED



- 28796      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH LOCKWOOD, ANDREWS & NEWNAM, INC. (LAN) FOR PROFESSIONAL RIGHT-OF-WAY (ROW) SERVICES ON THE FM 110 (SH123-YARRINGTON RD.) PROJECT IN HAYS COUNTY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a contract with Lockwood, Andrews & Newnam, Inc. (LAN) for professional Right-of-Way (ROW) services on the FM 110 (SH123-Yarrington Rd.) project in Hays County. All voting "Aye". MOTION PASSED

- 28797      CALL FOR A PUBLIC HEARING ON MARCH 12, 2013 TO ESTABLISH TRAFFIC REGULATIONS IN LEISUREWOODS SUBDIVISION**

Jerry Borchering Transportation Director spoke. To establish: a 3-way stop at the intersection of Pine Siskin Drive and Willet Drive and a 3-way stop at the intersection of Pine Siskin Drive and Verdin Drive in Leisurewoods subdivision. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on March 12, 2013 to establish traffic regulations in Leisurewoods subdivision. All voting "Aye". MOTION PASSED

- 28798      CONVEY 0.133 ACRES OF RIGHT OF WAY NEAR THE INTERSECTION OF SAN ANTONIO STREET AND HOPKINS ADJACENT TO THE CURRENT EMERGENCY SERVICE DISTRICT #3 PROPERTY TO THE CITY OF SAN MARCOS AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE DEED**

Richard Reynosa Project Engineer for the City of San Marcos spoke. This ROW is needed for improvements to be made to Hopkins Street which is a county road connector and an important thoroughfare for mobility within the corporate limits within the City of San Marcos. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to convey 0.133 acres of Right of Way near the intersection of San Antonio Street and Hopkins adjacent to the current Emergency Service District #3 property to the City of San Marcos and authorize the County Judge to execute the Deed. All voting "Aye". MOTION PASSED

- 28799      CONSIDER AND TAKE APPROPRIATE ACTION TO SUBMIT TRANSPORTATION PROJECT FUNDING REQUESTS ON THE TEXAS STATE HIGHWAY SYSTEM TO THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CARTPO) BY MARCH 1**

Jerry Borchering Transportation Director and Mike Aulick of Aulick and Associates spoke. CARTPO is soliciting requests by March 1 for transportation projects on the state highway system within each of the 10 counties served by CARTPO and CAPCOG. According to the attached CARTPO instructions for the 2013 call for projects, each County may submit 1) three large, long term regional projects and 2) three small, short term local projects. CARTPO will prioritize the large regional projects and transmit both lists to TxDOT for funding consideration. Two projects submitted by Hays County in 2011 (rank 7 and 10) were funded by TxDOT Proposition 12 funds for FY 2012 and 2013. They are FM 2439 (Hunter Rd.) and IH 35 at Cement Plant Rd., projects which are currently in design. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to take appropriate action to submit transportation project funding requests on the Texas State Highway system to the Capital Area Regional Transportation Planning Organization (CARTPO) by March 1. All voting "Aye". MOTION PASSED

- 28800      APPROVE THE HAYS COUNTY JUDGE TO EXECUTE THE ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE RM 12 PARKWAY PRIORITY ROAD BOND PROGRAM PROJECT**

The RM 12 Parkway project was identified as a key project in Precinct 3 as part of the 2008 Priority Road Bond Program. Currently, the project has advanced such that TxDOT review of the schematic and environmental document is necessary to safely progress design. Per the previous agreements with the Texas Department of Transportation (TxDOT), review of these documents will not be performed until an Advanced Funding Agreement (AFA) between the County and TxDOT has been executed. It is important to note that execution of the AFA does not commit the County to any expenditure of road bond funds. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve the Hays County Judge to execute the Advanced Funding Agreement with the Texas Department of Transportation for the RM 12 Parkway Priority Road Bond Program Project. All voting "Aye". MOTION PASSED



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**28801 REPLAT OF LOT 27 RIVER OAKS OF WIMBERLEY, UNIT 2 (2 LOTS) AND A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND APPROVE FINAL PLAT**

Judge Cobb opened public hearing. No public input was received. Judge Cobb closed public hearing. Roxie McInnis Development Services Manager spoke. The River Oaks of Wimberley Subdivision is a recorded subdivision located off of Wayside Drive in Precinct 3. The proposed re-plat will divide the 4.99 acre lot into two lots - Lot 27A being 2.50 acres and Lot 27B being 2.49 acres. Water service will be provided by private wells and wastewater treatment will be accomplished by advanced on-site sewage facilities. Lot 27A is currently served by a conventional OSSF and an existing private well. Should the existing OSSF need replacement it will be replaced by an advanced system. The Hays County minimum lot size for a lot served by a private well is 3.00 acres with a conventional OSSF and 2.00 acres with an advanced OSSF. Due to the current configuration of the property, it would not be possible to meet the minimum lot size requirements without replacement of the septic system. The property owner feels that replacing the existing functioning system would be an undue burden. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve final plat Replat of Lot 27 River Oaks of Wimberley, Unit 2 (2 lots) and grant a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. All voting "Aye". MOTION PASSED**

**28802 AMENDED PLAT OF A PORTION OF LOT 4, GREEN ACRES ESTABLISHING LOT 4C [12-3-58--1 LOT] APPROVE FINAL PLAT**

Roxie McInnis Development Services Manager spoke. Green Acres is a recorded subdivision located off of Ranch Road 2325 in Precinct 3. Green Acres Lot 4 was originally platted in 1968 as a 15.17 acre lot but was later subdivided into 4 parcels by metes and bounds. The proposed amended plat will establish Green Acres Lot 4C which is a 4.50 acre lot that is currently served by the Wimberley Water Supply Corporation and a permitted OSSF. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve final plat of a portion of Lot 4, Green Acres establishing Lot 4C. All voting "Aye". MOTION PASSED**

**28803 AMENDED PLAT OF LOTS 25, 26 AND 30 BLOCK B BELTERRA PHASE 2 SECTION 7 [13-4-6--3 LOTS] APPROVE FINAL PLAT**

Roxie McInnis Development Services Manager spoke. Belterra Phase 2 Section 7 was approved by the Hays County Commissioners Court in May of 2012. Because of a change in construction plans which then caused a conflict with the driveway for Lot 26 Block B, a shifting of 2 lot lines has been proposed. This shifting of lot lines will make Lot 25A ten feet wider and lot 30A ten feet narrower. In accordance with the remainder of Phase 2 Section 7, all lots will be served by Hays County WCID No. 1. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve final amended plat of Lots 25, 26 and 30 Block B Belterra Phase 2 Section 7. All voting "Aye". MOTION PASSED**

**28804 ADOPT A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR-CRIMINAL JUSTICE DIVISION (CJD) FOR HAYS COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$28,780.00**

Captain Mike Davenport of the Sheriff's Office spoke. The Sheriff's Office is requesting grant funding to purchase an Automated Palm print and Fingerprint Identification System for the Investigation's Department. Implementing new technology will enhance our operations efficiency and expedite the investigation process. The grant application will be submitted electronically and is due at the Governor's Office-Criminal Justice Division on February 28, 2013. The total amount for this project is \$28,780.00 and no matching funds are required for this grant program. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a resolution authorizing the County Judge to submit a grant application to the Office of the Governor-Criminal Justice Division (CJD) for Hays County Sheriff's Office in the amount of \$28,780.00. All voting "Aye". MOTION PASSED**

**28805 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE INTERLOCAL COOPERATION AGREEMENT FOR SUSTAINMENT FUNDING FOR THE AUSTIN REGIONAL INTELLIGENCE CENTER (ARIC)**

Captain Mike Davenport of the Sheriff's Office spoke. The Hays County Sheriff's Office would contribute \$14,040 (\$117 per Officer @ 120 Officers) out of the SO Discretionary Fund. This funding request applies to FY14 & is coming from the Sheriff's discretionary funds. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute the Interlocal Cooperation Agreement for Sustainment Funding for the Austin Regional Intelligence Center (ARIC). All voting "Aye". MOTION PASSED**





**28806 RECOMMENDED AMENDMENT TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) JOINT POWERS AGREEMENT (JPA) TO ADD BURNET COUNTY TO CAMPO MEMBERSHIP**

Mike Aulick of Aulick and Associates spoke. A subcommittee of the CAMPO Transportation Policy Board has recommended the addition of Burnet County to the CAMPO Planning Area and Board membership. This requires an amendment to the CAMPO Joint Powers Agreement by all six signatories (Williamson County, Travis County, Hays County, City of Austin, TxDOT and Capital Metro). In 2009 the Federal Office of Management and Budget added Burnet County to the 5-county Round Rock-San Marcos Metropolitan Statistical Area to form the 6-county Austin-Round Rock- Marble Falls Combined Statistical Area (CSA). CSAs consist of a core county and adjacent counties that have a high degree of social and economic integration with the urban core, as measured by commuting to work patterns. Burnet County's population in 2010 was 42,750. Elected officials in Burnet County have been actively engaged in transportation planning in the region with TxDOT and CAPCOG. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to recommended Amendment to the Capital Area Metropolitan Planning Organization (CAMPO) Joint Powers Agreement (JPA) to add Burnett County to CAMPO Membership. All voting "Aye". MOTION PASSED

**28807 ADOPT A RESOLUTION STRONGLY OPPOSING THE PASSAGE OF HB 958 WHICH PROPOSES TO REDUCE THE INTEREST CREDITING RATE ON ALL TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM (TCDRS) FUNDS FROM 7% TO 5%**

Michele Tuttle Hays County Treasurer spoke. TX83RHB 958 Filed: 02-05-2013. Author: Orr, Rob. A BILL TO BE ENTITLED; AN ACT relating to the annual interest rate of the Texas County and District Retirement System. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 5 SECTION 1. Section 845.314, Government Code, is amended to read as follows: Sec. 845.314. INTEREST RATES. Unless this subtitle expressly states another specified rate of interest, for periods beginning after December 31, 2013 [1996], the annual rate of interest is five [seven] per SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to Adopt a Resolution strongly opposing the passage of HB 958 which proposes to reduce the interest crediting rate on all Texas County and District Retirement System (TCDRS) funds from 7% to 5%. All voting "Aye". MOTION PASSED

**28808 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE 2013 TRANSPARENCY AWARD APPLICATION AND SUBMIT TO THE TEXAS COMPTROLLER'S OFFICE**

The Auditor's Office has been working with my office on placing and organizing Hays County Financial Information on our website in a manner that is easy to locate and review, so citizen's can keep tabs on every dollar spent. Hays County would like to submit an application to the Texas Comptroller's Office seeking the recognition of Texas' highest transparency award - The Texas Comptroller Leadership Circle Financial Transparency Award. This award recognizes local governments for striving to meet high standards of financial transparency online through the following methods: Opening their books to the public; providing clear and concise pictures of spending and sharing information in a user-friendly format that lets taxpayers easily drill down for more information. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute the 2013 Transparency Award application and submit to the Texas Comptroller's office. All voting "Aye". MOTION PASSED

**28809 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR ENVIRONMENTAL CONSULTING SERVICES WITH BURCHAM ENVIRONMENTAL SERVICES FOR WORK RELATED TO THE JACOBS WELL NATURAL AREA**

Clint Garza Director of Development and Community Services spoke. Burcham Environmental was selected for environmental consulting for cleanup of areas related to restoration of the Jacobs Well Natural Area. Amount required \$11,100.00; 150-813-97-407.5741. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a contract for environmental consulting services with Burcham Environmental Services for work related to the Jacobs Well Natural Area. All voting "Aye". MOTION PASSED



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**28810      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR ENVIRONMENTAL CONSULTING SERVICES WITH SISK-ROBB INC. FOR WORK RELATED TO THE JACOBS WELL NATURAL AREA**

Clint Garza Director of Development and Community Services spoke. Sisk-Robb Inc. was selected for environmental consulting for cleanup of areas related to restoration of the Jacobs Well Natural Area. Their efforts will be coordinated with Natural Resources staff and Burcham Environmental Services. Amount required \$32,200.00; 150-813-97-407.5741. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute a contract for environmental consulting services with Sisk-Robb Inc. for work related to the Jacobs Well Natural Area. All voting "Aye". MOTION PASSED**

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, SALE, EXCHANGE, OR VALUE ASSOCIATED WITH UNIT 7 AT 111 WOODACRE DRIVE IN WIMBERLEY, TEXAS**

Court convened into closed Executive Session at 10:40 a.m. and reconvened into open court meeting at 10:50 a.m. In attendance in Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell and Elle Dietz. No action taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, OR VALUE OF REAL PROPERTY RELATED TO RIGHT OF WAY ACQUISITION ON FM 1626**

Court convened into closed Executive Session at 10:50 a.m. and reconvened into open court meeting at 10:54 a.m. In attendance in Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell and Elle Dietz. No action taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, OR VALUE OF REAL PROPERTY RELATED TO THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES**

Court convened into closed Executive Session at 11:00 a.m. and reconvened into open court meeting at 11:10 a.m. In attendance in Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.

**28811      EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS FOR THE CIVIL DIVISION OF THE HAYS COUNTY DISTRICT ATTORNEY'S OFFICE**

Court convened into closed Executive Session at 10:20 a.m. and reconvened into open court meeting at 10:39 a.m. In attendance in Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell and Director of Development Services Clint Garza. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the District Attorney's Office to collaborate with the Auditor, the Treasurer, and HR to create a new Temporary Intern position that shall run from March 18 to September 30, 2013 and shall be paid at a rate of \$9.50 per hour. It is anticipated that this position will be 20 hours per week, except during the months of June and July, in which case it will be 30 hours per week. The total estimated fiscal impact of \$6,649 shall be taken from salary savings. All voting "Aye". MOTION PASSED**





**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT REBOUND**

Court convened into closed Executive Session at 10:54 a.m. and reconvened into open court meeting at 11:00 a.m. In attendance in Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell and Mike Kamerlander Vice-President of the Greater San Marcos Partnership. No Action Taken.

**28812 REIMPOSE THE BURN BAN AND/OR DISASTER DECLARATION**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to reimpose the Burn Ban effective immediately. All voting "Aye". **MOTION PASSED**

**County Clerk's Note Agenda Item #38 RE:** DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; THE PRECINCT 2 FACILITY PROJECT; AND THE LAW ENFORCEMENT CENTER IMMEDIATE NEEDS PROJECT – **was pulled**

**County Clerk's Note Agenda Item #39 RE:** DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND ALLEN CROZIER, HDR – **was pulled**

**County Clerk's Note Agenda Item #40 RE:** DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY – **was pulled**

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

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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 February 26, 2013.




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LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO  
CLERK OF THE COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS

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