

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 5, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 5th DAY OF JANUARY A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

Clerk's Note: For complete transcript go to Hays County Website <https://hayscountytexas.com/commissioners-court/court-video/> Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Javier Maldonado of the Christus Hospice Central Texas gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Rodrigo Amaya made a public comment regarding law enforcement. Dan Lyon made a public comment regarding the Hays County Appraisal Review board. Harvey Jenkins made a public comment regarding COVID-19 vaccines. Sam Brannon made a public comment regarding election integrity. Elaine Cardenas, County Clerk, read a public comment emailed by Laurel Tyler regarding accurate information on the county website.

35956 SWEARING-IN AND CONFIRMATION OF MEMBERS TO THE HAYS COUNTY HISTORICAL COMMISSION.

Lila Knight made a public comment in favor of reappointing Kate Johnson as the chair of the Historical Commission. Elaine Cardenas, County Clerk, read the public comments emailed by the following; Bobby Garza Hernandez, made public comments stating the Historical Commission is not representing people of color by denying membership of several Hispanic and Indigenous applicants. He requested the court reinstate the Tejano Commission and approve the membership of Gina Alba Rogers and Irma Gaitan. Maria Rocha made a public comment regarding her denial of her membership to the Historical Commission as one of the only indigenous applicants. Mario Garza made a public comment requesting the Commissioners Court to postpone their approval of the Historical Commission members until his open records request has been completed. The open records request is regarding the applications to the Historical Commission. Frank Arredondo made public comments requesting full transparency of the criteria of the membership, bylaws, financial records, and finally re-instate Gina Alba Rogers, Irma Gaitan, and the Tejano Committee. Krystal Alba-Donaghey submitted a letter including letters of support of the Tejano Committee and its Chair Gina Alba Rogers. The letters of support were written by Quincy Kennedy, Professor of SW Texas History, former President of the Texas State Historical Association, and Associate Professor of Anthropology Dr. Ana M. Juarez. Vincent Davilla made a public comment in support of Gina Alba Rogers and Irma Gaitan's membership, and to postpone the approval of membership. Liz Castaneda and Ruben A. Arellano wrote letters in support of the Tejano Committee and Gina Alba Rogers as Chair. Michele Frazier made a public comment thanking Kate Johnson for her service as the Historical Commission Chair. Kate Johnson, Chair of the Hays Historical Commission, spoke to the court regarding the membership criteria and selection process. Commissioner Ingalsbe and Judge Becerra inquired about the membership process, bylaws, expansion of membership, and the Tejano Committee. The court thanked Kate Johnson for her work and continued service. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the confirmation of members to the Hays County Historical Commission. Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "Aye." Judge Becerra and Commissioner Ingalsbe voted "No." MOTION PASSED.**

The court thanked Ms. Johnson for her service to the commission. Judge Becerra stated that as the chair he hopes she address the concerns of the community that have been brought forward. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to appoint Kate Johnson as Chair of the Hays County Historical Commission. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Item 1 was reopened at 12:26 p.m.to appoint the chair of the Historical Commission.



35957 CEREMONIAL SWEARING IN OF ALL NEWLY AND RE-ELECTED OFFICIALS TO HAYS COUNTY OFFICES; AND APPROVAL AND ACCEPTANCE OF OFFICIAL BONDS FOR EACH OFFICE.

Judge Maggie Moreno swore in the following Elected Officials: Commissioner Precinct 1 – Debbie Ingalsbe – Gonzales, Commissioner Precinct 3 – Lon Shell, Justice of the Peace Precinct 1-1 - JoAnne Prado, and Constable Precinct 1 – David Peterson. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve and accept the official bonds for each office. All present voted “Aye.” MOTION PASSED.**

UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Alex Villalobos, Emergency Management Coordinator and Chief of staff, stated there has been an increase in positive COVID-19 cases. The county is working with the school districts on return plans for students. The school districts have also made plans on distributing vaccines to students. Commissioner Ingalsbe asked where people can get the vaccine. Judge Becerra stated the county does not have vaccines to distribute. The private sector has vaccines. Mike Jones, Director of Emergency Services, stated once the vaccine is available to the court members that they should take the vaccine to lead by example. Kim Hilsenbeck, Communications Manager, spoke to the court regarding the information available on the county website. Tammy Crumley, Director of Countywide Operations, stated the Health department has applied to receive the COVID-19 vaccine. She stated there is a shortage of vaccines in Texas. She stated the general public roll out of the vaccine will likely happen in the Spring. No action was taken.

35958 ADOPT A PROCLAMATION DECLARING JANUARY 18, 2021 AS DR. MARTIN LUTHER KING, JR. DAY.

Pastor Jonafa Banbury, M.A., Dunbar Heritage Association Secretary, announced the Dr. Martin Luther King Jr. celebration will be held virtually this year January 18, 2021 on the Dunbar Heritage Association Facebook page at 11:00 am. She requested that the people of the community take the Common Unity Pledge that is posted on the Facebook page. The pledge promotes respectful communication with one another through differing opinions. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring January 18, 2021 as Dr. Martin Luther King, Jr. Day. All present voted “Aye.” MOTION PASSED.**

35959 APPROVE PAYMENTS OF COUNTY INVOICES.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices. All present voted “Aye.” MOTION PASSED.

35960 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of United Healthcare claims. All present voted “Aye.” MOTION PASSED.

35961 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 22, 2020.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of December 22, 2020. All present voted “Aye.” MOTION PASSED.

35962 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR THREE WAREHOUSE/ OFFICE STRUCTURES AT 13575 FITZHUGH ROAD, AUSTIN, TX 78737.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for three warehouse/ office structures at 13575 Fitzhugh Road, Austin, TX 78737. All present voted “Aye.” MOTION PASSED.

35963 AUTHORIZE PAYMENT TO GT DISTRIBUTORS IN THE AMOUNT OF \$594.55 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize payment to GT Distributors in the amount of \$594.55 in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

35964 ACCEPT A \$5,000 CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept a \$5,000 contribution on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35965 AUTHORIZE PAYMENT TO FARBER SPECIALTY VEHICLES FOR THE OFFICE OF EMERGENCY SERVICES FOR A GRANT FUNDED COMMAND VEHICLE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize payment to Farber Specialty Vehicles for the Office of Emergency Services for a grant funded Command Vehicle in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

35966 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A SINGLE FAMILY RESIDENCE AND THREE RV'S AT 3417 FM 32, SAN MARCOS, TX 78666.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for a single family residence and three RV's at 3417 FM 32, San Marcos, TX 78666. All present voted "Aye." MOTION PASSED.

35967 AUTHORIZE THE EXECUTION OF AN UPDATED VOLUME LICENSING AGREEMENT WITH SHI GOVERNMENT SOLUTIONS FOR THE COUNTY WIDE MICROSOFT LICENSING AGREEMENT.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of an updated Volume Licensing Agreement with SHI Government Solutions for the County Wide Microsoft Licensing Agreement. All present voted "Aye." MOTION PASSED.

35968 AUTHORIZE PAYMENT TO TEXIAN GEOSPATIAL AND ASSET SOLUTIONS, LLC. IN THE AMOUNT OF \$3,605.00 FOR A GPS RECEIVER, WHERE NO PURCHASE ORDER WAS ISSUED AS REQUIRED BY THE HAYS COUNTY PURCHASING POLICY AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize payment to Texian Geospatial and Asset Solutions, LLC. In the amount of \$3,605.00 for a GPS Receiver, where no purchase order was issued as required by the Hays County Purchasing Policy and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35969 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR TWO SINGLE FAMILY RESIDENCES LOCATED AT 287 FISCHER STORE RD, WIMBERLEY, TX 78676.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for two single family residences located at 287 Fischer Store Rd, Wimberley, TX 78676. All present voted "Aye." MOTION PASSED.

35970 APPROVE SPECIFICATIONS FOR RFQ 2021-Q01 ON-CALL ENGINEERING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for RFQ 2021-Q01 On-Call Engineering Services and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

**35971 APPROVE UTILITY PERMITS.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Utility Permits. All present voted "Aye." MOTION PASSED.

35972 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR WW II MINIATURE GOLF AT 1710 FM 1626, BUDA, TX, 78610.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for WW II Miniature Golf at 1710 FM 1626, Buda, TX, 78610. All present voted "Aye." MOTION PASSED.

35973 CONFIRM THE APPOINTMENTS OF WALT SMITH, FOR A TERM ENDING DECEMBER 31, 2022, AND DAN O'BRIEN, FOR A TERM ENDING DECEMBER 31, 2021, TO THE CITY OF DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONES NO. 1 AND NO.2 (DSTIRZ 1 AND DSTIRZ 2) BOARD.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to confirm the appointments of Walt Smith, for a term ending December 31, 2022, and Dan O'Brien, for a term ending December 31, 2021, to the City of Dripping Springs Tax Increment Reinvestment Zones No. 1 and No.2 (DSTIRZ 1 and DSTIRZ 2) Board. All present voted "Aye." MOTION PASSED.

35974 CALL FOR A PUBLIC HEARING ON JANUARY 26, 2021 TO ESTABLISH A "NO DUMPING" ZONE ON PLUM CREEK ROAD SOUTH BETWEEN GRIST MILL ROAD AND THE LOW-WATER CROSSING.

Commissioner Jones made a change to the public hearing date from January 19, 2021 to January 26, 2021. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on January 26, 2021 to establish a "No Dumping" zone on Plum Creek Road South between Grist Mill Road and the low-water crossing. All present voted "Aye." MOTION PASSED.

35975 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT/CONTRACT BETWEEN HAYS COUNTY AND GARVER, LLC TO PROVIDE ENGINEERING DESIGN AND SUPPORT SERVICES FOR DRAINAGE AND LOW WATER CROSSING IMPROVEMENTS AT BEAR CREEK PASS AND SYCAMORE CREEK DRIVE PROJECT IN PRECINCT 4 AS PART OF THE ROAD BOND PROGRAM.

Commissioner Smith stated this is part of the 2016 roads bond project. Garver LLC is working on other parts of the project, so this will tie them all together. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the execution of a Professional Service Agreement/Contract between Hays County and Garver, LLC to provide engineering design and support services for Drainage and Low Water Crossing Improvements at Bear Creek Pass and Sycamore Creek Drive project in Precinct 4 as part of the Road Bond Program. All present voted "Aye." MOTION PASSED.

35976 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT/CONTRACT BETWEEN HAYS COUNTY AND PAPE-DAWSON ENGINEERS, INC. TO PROVIDE ADDITIONAL SURVEYING, ENGINEERING AND ENVIRONMENTAL PERMITTING SERVICES FOR THE DESIGN OF FISCHER STORE ROAD SAFETY IMPROVEMENTS PROJECT IN PRECINCT 3 AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Shell stated this is part of the 2016 roads bond project. This piece should finalize the project. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of a Professional Service Agreement/Contract between Hays County and Pape-Dawson Engineers, Inc. to provide additional surveying, engineering and environmental permitting services for the design of Fischer Store Road Safety Improvements project in Precinct 3 as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

DISCUSSION RELATED TO THE RECONSTITUTION OF THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY COMMISSION (POSAC). POSSIBLE ACTION MAY FOLLOW.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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Commissioner Shell requested the court return at the end of January with their appointees for the Parks and Open Space Advisory Commission. He requested the court members appoint two at large appointees for the end of January. No action was taken.

Clerk's Note: Executive Session began at 11:14 a.m. and resumed back into open court at 12:03 p.m.

35977 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE APPOINTMENT AND DUTIES OF THE HAYS COUNTY JUSTICE OF THE PEACE IN PRECINCT 5 OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT. JONES

Commissioner Jones thanked Judge Scott Cary for his services and sent him congratulations on his retirement. The Court members echoed thanks and well wishes to Judge Cary. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept the resignation of Judge Scott Cary, Hays County Justice of the Peace Precinct 5, effective February 28, 2021, and to appoint Lucinda Doyle of Buda Texas to fill the post of Justice of the Peace for Precinct 5 in the Hays County for the remainder of the unexpired term, effective and beginning March 1, 2021. All present voted "Aye." MOTION PASSED.**

35978 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 RIGHT OF WAY ALONG DACY LANE IN PCT 2. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT. JONES

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the counteroffer for the Dacey Lane Project, Ormond Tract, Parcel 70, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT. JONES/STRICKLAND

No action was taken.

35979 DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Nathan Mendenhall, Fire Marshall, recommended the removal of the burn ban. He suggested citizens review the rules for outdoor burning. The rules can be found on the TCEQ website, the County Fire Marshall website, and Haysinformed.com. Commissioner Jones stated that citizens should burn as soon as possible since the burn ban can be placed in effect at any time. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to lift the burn ban effective immediately. All present voted "Aye." MOTION PASSED.**

DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS.

Judge Becerra read the Sheriff's update of the inmate population. The estimated cost for outsourcing was \$52,050.00 for the week of December 27, 2020 – January 2, 2021. The number of outsourced males was 140 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 4, Department of Public Safety – 7, Hays County Sheriff's Department – 44, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 23, San Marcos Police Department - 34, Texas State Police Department – 1. No action taken.

Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 5, 2021

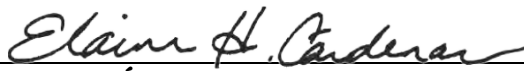
Clerk's Note Agenda Item #30 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW.*
- WAS PULLED.

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 12:25 p.m.

I, ELAINE H. CÁRDENAS, 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 5, 2021.





ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 12, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 12th DAY OF JANUARY A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

**Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.**

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Javier Maldonado of the Christus Hospice Central Texas gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins made a public comment regarding Hays County debt. Rodrigo Amaya made public comments regarding law enforcement, open records requests, and historical representations of minorities in Hays County. Dan Lyon made public comments regarding the history of the confederate flag, Hays County Appraisal District, and the Greater San Marcos Partnership's (GSMP) 5-year plan.

35980 UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Alex Villalobos, Emergency Management Coordinator and Chief of Staff, spoke to the court regarding the regional distribution plan of the COVID-19 vaccines. He stated the county is eligible to apply for a grant through the Treasury Department for a rental assistance program for citizens. The court would need to approve the submission of the application. Vickie Dorsett, Auditors Office, stated Hays County meets the criteria for the funding, there are no matching funds with this grant, and the grant is due today. Tammy Crumley, Director of Countywide Operations, stated the application has been drafted and is ready to submit once approved by the court. Commissioner Smith requested additional information regarding the CARES funding spending plan. Vickie Dorsett, Auditor's office, stated the county plan and supporting documents were submitted on December 15, 2020. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to authorize the submission of the grant application for the rental assistance from the Treasury Department. All present voted "Aye." MOTION PASSED.**

35981 APPROVE PAYMENTS OF COUNTY INVOICES.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of County invoices. All present voted "Aye." MOTION PASSED.

35982 APPROVE PAYMENT OF JUROR CHECKS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payment of Juror checks. All present voted "Aye." MOTION PASSED.

35983 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of United Healthcare claims. All present voted "Aye." MOTION PASSED.



35984 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 5, 2020.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 5, 2020. All present voted "Aye." MOTION PASSED.

35985 APPROVE THE PAYMENT OF THE JANUARY 15, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,995,000.00 EFFECTIVE DECEMBER 31, 2020 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the January 15, 2021 payroll disbursements in an amount not to exceed \$2,995,000.00 effective December 31, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

35986 APPROVE OUT OF STATE TRAVEL, UTILIZING \$5,800.00 OF THE SHERIFF'S OFFICE CONTINUING EDUCATION FUNDS, FOR FLEET MAINTENANCE SUPERVISOR MARTIN GONZALES TO ATTEND THE HARLEY DAVIDSON MOTOR COMPANY'S POLICE TECHNICAL TRAINING IN MILWAUKEE, WISCONSIN ON APRIL 26-MAY 13, 2021.

Commissioner Ingalsbe stated the importance of having the most up to date training for the technicians who work on the motorcycles. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve out of state travel, utilizing \$5,800.00 of the Sheriff's Office Continuing Education Funds, for Fleet Maintenance Supervisor Martin Gonzales to attend the Harley Davidson Motor Company's Police Technical Training in Milwaukee, Wisconsin on April 26-May 13, 2021. All present voted "Aye." MOTION PASSED.

35987 APPROVE UTILITY PERMITS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Utility Permits. All present voted "Aye." MOTION PASSED.

35988 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE TWO (2) REPLACEMENT DELL LAPTOPS WITH ACCESSORIES VALUED AT \$2,358 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the District Attorney's Office to purchase two (2) replacement Dell Laptops with accessories valued at \$2,358 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35989 AUTHORIZE THE SUBMISSION OF A RENEWAL INTERLOCAL APPLICATION WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE IMMUNIZATION/LOCALS PROGRAM FY21 IN THE AMOUNT OF \$192,341.00.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the submission of a renewal Interlocal application with the Texas Department of State Health Services (DSHS) for the Immunization/Locals Program FY21 in the amount of \$192,341.00. All present voted "Aye." MOTION PASSED.

35990 AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND CAPITAL PROJECT BUDGETS IN PREPARATION THE COUNTY'S FY 2020 YEAR-END PROCESS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to amend various departmental operating, special revenue and capital project budgets in preparation the County's FY 2020 year-end process. All present voted "Aye." MOTION PASSED.



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35991 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ANNUAL RENEWAL CONTRACT BETWEEN HAYS COUNTY AND AMERICAN AEROBIC MANAGEMENT SYSTEMS (AMMS) IN THE AMOUNT OF \$2,985 FOR THE ANNUAL MAINTENANCE AND INSPECTIONS OF ALL HAYS COUNTY SEPTIC SYSTEMS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an annual renewal contract between Hays County and American Aerobic Management Systems (AMMS) in the amount of \$2,985 for the annual maintenance and inspections of all Hays County septic systems. All present voted "Aye." MOTION PASSED.

35992 APPROVE SPECIFICATIONS FOR RFQ 2021-Q02 RIGHT OF WAY SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for RFQ 2021-Q02 Right of Way Services and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

35993 APPROVE RENEWAL OF IFB 2020-B04 CONCRETE WITH BRAUNTEX MATERIALS AND LAUREN CONCRETE.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve renewal of IFB 2020-B04 Concrete with Brauntex Materials and Lauren Concrete. All present voted "Aye." MOTION PASSED.

35994 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MODIFIED TASK ORDER NO.1 TO THE MASTER INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY, ORIGINALLY APPROVED ON NOVEMBER 17, 2020.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute a modified Task Order No.1 to the Master Interlocal Agreement between Hays County and Texas State University, originally approved on November 17, 2020. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #16 RE: APPROVE SPECIFICATIONS FOR IFB 2021-B07 SIGNAL POLES AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE. – WAS PULLED.

35995 APPROVE THE SELECTION OF COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR THE HILLSIDE TERRACE SAFETY IMPROVEMENTS (IH35 TO FM2001) PROJECT IN PRECINCT 2; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Jones stated the engineering design has already complete, and this item is to coordinate the utility services. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of Cobb, Fendley & Associates, Inc. to provide utility coordination services for the Hillside Terrace Safety Improvements (IH35 to FM2001) project in Precinct 2; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

35996 APPROVE THE SELECTION OF LJA, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE HILLSIDE TERRACE SAFETY IMPROVEMENTS (IH35 TO FM2001) PROJECT IN PRECINCT 2; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Jones stated this is the connecting road for Buda bypass from FM1626 to FM2001. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the selection of LJA, Inc. to provide right-of-way acquisition services for the Hillside Terrace Safety Improvements (IH35 to FM2001) project in Precinct 2; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.



35997 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL NO. 1 TO WORK AUTHORIZATION NO. 1 FOR BINKLEY & BARFIELD, INC UTILITY COORDINATION SERVICES ON THE OLD BASTROP (CR266) PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Ingalsbe stated additional utilities conflict with this project. This item will allow for coordinating meeting with the utility companies. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Supplemental No. 1 to Work Authorization No. 1 for Binkley & Barfield, Inc Utility Coordination Services on the Old Bastrop (CR266) project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

35998 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 1 WITH HNTB CORPORATION FOR \$12,000 TO PROVIDE ENVIRONMENTAL SERVICES RELATED TO THE FM 150 (CENTER ST) RELOCATION OF UP SWITCHING LINE (KYLE UPRR SIDING RELOCATION) PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Jones stated this amendment covers the moving of the switching station to a new location, and the environmental services that are needed. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 1 with HNTB Corporation for \$12,000 to provide environmental services related to the FM 150 (Center St) relocation of UP switching line (Kyle UPRR Siding Relocation) project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

35999 AUTHORIZE THE DEVELOPMENT SERVICES DEPARTMENT TO CONTINUE TO SERVE AS THE INTERIM FLOODPLAIN ADMINISTRATOR FOR THE CITY OF WIMBERLEY FOR A PERIOD NOT TO EXCEED 6 MONTHS; AUTHORIZE THE COUNTY JUDGE TO EXECUTE ANY REQUIRED AGREEMENT(S) AFTER REVIEW BY THE OFFICE OF GENERAL COUNSEL.

Commissioner Shell stated that previously the court authorized the Development Services staff to assist the City of Wimberley with floodplain administration. The city has now hired a planner. Commissioner Shell requested the court to allow Development Services to continue assisting the City of Wimberley until the City planner is floodplain certified. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Development Services Department to continue to serve as the Interim Floodplain Administrator for the City of Wimberley for a period not to exceed 6 months; authorize the County Judge to execute any required agreement(s) after review by the Office of General Counsel. All present voted "Aye." MOTION PASSED.

36000 AWARD RFP 2020-P15 TRAFFIC COUNTER INSPECTION AND MAINTENANCE TO JM ENGINEERING, LLC AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Development Services Department to continue to serve as the Interim Floodplain Administrator for the City of Wimberley for a period not to exceed 6 months; authorize the County Judge to execute any required agreement(s) after review by the Office of General Counsel. All present voted "Aye." MOTION PASSED.

36001 EXECUTE A COUNTYWIDE HVAC MAINTENANCE AND REPAIR SERVICES CONTRACT WITH JM ENGINEERING, LLC PURSUANT TO RFP 2020-P01.

Tammy Crumley, Director of Countywide Operations, stated her department is ready to start working with this company. The court thanked the staff and department heads that contributed to this contract. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to execute a Countywide HVAC Maintenance and Repair Services Contract with JM Engineering, LLC pursuant to RFP 2020-P01. All present voted "Aye." MOTION PASSED.

36002 AWARD A CONTRACT FOR IFB 2021-B03 HAYS COUNTY MULTILAYER WELL TO UNDERGROUND WATER RESOURCES, LLC.

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Commissioner Shell stated a low bid has been selected for this project. He requested the court approve the bid. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to award a contract for IFB 2021-B03 Hays County Multilayer Well to Underground Water Resources, LLC. All present voted "Aye." MOTION PASSED.**

36003 EXECUTE A MASTER SERVICE AGREEMENT AND LEASE PRODUCT SCHEDULE WITH RICOH USA, INC. FOR COUNTY WIDE COPIERS.

Mark Kennedy, General Counsel, stated the master service agreement was received late on Friday. There are a few items edits that were not included in back up. He stated the court could amend the motion to include edits for the agreement. Commissioner Ingalsbe stated that she would include edits into her motion. The court will bring back the item if Ricoh USA, Inc. has substantive edits to the agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Master Service Agreement and Lease Product Schedule with Ricoh USA, Inc. for County Wide Copiers including non-substantive edits to the agreement. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 11:14 a.m. and resumed back into open court at 12:03 p.m.

36004 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 RIGHT OF WAY ALONG DACY LANE IN PCT 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the purchase of 0.705 acres of land from Oscar Gonzalez for Right of Way along Dacy Lane in Precinct 1, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Judge Becerra read Nathan Mendenhall, Fire Marshall, recommendation not to place a burn ban due to recent weather events. No action was taken.

DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS.

Judge Becerra read the Sheriff's update of the inmate population. The estimated cost for outsourcing was \$54,140.00 for the week of January 7, 2020 – January 9, 2021. The number of outsourced males was 144 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 2, Department of Public Safety – 1, Hays County Sheriff's Department – 43, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 31, San Marcos Police Department - 32, Texas State Police Department – 3. No action was taken.

Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.

DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW.

Commissioner Shell gave an update to the court. He stated this process has been delayed for a while. The case has been remanded to the Barton Springs Conservation District. Commissioner Shell stated he does not believe this case is over, however the actions with the State Office of Administration seem to be over at this point. He thanked the court, General Counsel, and the Special Counsel for their support. He stated it was important for the future of the county to preserve our water resources. Mark Kennedy, General Counsel, noted the General Managers of the Barton Springs Conservation District modified the recommendations significantly from 2.5 million gallons per day to .5 million gallons per day. No action was taken.




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ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 10:05 a.m.

I, ELAINE H. CÁRDENAS, 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 12, 2021.





ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 26, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26th DAY OF JANUARY A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

**Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.**

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Javier Maldonado of Christus Hospice Central Texas gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Elaine H. Cardenas, County Clerk, read Jamie Fulenwider's public comment regarding vaccine distribution for Hays County. Dan Lyon made a public comment regarding the Hays County Appraisal Review Board and possible legal action.

36005 ADOPT A PROCLAMATION RECOGNIZING THE RIBBON CUTTING AND GRAND OPENING OF THE ACCEYSS (ASSOCIATION OF COLLABORATIVE COMMUNITIES EQUIPPING YOUTH FOR STEEAAM SUCCESS) NETWORK UNIVERSITY-COMMUNITY RESOURCE CENTER IN SAN MARCOS, TEXAS, ON JANUARY 21, 2021.

Dr. Shetay Ashford-Henserd, Founder and President of the ACCEYSS network, stated this initiative started in 2017. She announced the growth the network is experiencing. Commissioner Ingalsbe thanked Ms. Ashford-Henserd for her passion and work with the youth. The court thanked the members of the network for sharing this program. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation recognizing the Ribbon Cutting and Grand Opening of the ACCEYSS (Association of Collaborative Communities Equipping Youth for STEEAAM Success) Network university-community resource center in San Marcos, Texas, on January 21, 2021. All present voted "Aye." MOTION PASSED.**

36006 ADOPT A PROCLAMATION RECOGNIZING THE MONTH OF FEBRUARY 2021 AS BLACK HISTORY MONTH IN HAYS COUNTY.

Vanessa Westbrook, Chair of the African American Heritage Committee of the Hays County Historical Commission, announced the list of events scheduled throughout the county. She noted many of the events have been modified to practice social distancing. She recognized several City Council members and the Planning Group that were present in court. She stated the Planning Group is made up of citizens from each precinct of the county. The court thanked all the members of the planning group for their work and dedication. The list of events can be found on the Hays County Historical Commission website. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a proclamation recognizing the month of February 2021 as Black History Month in Hays County. All present voted "Aye." MOTION PASSED.**

UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Judge Becerra stated the county has held the first round of vaccine distributions. Alex Villalobos, Emergency Management Coordinator and Chief of Staff, thanked the citizens of Hays County, Office of Emergency Services, and county partners for their part in making the distribution of the vaccines run smoothly. He stated approximately 960 vaccines were distributed on January 25, 2021. He announced the second round of vaccine distributions will take place on February 1st and 2nd at the Performing Arts Center (PAC) in Kyle. Registration for

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the February vaccines will begin Friday January 29th at noon. There will be a phone number and online registration options. The court members stated they received many calls regarding the last distribution due to short notice and only online access for registration. The staff members have taken steps to correct this issue by sending out the registration notice to several media outlets, posting on websites, and setting up a phone line for citizens that do not use social media. Mike Jones, Emergency Services Director, stated there will not be any wasted vaccinations. He thanked San Marcos EMS and several other county partners for their help to get people vaccinated. Court members requested daily or weekly updates for vaccination information. No action was taken.

36007 APPROVE PAYMENTS OF COUNTY INVOICES.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of County invoices. All present voted "Aye." MOTION PASSED.

36008 APPROVE PAYMENT OF JUROR CHECKS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payment of Juror checks. All present voted "Aye." MOTION PASSED.

36009 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of United Healthcare claims. All present voted "Aye." MOTION PASSED.

36010 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 12, 2021.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Commissioners Court Minutes of January 12, 2021. All present voted "Aye." MOTION PASSED.

36011 APPROVE THE PAYMENT OF THE JANUARY 31, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,840,000.00 EFFECTIVE JANUARY 29, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of the January 31, 2021 payroll disbursements in an amount not to exceed \$3,840,000.00 effective January 29, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

36012 AUTHORIZE THE PURCHASE OF TWO (2) AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS) UTILIZING THE DEPARTMENT OF STATE HEALTH SERVICES COVID-19 COAG GRANT IN THE AMOUNT OF \$3,088 THAT WILL BE UTILIZED AT THE COVID-19 VACCINE SITE AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the purchase of two (2) Automated External Defibrillators (AEDs) utilizing the Department of State Health Services COVID-19 CoAg Grant in the amount of \$3,088 that will be utilized at the COVID-19 vaccine site and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #10 RE: AUTHORIZE THE PURCHASE OF ONE (1) 21 CUBIT FT. ULTRA-COLD FREEZER UTILIZING THE DEPARTMENT OF STATE HEALTH SERVICES COVID-19 COAG GRANT IN THE AMOUNT OF \$7,328 THAT WILL BE USED TO STORE COVID-19 VACCINES. – WAS PULLED.

36013 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT BETWEEN THE HAYS COUNTY HEALTH DEPARTMENT AND HILL COUNTRY MED WASTE FOR MEDICAL WASTE DISPOSAL RELATED TO THE COVID-19 VACCINE CLINIC.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a contract between the Hays County Health Department and Hill Country Med Waste for medical waste disposal related to the COVID-19 vaccine clinic. All present voted "Aye." MOTION PASSED.

36014 RATIFY THE SUBMISSION OF A GRANT APPLICATION AND ACCEPT THE GRANT AWARD FROM THE DEPARTMENT OF STATE HEALTH SERVICES FY21-22 IMMUNIZATION/LOCALS COVID-19 IN THE AMOUNT UP TO \$73,582.00 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to ratify the submission of a grant application and accept the grant award from the Department of State Health Services FY21-22 Immunization/Locals COVID-19 in the amount up to \$73,582.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36015 AMEND THE DEPARTMENT OF STATE HEALTH SERVICE (DSHS) CORONAVIRUS 2019 (COVID-19) RESPONSE CONTRACT FOR EQUIPMENT RELATED TO VACCINE STORAGE RELATED TO COVID-19.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to amend the Department of State Health Service (DSHS) Coronavirus 2019 (COVID-19) Response Contract for equipment related to vaccine storage related to COVID-19. All present voted "Aye." MOTION PASSED.

36016 AUTHORIZE DEVELOPMENT SERVICES DEPARTMENT TO ADMINISTRATIVELY GRANT EXTENSIONS TO CURRENT DEVELOPMENT AND ON-SITE SEWAGE FACILITY PROJECTS IMPACTED BY THE COVID-19 PANDEMIC.

Commissioner Smith thanked Commissioner Shell and Caitlyn Strickland, Development Services Director, for their work on these projects, especially with the impacts of COVID-19. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Development Services Department to administratively grant extensions to current development and on-site sewage facility projects impacted by the COVID-19 Pandemic. All present voted "Aye." MOTION PASSED.

36017 AUTHORIZE THE COUNTY JUDGE TO RENEW THE ANNUAL AGREEMENT BETWEEN PLATEAU LAND & WILDLIFE MANAGEMENT AND HAYS COUNTY IN THE AMOUNT OF \$3,189 FOR ANNUAL WILDLIFE MANAGEMENT SERVICES FOR THE DAHLSTROM PUBLIC ACCESS AREA.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to renew the annual agreement between Plateau Land & Wildlife Management and Hays County in the amount of \$3,189 for annual wildlife management services for the Dahlstrom Public Access Area. All present voted "Aye." MOTION PASSED.

36018 AMEND THE SHERIFF'S OFFICE OPERATING BUDGET FOR NEEDED VEHICLE REPAIRS IN WHICH INSURANCE PROCEEDS WERE RECEIVED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the Sheriff's Office operating budget for needed vehicle repairs in which insurance proceeds were received. All present voted "Aye." MOTION PASSED.

36019 AUTHORIZE THE EXECUTION OF THE FY 2021 GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDETF) AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of the FY 2021 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



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36020 APPOINT KYLE MYLIUS TO SERVE ON THE TAX INCREMENT REINVESTMENT ZONE (TIRZ) NUMBER 5 (DOWNTOWN) BOARD OF DIRECTORS, TO FILL A VACANCY LEFT BY BOBBY WARREN, FOR A TERM EXPIRING ON DECEMBER 31, 2021.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appoint Kyle Mylius to serve on the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors, to fill a vacancy left by Bobby Warren, for a term expiring on December 31, 2021. All present voted "Aye." MOTION PASSED.

36021 APPROVE UTILITY PERMITS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permits. All present voted "Aye." MOTION PASSED.

36022 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT AND WAIVING ALL COUNTY FEES ASSOCIATED WITH THE ON-SITE SEWAGE FACILITY FOR VFW MEETING HALL & CHAPEL LOCATED AT 3400 EAST HWY 290, DRIPPING SPRINGS, TEXAS 78620.

Commissioner Smith stated this item passed in court last year waiving the county fees associated with the on-site sewage facility. He asked if another motion should be made to waive the fees since the owner is in a new location. Caitlyn Strickland, Development Services Director, stated that would be appropriate. Commissioner Smith requested an amendment to include the continuation of waiving all county fees associated with this on-site sewage facility. Commissioner Ingalsbe agreed to amend her motion. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit and continue waving all county fees associated with the on-site sewage facility for VFW meeting hall & chapel located at 3400 East Hwy 290, Dripping Springs, Texas 78620. All present voted "Aye." MOTION PASSED.**

36023 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR DRIFTWOOD GOLF & RANCH CLUB LOCATED AT 416 THURMAN ROBERTS WAY, DRIFTWOOD, TEXAS 78619.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for Driftwood Golf & Ranch Club located at 416 Thurman Roberts Way, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

36024 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 2 SINGLE FAMILY RESIDENCES AT 1860 MATHIAS LN, KYLE, TEXAS 78640.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize On-Site Sewage Facility Permit for 2 Single Family Residences at 1860 Mathias Ln, Kyle, Texas 78640. All present voted "Aye." MOTION PASSED.

36025 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 RENTAL CABINS (#1-3) LOCATED AT 3607 LONE MAN MOUNTAIN ROAD, DRIFTWOOD, TEXAS 78619.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for 3 rental cabins (#1-3) located at 3607 Lone Man Mountain Road, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

36026 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 RENTAL CABINS (#4-6) LOCATED AT 3607 LONE MAN MOUNTAIN ROAD, DRIFTWOOD, TEXAS 78619.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for 3 rental cabins (#4-6) located at 3607 Lone Man Mountain Road, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.



36027 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 RENTAL CABINS (#7-9) LOCATED AT 3607 LONE MAN MOUNTAIN ROAD, DRIFTWOOD, TEXAS 78619.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for 3 rental cabins (#7-9) located at 3607 Lone Man Mountain Road, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #26 RE: AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND CAPITAL PROJECT BUDGETS IN PREPARATION THE COUNTY'S FY 2020 YEAR-END PROCESS. – WAS PULLED.

36028 AUTHORIZE THE CONSTABLE PRECINCT 5 OFFICE TO ACCEPT A \$2,000 DONATION FROM WAL MART, INC. FOR SUPPLIES RELATED TO COMMUNITY SERVICE PROGRAMS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Constable Precinct 5 Office to accept a \$2,000 donation from Wal Mart, Inc. for supplies related to community service programs and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36029 AUTHORIZE THE SHERIFF'S OFFICE JAIL DIVISION TO UTILIZE EXISTING FUNDS TO PURCHASE A SEWER MACHINE TOTALING \$2,409.00 AND AMEND THE BUDGET ACCORDINGLY.

Judge Becerra requested additional information regarding the sewer machine. Chief Davenport, Sheriff's Office, clarified the sewer machine is a snake to unclog pipes. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Sheriff's Office Jail Division to utilize existing funds to purchase a sewer machine totaling \$2,409.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36030 AMEND THE OAG MENTAL HEALTH GRANT BUDGET FOR CONTINUING EDUCATION FUNDS FOR STAFF TO ATTEND A 3-DAY VIRTUAL MENTAL HEALTH FIRST AID INSTRUCTOR TRAINING ON MARCH 1-3, 2021.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to Amend the OAG Mental Health Grant budget for continuing education funds for staff to attend a 3-day virtual Mental Health First Aid Instructor Training on March 1-3, 2021. All present voted "Aye." MOTION PASSED.

36031 AUTHORIZE PAYMENT TO MOORE SUPPLY IN THE AMOUNT OF \$873.79 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE COUNTY PURCHASING POLICY.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Moore Supply in the amount of \$873.79 in which no purchase order was issued as required per the County Purchasing Policy. All present voted "Aye." MOTION PASSED.

36032 APPROVE AND CONFIRM THE APPOINTMENT OF DANIEL CLAY LAW AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE JANUARY 26, 2021.

Constable Peterson, Precinct 1, introduced Daniel Law, Reserve Deputy. Commissioner Smith thanked Daniel Law for his previous work with Hays County and his assistance as the Caldwell County Sheriff with the jail population overflow. Commissioner Ingalsbe thanked him for his service and swore him in as a Reserve Deputy. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve, and confirm the appointment of Daniel Clay Law as Reserve Deputy Constable in the Hays County Constable Precinct 1 Office, effective date January 26, 2021. All present voted "Aye." MOTION PASSED.



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36033 AUTHORIZE THE EXECUTION OF RESOLUTION AND GRANT APPLICATION SUBMITTAL TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE PROJECT IN THE AMOUNT OF \$10,000.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of Resolution and grant application submittal to the Office of the Governor, Homeland Security Grants Division for the Hays County HazMat Team Monitor Maintenance project in the amount of \$10,000. All present voted "Aye." MOTION PASSED.

36034 AUTHORIZE THE EXECUTION OF RESOLUTION AND GRANT APPLICATION SUBMITTAL TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE HAYS COUNTY HAZMAT TEAM CAPABILITY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$72,450.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of Resolution and grant application submittal to the Office of the Governor, Homeland Security Grants Division for the Hays County HazMat Team Capability Improvements project in the amount of \$72,450.00. All present voted "Aye." MOTION PASSED.

36035 APPROVE ADDITIONAL SERVICES UNDER IFB 2017-B02 COUNTYWIDE DUMPSTERS WITH TEXAS DISPOSAL SYSTEMS FOR THE JAIL ADDITION FOR THE REMAINING CONTRACT PERIOD, ENDING SEPTEMBER 30, 2021.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve additional services under IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for the Jail Addition for the remaining contract period, ending September 30, 2021. All present voted "Aye." MOTION PASSED.

36036 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL NO. 1 TO WORK AUTHORIZATION NO. 2 FOR A CHANGE IN COBB, FENDLEY & ASSOCIATES, INC'S SCOPE ON THE WINTERS MILL SAFETY IMPROVEMENTS PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Shell noted the changes that are being discussed are within the original compensation cap for the contract. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Supplemental No. 1 to Work Authorization No. 2 for a change in Cobb, Fendley & Associates, Inc's scope on the Winters Mill Safety Improvements project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

36037 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A "NO DUMPING" ZONE ON PLUM CREEK ROAD SOUTH BETWEEN GRIST MILL ROAD AND THE LOW-WATER CROSSING.

Judge Becerra opened the public hearing at 10:35a.m. No comments were made. Judge Becerra closed the public hearing at 10:35a.m. Commissioner Jones stated this area has become a place for people to dump trash. It is a difficult location for county employees to access, so there needs to be enforcement for dumping trash. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to hold a public hearing with possible action to establish a "No Dumping" zone on Plum Creek Road South between Grist Mill Road and the low-water crossing. All present voted "Aye." MOTION PASSED.

36038 RELEASE THE REVEGETATION BOND #064816P IN THE AMOUNT OF \$14,571.85 FOR REUNION RANCH SUBDIVISION, PHASE 3, SECTION 3.

Commissioner Smith stated this is another release for Reunion Ranch. A motion was made by Commissioner Smith, seconded by Commissioner Shell to release the revegetation bond #064816P in the amount of \$14,571.85 for Reunion Ranch subdivision, Phase 3, Section 3. All present voted "Aye." MOTION PASSED.



36039 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE REGARDING THE RECONSTRUCTION OF OLD POST ROAD (CR 134) FROM CR 158 TO FM 150 IN PRECINCT 1 AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe stated this item is for the reconstruction of Old Post Road. The county is partnering with the City of Kyle to get this project started. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an interlocal agreement between Hays County and the City of Kyle regarding the reconstruction of Old Post Road (CR 134) from CR 158 to FM 150 in Precinct 1 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

36040 AUTHORIZE COUNTYWIDE OPERATIONS | LOCAL HEALTH DEPARTMENT TO PURCHASE AND INSTALL A NEW GENERATOR AT THE MED PARK COVID-19 VACCINE CLINIC LOCATION IN THE AMOUNT OF \$25,586.

Commissioner Ingalsbe stated the generator is required as a backup power for the COVID-19 vaccines. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Countywide Operations | Local Health Department to purchase and install a new generator at the Med Park COVID-19 vaccine clinic location in the amount of \$25,586. All present voted "Aye." MOTION PASSED.**

36041 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A VACCINE ADMINISTRATION AGREEMENT BETWEEN HAYS COUNTY AND CURATIVE MEDICAL ASSOCIATES, INC, FOR THE ADMINISTRATION OF COVID-19 VACCINES.

Judge Becerra stated this item is in preparation for future vaccine distributions. Commissioner Ingalsbe stated that she wants to ensure anyone who wants the vaccine can obtain it. Mark Kennedy, General Counsel, stated the agreements currently in place regarding COVID-19 testing would be like the agreements for the vaccines. Commissioner Smith stated that to his knowledge no one is turned away from testing. He wants to ensure, that due to the limited amount of vaccines, that Hays County citizens will receive the vaccines first within the county. Mark Kennedy, General Counsel, stated that the contracts are being negotiated to include modification the court sees, as necessary. Alex Villalobos noted, per the State, vaccines cannot be limited to one area. Anyone can come to Hays County to obtain the vaccine. He added there is not out of pocket cost to citizens for the vaccine. He stated the continuation of the partnership with Curative Medical Associates Inc. is to reach vulnerable populations and have someone mobile to reach them. Commissioner Shell thanked the Emergency Management and Health Department. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Vaccine Administration Agreement between Hays County and Curative Medical Associates, Inc, for the administration of COVID-19 vaccines. All present voted "Aye." MOTION PASSED.**

36042 RECONSTITUTE THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY COMMISSION (POSAC).

Commissioner Shell stated the appointments are in the agenda back up. Judge Becerra stated he would support Commissioner Shell and Commissioner Ingalsbe's appointment for the at-large positions. The court named Carolyn Gonzales and Lori Olsen as the two at-large appointments. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to reconstitute the Hays County Parks and Open Space Advisory Commission (POSAC). All present voted "Aye." MOTION PASSED.**

36043 AUTHORIZE THE SHERIFF'S OFFICE TO PROCURE CREDIT CARDS IN AN AMOUNT NOT TO EXCEED \$1,500 FROM THE COUNTY DEPOSITORY BANK.

Marisol Villarreal-Alonzo, Auditor's Office, stated she previously discussed with Chief Davenport, Hays County Sheriff's Office, to set the credit card limit at \$1,500.00 as per the credit card policy. Commissioner Jones stated that he would amend his motion to reflect that change. Chief Davenport stated the credit cards are needed to purchase food and drinks for extended crime scenes. These are crime scenes that take longer than normal for investigation. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Sheriff's Office to procure credit cards in an amount not to exceed \$1,500.00 from the County depository bank. All present voted "Aye." MOTION PASSED.**



JANUARY 26, 2021

36044 AUTHORIZE THE SHERIFF'S OFFICE TO CONVERT THREE (3) VACANT TRANSPORTATION DEPUTY POSITIONS TO CORRECTIONS OFFICER POSITIONS EFFECTIVE 2/1/2021 AND ONE (1) POSITION EFFECTIVE 4/1/2021; MOVE BUDGETED POSITIONS TO THE JAIL DIVISION OPERATING BUDGET AND AMEND THE BUDGET ACCORDINGLY.

Chief Davenport, Sheriff's Office, stated recent law has changed to allow these positions to be converted to Corrections Officer positions. Commissioner Shell stated this item was discussed during collective bargaining negotiations, and all parties were in support of this move. Commissioner Ingalsbe noted this conversion is a savings to the county. Mark Kennedy, General Counsel, noted that in the future, items like this one will be listed as consent items on the agenda if approved by the court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to convert three (3) vacant Transportation Deputy positions to Corrections Officer positions effective 2/1/2021 and one (1) position effective 4/1/2021; move budgeted positions to the Jail Division operating budget and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

36045 AUTHORIZE THE SHERIFF'S OFFICE TO ADD ONE (1) NEW CAPTAIN POSITION (MBS 11) FOR THE JAIL DIVISION EFFECTIVE 4/1/2021.

Chief Davenport, Hays County Sheriff's Office, stated that Captain Villalpando, Hays County Sheriff's Office, will need additional help with staff. She is currently overseeing 200 employees, which is double the amount for most captains. Commissioner Shell and court members thanked Captain Villalpando for her work with the jail expansion. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to add one (1) new Captain position (MBS 11) for the Jail Division effective 4/1/2021. All present voted "Aye." MOTION PASSED.**

36046 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A REVISED PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TANIA GLENN & ASSOCIATES, PA FOR SERVICES RELATED TO AFTER-INCIDENT ASSESSMENTS, COUNSELING, AND TRAINING FOR DESIGNATED FIRST RESPONDERS.

Commissioner Ingalsbe stated this item is for additional services that are not provided to first responders related to critical incidents. Commissioner Ingalsbe and Commissioner Shell stated it is important to provide these services to first responders. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a revised Professional Services Agreement between Hays County and Tania Glenn & Associates, PA for services related to after-incident assessments, counseling, and training for designated first responders. All present voted "Aye." MOTION PASSED.**

36047 AWARD CONTRACT FOR IFB 2021-B04 LAWN & LANDSCAPE SERVICES TO TEXAN LANDSCAPE, LLC.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to award contract for IFB 2021-B04 Lawn & Landscape Services to Texan Landscape, LLC. All present voted "Aye." MOTION PASSED.

36048 ADD JUDGE'S PROFESSIONAL LIABILITY INSURANCE POLICIES WITH THE TEXAS LAWYERS INSURANCE EXCHANGE (TLIE) FOR THE COUNTY COURT AT LAW JUDGE'S EFFECTIVE 2/1/2021.

Mark Kennedy, General Counsel, stated the liability insurance is specific to Judges. Shari Miller, Human Resources Director, stated that even though Judges have some immunity that it does not exclude a claim or suit to be filed, so this is a supplemental insurance policy to help should that situation arise. Judge Becerra requested additional information regarding District Judges and Justice of the Peace Judges. Shari Miller, Human Resources Director, stated the District Court Judges are currently assessing a similar policy. She stated Lori Wiggins, Hays County Human Resources, found a gap in reviewing the Texas Association of Counties (TAC) policies. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to add Judge's Professional Liability Insurance Policies with the Texas Lawyers Insurance Exchange (TLIE) for the County Court at Law Judge's effective 2/1/2021. All present voted "Aye." MOTION PASSED.**



36049 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND HEART OF TEXAS DEMOLITION LLC TO PROVIDE DEMOLITION SERVICES FOR THE HUD FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) HOUSING PROGRAM.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement (PSA) between Hays County and Heart of Texas Demolition LLC to provide Demolition Services for the HUD funded Community Development Block Grant Disaster Relief (CDBG-DR) Housing Program. All present voted "Aye." MOTION PASSED.

Clerk's Note: Executive Session began at 10:50 a.m. and resumed back into open court at 11:48 a.m.

36050 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY INFORMATION TECHNOLOGY DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the Information Technology staffing proposal as presented in Executive Session: to Retitle the vacant Systems Analyst position to Network Architect (no grade change). Add two new positions, IT Support Specialist and IT Application Support Analyst grades 113 effective 2/1/2021. All changes to be funded through countywide attrition. All present voted "Aye." MOTION PASSED.

36051 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE DUTIES AND EMPLOYMENT OF THE HAYS COUNTY DEVELOPMENT SERVICES DIRECTOR. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

The court thanked Caitlyn Strickland, Hays County Development Services Director, for her service to the county, and wished her luck in her next venture. The court welcomed Marcus Pacheco, Hays County Development Services, and thanked him for taking over the interim position. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to appoint Marcus Pacheco as interim Development Service Director effective 2/1/2021, and in doing so add a salary stipend of an additional \$1,000.00 per month while serving in this capacity. All present voted "Aye." MOTION PASSED.**

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Nathan Mendenhall, Fire Marshall, recommended there be no burn ban at this time. No action was taken.

Clerk's Note Agenda Item #52 RE: DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS. – WAS PULLED.

Clerk's Note Agenda Item #53 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.

Clerk's Note Agenda Item #54 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 11:52 a.m.


HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 26, 2021

I, ELAINE H. CÁRDENAS, 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 26, 2021.





ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



HAYS COUNTY COMMISSIONERS' COURT MINUTES



FEBRUARY 9, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 9th DAY OF FEBRUARY A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

**Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.**

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Becerra gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins made a public comment regarding county spending. Rodrigo Amaya made a public comment regarding the Office of General Counsel. Dan Lyon made a public comment regarding the Hays County Appraisal Review Board. Tim Bauerkemper, First Luther Church of San Marcos, made a public comment regarding the county utilizing different methods to register for COVID-19 vaccinations.

36052 ADOPT A PROCLAMATION DECLARING FEBRUARY AS SPAY/NEUTER AWARENESS MONTH IN HAYS COUNTY.

Lauren Loney, Texas State Director of The Humane Society of the United States, spoke to the court about raising awareness about spay and neutering in Hays County. Sharri Boyett, Animal Advocacy Advisor, spoke to the court regarding their efforts to save animals lives. She stated there is more work to do. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring February as Spay/Neuter Awareness Month in Hays County. All present voted "Aye." MOTION PASSED.**

UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Judge Becerra stated the county has a low number of vaccinations. He thanked everyone working to distribute the vaccination. Alex Villalobos, Emergency Management Coordinator and Chief of Staff also thanked everyone for helping to distribute vaccinations. He announced a new system will be put in place soon. Mike Jones, Emergency Services Director, stated corrections have been made for some of the appointment issues. Commissioner Smith stated that he has received negative feedback about the registration system. He did state that he received positive feedback from people who did receive the vaccination. He stated the County needs to do better. A discussion was had regarding the past two vaccination registration processes. No action was taken.

36053 APPROVE PAYMENTS OF COUNTY INVOICES.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve payments of County invoices. All present voted "Aye." MOTION PASSED.

36054 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the payment of United Healthcare claims. All present voted "Aye." MOTION PASSED.



36055 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 26, 2021.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve Commissioners Court Minutes of January 26, 2021. All present voted "Aye." MOTION PASSED.

36056 APPROVE THE PAYMENT OF THE FEBRUARY 15, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,155,000.00 EFFECTIVE FEBRUARY 12, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the payment of the February 15, 2021 payroll disbursements in an amount not to exceed \$3,155,000.00 effective February 12, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

36057 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 - 4 BEDROOM LONG TERM RENTAL HOUSES LOCATED AT 5024 S OLD BASTROP HWY, SAN MARCOS, TEXAS 78666.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize On-Site Sewage Facility Permit for 3 - 4 bedroom long term rental houses located at 5024 S Old Bastrop Hwy, San Marcos, Texas 78666. All present voted "Aye." MOTION PASSED.

36058 ACCEPT AND APPROVE THE 2020 RACIAL PROFILING REPORT AND THE 2020 ANNUAL ACTIVITY REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 4.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to accept and approve the 2020 Racial Profiling Report and the 2020 Annual Activity Report from Hays County Constable Office, Pct. 4. All present voted "Aye." MOTION PASSED.

36059 AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO PURCHASE TWELVE (12) NEW 36-GALLON EXTERIOR TRASH CANS FOR THE HISTORICAL COURT HOUSE PROPERTY IN THE AMOUNT OF \$8,028 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the Building Maintenance Department to purchase twelve (12) new 36-gallon exterior trash cans for the Historical Court House property in the amount of \$8,028 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36060 AUTHORIZE THE EXECUTION OF RESOLUTION AND SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM FOR THE HAYS COUNTY VICTIM ASSISTANCE FOR THE FAMILY JUSTICE CENTER IN THE AMOUNT OF \$54,868.74.

Wes Mau, District Attorney, stated this item and the next item are of top priority. He stated these programs notify victims in Hays County of the information about their cases. These programs keep the lines of communication open between the court and the crime victims. Rodrigo Amaya made a public comment regarding the dollar amounts and additional information of available services. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Resolution and submission of a grant application to the Office of the Governor, Criminal Justice Division, General Victim Assistance program for the Hays County Victim Assistance for the Family Justice Center in the amount of \$54,868.74. All present voted "Aye." MOTION PASSED.

36061 AUTHORIZE THE EXECUTION OF RESOLUTION AND SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM FOR THE HAYS COUNTY VICTIM ASSISTANCE COORDINATOR IN THE AMOUNT OF \$54,868.74.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the execution of Resolution and submission of a grant application to the Office of the Governor, Criminal Justice Division, General Victim Assistance program for the Hays County Victim Assistance Coordinator in the amount of \$54,868.74. All present voted "Aye." MOTION PASSED.

36062 AUTHORIZE JM ENGINEERING, LLC TO REPLACE A 5-TON LENNOX HVAC UNIT WITH A 5-TON AMERICAN STANDARD UNIT LOCATED AT THE PCT 3 OFFICE IN THE AMOUNT OF \$10,356 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize JM Engineering, LLC to replace a 5-Ton Lennox HVAC unit with a 5-Ton American Standard unit located at the PCT 3 Office in the amount of \$10,356 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36063 APPROVE THE APPOINTMENT OF ASHLEY MARTINEZ TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/23.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the appointment of Ashley Martinez to the Hays County Child Protective Board, 3 year term ending 12/31/23. All present voted "Aye." MOTION PASSED.

36064 AUTHORIZE THE EXECUTION OF AMENDMENT NO. 3 TO THE GENERAL LAND OFFICE (GLO) CONTRACT NO. 18-421-000-B130 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM HOUSING PROJECTS NON-RESEARCH & DEVELOPMENT 2015 FLOOD ALLOCATION.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Amendment No. 3 to the General Land Office (GLO) Contract No. 18-421-000-B130 Community Development Block Grant Disaster Recovery Program Housing Projects Non-Research & Development 2015 Flood Allocation. All present voted "Aye." MOTION PASSED.

36065 APPROVE UTILITY PERMITS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permits. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #16 RE: APPROVE THE APPOINTMENT OF WALT SMITH AS AN ALTERNATE REPRESENTATIVE TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) TRANSPORTATION POLICY BOARD. - WAS PULLED.

36066 AUTHORIZE THE ENROLLMENT AND REQUIREMENT OF ALL HAYS COUNTY EMPLOYEES AND ELECTED OFFICIALS WHO HAVE ACCESS TO A LOCAL GOVERNMENT COMPUTER SYSTEM OR DATABASE TO COMPLETE A CYBERSECURITY TRAINING PROGRAM CERTIFIED BY THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) AT LEAST ANNUALLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the enrollment and requirement of all Hays County employees and elected officials who have access to a local government computer system or database to complete a cybersecurity training program certified by the Texas Department of Information Resources (DIR) at least annually. All present voted "Aye." MOTION PASSED.

36067 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR FIVE WAREHOUSE BUILDINGS LOCATED ON POSEY RD, SAN MARCOS TX, 78666.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for five warehouse buildings located on Posey Rd, San Marcos TX, 78666. All present voted "Aye." MOTION PASSED.



36068 AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND CAPITAL PROJECT BUDGETS IN PREPARATION THE COUNTY'S FY 2020 YEAR-END PROCESS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend various departmental operating, special revenue and capital project budgets in preparation the County's FY 2020 year-end process. All present voted "Aye." MOTION PASSED.

36069 AUTHORIZE THE EXECUTION OF A RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR THE MENTAL HEALTH CRISIS INTERVENTION GRANT RENEWAL.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a resolution and submit a grant application to the Office of the Governor - Criminal Justice Division for the Mental Health Crisis Intervention grant renewal. All present voted "Aye." MOTION PASSED.

36070 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR SINGLE FAMILY RESIDENCE AND GUEST HOUSE LOCATED AT 8203 BEAR CREEK DRIVE, AUSTIN, TEXAS 78737.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for single family residence and guest house located at 8203 Bear Creek Drive, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

36071 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A RETAIL ART GALLERY LOCATED AT 246 AMERICAN WAY, DRIPPING SPRINGS TX 78620.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for a Retail Art Gallery Located at 246 American Way, Dripping Springs TX 78620. All present voted "Aye." MOTION PASSED.

36072 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 SHORT-TERM RENTAL CABINS AND TWO SINGLE FAMILY RESIDENCES LOCATED AT 3403 RR 2325, WIMBERLEY, TEXAS 78676.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for 3 short-term rental cabins and two Single Family Residences located at 3403 RR 2325, Wimberley, Texas 78676. All present voted "Aye." MOTION PASSED.

36073 APPROVE SPECIFICATIONS FOR IFB 2021-B07 SIGNAL POLES AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for IFB 2021-B07 Signal Poles and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

36074 AMEND THE OAG HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE GRANT BUDGET FOR CONTINUING EDUCATION RELATED TO AN ON-SITE TRAINING COURSE FOR HAZMAT EQUIPMENT USE AND MAINTENANCE, MATERIALS SAMPLING AND RADIOLOGICAL RESPONSE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the OAG Hays County HazMat Team Monitor Maintenance grant budget for continuing education related to an on-site training course for HazMat equipment use and maintenance, materials sampling and radiological response. All present voted "Aye." MOTION PASSED.



FEBRUARY 9, 2021

- 36075 AUTHORIZE THE JUVENILE DETENTION CENTER TO PURCHASE A REPLACEMENT 125KW DIESEL GENERATOR AND EXECUTE AN ANNUAL MAINTENANCE AGREEMENT WITH HOLT POWER SYSTEMS AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Juvenile Detention Center to purchase a replacement 125KW Diesel Generator and execute an annual maintenance agreement with Holt Power Systems and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36076 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL NO. 4 TO WORK AUTHORIZATION NO. 1 FOR AMERICAN STRUCTUREPOINT, INC ON THE RM 3237 SAFETY PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.**

Commissioner Shell stated this is an extension to the intersection for safety reasons. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute Supplemental No. 4 to Work Authorization No. 1 for American Structurepoint, Inc on the RM 3237 Safety project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

- 36077 APPROVE THE SELECTION OF PAVETEX TESTING TO PERFORM QUALITY CONTROL MATERIALS TESTING ON THE OLD POST ROAD RECONSTRUCTION PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.**

Commissioner Ingalsbe stated the cost will be reimbursed by the City of Kyle. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of PaveTex Testing to perform quality control materials testing on the Old Post Road Reconstruction Project and authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

- 36078 APPROVE THE SELECTION OF K FRIESE & ASSOCIATES, INC. TO PROVIDE POST CONSTRUCTION DRAINAGE REPORT & DOCUMENTS FOR LIME KILN ROAD PROJECT IN PRECINCT 4; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.**

Commissioner Smith stated this item will authorize K Friese to produce a report that is need by FEMA to indicate any changes due to the construction of the bridge to the floodplain. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the selection of K Friese & Associates, Inc. to provide post construction drainage report & documents for Lime Kiln Road project in Precinct 4; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

- 36079 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 4 FOR A TIME EXTENSION TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND WSB & ASSOCIATES, INC. FOR THE US 290 WEST SAFETY IMPROVEMENTS AT TRAUTWEIN ROAD INTERSECTION PROJECT.**

Commissioner Smith stated there was no dollar change made for this project. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the County Judge to execute Change Order No. 4 for a time extension to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the US 290 West Safety Improvements at Trautwein Road Intersection project. All present voted "Aye." MOTION PASSED.

- 36080 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT BETWEEN HAYS COUNTY AND QUICKBASE INC. FOR SOFTWARE IN THE AMOUNT OF \$9,600 THAT WILL BE USED AS THE COVID-19 VACCINE PRE-REGISTRATION SYSTEM AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Ingalsbe thanked the county staff members for sharing information with her office regarding the registration system. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract between Hays County and QuickBase Inc. for software in the amount of \$9,600 that will be used as the COVID-19 vaccine pre-registration system and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



36081 AUTHORIZE GENERAL COUNSEL TO EXECUTE A JOINT ENGAGEMENT LETTER WITH LOCKE LORD, LLP RELATED TO LEGAL SERVICES ASSOCIATED WITH THE FM 110 TRZ; TO AUTHORIZE GENERAL COUNSEL TO COORDINATE WITH THE CITY OF SAN MARCOS FOR JOINT EXECUTION OF THE SAME; AND TO AUTHORIZE USE OF THE TRZ FUND FOR THE WORK ASSOCIATED WITH THIS ENGAGEMENT AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024(A)(4).

Commissioner Ingalsbe stated this item authorizes General Counsel to work with Locke Lord LLP for revisions needed for the FM 110 TRZ. Mark Kennedy, General Counsel, announced an Interlocal Agreement would be put in place, eventually. Commissioner Smith stated for the record, that he worked for Locke Lord LLP in a full-time capacity from 2010-2014. He would not be recusing himself as there is no gain from this item. Mark Kennedy, General Counsel, stated per the Auditor and at the request of Locke Lord, LLP a cap would be set not to exceed \$20,000, which will be intergraded in the engagement letter. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize General Counsel to execute a Joint Engagement Letter with Locke Lord, LLP related to legal services associated with the FM 110 TRZ; to authorize General Counsel to coordinate with the City of San Marcos for joint execution of the same; and to authorize use of the TRZ fund for the work associated with this engagement and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(4). All present voted "Aye." MOTION PASSED.**

36082 AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER WITH DAVIS KAUFMAN PLLC FOR \$69,996 RELATED TO THE 87TH LEGISLATIVE SESSION OF THE TEXAS LEGISLATURE AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024(A)(4).

Commissioner Shell stated this is the third session of the Legislature to use Davis Kaufman PLLC. He stated they have been very satisfied with their work. Mark Kennedy, General Counsel, stated this firm was utilized to help provide information that is important to the county. They were helpful during the sessions dealing with Electro Purification and other regulatory issues. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of an engagement letter with Davis Kaufman PLLC for \$69,996 related to the 87th legislative session of the Texas Legislature and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(4). All present voted "Aye." MOTION PASSED.**

36083 EXECUTE A \$194,300.78 PURCHASE FROM KOFILE TECHNOLOGIES RELATED TO THE PRESERVATION OF PROBATE CASE FILES AS BUDGETED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to execute a \$194,300.78 purchase from Kofile Technologies related to the preservation of probate case files as budgeted. All present voted "Aye." MOTION PASSED.

36084 APPROVE A RESOLUTION IN SUPPORT OF LEGISLATION TO AMEND THE HAYS TRINITY GROUNDWATER DISTRICT'S (HTGCD) ENABLING LEGISLATION.

Commissioner Shell stated this item included draft language at this point. He reviewed with the court the highlights of the resolution in support of legislation. Commissioner Smith stated the funds raised for this should be used for monitoring or research. He stated if at any time he has concerns that he would reconsider. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve a resolution in support of legislation to amend the Hays Trinity Groundwater District's (HTGCD) enabling legislation. All present voted "Aye." MOTION PASSED.**

36085 AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION CONTRACT WITH THE DEPARTMENT OF PUBLIC SAFETY (DPS) FOR ASSISTANCE IN TESTING AND ANALYSIS OF SEIZED DRUG EVIDENCE SUBMITTED BY HAYS COUNTY LAW ENFORCEMENT AGENCIES.

Rodrigo Amaya made a public comment regarding the dollar amount for this contract. Wes Mau, District Attorney, stated this contract assigns a DPS lab analyst to prioritize Hays County cases until we reach the number of the contract, which is 70 cases per month. This contract will expedite the wait time for lab results regarding drug cases.



A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorizing the County Judge to execute an Interlocal Cooperation Contract with the Department of Public Safety (DPS) for assistance in testing and analysis of seized drug evidence submitted by Hays County law enforcement agencies. All present voted "Aye." MOTION PASSED.

36086 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #1 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND LARRY J FOSTER, TEXAS PROFESSIONAL INSPECTOR #3 TO REFLECT AN UPDATED FEE SCHEDULE TO PROVIDE TEXAS REAL ESTATE COMMISSION (TREC) INSPECTIONS FOR THE HUD FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) HOUSING PROGRAM.

Rodrigo Amaya made a public comment regarding the change in dollar amount for this agenda item. Commissioner Jones stated these fees cover the inspections needed. Jessica Bickford, Langford Community Management Services, stated that the county worked on getting the inspections waived, however that did not happen. Judge Becerra clarified the grant will cover the increased amount. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment #1 to the Professional Services Agreement (PSA) between Hays County and Larry J Foster, Texas Professional Inspector #3 to reflect an updated fee schedule to provide Texas Real Estate Commission (TREC) Inspections for the HUD funded Community Development Block Grant Disaster Relief (CDBG-DR) Housing Program. All present voted "Aye." MOTION PASSED.**

36087 EXECUTE A STATEMENT OF WORK WITH WESTNET, INC. RELATED TO A FIRST-IN ALERTING PLATFORM SYSTEM FOR EMERGENCY RESPONDERS AS BUDGETED DURING THE FY21 BUDGET PROCESS.

Jeff McGill, Director of Information Technology, stated this system is designed to reduce the response time for emergency responders. Chief David Smith, EMT, stated the Westnet system will allow for the responders to automate their calls. The current system that is used was last updated in the 90's. The Westnet system will tie in the radio system and the CAD system together to relay information much faster. The court thanked the Chief and Jeff McGill for their work on this system. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe, to execute a Statement of Work with Westnet, Inc. related to a First-In Alerting Platform System for emergency responders as budgeted during the FY21 budget process. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Judge Becerra called for a break that began at 10:12 a.m. and resumed back into open court at 10:22 a.m.

36088 EXECUTE A CONSTRUCTION PROPOSAL WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) RELATED TO THE WESTNET FIRST-IN ALERTING PLATFORM SYSTEM AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024(A)(7)(D).

Jeff McGill, Director of Information Technology, stated this is the second part to the emergency response system. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute a Construction Proposal with the Lower Colorado River Authority (LCRA) related to the Westnet First-In Alerting Platform System and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(7)(D). All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 11:02 a.m. and resumed back into open court at 4:30 p.m.

36089 EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize partial payment of an invoice for the Center for Public Policy - Dispute Resolution, the County's obligation being \$778.12 to be paid from the General Counsel legal fund and in relation to mediation services associated with the Dripping Springs town center project. All present voted "Aye." MOTION PASSED.



36090 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 TEXAS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize Amendment # 1 to the Chapter 381 Economic Development Incentive Agreement between Hays County and BestBuy.Com LLC as presented in the Executive Session. All present voted "Aye." MOTION PASSED.

Comment: This amendment will suspend the operation of the agreement between the parties, and if market place rules change to provide for tax collection at the call center here in San Marcos.

36091 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY ELECTIONS OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to restructure the administrative assistant I slot 0273-005 within the election's office to an equipment data coordinator grade 110 effective March 1, 2021 as presented in Executive Session. All present voted "Aye." MOTION PASSED.

36092 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY VETERAN SERVICES OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Veteran Office restructure as presented in Executive Session to establish a progressive pay plan for the Assistance Veteran Service Officers effective 2/9/2021. All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND THE AUDITOR'S OFFICE HAYS COUNTY USE U.S. DEPARTMENT OF TREASURY FUNDS PURSUANT TO SECTION 501(A) OF DIVISION N OF THE CONSOLIDATED APPROPRIATIONS ACT AND THE COVID-19 LOCAL DISASTER DECLARATION. POSSIBLE ACTION TO FOLLOW IN OPEN COURT.

No action was taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF ALL INDIVIDUAL POSITIONS THAT REPORT DIRECTLY TO THE COMMISSIONERS COURT INCLUDING DEPARTMENT HEADS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

Clerk's Note Agenda Item #46 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - WAS PULLED.

DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS.

Judge Becerra read the Sheriff's update of the inmate population. The estimated cost for outsourcing was \$49,545.00 for the week of January 31 – February 6, 2020. The number of outsourced males was 133 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 3,

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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Hays County Sheriff's Department – 49, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 20, San Marcos Police Department - 40, Texas State Police Department – 3. No action taken.

Clerk's Note Agenda Item #48 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.*

Clerk's Note Agenda Item #49 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.*

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 5:09 p.m.

I, ELAINE H. CÁRDENAS, 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 9, 2021.



Elaine H. Cardenas

ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



HAYS COUNTY COMMISSIONERS' COURT MINUTES



FEBRUARY 23, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23rd DAY OF FEBRUARY A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

**Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytx.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.**

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Javier Maldonado of Christus Hospice Central Texas gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins made a public comment regarding the unpreparedness for the recent winter storm. Rodrigo Amaya made several public comments. Dan Lyon made public comments regarding the winter storms and Hays County Appraisal District.

RECOGNIZE JUDGE SCOTT CARY FOR HIS 11 YEARS OF SERVICE TO THE JUSTICE OF THE PEACE PRECINCT 5 OFFICE.

Commissioner Jones stated Judge Scott Cary has actually served Hays County for 12 years. He thanked him for his service and wished him well on his retirement. Judge Scott Cary thanked his wife. He stated he has worked in public service for 44 years. He thanked his staff for all their work. He thanked Hays County for the opportunity to serve the county. He stated Judge Doyle is a very capable replacement. The court thanked Judge Cary for his service. No action was taken.

36093 ADOPT A PROCLAMATION RECOGNIZING FEBRUARY 22, 2021 AS PRESIDENT GEORGE WASHINGTON DAY.

Joe Cox, a member of the Sons of the American Revolution, spoke to the court members regarding the community services provided by the group. He thanked the Commissioners Court for the proclamation. Commissioner Ingalsbe thanked Mr. Cox and the Sons of the American Revolution. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation recognizing February 22, 2021 as President George Washington Day. All present voted "Aye." MOTION PASSED.**

36094 ADOPT A PROCLAMATION RECOGNIZING FEBRUARY AS DATING VIOLENCE AWARENESS AND PREVENTION MONTH.

A member of the Hays Caldwell Women's Center spoke to the court members. Commissioner Smith thanked the Women's center for their work with the youth in his precinct. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation recognizing February as Dating Violence Awareness and Prevention Month. All present voted "Aye." MOTION PASSED.**

PRESENTATION BY THE GREATER SAN MARCOS PARTNERSHIP REGARDING THE EMERGENCY CASH ASSISTANCE PROGRAM (ECAP) FUND.

Dan Lyon made a public comment against the Emergency Cash Assistance Program. Barbara Thompson, Greater San Marcos Partnership thanked the court for the opportunity to report on the completion of the Emergency Cash Assistance Program. She acknowledged several members of the committee for their work. No action was taken.



PRESENTATION REGARDING THE HAYS COUNTY 2016 ROAD BOND PROGRAM SH 21 CORRIDOR PRESERVATION STUDY PROJECT: RIGHT OF WAY PRESERVATION RECOMMENDATION REPORT.

Allen Crozier P.E., Associate Vice President, Senior Transportation Project Manager, HDR Inc., presented to the court regarding the road bond project. He stated what has been completed. He listed the recommendation to finalize the project. The Commissioners asked several questions and thanked Mr. Crozier for the presentation. No action was taken.

PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO THE HAYS COUNTY AUDITOR'S OFFICE AND THE AWARD OF FINANCIAL REPORTING ACHIEVEMENT TO THE HAYS COUNTY AUDITOR FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA).

Marisol Villarreal-Alonzo, Auditor, stated the Auditor's office goes above and beyond when preparing the county's annual report. She thanked the District Judges, Auditor's Office staff, and the Commissioner's Court members. The Commissioners congratulated the Auditor's office on the achievement. No action was taken.

UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Mike Jones, Emergency Services Director, gave the court updates regarding the scheduling and locations for the COVID-19 vaccinations. He stated the county has started the partnership with the mobile unit. He noted that people should not show up to the sites without making an appointment. He thanked the volunteers for their help to get the vaccine distributed and administered. Information about the COVID-19 vaccines and scheduling appointments can be found on haysinformed.com. No action was taken.

36095 APPROVE PAYMENTS OF COUNTY INVOICES.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve payments of County invoices. All present voted "Aye." MOTION PASSED.

36096 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the payment of United Healthcare claims. All present voted "Aye." MOTION PASSED.

36097 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 9, 2021.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Commissioners Court Minutes of February 9, 2021. All present voted "Aye." MOTION PASSED.

36098 AUTHORIZE PAYMENT TO CARD SERVICES IN THE AMOUNT OF \$718.40 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE COUNTY PURCHASING POLICY.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize payment to Card Services in the amount of \$718.40 in which no purchase order was issued as required per the County Purchasing Policy. All present voted "Aye." MOTION PASSED.

36099 AUTHORIZE THE ACCEPTANCE OF A RENEWAL AWARD FOR THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), FY22 TUBERCULOUS STATE (TB-STATE) IN THE AMOUNT OF \$28,094.00.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the acceptance of a renewal award for the Texas Department of State Health Services (DSHS), FY22 Tuberculous State (TB-State) in the amount of \$28,094.00. All present voted "Aye." MOTION PASSED.



- 36100 APPROVE THE HAYS COUNTY ELECTIONS OFFICE TO PURCHASE FIFTY (50) ADA COMPLIANT CURBSIDE BALLOT BUTTONS FROM INCLUSION SOLUTIONS USING \$27,846.00 FROM THE CTCL GRANT TO BE USED TO NOTIFY ELECTION JUDGES OF CURBSIDE VOTERS PRESENCE AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the Hays County Elections Office to purchase fifty (50) ADA compliant curbside ballot buttons from Inclusion Solutions using \$27,846.00 from the CTCL Grant to be used to notify election judges of curbside voters presence and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36101 APPROVE AN AMENDMENT TO THE HAYS COUNTY PURCHASING POLICY, SECTION 4.5-CATEGORY 5, TO FORMALIZE FEDERAL REQUIREMENTS 7 CFR 210.21 ARE INCLUDED IN ALL FORMAL SOLICITATIONS.**

Marisol Villarreal-Alonzo, Auditor, stated the policy will be updated to include the American Provision policy which is a requirement by the federal government. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve an amendment to the Hays County Purchasing Policy, Section 4.5-Category 5, to formalize Federal Requirements 7 CFR 210.21 are included in all formal solicitations. All present voted "Aye." MOTION PASSED.

- 36102 APPROVE SPECIFICATIONS FOR IFB 2021-B05 CONCRETE CONTRACTOR AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

Marisol Villarreal-Alonzo, Auditor, stated the backup information needs to have the date changed. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for IFB 2021-B05 Concrete Contractor and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

- 36103 APPROVE AND CONFIRM THE APPOINTMENTS OF DANIEL CLAY LAW AND ALBERT PEREZ AS REGULAR FULL-TIME DEPUTY CONSTABLES IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE FEBRUARY 23, 2021.**

Constable Peterson, Precinct 1, stated that Daniel Law was previously in court as a reserve deputy but is now back in court as a full-time deputy. Constable Peterson introduced Albert Perez to the Commissioners court members. Mr. Perez will be a County Court at Law bailiff. Commissioner Ingalsbe swore in both deputies. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointments of Daniel Clay Law and Albert Perez as regular full-time Deputy Constables in the Hays County Constable Precinct 1 Office, effective date February 23, 2021. All present voted "Aye." MOTION PASSED.

Clerk's Note: Judge Becerra called for a break that began at 10:45 a.m. and resumed back into open court at 10:50 a.m.

- 36104 APPROVE THE RELEASE OF THE REVEGETATION BOND #107170497 IN THE AMOUNT OF \$4,211.20 FOR 6 CREEKS SUBDIVISION, PHASE 1, SECTION 3.**

Commissioner Smith stated this is a general release on the revegetation lease of the newer section that has been completed. A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the release of the revegetation bond #107170497 in the amount of \$4,211.20 for 6 Creeks subdivision, Phase 1, Section 3. All present voted "Aye." MOTION PASSED.

- 36105 ACCEPT THE ROAD CONSTRUCTION & DRAINAGE IMPROVEMENTS, ACCEPT THE 2-YEAR MAINTENANCE BOND #118577K IN THE AMOUNT OF \$44,538.27, AND ACCEPT AN ADDITIONAL 1-YEAR WARRANTY LETTER FROM LONE STAR PAVING FOR THE PAVEMENT, FOR MATHIAS LANE ALONG THE TRAILS AT WINDY HILL, PHASE 2 DEVELOPMENT BETWEEN WINDY HILL ROAD AND FOSTER PLACE.**



Commissioner Jones stated this is a pavement job on the road. There is a new subdivision with about 1,000 homes expected to be built. He stated they wanted to get ahead of that. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the road construction & drainage improvements, accept the 2-year maintenance bond #118577K in the amount of \$44,538.27, and accept an additional 1-year warranty letter from Lone Star Paving for the pavement, for Mathias Lane along the Trails at Windy Hill, Phase 2 development between Windy Hill Road and Foster Place. All present voted "Aye." MOTION PASSED.**

36106 AUTHORIZE THE COUNTY JUDGE TO SIGN A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND PAVETEX FOR ON-CALL MATERIAL TESTING FOR THE OLD POST ROAD PROJECT (CR134) FROM CR158 TO FM150 IN THE CITY OF KYLE FOR \$25,000 AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe stated this is the negotiated price. She stated the county will be reimbursed by the City of Kyle. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to sign a Professional Services Agreement between Hays County and PaveTex for On-Call material testing for the Old Post Road Project (CR134) from CR158 to FM150 in the City of Kyle for \$25,000 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

36107 EXECUTE A STANDARD UTILITY AGREEMENT (SUA) FOR THE PROJECT AT FM 2001 WEST FROM SH21 TO WHITE WING TRAIL SAFETY IMPROVEMENTS BETWEEN HAYS COUNTY AND ENTERPRISE TEXAS PIPELINE LLC AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Jones stated this will move a pipeline within the construction area of this project. This is a standard process. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to execute a Standard Utility Agreement (SUA) for the Project at FM 2001 West from SH21 to White Wing Trail Safety Improvements between Hays County and Enterprise Texas Pipeline LLC as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.**

36108 EXECUTE AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR LOCALLY FUNDED ROADWAY IMPROVEMENT PROJECT ON-SYSTEM (ROUNABOUT INTERSECTION AT RM 12 AND RM 150) AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Shell stated this project is within precinct 4. He stated Commissioner Smith does not involve himself on action on this project. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to execute an Advance Funding Agreement with the Texas Department of Transportation for Locally Funded Roadway Improvement Project On-System (Roundabout Intersection at RM 12 and RM 150) as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.**

36109 APPROVE THE SELECTION OF PAPE DAWSON ENGINEERS, INC. TO PERFORM CONSTRUCTION ENGINEERING & INSPECTION (CE&I) SERVICES FOR THE WINTERS MILL PKWY AT RM 12 SAFETY IMPROVEMENTS PROJECT IN PRECINCT 3; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A WORK AUTHORIZATION UNDER THEIR ON-CALL CE&I CONTRACT.

Commissioner Shell stated this project is for construction engineering and inspection services. This item will select the Construction Engineering & Inspection (CE&I) services for the work on this project. He noted the work authorization will be worked out with the county staff. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the selection of Pape Dawson Engineers, Inc. to perform Construction Engineering & Inspection (CE&I) services for the Winters Mill Pkwy at RM 12 Safety Improvements project in Precinct 3; and to authorize staff and counsel to negotiate a Work Authorization under their On-Call CE&I contract. All present voted "Aye." MOTION PASSED.**

36110 AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL #6 TO THE PROFESSIONAL SERVICE AGREEMENT (PSA) WITH HDR ENGINEERING, INC. FOR ROBERT S. LIGHT (BUDA TRUCK BYPASS) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM AND AUTHORIZE A DISCRETIONARY EXEMPTION PER TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(4).



A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Supplemental #6 to the Professional Service Agreement (PSA) with HDR Engineering, Inc. for Robert S. Light (Buda Truck Bypass) project as part of the Hays County/TxDOT Partnership Program and authorize a discretionary exemption per Texas Local Government Code Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.

36111 GRANT A WAIVER FROM FEE REQUIREMENTS UNDER SECTION 2.03(B) OF THE PHASING AGREEMENT BETWEEN HAYS COUNTY AND DEVELOPMENT SOLUTIONS CAT, LLC FOR THE CALITERRA SUBDIVISION DEVELOPMENT.

Marcus Pacheco, Interim Director of Development Services, stated the developer has requested for the county to waive fees for the replat. This plat was approved through court in April 2020. He stated the only change made will be to a plat note due to a change in the city code. A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a waiver from fee requirements under Section 2.03(B) of the Phasing Agreement between Hays County and Development Solutions CAT, LLC for the Caliterra Subdivision Development. All present voted "Aye." MOTION PASSED.

36112 APPROVE THE CONTINUATION OF THE LOCAL DISASTER DECLARATION ORIGINALLY PROCLAIMED BY THE COUNTY JUDGE ON OR ABOUT MARCH 15, 2020, CONTINUED BY RESOLUTION OF COMMISSIONERS COURT ON MARCH 16, 2020 AND EXTENDED BY THE COURT ON JULY 14, 2020, SEPTEMBER 15, 2020, AND DECEMBER 8, 2020.

A motion was made by Judge Becerra, seconded by Commissioner Shell to approve the continuation of the Local Disaster Declaration originally proclaimed by the County Judge on or about March 15, 2020, continued by resolution of Commissioners Court on March 16, 2020 and extended by the Court on July 14, 2020, September 15, 2020 and December 8, 2020. All present voted "Aye." MOTION PASSED.

36113 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDED VACCINE ADMINISTRATION AGREEMENT BETWEEN HAYS COUNTY AND CURATIVE MEDICAL ASSOCIATES, INC, FOR THE ADMINISTRATION OF COVID-19 VACCINES.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an amended Vaccine Administration Agreement between Hays County and Curative Medical Associates, Inc, for the administration of COVID-19 vaccines. All present voted "Aye." MOTION PASSED.

36114 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND COMAL COUNTY FOR JAIL SERVICES RELATED TO THE HOUSING AND CARE OF HAYS COUNTY INMATES.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Cooperation Agreement Between Hays County and Comal County for Jail Services related to the housing and care of Hays County inmates. All present voted "Aye." MOTION PASSED.

36115 AUTHORIZE THE EXECUTION OF A \$2,000,000 LETTER OF AGREEMENT BETWEEN HAYS COUNTY AND CHRISTUS SANTA ROSA HOSPITAL (CSRSM) AS BUDGETED FOR FY2021 RELATED TO INDIGENT HEALTH CARE COSTS.

Commissioner Shell stated this is a similar agreement that the county had before. There will be a name change for the hospital. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a \$2,000,000 Letter of Agreement between Hays County and Christus Santa Rosa Hospital (CSRSM) as budgeted for FY2021 related to Indigent health care costs. All present voted "Aye." MOTION PASSED.



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36116 EXECUTE A CONTRACT AMENDMENT WITH TYLER TECHNOLOGIES, INC. FOR THE NEW WORLD PUBLIC SAFETY COMPUTER AIDED DISPATCH (CAD) SOFTWARE PROGRAM FOR TEXAS STATE UNIVERSITY AS PART OF THE COMBINED EMERGENCY COMMUNICATION CENTER (CECC).

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute a Contract Amendment with Tyler Technologies, Inc. for the New World Public Safety Computer Aided Dispatch (CAD) Software Program for Texas State University as part of the Combined Emergency Communication Center (CECC). All present voted "Aye." MOTION PASSED.

36117 APPROVE THE SELECTION OF HALFF ASSOCIATES FOR THE PERFORMANCE OF STORM WATER FACILITIES ANALYSIS AND DESIGN ON OR NEAR PROPERTY OWNED BY HAYS COUNTY ALONG CAPE ROAD, IN PRECINCT 1; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the selection of Halff Associates for the performance of storm water facilities analysis and design on or near property owned by Hays County along Cape Road, in Precinct 1; and to authorize staff and Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

36118 GRANT A VARIANCE FROM SECTION 10. W. 1. OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND ALLOW ISSUANCE OF DEVELOPMENT PERMITS TO THE OWNER OF 111 INDIAN SPRINGS TRACE, DRIPPING SPRINGS, TX 78620.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance from section 10. W. 1. of the Hays County Rules for On-Site Sewage Facilities and allow issuance of development permits to the owner of 111 Indian Springs Trace, Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.

Clerk's Note: Executive Session began at 11:10 a.m. and resumed back into open court at 12:36 p.m.

36119 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY LOCATED ALONG OR NEAR CLOVIS BARKER RD, SAN MARCOS IN PCT. 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize General Counsel to retain appraisal services for the approximately 59.3 acres tract owned by Hays County on Clovis Barker road also known as County Road 269. Those funds to be taken out of the General Counsel's Legal fund. All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF ALL INDIVIDUAL POSITIONS THAT REPORT DIRECTLY TO THE COMMISSIONERS COURT INCLUDING DEPARTMENT HEADS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

36120 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 RECOIL. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to add an additional \$9,000.00 to the Emergency Cash Assistance Program funding from Countywide contingencies in order to finalize the program as discussed in Executive Session. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #35 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - **WAS PULLED.**

DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS.

Judge Becerra read the Sheriff's update of the inmate population. The estimated cost for outsourcing was \$47,495.00 for the week of February 14 – February 20, 2021. The number of outsourced males was 129 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 1, Department of Public Safety – 0, Hays County Sheriff's Department – 19, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 5, San Marcos Police Department - 23, Texas State Police Department – 0. No action taken.

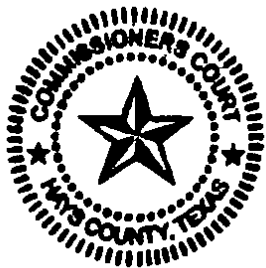
Clerk's Note Agenda Item #37 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. - **WAS PULLED.**

Clerk's Note Agenda Item #38 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. - **WAS PULLED.**

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 12:42 p.m.

I, ELAINE H. CÁRDENAS, 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 23, 2021.



Elaine H. Cardenas

ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO CLERK OF THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS

