

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 3, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 3rd DAY OF JANUARY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA
DEBBIE GONZALES INGALSBE
MICHELLE COHEN
LON A. SHELL
WALT SMITH
ELAINE H. CÁRDENAS

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

Pastor Darius Todd, Abundant Life Christian Church, 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 concerning high taxes. Gilbert Arizmendez made a public comment promoting The Wall That Heals event in Kyle and asking for support and volunteers. Beverly Wright made a public comment concerning the death of her son, Joshua Wright, and asking for the release of the body camera footage. Chris Clark made a public comment concerning the death of his brother, Joshua Wright, and asking for the release of the body camera footage. Angela Villescaz made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Natalie Freeman made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Rodrigo Amaya made a public comment concerning the death of Joshua Wright and transparency within the County. Christina Colbert made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Ramika Adams made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Eunice Giles made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Dan Lyon made a public comment in support of the release of the body camera footage, and concerning taxes for those over 65. Nancy Heintz made a public comment reminding the Court and the public of the annual Point-In-Time Count for the homeless population in Hays County. Amy Kamp made a public comment concerning the death of Joshua Wright and complaints against the officer involved. Cyrus Gray made a public comment concerning the officer involved in the Death of Joshua Wright and asking for the release of the body camera footage. Karen Munoz made a public comment concerning the death of Joshua Wright and officer accountability. Sam Benavides made a public comment concerning the death of Joshua Wright, inequality within the criminal justice system, and asking for the release of the body camera footage. Carol Pennington made a public comment concerning increased development over the Edwards Aquifer Recharge Zone and resource conservation. Hillary Lockhart made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Latreese Cooke made a public comment concerning the death of Joshua Wright and inequality within the criminal justice system.

Clerk's Note: Judge Becerra called for a recess that began at 9:56 a.m. and resumed back into open court at 10:08 a.m.

Recognition of Kate Johnson for her distinguished years of service to the Hays County Historical Commission.

Commissioner Shell thanked Kate Johnson and her family for their work in preserving the history of Hays County. Commissioner Ingalsbe thanked Johnson for her leadership in the Hays County Historical Commission. Commissioner Smith spoke about Johnson's generosity and work in the County. Kate Johnson thanked the Court for their support and spoke about her work with the Historical Commission.

38439 Adopt a Proclamation declaring January 16, 2023 as Dr. Martin Luther King, Jr. Day.

Commissioner Ingalsbe spoke about the importance of this day. Commissioner Cohen spoke about the King family's continued leadership within the community. Commissioner Shell encouraged the public to attend the march to the Courthouse on Monday. Commissioner Smith encouraged the public to look into events in their area. Judge Becerra spoke about the meaning of this day. Pastor Jonafa Banbury thanked the Court for the proclamation and spoke about this year's theme, Black Resistance, and various events held by the Dunbar Heritage Association.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring January 16, 2023 as Dr. Martin Luther King, Jr. Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38440 Ceremonial Swearing In of all newly and re-elected officials to Hays County offices; and approval and acceptance of official bonds for each office.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve and accept official bonds for each office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38441 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Approve the payment of Juror checks.

Marisol Villarreal-Alonzo, County Auditor, stated there are no juror checks right now due to the transition. No action taken.

38442 Approve the payment of United Healthcare claims.

Marisol Villarreal-Alonzo, County Auditor, clarified the total for this item is \$630,771.32.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38443 Approve Commissioners Court minutes of November 22, 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Commissioners Court minutes of November 22, 2022.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38444 Approve the payment of the January 15, 2023 payroll disbursements in an amount not to exceed \$3,345,000 effective January 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of the January 15, 2023 payroll disbursements in an amount not to exceed \$3,345,000 effective January 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38445 Approve and confirm the appointment of Stephen Hrcir as Deputy Constable Bailiff in the Hays County Constable Precinct 1 Office, effective date January 3, 2023.

Rodrigo Amaya made a public comment against the item and expressed concerns about the Constable Precinct 1 Office. Dan Lyon made a public comment against the item and expressed concerns about the Constable Precinct 1 Office. Commissioner Ingalsbe stated this is for a bailiff position in the County Court at Law. Constable Peterson spoke about his staffing needs, the duties of the office, and the qualifications of Deputy Hrcir. Vickie Dorsett, Hays County Budget Officer, clarified this is for a vacant position that was already budgeted. Commissioner Smith and Constable Peterson spoke about the qualifications of the deputies. Commissioner Shell clarified that this is an existing position, but state statute requires Commissioners Court approval for the appointment of deputy constables.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve and confirm the appointment of Stephen Hrcir as Deputy Constable Bailiff in the Hays County Constable Precinct 1 Office, effective date January 3, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38446 Authorize the execution of documents related to the BRIC (Building Resilient Infrastructure and Communities) grant application.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of documents related to the BRIC (Building Resilient Infrastructure and Communities) grant application.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38447 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38448 Authorize the County Judge to execute a Contract Amendment with AMG Printing related to Election Form Printing Services pursuant to RFP 2020-P08.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Contract Amendment with AMG Printing related to Election Form Printing Services pursuant to RFP 2020-P08.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38449 Approve the nomination of County Judge Becerra to serve on the Texas Conference of Urban Counties' Policy Committee for the 2022-2023 biennium.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the nomination of County Judge Becerra to serve on the Texas Conference of Urban Counties' Policy Committee for the 2022-2023 biennium.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38450 Approve renewal of RFP 2020-P01 HVAC - Maintenance and Repair Services with JM Engineering, LLC. with a proposed 5% price increase.

Rodrigo Amaya made a public comment against the item and the price increase. Dan Lyon made a public comment concerning equipment quality and the price increase. Marisol Villarreal-Alonzo, County Auditor, explained the contract extension and stated the department head recommends it. Tammy Crumley, Director of Countywide Operations, confirmed the price increase is due to inflation and the rate for services provided by the company is competitive. Commissioner Shell further explained the process for choosing bids. Crumley stated the company works in a timely manner and has very knowledgeable employees.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve renewal of RFP 2020-P01 HVAC - Maintenance and Repair Services with JM Engineering, LLC. with a proposed 5% price increase.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38451 Approve specifications for IFB 2023-B12 RM 12 @ RM 3237 and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve specifications for IFB 2023-B12 RM 12 @ RM 3237 and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38452 Approve specifications for IFB 2023-B11 Darden Hill @ Sawyer Ranch Roundabout and authorize Purchasing to solicit for bids and advertise.

Dan Lyon made a public comment against the construction of a roundabout due to necessity and price. Commissioner Smith stated residents have been supportive of other roundabouts in the area and spoke about the timeline needed for this project to be complete by the start of the next school year.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve specifications for IFB 2023-B11 Darden Hill @ Sawyer Ranch Roundabout and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38453 Discussion and possible action to award a contract for IFB 2023-B02 RM 2770 Roadway Improvements with Hunter Industries, Ltd. in the amount of \$635,948.76.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award a contract for IFB 2023-B02 RM 2770 Roadway Improvements with Hunter Industries, Ltd. in the amount of \$635,948.76.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38454 Discussion and possible to grant variances to Hays County road construction standards and to the adopted fire code for Moon Ridge subdivision in Precinct 3.

Commissioner Shell explained the item and stated the Transportation Department and Fire Marshal are working with the developer on any safety issues.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to grant variances to Hays County road construction standards and to the adopted fire code for Moon Ridge subdivision in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38455 Discussion and possible action to accept the maintenance bond rider extension from DNT Construction, Inc. until June 30, 2023 for Shadow Creek subd., Phase 9, Section 2 (maintenance bond #1848963 in the amount of \$180,609.38).

Jerry Borcharding, Director of the Transportation Department, stated they are reaching out to the contractor to push for the repairs to be completed.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extension from DNT Construction, Inc. until June 30, 2023 for Shadow Creek subd., Phase 9, Section 2 (maintenance bond #1848963 in the amount of \$180,609.38).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38456 Discussion and possible action to consider the acceptance of vegetative coverage and release of the revegetation bond #PB03016800715M in the amount of \$31,129.80 for 6 Creeks subdivision, Phase 1, Section 8A.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept vegetative coverage and release the revegetation bond #PB03016800715M in the amount of \$31,129.80 for 6 Creeks subdivision, Phase 1, Section 8A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38457 PLN-2078-PC; Hold a Public Hearing followed by discussion and possible action regarding Hawk Ridge, Ph 1, Blk B, Lots, 11, 17 & 18, Replat.

Judge Becerra opened the Public Hearing at 11:44 a.m. No comments were made. Judge Becerra closed the Public Hearing at 11:44 a.m. Marcus Pacheco, Director of Development Services, gave background on the item and stated staff recommends approval once conditions are met.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve Hawk Ridge, Ph 1, Blk B, Lots, 11, 17 & 18, Replat (PLN-2078-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38458 PLN-2122-NP; Discussion and possible action regarding the 272 AC Fitzhugh Subdivision, Final Plat.

Marcus Pacheco, Director of Development Services, gave background on the item and stated staff recommends approval once conditions are met, including identifying a floodplain. Commissioner Smith asked which floodplain data is being used. Travis Wilson, engineer of record for the subdivision plat, spoke about the data being used for the plat. The court discussed the use of Atlas 14 data and ensuring a low risk of flooding.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to conditionally approve the 272 AC Fitzhugh Subdivision, Final Plat (PLN-2122-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Discussion and possible action to temporarily suspend the Hays County Salary Exception Policy pending finalization of the current market study.

Rodrigo Amaya made a public comment asking for clarification on the timeline of the suspension. Harvey Jenkins made a public comment asking for clarification on the suspension. Commissioner Shell introduced the item, and Sharri Miller, Director of Human Resources, spoke about issues that could arise if salary exceptions are made before the salary study is completed and implemented. The Court expressed concern over and discussed the extended timeline of the study and the difficulties departments have had with hiring. Judge Becerra directed Human Resources to submit a draft of the results within two weeks to department heads and elected officials, and to immediately provide the raw data from the study to the five Court members. No action taken.

38459 Discussion and possible action regarding setting the required bond amounts for certain newly elected County Officials to be sworn in to office January 2023.

Rodrigo Amaya made a public comment asking for clarification on the item. Vickie Dorsett, Hays County Budget Officer, explained the Court should review and approve the bond amounts for the newly elected officials. Marisol Villarreal-Alonso, County Auditor, added it is important for banking institutions to know the Court has approved the bonds so that the transition of financial records can continue. Dorsett read aloud the bond amounts for the newly elected officials.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the required bond amounts, as presented in Court, for certain newly elected County Officials to be sworn in to office January 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38460 Discussion and possible action to authorize the Criminal District Attorney's Office to hire the First Assistant District Attorney slot 0780-001 at the 25th percentile, and three Attorney V positions 0784-003, 004 & 005 at the 19.38th percentile; authorize a \$10,000.00 annual salary increase for two Court Chief Attorney V positions 0784-001 and 013; and a \$400.00 monthly salary stipend for one Attorney V position 0784-007 effective January 1, 2023.

Kelly Higgins, Hays County District Attorney, spoke about vacant positions that need to be filled as soon as possible and issues hiring due to low salaries. Commissioner Smith gave support for the item and suggested building the stipend into the salary base. Shari Miller, Director of Human Resources, asked the Court to stop approving salary exceptions until the salary study is complete. Commissioner Smith and Higgins discussed the court approval process for salary exceptions. Commissioner Shell gave support for the item and spoke about the staff turnover the office is experiencing. Commissioner Cohen gave support for the item and spoke about her own difficulties with hiring. Commissioner Ingalsbe gave support for the item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Criminal District Attorney's Office to hire the First Assistant District Attorney slot 0780-001 at the 25th percentile, and three Attorney V positions 0784-003, 004 & 005 at the 19.38th percentile; authorize a \$10,000.00 annual salary increase for two Court Chief Attorney V positions 0784-001 and 013; and a \$400.00 monthly salary stipend for one Attorney V position 0784-007 effective January 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38461 Discussion and possible action authorizing the County Judge to execute a Texas Workforce Commission Information Release Contract for the Hays County Constable, Pct. #3 Office.

Rodrigo Amaya made a public comment asking for clarification on the language used in the back-up. Commissioner Shell explained this is a standard process. Commissioner Ingalsbe added this information is often used to locate individuals to serve civil process.

A motion was made by Commissioner Shell, seconded by Commissioner Smith authorizing the County Judge to execute a Texas Workforce Commission Information Release Contract for the Hays County Constable, Pct. #3 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38462 Discussion and possible action to authorize a salary exception at the 50th percentile for the Full Time Deputy Fire Marshal, slot 0984-002 and increase the Part Time Deputy Fire Marshal, slot 0984-001 to 24 hours a week at \$25.00 per hour and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a salary exception at the 50th percentile for the Full Time Deputy Fire Marshal, slot 0984-002 and increase the Part Time Deputy Fire Marshal, slot 0984-001 to 24 hours a week at \$25.00 per hour and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38463 Discussion and possible action to authorize a salary exception at the 50th percentile for the Bookkeeper, slot 0450-001 in the Courts Division at the Hays County Clerk's Office effective Jan 9, 2023.

Elaine Cardenas, County Clerk, stated this was previously approved for a candidate that declined the offer.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a salary exception at the 50th percentile for the Bookkeeper, slot 0450-001 in the Courts Division at the Hays County Clerk's Office effective Jan 9, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38464 Discussion and possible action to authorize the execution of an engagement letter with Davis Kaufman PLLC for \$65,000.04 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) and amend the budget accordingly.

Harvey Jenkins made a public comment asking for clarification on the item. Commissioner Shell explained how the law firm represents Hays County during the legislative session and spoke about their past contributions, including the protection of groundwater and property rights, and the addition of new judges. Commissioner Smith spoke about the numerous unfunded mandates that are passed during session and how the firm helps the County catch those, as well as plans to address the lack of county zoning authority. Commissioner Ingalsbe spoke about the necessity of this becoming more evident over the years, and asked for more communication from the firm during session. Commissioner Cohen stated it is common for local governments and agencies to have a liaison during session and supported exploring other options for future sessions. Rodrigo Amaya made a public comment concerning the cost of the item. Commissioner Smith spoke about all the work that is done throughout the interim. Dan Lyon made a public comment asking for public access to the firm's work. Commissioner Shell and Commissioner Smith spoke about the ways the information will be made public, including through Resolutions in Court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of an engagement letter with Davis Kaufman PLLC for \$65,000.04 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) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38465 Discussion and possible action authorizing the County Judge to execute a Professional Services Agreement with Dr. Brandy Miller regarding psychological evaluations for the Hays County Sheriff's Office.

Rodrigo Amaya made a public comment asking for clarification on the agreement and its cost. Vickie Dorsett, Hays County Budget Officer, explained the services have been used since 2015, and it was recommended by the Auditor's Office to obtain a contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell authorizing the County Judge to execute a Professional Services Agreement with Dr. Brandy Miller regarding psychological evaluations for the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:43 p.m. and resumed back into open court at 3:18 p.m.

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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

No action taken.

38466 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 located at 2400 N IH 35, San Marcos. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a Purchase and Sale Agreement for approximately 10.86 acres of property located at 2400 N IH-35 in San Marcos, TX, according to the terms discussed in Executive Session, with closing to occur during the month of January 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

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 located at 101 Thermon Drive, San Marcos. Possible discussion and/or action may follow in open court.

No action taken.

Clerk's Note Agenda Item #L-4 RE: *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 Midnight Blue. Possible discussion and/or action may follow in open Court. - WAS PULLED.*

38467 Executive Session pursuant to sections 551.071 & 551.074 of the Texas Government Code: deliberation regarding the structure, employment, and duties of all positions within Countywide Operations, Emergency Services, Human Resources, the Budget Office, and the County Judge's Office. Possible discussion and/or action may follow in open court.

Kim Jeter made a public comment asking for the item to be moved into open court and spoke about the importance of the Communications Manager position within the Human Resources Department.

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to establish a Community Liaison position within the County Judge's Office and give HR direction to work with the County Judge's Office to create a job description and grade within our current salary chart, and to move the Chief of Staff position from the Countywide Court budget to the County Judge's budget as discussed in Executive Session and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Commissioner Smith clarified the Chief of Staff position is to be the Chief of Staff for the County Judge's Office, not for the County, and the job description will be updated to reflect this change.

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 at 401 Veterans Drive, Kyle in Pct.3. Possible discussion and/or action may follow in open court.

No action taken.

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 611 for the week of December 25, 2022 with a peak of 620 inmates on December 26, 2022. The estimated cost for outsourcing inmates this week was \$118,279. The average number of outsourced males is 261 and females is 19. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 21.

Clerk's Note Agenda Item #M-3 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.*

38468 Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).

Commissioner Smith spoke about the allocation of ARPA funds to each precinct and offered to transfer a portion of his funds to Commissioner Cohen's allocation. Commissioner Shell offered to transfer a portion of his funds, and Commissioner Ingalsbe stated she should be able to contribute as well.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to amend the Hays County Resolution Regarding Precinct Allocations for the American Rescue Plan Act of 2021 Funding to transfer \$200,000 from the Precinct 4 allocation and \$200,000 from the Precinct 3 allocation to the Precinct 2 allocation.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:21 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 3, 2023.



Elaine H. Cardenas

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 17, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 17th DAY OF JANUARY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA
DEBBIE GONZALES INGALSBE
MICHELLE COHEN
LON A. SHELL
WALT SMITH
ELAINE H. CÁRDENAS

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

Clerk's Note: For complete transcript go to Hays County Website
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Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Darius Todd, Abundant Life Christian Church, 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

Harvery Jenkins made a public comment concerning the death of Joshua Wright and high taxes. Rodrigo Amaya made a public comment concerning Hays County leadership and the death of Joshua Wright. Ryan Patrick Perkins made a public comment in support of the Hays County Historical Commission and Kate Johnson's leadership and contributions. Scott Ogle made a public comment concerning the use of steroids among police officers. Enrique Ospina made a public comment concerning election integrity. Sam Brannon made a public comment concerning election integrity and the Elections Office. Mary Mitchell made a public comment concerning election integrity. Dan Lyon made a public comment concerning increased development in Hays County.

38469 Adopt a Proclamation declaring January 2023 as National Crime Stoppers Month.

Commissioner Ingalsbe recognized the Crime Stoppers organization for their work. Steve Meyer, Vice Chair of Hays County Crime Stoppers, thanked the Court for their support and spoke about their successful year, including hosting the upcoming statewide Campus Crime Stoppers conference. Commissioner Smith thanked Jeff Jordan for his contributions to the organization.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring January 2023 as National Crime Stoppers Month.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38470 Appoint, swear in, and confirm members of the Hays County Historical Commission, pursuant to Chapter 318 of the Texas Local Government Code.

Commissioner Ingalsbe nominated Robert Frizzell and Linda Coker. Commissioner Shell nominated Cindy Meyer, Ralph Meyer, Echo Uribe, Ryan Patrick Perkins, and Rosina Ruiz Valle. Commissioner Smith nominated Sally Ramirez, Cynthia Allison, Marie Bassett, Delbert Bassett, and Jo Landon.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the nominated members to the Hays County Historical Commission, pursuant to Chapter 318 of the Texas Local Government Code.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Dripping Springs Hometown Missions.

Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for Dripping Springs Hometown Missions. Commissioner Smith spoke about the organization's work in the community.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Greater San Marcos Youth Council.

Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Greater San Marcos Youth Council. Commissioner Shell stated he would like to contribute \$100,000 from the Precinct 3 allocation. Commissioner Ingalsbe stated she is willing to contribute \$36,000 from the Precinct 1 allocation.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Wimberley 4H Buyer's Pool.

Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Wimberley 4H Buyer's Pool.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Centro Cultural Hispano De San Marcos.

Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Centro Cultural Hispano De San Marcos. Commissioner Ingalsbe stated additional funds will most likely be contributed in the future.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Child Protective Board.

Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Hays County Child Protective Board. Commissioner Smith stated he would like to contribute an additional \$50,000 from the Precinct 4 allocation.

Clerk's Note: Judge Becerra called for a recess that began at 10:26 a.m. and resumed back into open court at 10:38 a.m.

38471 Approve payments of County invoices.

Marisol Villarreal-Alonso, Hays County Auditor, added an invoice payable to Neighborhood Defender Service to the item. Mark Kennedy, General Counsel, clarified this invoice is for \$376,097.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38472 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38473 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.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38474 Approve Commissioners Court Minutes of December 6, 2022 and December 20, 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of December 6, 2022 and December 20, 2022.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38475 Authorize the County Judge to execute the annual renewal agreement between Hays County and American Aerobic Management Systems (AAMS) in the amount of \$2,985.00 for the annual maintenance and inspections of all Hays County septic systems.

Rodrigo Amaya made a public comment concerning language in the renewal agreement. Mark Kennedy, General Counsel, stated the terms of the agreement are acceptable.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the annual renewal agreement between Hays County and American Aerobic Management Systems (AAMS) in the amount of \$2,985.00 for the annual maintenance and inspections of all Hays County septic systems.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38476 Authorize the acceptance of a grant award from the Office of the Governor, FY23 Ballistic Shield Grant Program in the amount of \$192,006.85 and amend the budget accordingly.

Rodrigo Amaya made a public comment against the item.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Office of the Governor, FY23 Ballistic Shield Grant Program in the amount of \$192,006.85 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38477 Authorize the County Judge to execute Amendment No. 1 to the Department of State Health Services, Regional Local Services Systems Contract.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment No. 1 to the Department of State Health Services, Regional Local Services Systems Contract.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38478 Authorize the Treasurer's Office to submit a Vendor Maintenance Direct Deposit Form to the Texas Department of Criminal Justice for the Sheriff's Office related to eligible reimbursements for prisoner transfers.

Rodrigo Amaya made a public comment concerning information included in the back-up. Commissioner Ingalsbe clarified the information included in the back-up.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Treasurer's Office to submit a Vendor Maintenance Direct Deposit Form to the Texas Department of Criminal Justice for the Sheriff's Office related to eligible reimbursements for prisoner transfers.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38479 Approve and confirm the appointment of John Pozuc as a regular full-time Deputy Constable in the Hays County Constable Precinct 4 Office.

Ron Hood, Hays County Constable Precinct 4, presented the officer to the Court and reviewed his qualifications.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of John Pozuc as a regular full-time Deputy Constable in the Hays County Constable Precinct 4 Office.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38480 Approve and confirm the appointment of Juan Zesati as a regular full-time Deputy Constable in the Hays County Constable, Precinct 4 Office.

Ron Hood, Hays County Constable Precinct 4, presented the officer to the Court and reviewed his qualifications.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Juan Zesati as a regular full-time Deputy Constable in the Hays County Constable, Precinct 4 Office.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38481 Accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 1.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 1.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38482 Authorize payment to Hill Country Trophy in the amount of \$528.75 for employee service awards where 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 Hill Country Trophy in the amount of \$528.75 for employee service awards where no purchase order was issued as required per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38483 Approve Resolution Amending Authorized Representatives agreement with TexPool.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Resolution Amending Authorized Representatives agreement with TexPool.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38484 Approve renewal of the Microsoft Enterprise Enrollment Agreement with SHI Governmental Solutions for three (3) additional years, effective October 1, 2022.

Rodrigo Amaya made a public comment concerning the dates on the agreement. Jeff McGill, Director of Information Technology, clarified this agreement was executed in October 2022 but is needing the Judge's signature.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of the Microsoft Enterprise Enrollment Agreement with SHI Governmental Solutions for three (3) additional years, effective October 1, 2022.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38485 Approve renewal of IFB 2021-B04 Lawn & Landscape Services with Texan Landscape LLC for one (1) additional year.

Rodrigo Amaya made a public comment concerning the price of the services. Tammy Crumley, Director of Countywide Operations, clarified the rates charged by the company and the coverage provided.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2021-B04 Lawn & Landscape Services with Texan Landscape LLC for one (1) additional year.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38486 Approve renewal of IFB 2022-B07 Road Building Materials - Hot Mix Overlay with Colorado Materials, Ltd. and Asphalt Inc. LLC, dba Lone Star Paving Company for one(1) additional year with the proposed price increases.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2022-B07 Road Building Materials - Hot Mix Overlay with Colorado Materials, Ltd. and Asphalt Inc. LLC, dba Lone Star Paving Company for one(1) additional year with the proposed price increases.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38487 Approve renewal of IFB 2022-B06 Road Building Materials - Limestone Rock Asphalt, Cold Mix with Vulcan Construction Materials, LLC. for one (1) additional year with the proposed price increases.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2022-B06 Road Building Materials - Limestone Rock Asphalt, Cold Mix with Vulcan Construction Materials, LLC. for one (1) additional year with the proposed price increases.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38488 Approve renewal of IFB 2022-B05 Countywide Portable Toilets and Handwashing Station Rental Services with United Site Services of Texas, Inc.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2022-B05 Countywide Portable Toilets and Handwashing Station Rental Services with United Site Services of Texas, Inc.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38489 Authorize the submission of a preliminary application of the Texas Department of Transportation (TxDOT), FY23 Transportation Alternatives Set Aside Grant Program in the amount of \$1,393,181.23.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a preliminary application of the Texas Department of Transportation (TxDOT), FY23 Transportation Alternatives Set Aside Grant Program in the amount of \$1,393,181.23.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38490 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38491 Approve specifications for IFB 2023-B13 Contractor for IT-Elections Building Renovation and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B13 Contractor for IT-Elections Building Renovation and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38492 Approve out-of-state travel, utilizing the Sheriff's Office Continuing Education Funds, for Lt. Clint Pulpan to attend Force Science Certification on March 6-10, 2023, in Columbia, South Carolina.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve out-of-state travel, utilizing the Sheriff's Office Continuing Education Funds, for Lt. Clint Pulpan to attend Force Science Certification on March 6-10, 2023, in Columbia, South Carolina.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38493 Approve time extension of RFP 2022-P01 Hays County Property-Civic Center Road and Clovis Barker Road with Casey Development, LTD until June 30, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve time extension of RFP 2022-P01 Hays County Property-Civic Center Road and Clovis Barker Road with Casey Development, LTD until June 30, 2023.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38494 Approve renewal of IFB 2020-B04 Concrete with Brauntex Materials and Lauren Concrete.

Rodrigo Amaya made a public comment concerning the dates in the contract.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2020-B04 Concrete with Brauntex Materials and Lauren Concrete.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38495 Authorize the purchase of three (3) truck tool boxes valued at \$1,781.85 for the Development Services Department and amend the budget accordingly.

Rodrigo Amaya made a public comment concerning the cost of the item. Commissioner Smith and Marcus Pacheco, Director of Development Services, explained why these tool boxes were chosen.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the purchase of three (3) truck tool boxes valued at \$1,781.85 for the Development Services Department and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38496 Authorize a purchasing waiver for the Sheriff's Office to utilize Magnet Forensics for investigative purposes and authorize the execution of a yearly service agreement valued at \$3,730.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize a purchasing waiver for the Sheriff's Office to utilize Magnet Forensics for investigative purposes and authorize the execution of a yearly service agreement valued at \$3,730.00.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Authorize the internal reporting structure of the Office of Emergency Services to report to the Office of Emergency Management Director under the County Judge's authority.

Judge Becerra explained his goal of improving communication between the Emergency Services and Emergency Management Offices. Commissioner Smith expressed concern over removing oversight from the Commissioners. The Court discussed with Mike Jones, Director of Emergency Services, how these changes would affect the department. Judge Becerra tabled the item and stated it will be discussed during Executive Session. No action taken.

38497 Authorize the Treasurer's Office to purchase two Waveworks office desks from Tangram valued at \$2,942.32 and amend the budget accordingly.

Rodrigo Amaya made a public comment thanking Daphne Tenorio, Hays County Treasurer, for the information provided in the back-up.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Treasurer's Office to purchase two Waveworks office desks from Tangram valued at \$2,942.32 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38498 Establish the Community Liaison Manager position within the County Judge's Office at a grade 114 and authorize the purchase of additional supplies, training and equipment and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to establish the Community Liaison Manager position within the County Judge's Office at a grade 114 and authorize the purchase of additional supplies, training and equipment and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38499 Authorize the Pre-Trial Services Department to purchase one Zephyrus Ergonomic Bonded Leather High-Back Executive Chair from Office Depot, accept a donation for the purchase, and amend the budget accordingly.

Rodrigo Amaya made a public comment concerning the cost of the item. Dan Lyon made a public comment concerning the cost of the item. Commissioner Shell explained why the Court must approve this item. Judge Becerra spoke about the Court's guidelines for purchasing. Commissioner Shell suggested reevaluating the Court's purchasing policy in the future. Stephanie Hunt, First Assistant County Auditor, spoke about previous purchasing practices. Commissioner Shell amended his motion to include a Not to Exceed amount for the chair and a \$100 donation from him to the County to help offset the cost. Vickie Dorsett, Hays County Budget Officer, explained the Pre-Trial Services Department's budget is in the ARPA fund and suggested moving this purchase to the County General Fund.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Pre-Trial Services Department to purchase one Zephyrus Ergonomic Bonded Leather High-Back Executive Chair from Office Depot, not to exceed \$475, accept a \$100 donation from Lon Shell for the purchase, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38500 Discussion and possible action to authorize the County Judge to execute an Advanced Funding Agreement (AFA) between Hays County and Texas Department of Transportation (TXDOT) related to the design and construction of traffic signals along FM 110.

Commissioner Ingalsbe stated this will expedite the project and improve safety. Commissioner Shell thanked Commissioner Ingalsbe for her work on this project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Advanced Funding Agreement (AFA) between Hays County and Texas Department of Transportation (TXDOT) related to the design and construction of traffic signals along FM 110.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38501 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #70NGP200080 in the amount of \$2,305,404.09, and acceptance of the 2-year maintenance bond #276971Q in the amount of \$264,822.59 for Hymeadow subd., Section 2, Phase 2.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept road construction & surface drainage improvements, release the subdivision bond #70NGP200080 in the amount of \$2,305,404.09, and accept the 2-year maintenance bond #276971Q in the amount of \$264,822.59 for Hymeadow subd., Section 2, Phase 2.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38502 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the bond #K40280649 in the amount of \$1,516,062.79, acceptance of the 2-year maintenance bond #PB03016800800M in the amount of \$177,475.03, and acceptance of the 1-year revegetation bond #PB03016800933 in the amount of \$63,324.15 for Crosswinds subd., Phase 5A & B.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept road construction & surface drainage improvements, release the bond #K40280649 in the amount of \$1,516,062.79, accept the 2-year maintenance bond #PB03016800800M in the amount of \$177,475.03, and accept the 1-year revegetation bond #PB03016800933 in the amount of \$63,324.15 for Crosswinds subd., Phase 5A & B.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38503 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #PB10169600208 in the amount of \$1,997,294.74, and acceptance of the 2-year maintenance bond #EACX4027600 in the amount of \$254,453.91 for Mulberry Meadows, Phase 1 PICP.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept road construction & surface drainage improvements, release the subdivision bond #PB10169600208 in the amount of \$1,997,294.74, and accept the 2-year maintenance bond #EACX4027600 in the amount of \$254,453.91 for Mulberry Meadows, Phase 1 PICP.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38504 Discussion and possible action to approve the selection of Volkert, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call bases related to road improvement projects in Hays County; and authorize staff and counsel to negotiate a contract, as well as a Work Authorization #1 for CE&I services on the Robert S. Light Blvd project from RM 967 to IH-35 SBFR.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the selection of Volkert, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call bases related to road improvement projects in Hays County; and authorize staff and counsel to negotiate a contract, as well as a Work Authorization #1 for CE&I services on the Robert S. Light Blvd project from RM 967 to IH-35 SBFR.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38505 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$133,292.43 for the Driftwood Golf and Ranch Club, Phase One, Block A, Lot 38, Replat (Performance Bond #4460965).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$133,292.43 for the Driftwood Golf and Ranch Club, Phase One, Block A, Lot 38, Replat (Performance Bond #4460965).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38506 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$279,153.34 for the Driftwood Ranch, Phase 3, Section 2 Subdivision (Performance Bond #4460964).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$279,153.34 for the Driftwood Ranch, Phase 3, Section 2 Subdivision (Performance Bond #4460964).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38507 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the Letter of Credit #20224128 in the amount of \$576,000.49, acceptance of the 2-year maintenance bond #PB03016800920 in the amount of \$71,580.67, and acceptance of the 1-year revegetation bond #PB03016800916 in the amount of \$26,778.02 for 6 Creeks subd., Phase 1, Section 5B.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction & surface drainage improvements, release the Letter of Credit #20224128 in the amount of \$576,000.49, accept the 2-year maintenance bond #PB03016800920 in the amount of \$71,580.67, and accept the 1-year revegetation bond #PB03016800916 in the amount of \$26,778.02 for 6 Creeks subd., Phase 1, Section 5B.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38508 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,174,384.25 for Headwaters at Barton Creek Subdivision, Phase 3 (Subdivision/Site Improvement Bond #ES00012802).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$2,174,384.25 for Headwaters at Barton Creek Subdivision, Phase 3 (Subdivision/Site Improvement Bond #ES00012802).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38509 Discussion and possible action to authorize a purchasing waiver for the Transportation Department to purchase a replacement traffic counter w/metal housing from MetroCount USA, Inc. in the amount of \$970.00 as a result of irreparable damages sustained during a recent traffic study and amend the budget accordingly.

A motion was made by Commissioner Michelle Cohen, seconded by Commissioner Smith to authorize a purchasing waiver for the Transportation Department to purchase a replacement traffic counter w/metal housing from MetroCount USA, Inc. in the amount of \$970.00 as a result of irreparable damages sustained during a recent traffic study and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38510 Discussion and possible action to authorize the County Judge to execute Work Authorization #3 in the amount of \$102,735.00 between Hays County and Halff Associates, Inc., related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Work Authorization #3 in the amount of \$102,735.00 between Hays County and Halff Associates, Inc., related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38511 Discussion and possible action to authorize the County Judge to execute an agreement between Hays County and Halff Associates, Inc. for a topographic design survey of Sentinel Peak Preserve in the amount of \$37,620.00 and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an agreement between Hays County and Halff Associates, Inc. for a topographic design survey of Sentinel Peak Preserve in the amount of \$37,620.00 and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38512 Discussion and possible action to accept the renaming of a street name as originally platted in Anthem Phase 2 Subdivision.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the renaming of a street name as originally platted in Anthem Phase 2 Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38513 Discussion and possible action to award a contract for IFB 2023-B10 Culverts with Contech Engineered Solutions, LLC.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award a contract for IFB 2023-B10 Culverts with Contech Engineered Solutions, LLC.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38514 Discussion and Possible action to award RFP 2023-P03 Countywide Plumbing to SI Mechanical, LLC. and authorize staff and General Counsel to negotiate a contract.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to award RFP 2023-P03 Countywide Plumbing to SI Mechanical, LLC. and authorize staff and General Counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action related to the appointment of members to the Hays County Historical Commission, pursuant to Chapter 318 of the Texas Government Code.

Commissioner Ingalsbe suggested either authorizing the current Commission to continue their work until a full list of nominees is presented at the next Court meeting, or appointing the available applicants and returning with the remaining at the next meeting. Judge Becerra and Commissioner Cohen discussed taking more time in order to find more applicants. Anita Collins, Executive Assistant to the Hays County Judge, spoke about recent issues with the Commission, including a lack of meeting minutes and annual reports. Commissioner Shell gave support for the Historical Commission and suggested appointing the current applicants so that they may begin working. Commissioner Smith stated he would like to make appointments today and bring back the remaining at the next meeting. The Court discussed their options moving forward. Pat Gibson, Application Committee Chair for the Hays County Historical Commission, spoke about the application process and the need to finalize the members. Marie Bassett, Historical Marker Chair for the Hays County Historical Commission, stated projects have been put on hold until members are appointed and asked for action. Judge Becerra asked for all applications to be sent to the Court. Lila Knightt, Secretary of the Hays County Historical Commission, raised concerns about conducting business without elected officers. No action taken.

Discussion and possible action regarding Project Midnight Blue in Precinct 2.

Dan Lyon made a public comment against the Greater San Marcos Partnership. Victoria Vargas, Director of Economic Development for the City of Kyle, introduced Jeff Barton and Project Midnight Blue, a mixed-use development in Precinct 2. Jeff Barton presented Project Midnight Blue and asked the Court for support. Judge Becerra thanked Barton for his work on this project. Commissioner Ingalsbe gave support for the project, especially the planned public park and trail system. Commissioner Cohen gave support for the project and stated she would like to speak with Kyle City Council for more information. Commissioner Shell gave support for the project and asked for more details on the total investment in the public infrastructure and the expected increase in taxable value. Commissioner Smith gave support for the project and its parks and open space plans. No action taken.

38515 Discussion and possible action to authorize the County Judge to execute a \$75,000.00 capital funding contract with The Housing Authority of the City of Kyle, TX related to facility improvements as approved during the FY23 budget process.

Commissioner Ingalsbe stated this will fund repairs to the Pete Dressen and Charles Young buildings, which provide housing to low-income families.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a \$75,000.00 capital funding contract with The Housing Authority of the City of Kyle, TX related to facility improvements as approved during the FY23 budget process.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38516 Discussion and possible action to authorize the Information Technology Director to execute equipment quotes for ordering new or replacement Cradlepoint devices through RCN Technologies.

Jeff McGill, Director of Information Technology, explained how this will speed up the process of equipping law enforcement and first responder vehicles.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Information Technology Director to execute equipment quotes for ordering new or replacement Cradlepoint devices through RCN Technologies.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38517 Discussion and possible action to authorize Road Supervisor, slot 1035-007 with the Transportation Department to take a county issued vehicle to his residence outside the county.

Commissioner Shell explained that employees who respond to emergencies are able to take a County vehicle to their residence if they live within Hays County or up to 20 miles from their principal office location.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Road Supervisor, slot 1035-007 with the Transportation Department to take a county issued vehicle to his residence outside the county.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:26 p.m. and resumed back into open court at 2:29 p.m.

Clerk's Note Agenda Item #K-1 RE: *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. - WAS PULLED.*

38518 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe stated this is one more segment (approximately 10 miles) to provide connectivity to existing Park Improvements and mobility in and around Greater San Marcos.

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 San Marcos, related to the Purgatory Creek Improvements Project, submitted as a Parks and Open Space Advisory Commission Round 2 Project, to be utilized for Parkland Purposes, as discussed and presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Shell stated this is for a Texas Parks and Wildlife Department recreational trails program.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize General Counsel to participate in submitting, on behalf of Hays County and with participation by partnering entities, a trails grant application for a connecting trail between existing Hays County conservation properties in Precinct 3 of Hays County; and to authorize payment of 1/3 of the costs of surveying along this proposed segment, to be paid from the "General Counsel - Legal" budget.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-3 RE: *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 at Clovis Barker Road and Civic Center Loop, San Marcos in Pct.1. Possible discussion and/or action may follow in open court. - WAS PULLED.*

38519 Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of all individual positions within the Hays County Office of Emergency Services. Possible discussion and/or action may follow in open court.

Judge Becerra stated there are no changes to employment and any hiring decisions for the Director position must come to Commissioners Court. Commissioner Shell clarified this is for communication purposes only.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to update the communication path from Office of Emergency Services directly to Office of Emergency Management with no organizational changes.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38520 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 at 401 Veterans Drive, Kyle in Pct.3. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to Execute a lease agreement between Hays County and CenTex AmVets Post 115, for ongoing use of County-owned property at 401 Veteran's Drive, as discussed and presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with General Counsel and deliberation regarding the purchase, exchange, lease, or value of real property located at or near the corner of FM150 and SH21, in Precinct 1 of Hays County. Possible action may follow in open Court.

No action taken.

38521 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 Right of Way located at or near FM 621 in Pct. 1. Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe stated this is for the Acquisition of Easement needed for Crystal Clear Special Utilities District.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize execution of a purchase agreement for easements on Parcel 6 of the FM 621 Improvement Project located in Precinct 1, owned by HK Baugh Ranch, LLC, and authorize disbursement of purchase price plus any associated closing costs, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Ingalsbe stated this includes the Acquisition of Right of Way of Parcel 7 owned by HK Riley's Point, LLC, and the Acquisition of Easement needed for Crystal Clear Special Utilities District.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize execution of a purchase agreement for easements on Parcel 7 of the FM 621 Improvement Project located in Precinct 1, owned by HK Riley's Point, LLC, and authorize disbursement of purchase price plus any associated closing costs, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38522 Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of positions within the Hays County Treasurer's Office. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Michelle Cohen, seconded by Commissioner Ingalsbe to authorize the County Treasurer to fill the vacant Treasury Services Manager slot 0076-001 as a temporary employee at an hourly rate of \$38.46 with no County benefits, effective January 18, 2023 through September 30, 2023, as discussed in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38523 Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of all individual positions within the office of the Hays County Auditor's Office. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to authorize the Auditor's Office to regrade the Internal Auditor II slot 0026-001 to a Senior Internal Auditor effective January 1, 2023, with a 3% salary increase, as discussed in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #L-1 RE: *Discussion and possible action related to the burn ban.* - **WAS PULLED.**

Clerk's Note Agenda Item #L-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs.* - **WAS PULLED.**

Clerk's Note Agenda Item #L-3 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 #L-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).* - **WAS PULLED.**

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 2:34 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 17, 2023.



Elaine H. Cardenas

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 31, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 31st DAY OF JANUARY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA
DEBBIE GONZALES INGALSBE
MICHELLE COHEN
LON A. SHELL
WALT SMITH
ELAINE H. CÁRDENAS

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

Chad Chaddick, First Baptist Church San Marcos, 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 concerning high taxes and County representation. Dan Lyon made a public comment concerning taxes and the Greater San Marcos Partnership. Rodrigo Amaya made a public comment concerning the Office of General Counsel and asking for the release of the body camera footage related to the death of Joshua Wright. Daphne Tenorio, Hays County Treasurer, made a public comment concerning the operations of the Treasurer's Office and asking for a GSA audit of the Treasurer's and District Clerk's Offices. Elaine Cardenas, County Clerk, read an emailed public comment from Sam Brannon concerning transparency within the Elections Office and the selection of new voting equipment.

38524 Adopt a Proclamation recognizing February 2023 as Dating Violence Awareness Month.

Commissioner Smith spoke about the Mock Trial that is held by the Hays-Caldwell Women's Center and Dripping Springs Independent School District, and encouraged the other school districts in the County to hold their own event.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing February 2023 as Dating Violence Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38525 Adopt a Proclamation recognizing February 2023 as American Heart Month in Hays County.

Mike Thrasher, President of the San Marcos Lions Club, thanked the Court for the proclamation and stated the Lions Club will be funding the purchase of Automated External Defibrillators (AEDs) for the County.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Michelle Cohen to adopt a Proclamation recognizing February 2023 as American Heart Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38526 Adopt a Proclamation recognizing February 2023 as Spay/Neuter Awareness Month.

Cara Stewart, Marketing Coordinator for PAWS of Central Texas, thanked the Court for the proclamation and spoke about the benefits of spaying/neutering pets.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Michelle Cohen to adopt a Proclamation recognizing February 2023 as Spay/Neuter Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #F-4 RE: Presentation Recognizing The County Clerk's Office For Receiving The Five-Star Award From The Texas Department Of State Health Services - Vital Statistics Section. - WAS PULLED.

38527 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-2 RE: Approve the payment of Juror checks. - WAS PULLED.

38528 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.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38529 Approve the payment of the January 31, 2023 payroll disbursements in an amount not to exceed \$4,323,074.31 effective January 31, 2023 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, 2023 payroll disbursements in an amount not to exceed \$4,323,074.31 effective January 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38530 Approve Commissioners Court Minutes of January 3, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Commissioners Court Minutes of January 3, 2023.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38531 Approve and confirm the appointment of Gabriel D. Cunnion as a regular full-time Deputy Constable in the Hays County Constable, Precinct 2 Office.

Michael Torres, Constable Precinct 2, explained this is an existing position that must be approved by the Commissioners Court and presented the nominee. The Court welcomed Deputy Cunnion.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve and confirm the appointment of Gabriel D. Cunnion as a regular full-time Deputy Constable in the Hays County Constable, Precinct 2 Office.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38532 Authorize the County Judge to execute a rental agreement between the Hays County Local Health Department and Dripping Springs Ranch Park in the amount of \$1,006.25 for the venue location of the June 2023 Hays County Local Health Department Summer Health Fair.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a rental agreement between the Hays County Local Health Department and Dripping Springs Ranch Park in the amount of \$1,006.25 for the venue location of the June 2023 Hays County Local Health Department Summer Health Fair.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38533 Authorize the Hays County Constable Pct. 4 Office to accept a donation of \$1,646.50 from the Knights of Columbus Council #11695 and amend the budget accordingly.

Commissioner Smith thanked the Knights of Columbus for the donation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Hays County Constable Pct. 4 Office to accept a donation of \$1,646.50 from the Knights of Columbus Council #11695 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38534 Authorize the County Judge to execute an Interlocal Agreement for Use of Jail Facility between Atascosa County and Hays County for the care and custody of Hays County inmates, effective January 1, 2023.

Dan Lyon made a public comment concerning grammatical mistakes in the agreement. Rodrigo Amaya made a public comment against the agreement and outsourcing inmates. Mark Kennedy, General Counsel, explained this is an amended and reinstated agreement with changes to the cost per day and medical billing procedures. Jordan Powell, Assistant General Counsel, further explained the medical billing change. Commissioner Smith stated this is normal change to a contract and asked that public comments stay on the same topic as the posted agenda item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Agreement for Use of Jail Facility between Atascosa County and Hays County for the care and custody of Hays County inmates, effective January 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38535 Approve the purchase amount of \$1,527.50 for batteries and seals for routine maintenance on election equipment; authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a) (7) (D).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the purchase amount of \$1,527.50 for batteries and seals for routine maintenance on election equipment; authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a) (7) (D).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38536 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Specialty Courts Program for the Hays County Mental Health Court in the amount of \$259,949.62.

Commissioner Smith stated this is funding for the Mental Health Court and thanked Commissioner Ingalsbe for her help with other mental health initiatives.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Specialty Courts Program for the Hays County Mental Health Court in the amount of \$259,949.62.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38537 Authorize the Office of Emergency Services Community Emergency Response Team (CERT) division to accept a donation from the San Marcos Lions Club in the amount of \$5,400.00 and amend the budget accordingly.

Rodrigo Amaya made a public comment expressing concerns about promoting favoritism. The Court thanked the Lions Club for their donation and gave assurance that the CERT volunteers serve everyone.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Office of Emergency Services Community Emergency Response Team (CERT) division to accept a donation from the San Marcos Lions Club in the amount of \$5,400.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38538 Approve Utility Permits.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38539 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Homeland Security Grant Program in the amount of \$33,975.63.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Homeland Security Grant Program in the amount of \$33,975.63.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38540 Authorize the execution of a resolution and submission of a grant application to the Office of the Governor (OOG) Homeland Security Grant Program, in the amount of \$494,100.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution and submission of a grant application to the Office of the Governor (OOG) Homeland Security Grant Program, in the amount of \$494,100.00.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38541 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division grant program for Body Worn Cameras project for the Hays County Fire Marshal's Office in the amount of \$11,753.10.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division grant program for Body Worn Cameras project for the Hays County Fire Marshal's Office in the amount of \$11,753.10.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38542 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Victim Assistance, First Responder Mental Health grant program in the amount of \$10,081.25.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Victim Assistance, First Responder Mental Health grant program in the amount of \$10,081.25.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38543 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, State Homeland Security Grant Program for the Hays County HazMat Team Monitor Maintenance project in the amount of \$14,470.00.

Rodrigo Amaya made a public comment asking for more information on this item. Tammy Crumley, Director of Countywide Operations, stated this is a maintenance program for monitors the County already owns. Mike Jones, Director of Emergency Services, explained this is an annual occurrence for public safety and grant funds are used, not County funds. Judge Becerra spoke about the importance of these drills.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, State Homeland Security Grant Program for the Hays County HazMat Team Monitor Maintenance project in the amount of \$14,470.00.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38544 Authorize the submission of a grant renewal to the Department of State Health Services (DSHS) Tuberculosis (TB) State Grant Program in the amount of \$39,611.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the submission of a grant renewal to the Department of State Health Services (DSHS) Tuberculosis (TB) State Grant Program in the amount of \$39,611.00.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38545 Approve the reappointment of Tom Richey to the Board of Emergency Services District #3 for a two-year term ending December 31, 2024.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the reappointment of Tom Richey to the Board of Emergency Services District #3 for a two-year term ending December 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38546 Approve the appointment of Chase Stapp to the Board of Emergency Services District #3, effective February 1, 2023, for a two-year term ending December 31, 2024.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the appointment of Chase Stapp to the Board of Emergency Services District #3, effective February 1, 2023, for a two-year term ending December 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38547 Accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 5.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 5.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-23 RE: *Amend various departmental operating, special revenue and capital project budgets in preparation for FY 2023 quarterly financial reporting.* - **WAS PULLED.**

38548 Accept donations totaling \$12,067.14 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

Commissioner Smith thanked those who donated to the Child Protective Board.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept donations totaling \$12,067.14 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38549 Authorize the execution of the Pre-Award Project Verification for the Texas Department of Agriculture, Community Block Development Grant for the Cedar Oaks Mesa Waterline Improvement Project.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of the Pre-Award Project Verification for the Texas Department of Agriculture, Community Block Development Grant for the Cedar Oaks Mesa Waterline Improvement Project.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38550 Approve specifications for RFP 2023-P04 Countywide Electrical and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for RFP 2023-P04 Countywide Electrical and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38551 Authorize the County Judge to execute a Contract Amendment with Parabellum Research pursuant to IFB 2022-B01 Duty & Training Ammunition, adding two additional items to the contract.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Contract Amendment with Parabellum Research pursuant to IFB 2022-B01 Duty & Training Ammunition, adding two additional items to the contract.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38552 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Rifle Resistant Body Armor Grant program in the amount of \$23,034.40.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Rifle Resistant Body Armor Grant program in the amount of \$23,034.40.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38553 Approve specifications for IFB 2023-B03 Robert S Light Boulevard and authorize Purchasing to advertise and solicit for bids.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B03 Robert S Light Boulevard and authorize Purchasing to advertise and solicit for bids.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38554 Authorize the execution of a resolution and the acceptance of a renewal grant award from the Texas Indigent Defense Commission (TIDC) for the FY23 Improvement Grant Program in the amount of \$41,806.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a resolution and the acceptance of a renewal grant award from the Texas Indigent Defense Commission (TIDC) for the FY23 Improvement Grant Program in the amount of \$41,806.00.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38555 Discussion and possible action to authorize the County Judge to execute a Professional Service Agreement between Hays County and Raba Kistner, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call basis related to road improvement projects in Hays County.

Jerry Borcharding, Transportation Director, and Mark Kennedy, General Counsel, provided clarification on the item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Service Agreement between Hays County and Raba Kistner, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call basis related to road improvement projects in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38556 Discussion and possible action to accept Santa Fe Run and Great Northern into the County road maintenance system.

Commissioner Ingalsbe spoke about the poor conditions of the road and the lack of cooperation from the developers to resolve the issues. Jerry Borcharding, Transportation Director, stated the road was built to County standards but was not maintained. Commissioner Shell clarified the road was constructed per County specifications, but the County failed to take the road into its system. Borcharding stated maintenance was attempted in 2002 but was not done.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept Santa Fe Run and Great Northern, which were originally built as County roads, into the County road maintenance system.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38557 Discussion and possible action to call for a public hearing on February 14, 2023 to establish a 3-way stop location on Longbow Lane at the intersection with Whistling Wind Lane in the Woodcreek North subdivision.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a public hearing on February 14, 2023 to establish a 3-way stop location on Longbow Lane at the intersection with Whistling Wind Lane in the Woodcreek North subdivision.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38558 Discussion and possible action to rescind the previous court action from December 6, 2022 establishing a 3-way stop location on Longbow Lane at Indian Princess in Woodcreek North subdivision.

Commissioner Shell stated the original location had right-of-way and visibility issues, and that after further analysis, a better 3-way stop location was identified.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to rescind the previous court action from December 6, 2022 establishing a 3-way stop location on Longbow Lane at Indian Princess in Woodcreek North subdivision.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38559 Discussion and possible action to accept the maintenance bond rider extension from Lockhart Excavation, LLC until April 14, 2023 for Heaton Hollow subd. - Maintenance bond #61BSBID3153 in the amount of \$80,548.01.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the maintenance bond rider extension from Lockhart Excavation, LLC until April 14, 2023 for Heaton Hollow subd. - Maintenance bond #61BSBID3153 in the amount of \$80,548.01.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38560 Discussion and possible action to call for a public hearing on February 14, 2023 to establish a No Dumping zone on Old Bastrop Hwy on the cul-du-sac south of Redwood Road.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to call for a public hearing on February 14, 2023 to establish a No Dumping zone on Old Bastrop Hwy on the cul-du-sac south of Redwood Road.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38561 PLN-2116-NP; Discussion and possible action regarding the Rocky Creek Estates, Preliminary Plan.

Marcus Pacheco, Development Services Director, gave background on the property and stated staff recommends approval upon the conditions in the back-up being met.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to conditionally approve the Rocky Creek Estates, Preliminary Plan (PLN-2116-NP).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38562 PLN-2079-NP; Discussion and possible action regarding the Brownson Acres subdivision.

Marcus Pacheco, Development Services Director, gave background on the property and stated staff recommends approval upon the conditions in the back-up being met.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve the Brownson Acres subdivision (PLN-2079-NP).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38563 Discussion and possible action to confirm members to the Hays County Historical Commission.

Commissioner Ingalsbe nominated Irma Gaitan, Frank Arredondo, and Lupe Costilla. Commissioner Cohen nominated Patrick Gibson, Anthony Davis, Jeremy Garrett, James Herbert, and Lila Knightt. Judge Becerra nominated Faye Haskins, Johnny Flores, Jonafa Banbury, Anita Collins, Robert Rizo, and Alex Banbury.

Clerk's Note: Alex Banbury was later removed from the list of nominees from Judge Becerra.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to confirm the members nominated in Commissioners Court to the Hays County Historical Commission.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38564 Discussion and possible action to authorize a \$10,000.00 annual salary increase for one Attorney V position, slot 0784-009 effective February 1st that has been serving as an Acting Court Chief since 1/1/2023, now to be confirmed in that position as official Court Chief for the Hays County Criminal District Attorney's Office.

Kelly Higgins, Hays County District Attorney, gave background on the position. Commissioner Smith complimented Higgins for following through and compiling the necessary information from Human Resources and the Budget Office.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a \$10,000.00 annual salary increase for one Attorney V position, slot 0784-009 effective February 1st that has been serving as an Acting Court Chief since 1/1/2023, now to be confirmed in that position as official Court Chief for the Hays County Criminal District Attorney's Office.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38565 Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related a replacement Data Collection Unit (DCU) located on the northwest corner of Hugo Road and Cascade Trail; authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept a Proposal from Water & Earth Technologies (WET) related a replacement Data Collection Unit (DCU) located on the northwest corner of Hugo Road and Cascade Trail; authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(7)(D) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38566 Discussion and possible action to authorize County Court at Law to hire the County Court Reporter slot 0765-002 at the 73.48 percentile of the current salary range effective February 20, 2023.

Judge Elaine Brown made a public comment concerning hiring issues and the shortage of court reporters. Judge Jimmy Alan Hall made a public comment concerning the difficulties in holding court with limited staff and the delay of justice. Commissioner Ingalsbe inquired about inconsistencies this may create with the other court reporter position salaries. Judge Brown explained this individual has more experience, but they hope to raise all court reporter salaries in the future. Commissioner Cohen gave support for the item. Commissioner Smith spoke about the need to standardize court reporter salaries across all courts. Judge Becerra spoke about the long delay of the salary study and the need to assist the newly elected officials in hiring. The Court discussed with the Judges how these issues can be solved.

A motion was made by Commissioner Michelle Cohen, seconded by Commissioner Shell to authorize County Court at Law to hire the County Court Reporter slot 0765-002 at the 73.48 percentile of the current salary range effective February 20, 2023.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38567 Discussion and possible action to authorize the County Judge to execute an agreement between Hays County and SI Mechanical, LLC. for Countywide Plumbing Services, pursuant to RFP 2023-P03.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an agreement between Hays County and SI Mechanical, LLC. for Countywide Plumbing Services, pursuant to RFP 2023-P03.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38568 Discussion and possible action to authorize the County Judge to execute a \$50,000.00 capital funding contract with Central Texas Dispute Resolution Center (DRC) as approved during the FY23 budget process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a \$50,000.00 capital funding contract with Central Texas Dispute Resolution Center (DRC) as approved during the FY23 budget process.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38569 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Greater San Marcos Youth Council Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Shell stated he would like to add an additional \$100,000 from the Precinct 3 allocation and amend the Agreement.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Greater San Marcos Youth Council Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38570 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Dripping Springs Community Missions Partnership Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Dripping Springs Community Missions Partnership Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38571 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Wimberley 4-H Buyers Pool, Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Smith stated these funds will go toward the facility used by all 4-H members countywide.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Wimberley 4-H Buyers Pool, Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38572 Discussion and possible action to establish a budget for the Local Assistance and Tribal Consistency Fund (LATCF) under the American Rescue Plan Act totaling \$100,000.00.

Commissioner Smith stated a portion of these funds will go toward the Sheriff's Office for fentanyl outreach and education.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to establish a budget for the Local Assistance and Tribal Consistency Fund (LATCF) under the American Rescue Plan Act totaling \$100,000.00.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38573 Discussion and possible action to approve the naming of a private driveway in Precinct 3, Amber Sky Lane.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the naming of a private driveway in Precinct 3, Amber Sky Lane.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion on status of salary study conducted by Management Advisory Group International, Inc.

Shari Miller, Director of Human Resources, reviewed the timeline of the salary study and presented its findings. The Court expressed concern with the study's timeline and discussed what is needed moving forward, including a meeting with Management Advisory Group (MAG) and County leadership. Daphne Tenorio, Hays County Treasurer, Marisol Villarreal-Alonso, Hays County Auditor, and Vickie Dorsett, Hays County Budget Officer, provided insight on having department heads and elected officials involved in the study and the selection committee during the RFP process. Elaine Cardenas, Hays County Clerk, spoke about the urgent need for action and her disappointment with the initial report. She recommended forming a committee independent of Human Resources and giving a 10% cost of living increase to employees in the meantime. Cynthia Millonzi, Assistant County Clerk, spoke about issues with the contract and initial report and offered a plan moving forward that involves collaboration between all departments. The Court concluded more communication is needed between all departments.

Clerk's Note: Judge Becerra called for a recess that began at 11:48 a.m. and resumed back into open court at 12:03 p.m.

38574 Discussion and possible action to increase by 10% the pay of all employees in Hays County whose salary is under \$100,000 and who are not bound by the Collective Bargaining Agreement effective February 1, 2023.

Judge Becerra spoke about the difficulties employees are having due to low pay and implementing a 10% increase to bring Hays County closer to the market average. Commissioner Ingalsbe spoke about the need to address salaries. Vickie Dorsett, Hays County Budget Officer, outlined several pay increase plans and the effect they would have on the budget.

Clerk's Note: Judge Becerra called for a recess that began at 12:11 p.m. and resumed back into open court at 1:18 p.m.

The Court discussed with Dorsett salary increase options and possible issues, including budgeting, creating discrepancies between employees, the amount of discretion given to department heads, and whether to set the cut-off at a salary dollar amount or a position grade. Commissioner Smith suggested a one-time allocation for employees until the salary study is complete.

A motion was made by Commissioner Michelle Cohen, seconded by Judge Becerra to increase by 10% the pay of all employees in Hays County whose salary is under \$100,000 and who are not bound by the Collective Bargaining Agreement effective February 1, 2023.

AYE: Commissioner Michelle Cohen, Judge Becerra

NAY: Commissioner Ingalsbe, Commissioner Shell, Commissioner Smith

2 - 3 Failed

Clerk's Note: Item K-13 was reopened at 2:05 p.m.

The Court further discussed which grades to include in a 10% increase. Commissioner Smith expressed concern over how the cut-off will be decided. Commissioner Shell stated he believes this should be decided in a more collaborative manner with all department heads and elected officials.

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to increase by 10% the pay of all employees in Hays County from grades 106 to 113 and who are not bound by the Collective Bargaining Agreement effective February 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Smith, Judge Becerra

NAY: Commissioner Shell

4 - 1 Passed

Clerk's Note: Executive Session began at 2:23 p.m. and resumed back into open court at 6:05 p.m.

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.

No action taken.

38575 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 the Government Center Security positions within the office of the Hays County Sheriff's Office. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to transfer Deputy slot 0550-072 and 5 vacant Deputy slots with associated law enforcement equipment, cars and agreed upon operational expenses from the Sheriff's Office to the Constable Precinct 1 Office for Government Center security operations, transitional date to be determined by the Sheriff and Constable as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

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 within the office of Hays County Human Resources. Possible discussion and/or action may follow in open court.

No action taken.

38576 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize adoption of a Resolution related to a Recreational Trails Grant for the trails associated with property owned by ByrdNest Ventures, LLC, over which Hays County holds a conservation easement, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38577 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 located at 101 Thermon Drive, San Marcos. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to Authorize Execution of a Commercial Letter of Intent to Purchase between Hays County and Old GGCA 1660, LLC, related to the purchase of the property located at 101 Thermon Drive, San Marcos, Texas; to authorize funding the Purchase with funding from the General Fund - Miscellaneous Capital Improvements; and to authorize General Counsel to take all actions and Execute all documents incidental to Closing the transaction.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38578 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 4.429 acres, and drainage easement rights in 0.7077 acres and 0.689 acres from property located along FM 2001, owned by Triple Ewald Farms, LLC a Texas limited liability company, and which are required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action (Parcels 76, 76E1 and 76E2). Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the use of the County's power of eminent domain to acquire: fee simple title in and to approximately 4.429 acres (Parcel 76); and drainage easement rights in and across approximately 0.7077 acres and 0.6890 acres (Parcels 76E1 and 76E2) from property located along FM 2001, owned by Triple Edward Farms, LLC, a Texas limited liability company, and which are required for the construction of the proposed FM 2001 roadway improvements and related public utility adjustments, and take other appropriate action (Parcels 76, 76E1, and 76E2).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith,
Judge Becerra

5 - 0 Passed - Unanimously

38579 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire easement interest in 0.7486 acres from property located along FM 2001, owned by Lesley M. Nickel n/k/a Lesley M. Simpson, and which is required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action (Parcel 80E). Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the use of the County's power of eminent domain to acquire easement interest in and to approximately 0.7486 acres (Parcel 80E) located along FM 2001 owned by Lesley M Nickel n/k/a Lesley M. Simpson and which is required for the construction of the proposed FM 2001 roadway improvements and related public utility adjustments, and take other appropriate action (Parcels 80E).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith,
Judge Becerra

5 - 0 Passed - Unanimously

38580 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 5.389 acres, and drainage and utility easement rights in 0.1433 acres and 0.395 acres from property located along FM 2001, owned by Mark L. Simpson and Lesley M. Simpson, and which are required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action (Parcels 81, 81E1 and 81E2). Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the use of the County's power of eminent domain to acquire: fee simple title in and to approximately 5.389 acres (Parcel 81); and drainage easement rights in and across approximately 0.1433 acres and 0.3950 acres (Parcels 81E1 and 81E2) from property located along FM 2001, owned by Mark L. Simpson and Lesley M. Simpson and which is required for the construction of the proposed FM 2001 roadway improvements and related public utility adjustments, and take other appropriate action (Parcels 81, 81E1, and 81E2).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith,
Judge Becerra

5 - 0 Passed - Unanimously

38581 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 1.563 acres from property located along FM 2001, owned by Terrell Lee Olle, and which is required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action (Parcel 90). Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the use of the County's power of eminent domain to acquire fee simple interest in 1.563 acres from property located along FM 2001, owned by Terrell Lee Olle, which is required for the construction of the proposed FM 2001 roadway improvements and related public utility adjustments, and take other appropriate action (Parcel 90).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith,
Judge Becerra

5 - 0 Passed - Unanimously

38582 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 6.10 acres, and drainage and utility easement rights in 0.1143 acres, 0.1189 acres and 0.1143 acres from property located along FM 2001, owned by Geraldine Fogle McCormick, individually and as Trustee of the Family Trust created under the last will and testament of Thaddeus Charles McCormick, Jr., and which are required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action (Parcels 91, 91E1, 91E2 and 91E3). Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the use of the power of eminent domain to acquire fee simple interest in 6.10 acres, and drainage and utility easement rights in 0.1143 acres, 0.1189 acres and 0.1143 acres from property located along FM 2001, owned by Geraldine Fogle McCormick, individually and as Trustee of the Family Trust created under the last will and testament of Thaddeus Charles McCormick, Jr., and which are required for the construction of the proposed FM 2001 roadway improvements and related utility adjustments, and take other appropriate action (Parcels 91, 91E1, 91E2, and 91E3).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith,
Judge Becerra

5 - 0 Passed - Unanimously

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 located at 2400 N IH 35, San Marcos. Possible discussion and/or action may follow in open court.

No action taken.

38583 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 Right of Way located at or near FM 1626. Possible discussion and/or action may follow in open court.

Commissioner Smith clarified this is a Temporary Construction Easement that was put in place for work on an agricultural pond that needed to be modified because of the FM 1626 Project, and the Easement is no longer needed.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to Authorize Execution of a Release of Temporary Construction Easement related to the FM 1626 Improvement Project, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith,
Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban.* - **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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 626 for the week of January 22, 2023, with a peak of 635 inmates on January 27, 2023. The estimated cost for outsourcing inmates this week was \$169,777. The average number of outsourced males is 264 and females is 12. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 20.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).* - **WAS PULLED.**

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 6:14 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 31, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



FEBRUARY 10, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10th DAY OF FEBRUARY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
CYNTHIA MILLONZI	ASSISTANT 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:

PUBLIC COMMENTS

No public comments were made.

38584 Authorize execution of a Letter Amendment to the Professional Services Agreement between Hays County and Management Advisory Group International, Inc.

Mark Kennedy, General Counsel, explained the timeline extension of the study. Commissioner Ingalsbe spoke about the meeting held with a representative from Management Advisory Group and the plan for them to meet with all department heads and elected officials later in the month.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a Letter Amendment to the Professional Services Agreement between Hays County and Management Advisory Group International, Inc.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Judge Becerra
4 - 0 Passed - Unanimously

38585 Authorize and/or Ratify Execution of a Third Amendment to the Countywide Dumpster Contract (IFB 2021-B12), in relation to debris removal under the Declaration of Local Disaster, as authorized by Section 262.031(a) of the Texas Local Government Code.

Mark Kennedy, General Counsel, explained the amendment and the need for additional equipment. Judge Becerra spoke about efforts to save money. Mike Jones, Director of Emergency Services, further spoke about balancing debris clean up and County spending.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize and/or Ratify Execution of a Third Amendment to the Countywide Dumpster Contract (IFB 2021-B12), in relation to debris removal under the Declaration of Local Disaster, as authorized by Section 262.031(a) of the Texas Local Government Code.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Judge Becerra
4 - 0 Passed - Unanimously

Clerk's Note: Commissioner Smith arrived at 1:11 p.m. for the following proceedings.

38586 Discussion and possible action to consent to the extension of a Declaration of Local Disaster originally made by the County Judge on February 3, 2023.

Judge Becerra explained the extension is for clean-up and financial purposes, but the emergency aspect has passed. Mark Kennedy, General Counsel, and Mike Jones, Director of Emergency Services, recommended extending the Declaration by 90 days. The Court thanked all of those involved with responding to the local disaster, including the Hays County Transportation Department, TXDOT, and Texas Emergency Management. Commissioner Ingalsbe discussed with Mike Jones the projected clean-up timeline and possible burning.

Commissioner Smith spoke about clean-up efforts in Precinct 4 and the need to work quickly before the threat of floods and wildfires increases. Commissioner Shell spoke about assisting elderly residents with clean-up. Commissioner Smith spoke about the need to address employee salaries as their work increases. The Court discussed ways to coordinate clean-up within the County.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to consent to a 90-day extension of a Declaration of Local Disaster originally made by the County Judge on February 3, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously


Clerk's Note Agenda Item #F-2 RE: Discussion and possible action related to the salary survey and report for Hays County, provided by Management Advisory Group International, Inc. - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:36 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 10, 2023.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



FEBRUARY 14, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14th DAY OF FEBRUARY A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd 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

Lila Knight made a public comment concerning a meeting of the Hays County Historical Commission that was called and the need for a chairman. Dan Lyon made a public comment concerning a bond for projects at SMCISD and the effect it might have on taxes. Robert Eby made a public comment regarding San Marcos Community Organizations Active in Disasters and the work they do. Laura Nunn made a public comment concerning election integrity. Natalie Freeman made a public comment concerning the death of Joshua Wright. Amy Kamp made a public comment concerning the death of Joshua Wright. Karen Munoz made a public comment concerning the death of Joshua Wright.

38587 Adopt a Proclamation recognizing February 22, 2023 as President George Washington Day.

Cliff Caskey and Joe Cox, members of the Texas Society of the Sons of the American Revolution William Hightower Chapter 35, thanked the Court for the recognition and spoke about the organization's mission. Judge Becerra spoke about the importance of unity. Commissioner Smith suggested hosting an event for President George Washington Day in the future.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing February 22, 2023 as President George Washington Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38588 Adopt a Proclamation recognizing the month of February 2023 as Black History Month in Hays County.

Pastor Jonafa Banbury, Secretary of the Dunbar Heritage Association, encouraged the public to find their local events and spoke about the importance of this month. Mary Peterson Earls, President of the Hays County League of Women Voters, spoke about the importance of Black History Month and local leaders in the community. David Peterson, Constable Precinct 1, recognized various attendees and their contributions to the community.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing the month of February 2023 as Black History Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation Recognizing The County Clerk's Office For Receiving The Five-Star Award From The Texas Department Of State Health Services - Vital Statistics Section.

Elaine Cardenas, County Clerk, recognized her staff for exceeding state requirements. Roxanne Rodriguez, Chief Deputy of the Records Division of the Hays County Clerk's Office, spoke about her staff's achievements and thanked the Court for their recognition.

Updates of community health assessment by local health department.

Matthew Gonzales, Health Equity and Community Engagement Program Manager with the Hays County Local Health Department, explained the purpose of the community health assessment and gave an update on its progress. The Court thanked Matthew and all others involved in this project. Tammy Crumley, Director of Countywide Operations, thanked Matthew for his work and encouraged the Court to be involved.

38589 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38590 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38591 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38592 Approve Amended Commissioners Court Minutes of January 3, 2023 and Commissioners Court Minutes of January 17, 2023 and January 31, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Amended Commissioners Court Minutes of January 3, 2023 and Commissioners Court Minutes of January 17, 2023 and January 31, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38593 Approve and confirm the appointment of Michael Dwayne Fuentes as a regular full-time Deputy Constable in the Hays County Constable Precinct 3 Office.

Don Montague, Constable Precinct 3, presented the officer and stated he will work as a school resource officer.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Michael Dwayne Fuentes as a regular full-time Deputy Constable in the Hays County Constable Precinct 3 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38594 Accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 3.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38595 Authorize the acceptance of a grant award from the General Land Office (GLO), Community Development Block Grant (CDBG), Local Hazard Mitigation Planning Program (LHMPP) in the amount of \$100,000.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a grant award from the General Land Office (GLO), Community Development Block Grant (CDBG), Local Hazard Mitigation Planning Program (LHMPP) in the amount of \$100,000.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Authorize Building Maintenance to have Sullivan Contracting Services install a new roof on the Kyle WIC Building in the amount of \$71,958.90.

Dan Lyon made a public comment concerning the cost of the new roof. Tammy Crumley, Director of Countywide Operations, stated an employee could clarify the inspection fees for the Court later in the meeting. Judge Becerra tabled the item.

Clerk's Note: Item G-8 was reopened at 10:52 a.m.

Chris Deichmann, Countywide Operations, explained the inspection is needed due to animals getting into the building. Marisol Villarreal-Alonzo, County Auditor, stated the bid received is competitive. The Court discussed the necessity of the roof replacement and its cost, and asked for new bids. No action taken.

Clerk's Note: Judge Becerra called for a recess that began at 11:01 a.m. and resumed back into open court at 11:10 a.m.

38596 Authorize the County Judge to execute renewal liability coverage for storage tank systems with Commerce and Industry Insurance Company for a renewal premium of \$1,381.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute renewal liability coverage for storage tank systems with Commerce and Industry Insurance Company for a renewal premium of \$1,381.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38597 Authorize the Commissioner Pct. 1 Office to support Rodriguez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for students, families and staff.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Commissioner Pct. 1 Office to support Rodriguez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for students, families and staff.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38598 Authorize Building Maintenance to purchase two (2) Rubbermaid Commercial Utility Carts in the amount of \$1,692.94 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to purchase two (2) Rubbermaid Commercial Utility Carts in the amount of \$1,692.94 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38599 Approve Utility Permits.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38600 Amend various departmental operating, special revenue and capital project budgets in preparation for the County's Fiscal Year 2022 year-end process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for the County's Fiscal Year 2022 year-end process.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38601 Approve the appointment of Patrick Gibson to the Claiborne Kyle Log House Board to replace Pauline Villegas.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointment of Patrick Gibson to the Claiborne Kyle Log House Board to replace Pauline Villegas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38602 Authorize the Office of Emergency Services to utilize \$10,000.00 of donated funds for the Community Emergency Response Team (CERT) to purchase one trailer with accessories and CERT volunteer uniforms and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services to utilize \$10,000.00 of donated funds for the Community Emergency Response Team (CERT) to purchase one trailer with accessories and CERT volunteer uniforms and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38603 Authorize the County Judge to execute an Amended Software Agreement with Tyler Technologies, Inc. to add one Enterprise Justice Judge Edition Software for the 483rd Judicial District Judge.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Amended Software Agreement with Tyler Technologies, Inc. to add one Enterprise Justice Judge Edition Software for the 483rd Judicial District Judge.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38604 Amend various departmental operating, special revenue and capital project budgets in preparation for FY 2023 quarterly financial reporting.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for FY 2023 quarterly financial reporting.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38605 Approve the addition of intercoms and upgrading the jail visitation areas in the Hays County Jail with Cornerstone Detention Products, Inc. pursuant to the GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the addition of intercoms and upgrading the jail visitation areas in the Hays County Jail with Cornerstone Detention Products, Inc. pursuant to the GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38606 Authorize the submission of a grant renewal to the Department of State Health Services (DSHS), FY24 Immunizations Grant Program in the amount of \$192,341.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of a grant renewal to the Department of State Health Services (DSHS), FY24 Immunizations Grant Program in the amount of \$192,341.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38607 Approve the purchase for the Hays County Jail of MPACS 200 Food Assembly Box Assembly from Millennium Access Control Technology Inc. in the amount of \$71,985.00 and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(A).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the purchase for the Hays County Jail of MPACS 200 Food Assembly Box Assembly from Millennium Access Control Technology Inc. in the amount of \$71,985.00 and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(A).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38608 Authorize the County Judge to execute a Contract Amendment with CML Security, LLC. related to Electronic Security Upgrades pursuant to RFP 2022-P07, adding a temporary gate control to the elected officials gate located at the Government Center, in the amount of \$2,553.20.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment with CML Security, LLC. related to Electronic Security Upgrades pursuant to RFP 2022-P07, adding a temporary gate control to the elected officials gate located at the Government Center, in the amount of \$2,553.20.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38609 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount \$60,000.00 to the Professional Services Agreement between Hays County and RPS Infrastructure, Inc. for additional design services and construction phase services on the RM 12 at RM 3237 Intersection Improvements project in Precinct 3, as part of the Hays County Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Shell explained the original bids were too high, so the project is being split up and rebid.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Contract Amendment No. 2 in the amount \$60,000.00 to the Professional Services Agreement between Hays County and RPS Infrastructure, Inc. for additional design services and construction phase services on the RM 12 at RM 3237 Intersection Improvements project in Precinct 3, as part of the Hays County Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38610 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$610,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Dacy Lane project, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

Commissioner Ingalsbe explained this will authorize BGE to oversee the construction engineering and inspection services for the Dacy Lane project and ensure the construction is in compliance with Hays County specifications.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$610,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Dacy Lane project, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38611 Discussion and possible action to accept the maintenance bond rider extension from Lockhart Excavation, LLC for an additional two months to July 14, 2023 for Heaton Hollow subdivision (Maintenance bond #61BSBID3153 in the amount of \$80,548.01).

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extension from Lockhart Excavation, LLC for an additional two months to July 14, 2023 for Heaton Hollow subdivision (Maintenance bond #61BSBID3153 in the amount of \$80,548.01).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38612 Hold a public hearing with possible action to establish a No Dumping zone on Old Bastrop Hwy on the cul-du-sac south of Redwood Road.

Judge Becerra opened the public hearing at 10:38 a.m. No comments were made. Judge Becerra closed the public hearing at 10:38 a.m. Commissioner Ingalsbe stated there has been a lot of illegal dumping at this site. Mark Kennedy, General Counsel, spoke about a more enhanced program that is in the works for enforcing No Dumping zones.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to establish a No Dumping zone on Old Bastrop Hwy on the cul-du-sac south of Redwood Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38613 Hold a public hearing with possible action to establish a 3-way stop location on Longbow Lane at the intersection with Whistling Wind Lane in the Woodcreek North subdivision.

Judge Becerra opened the public hearing at 10:41 a.m. No comments were made. Judge Becerra closed the public hearing at 10:41 a.m. Commissioner Shell explained the initial proposal was for a different location, but after further analysis this location was chosen and should improve safety issues.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to establish a 3-way stop location on Longbow Lane at the intersection with Whistling Wind Lane in the Woodcreek North subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38614 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #30166330 in the amount of \$1,035,391.42, acceptance of the 2-year maintenance bond #PB03016800942 in the amount of \$55,051.65, and acceptance of the 1-year revegetation bond #PB03016800941 in the amount of \$26,400.82 for 6 Creeks subd., Phase 1, Section 13B.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the subdivision bond #30166330 in the amount of \$1,035,391.42, accept the 2-year maintenance bond #PB03016800942 in the amount of \$55,051.65, and accept the 1-year revegetation bond #PB03016800941 in the amount of \$26,400.82 for 6 Creeks subd., Phase 1, Section 13B.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38615 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$1,834,350.00 for the 272 AC Fitzhugh Subdivision.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept fiscal surety for street and drainage improvements in the amount of \$1,834,350.00 for the 272 AC Fitzhugh Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38616 PLN-2089-NP; Discussion and possible action regarding the Anthem, Phase 4B, Final Plat.

Marcus Pacheco, Director of Development Services, gave background on the property and stated it has full staff recommendation.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Anthem, Phase 4B, Final Plat (PLN-2089-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38617 Discussion and possible action to authorize the execution of an agreement with HDR Architecture, Inc. for Phase 2 of the long-term Facility Space Needs Assessment for the Precinct 4 offices in Dripping Springs and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Smith explained plans for a shared facility for Hays County and the City of Dripping Springs. Judge Becerra gave support for this idea.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of an agreement with HDR Architecture, Inc. for Phase 2 of the long-term Facility Space Needs Assessment for the Precinct 4 offices in Dripping Springs and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38618 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Centro Cultural Hispano de San Marcos, Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Ingalsbe stated she expects to come back with more funding opportunities in the next few weeks. Judge Becerra thanked those who contributed to this effort.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Centro Cultural Hispano de San Marcos, Inc regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38619 Discussion and possible action to consider granting a variance to Section 10.W.1 of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of 1324 Old Martindale Rd., San Marcos, TX.

Commissioner Ingalsbe stated these variances have been granted recently. Marcus Pacheco, Director of Development Services, explained the issue with the City of San Marcos that caused this request.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to grant a variance to Section 10.W.1 of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of 1324 Old Martindale Rd., San Marcos, TX.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38620 Discussion and possible action to award a contract for IFB 2023-B07 Precinct 2 Office - Parking Lot Expansion with Faulkenberg Construction Company Inc. in the amount of \$572,458.76.

Commissioner Cohen explained this will create more parking at the Precinct 2 Office.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to award a contract for IFB 2023-B07 Precinct 2 Office - Parking Lot Expansion with Faulkenberg Construction Company Inc. in the amount of \$572,458.76.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38621 Discussion and possible action to adopt and reaffirm Civil Rights Policies and Procedures to include the HUD Section 3 presentation for the TxCDBG Hays County Cedar Oaks Mesa Waterline Improvement Project, Contract CDV21-0346.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt and reaffirm Civil Rights Policies and Procedures to include the HUD Section 3 presentation for the TxCDBG Hays County Cedar Oaks Mesa Waterline Improvement Project, Contract CDV21-0346.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38622 Discussion and possible action to authorize a salary exception at the 25th percentile retroactive to January 19, 2023 for the Executive Assistant position in the Office of the Hays County Judge and amend budget accordingly.

Judge Becerra explained this is an administrative item. Commissioner Smith reminded department heads that percentile changes must be brought to the Court for approval.

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to authorize a salary exception at the 25th percentile retroactive to January 19, 2023 for the Executive Assistant position in the Office of the Hays County Judge and amend budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38623 Discussion and possible action to approve vendors for the April 29th Dia del Nino event by Community Action in accordance with the Hays County Property Use Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve vendors for the April 29th Dia del Nino event by Community Action in accordance with the Hays County Property Use Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38624 Discussion and possible action to declare an emergency use of General Fund reserves pursuant to Texas Local Government Code, Ch. 111.010(c) for debris removal as a result of the Winter Storm on January 30th through February 2, 2023 and amend the budget accordingly.

Commissioner Shell explained the County must declare an emergency in order to use General Fund reserves after the adoption of the budget, and that some programs to put those funds towards have been identified. Mike Jones, Director of Emergency Services, suggested committing \$250,000. The Court discussed debris clean up strategies and the need to avoid fueling wildfires. Commissioner Shell amended his motion to use up to \$500,000 from General Fund reserves for debris removal.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to declare an emergency use of General Fund reserves pursuant to Texas Local Government Code, Ch. 111.010(c) for debris removal up to \$500,000 as a result of the Winter Storm on January 30th through February 2, 2023 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38625 Discussion and possible action to re-grade the Assistant Pre-trial Services Director grade 114 to a grade 115 effective February 16, 2023.

Commissioner Shell explained the need for a re-grade for this new position. Randy Focken, Director of Court and Pretrial Services, stated this re-grade would provide separation between positions and avoid compression. Shari Miller, Director of Human Resources, provided more details about the projected growth of the office and the need for a re-grade. Focken stated the position will most likely need to be re-graded to 116 after the salary study is complete. Vickie Dorsett, Hays County Budget Officer, provided the fiscal impact of re-grading to 116. Commissioner Shell amended his motion to change the re-grade from 115 to 116.

A motion was made by Commissioner Shell, seconded by Judge Becerra to re-grade the Assistant Pre-trial Services Director grade 114 to a grade 116 effective February 16, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38626 Discussion and possible action to authorize the Juvenile Detention Center to hire a Licensed Mental Health Counselor position, slot 0921-002 at the 50th percentile effective February 16, 2023.

Brett Littlejohn, Juvenile Detention Center Facility Administrator, stated this position has been vacant and this is the only applicant since last August.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Juvenile Detention Center to hire a Licensed Mental Health Counselor position, slot 0921-002 at the 50th percentile effective February 16, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38627 Discussion and possible action to authorize a salary exception at the 22.71 percentile for the Customer Service Representative, slot 0342-018 in the Development Services Department effective February 21, 2023.

Marcus Pacheco, Director of Development Services, explained the candidate's qualifications, including being bilingual, and stated there is no additional funding requested due to a retirement. Judge Becerra spoke about the need for more bilingual employees and additional compensation for them. Commissioner Smith spoke about the high volume of work Development Services handles.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a salary exception at the 22.71 percentile for the Customer Service Representative, slot 0342-018 in the Development Services Department effective February 21, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38628 Discussion and possible action to add two replacement leased vehicles through the Enterprise Master Services Agreement and police lighting through Dana Safety Supply for the Constable Pct. 1 Office and amend the budget accordingly.

Judge Becerra called on David Peterson, Constable Precinct 1, and Deputy Daniel Law to answer questions about the vehicles being replaced. The Court discussed the County's permitted uses of cars, including for personal use and transportation to other employment, and suggested revisiting and reconsidering the policy. Marisol Villarreal-Alonzo, County Auditor, asked the Court to also revisit reporting requirements so that they can be standardized across the County.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to add two replacement leased vehicles through the Enterprise Master Services Agreement and police lighting through Dana Safety Supply for the Constable Pct. 1 Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38629 Discussion and possible action to authorize execution of an Interlocal Agreement between Hays County and the City of San Marcos, Texas, related to the 2022 Byrne Justice Assistant Grant Program Award.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution of an Interlocal Agreement between Hays County and the City of San Marcos, Texas, related to the 2022 Byrne Justice Assistant Grant Program Award.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:03 p.m. and resumed back into open court at 1:59 p.m.

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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

No action taken.

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.

No action taken.

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of real property located at 101 Thermon Drive, San Marcos. Possible discussion and/or action may follow in open court.

No action taken.

38630 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 located at 2400 N IH 35, San Marcos. Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe stated the Court already authorized execution of the Purchase Agreement, and General Counsel typically attends closing and signs the remainder of documents related to the transaction.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize General Counsel to take all actions and execute all documents incidental to closing the transaction between Hays County and landowners for the County's purchase of 2400 N IH-35 in San Marcos, Precinct 1.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Executive Session pursuant to Section 551.071 of the Texas Government Code: consultation with counsel regarding the County's Reinvestment Zone Policy; and regarding Tax Increment Reinvestment Zone (TIRZ) #2 in Kyle. Possible deliberation and/or action may follow in open court.

No action taken.

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding Cause Numbers 22-0249-C, 22-0250-C, and 22-0251-C . Possible discussion and/or action may follow in open court.

No action taken.

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 614 for the week of February 5, 2023, with a peak of 627 inmates on February 10, 2023. The estimated cost for outsourcing inmates this week was \$170,042. The average number of outsourced males is 255 and females is 17. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 21.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

38631 Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.

Commissioner Smith spoke about the issue of the Texas Department of Criminal Justice not accepting its inmates in a timely manner, resulting in the County having to hold and transport state inmates without reimbursement. Commissioner Ingalsbe further spoke about unfunded mandates from the State and what actions counties can take during the legislative session.

A motion was made by Commissioner Smith, seconded by Judge Becerra to adopt a Resolution regarding Texas Department of Criminal Justice Inmates.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Smith spoke about the need for County land use authority in order to maintain some local control over development, especially in areas with both rural and suburban development like Hays County. Commissioner Ingalsbe stated this has been an issue with the State Legislature since the late 1990s.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Resolution regarding County Land Use Authority.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Smith explained West Travis County Public Utility Agency does not have the same abilities as other water providers in Texas, and spoke about the need to reduce stress on the aquifer. Judge Becerra gave support for protecting the aquifer.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Resolution regarding the Procurement of Adequate Water Resources and Equitable Water Service Provider Authority by the West Travis County Public Utility Agency (WTCPUA).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra


5 - 0 Passed - Unanimously

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 2:00 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 14, 2023.





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



HAYS COUNTY COMMISSIONERS' COURT
MINUTES



FEBRUARY 28, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 28th DAY OF FEBRUARY A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Hillary Lockhart, Heart of Christ Fellowship Church, 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

Enrique Ospina made a public comment concerning election integrity.

Introduction of the new 4-H & Youth Program Coordinator, Sierra Murray, to the Hays County Commissioners Court.

Kate Blankenship, Family and Community Health Agent for the Hays County Texas A&M AgriLife Extension Office, introduced Sierra Murray, the new 4-H & Youth Program Coordinator to the Court. Sierra Murray spoke about her time so far in the position and thanked the Court for the opportunity. Commissioner Smith spoke about the importance of the 4-H program and its expansion into all areas of the County. Judge Becerra offered his office's support to the program.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Southside Community Center.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to the Southside Community Center. Rodrigo Amaya made a public comment concerning the Southside Community Center and management of resources. Commissioner Ingalsbe spoke about the Center's services. Deborah Villalpando, Director of Operations for the Southside Community Center, elaborated on the many services and supplies that they offer. Marisol Villarreal-Alonzo, County Auditor, gave background on the funding and expenditure process the County follows.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the KZSM, San Marcos Texas Community Radio Association.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to KZSM for emergency response equipment.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Lone Star Cattlemen Foundation.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to the Lone Star Cattlemen Foundation. Rodrigo Amaya made a public comment concerning the use of the funds and the organization's location. Commissioner Smith spoke about the organization and the benefits they provide to the youth of Hays County.



Trey Powers, founder of the Lone Star Cattlemen Foundation, clarified that their Treasurer lives in Fredericksburg which is why they use that location for banking, and spoke about their fundraising gala and the impact the COVID pandemic had on it. He spoke about their mission and how they support the County's 4-H and FFA youth.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Livestock Exposition.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to the Hays County Livestock Exposition. Commissioner Smith spoke about the organization and the benefits they provide to the youth of Hays County. Jeff Dodd, Board Member of the Hays County Livestock Exposition, spoke about the organization's mission and the facility enhancements and scholarships these funds will go toward.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Wimberley Village Library Foundation.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to the Wimberley Village Library Foundation.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Office of Emergency Services FirstNet.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to the Hays County Office of Emergency Services FirstNet emergency response system.

Presentation by Halff regarding an update on the 2020 Parks Bond Program.

Dan Lyon made a public comment asking for these projects to be voted on by Hays County residents. Commissioner Smith spoke about the large majority of votes this program received. Judge Becerra gave support for Texas State University students and their involvement in the community. James Hemenes, Bond Program Manager with Halff, provided an update on various 2020 Parks Bond Program projects, including funding and recommendation status. Anais Cruz, Public Involvement Consultant with Halff, informed the Court of the website haysparksbond.com and their electronic newsletter. The Court spoke about the importance of these projects.

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 Marisol Villarreal-Alonzo from the Government Finance Officers Association (GFOA).

Marisol Villarreal-Alonzo, County Auditor, recognized her staff for being awarded the Certificate of Achievement for Excellence in Financial Reporting from the GFOA and spoke about their work.

38632 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38633 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38634 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38635 Approve specifications for RFP 2023-P05 Jail Food Services and authorize Purchasing to advertise and solicit for proposals.

Rodrigo Amaya made a public comment concerning sourcing local food. Marisol Villarreal-Alonzo, County Auditor, spoke about the jail's process of obtaining monthly quotes on food. The Court discussed the bidding process and how to better involve local businesses. Commissioner Ingalsbe tabled the item for later discussion.

Clerk's Note: Item G-4 was reopened at 11:57 a.m.

Captain Julie Villalpando, Hays County Jail Support Services Division, spoke about difficulties with hiring due to low salaries and explained the jail would like to explore the option of hiring a management company for food services. The Court discussed the jail's changing needs and how to address them moving forward.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to approve specifications for RFP 2023-P05 Jail Food Services and authorize Purchasing to advertise and solicit for proposals.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38636 Accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 3.

Commissioner Cohen clarified this is for Precinct 2, not Precinct 3.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38637 Authorize the submission of a grant renewal to the Department of State Health Services (DSHS) FY24 Regional Local Services System/Local Public Health Services (RLSS/LPHS) in the amount of \$102,926.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of a grant renewal to the Department of State Health Services (DSHS) FY24 Regional Local Services System/Local Public Health Services (RLSS/LPHS) in the amount of \$102,926.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38638 Authorize the execution of a no-cost contract amendment to the DSHS Public Health Workforce Grant contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a no-cost contract amendment to the DSHS Public Health Workforce Grant contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38639 Authorize Building Maintenance to replace the 10-ton HVAC rooftop unit #4 (RTU-4) at the Hays County Courthouse in the amount of \$17,102.24 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to replace the 10-ton HVAC rooftop unit #4 (RTU-4) at the Hays County Courthouse in the amount of \$17,102.24 and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38640 Authorize payment to Austin Extreme Graphics for vehicle graphics to a 2022 Chevrolet Tahoe in the amount of \$805.17 for the Hays County Constable, Pct. 4 Office, in which a purchase order was not obtained per the County Purchasing Policy and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Austin Extreme Graphics for vehicle graphics to a 2022 Chevrolet Tahoe in the amount of \$805.17 for the Hays County Constable, Pct. 4 Office, in which a purchase order was not obtained per the County Purchasing Policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38641 Authorize Building Maintenance to install a handicap push-button operator system in the amount of \$5,492.36 on the elected officials' existing rear entrance door of the Government Center and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to install a handicap push-button operator system in the amount of \$5,492.36 on the elected officials' existing rear entrance door of the Government Center and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38642 Approve out-of-state travel, utilizing the Sheriff's Office Continuing Education Funds, for Emergency Communications Manager Megan Jones and Emergency Communications Officers Sean Best, Tori Tyler, Haley Campbell, and Samantha Peterson to attend the Navigator Conference on April 17-20, 2023, in Denver, Colorado.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve out-of-state travel, utilizing the Sheriff's Office Continuing Education Funds, for Emergency Communications Manager Megan Jones and Emergency Communications Officers Sean Best, Tori Tyler, Haley Campbell, and Samantha Peterson to attend the Navigator Conference on April 17-20, 2023, in Denver, Colorado.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38643 Authorize the Sheriff's Office to accept a donation of \$750.00 from the San Marcos Lions Club for the 2023 Jr. Deputy program and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to accept a donation of \$750.00 from the San Marcos Lions Club for the 2023 Jr. Deputy program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38644 Authorize the Sheriff's Office to use existing funds to purchase three drones valued at \$19,864.13.

Commissioner Shell spoke about various uses for the drones. Judge Becerra expressed privacy concerns from the public and tabled the item for later discussion.

Clerk's Note: Item G-13 was reopened at 11:31 a.m.

Captain Shane Smith, Hays County Sheriff's Office, answered questions from Judge Becerra about the drones and their uses, and explained they are already in the budget. Commissioner Smith spoke about privacy concerns and encouraged the public to contact the Sheriff's Office with any questions about drone use. Captain Smith explained this will reduce wait time when a drone is needed.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Sheriff's Office to use existing funds to purchase three drones valued at \$19,864.13.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38645 Authorize payment to Quantum Towing of \$750.00 for an evidentiary tow for the Sheriff's Office in which no purchase order was issued as required per the County Purchasing Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Quantum Towing of \$750.00 for an evidentiary tow for the Sheriff's Office in which no purchase order was issued as required per the County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38646 Authorize payment to Enterprise Fleet Management of \$11,946.50 for settlement charges related to a totaled lease vehicle in the Sheriff's Office and amend the budget accordingly.

Vickie Dorsett, Hays County Budget Officer, provided more details about this item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Enterprise Fleet Management of \$11,946.50 for settlement charges related to a totaled lease vehicle in the Sheriff's Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38647 Amend the County Judge's operating budget to reimburse the travel expenses in the amount of \$593.16 for in-person evaluation of the conditions of detention centers for outsourced inmates.

Rodrigo Amaya made a public comment concerning the cost of sending someone in-person to evaluate. Judge Becerra spoke about his visit to evaluate the jail conditions. Commissioner Shell and Commissioner Smith spoke about their preference of using travel allowances for these types of trips as opposed to the County's General Fund.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the County Judge's operating budget to reimburse the travel expenses in the amount of \$593.16 for in-person evaluation of the conditions of detention centers for outsourced inmates.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38648 Approve the filing of Tax Assessor-Collector Jenifer O'Kane's Continuing Education Transcript as required by Section 6.231 (d) of the Texas Property Tax Code.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the filing of Tax Assessor-Collector Jenifer O'Kane's Continuing Education Transcript as required by Section 6.231 (d) of the Texas Property Tax Code.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38649 Approve payment of \$375.00 to Waldrup Insurance Agency for the annual Tax Assessor Collector fidelity bond where no purchase order was issued as required per the County Purchasing Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payment of \$375.00 to Waldrup Insurance Agency for the annual Tax Assessor Collector fidelity bond where no purchase order was issued as required per the County Purchasing Policy.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38650 Authorize expenditures of up to \$1,500.00 for a public Easter Egg Hunt Event to be held on the Courthouse Grounds on April 2, 2023 and amend the budget accordingly.

Judge Becerra spoke about past events and their success.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize expenditures of up to \$1,500.00 for a public Easter Egg Hunt Event to be held on the Courthouse Grounds on April 2, 2023 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38651 Authorize the Juvenile Probation Department to purchase vehicle equipment valued at \$5,023.91 from Dana Safety Supply, Inc. for the 2018 Dodge Caravan leased vehicle and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Juvenile Probation Department to purchase vehicle equipment valued at \$5,023.91 from Dana Safety Supply, Inc. for the 2018 Dodge Caravan leased vehicle and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38652 Authorize payment to Applied Concepts, Inc. for repairs to a LIDAR Radar System in the amount of \$527.50 for the Hays County Constable Pct. 4 Office, in which a purchase order was not obtained per County policy and amend the budget accordingly.

Commissioner Smith clarified the actual cost for this is under \$500 and the extra charge was for shipping.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Applied Concepts, Inc. for repairs to a LIDAR Radar System in the amount of \$527.50 for the Hays County Constable Pct. 4 Office, in which a purchase order was not obtained per County policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38653 Authorize the execution of an MOU with the Department of State Health Services related to the Texas Syndromic Surveillance (TxS2) system.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of an MOU with the Department of State Health Services related to the Texas Syndromic Surveillance (TxS2) system.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38654 Approve Utility Permits.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38655 Approve the appointment of Commissioner Michelle Cohen to the CARTS Board of Directors.



Commissioner Smith congratulated Commissioner Cohen on her appointment and stated he is looking forward to working together with her on the issue of reaching residents in rural areas of the County.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the appointment of Commissioner Michelle Cohen to the CARTS Board of Directors.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38656 Accept the delivery of the Internal Examination reports for Fiscal Year 2022 Hays County Sheriff's Office Federal Discretionary Account, Fiscal Year 2021 Hays County Sheriff Chapter 59 Asset Forfeiture Account, and Fiscal Year 2022 Hays County Constable Precinct 2 Chapter 59 Asset Forfeiture Account.

Dan Lyon made a public comment concerning unreported funds. Marisol Villarreal-Alonzo, County Auditor, explained the report has been corrected and filed appropriately.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the delivery of the Internal Examination reports for Fiscal Year 2022 Hays County Sheriff's Office Federal Discretionary Account, Fiscal Year 2021 Hays County Sheriff Chapter 59 Asset Forfeiture Account, and Fiscal Year 2022 Hays County Constable Precinct 2 Chapter 59 Asset Forfeiture Account.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38657 Authorize the County Judge to execute a Contract Amendment between Hays County and SHI Governmental Solutions pursuant to our Microsoft Enterprise Enrollment Agreement (49746921) to add the County Judge as the official signatory on all contracts.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment between Hays County and SHI Governmental Solutions pursuant to our Microsoft Enterprise Enrollment Agreement (49746921) to add the County Judge as the official signatory on all contracts.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38658 Approve the upgrades to areas C, D, and Main Jail Visitation Areas in the Hays County Jail with Cornerstone Detention Products, Inc. pursuant to the GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

Commissioner Ingalsbe stated the attorney visitation expansion will be coming at a later Court date.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the upgrades to areas C, D, and Main Jail Visitation Areas in the Hays County Jail with Cornerstone Detention Products, Inc. pursuant to the GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38659 Authorize and/or ratify execution of a Fourth Amendment to the Countywide Dumpster Contract (IFB 2021-B12), in relation to debris removal under the Declaration of Local Disaster, as authorized by Section 262.031(a) of the Texas Local Government Code.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize and/or ratify execution of a Fourth Amendment to the Countywide Dumpster Contract (IFB 2021-B12), in relation to debris removal under the Declaration of Local Disaster, as authorized by Section 262.031(a) of the Texas Local Government Code.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38660 Approve the Hart Intercivic repair's estimate in the amount \$5,525.00 for 13 Verity Duo Machines that are no longer under warranty, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D).

Dan Lyon made a public comment concerning the cost and quality of the equipment. Marisol Villarreal-Alonzo, County Auditor, and Commissioner Smith clarified this is only the estimate for the work that is to be done.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the Hart Intercivic repair's estimate in the amount \$5,525.00 for 13 Verity Duo Machines that are no longer under warranty, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 11:04 a.m. and resumed back into open court at 11:13 a.m.

38661 Authorize the submission of a renewal grant application to the DSHS FY24 Infection Disease Control Unit/Surveillance and Epidemiology (IDCU-SUR) grant program in the amount of \$165,000.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the submission of a renewal grant application to the DSHS FY24 Infection Disease Control Unit/Surveillance and Epidemiology (IDCU-SUR) grant program in the amount of \$165,000.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-31 RE: *Approve the appointment of County Judge Ruben Becerra as Hays County Historical Commission Chair.* - **WAS PULLED.**

38662 Authorize the County Judge to execute a Contract Amendment with JM Engineering, LLC. related to HVAC - Maintenance and Repair Services, Countywide pursuant to RFP 2020-P01, increasing our overall contract to \$164,770.84, a 6% increase.

Dan Lyon made a public comment asking for more information on preventative maintenance. Commissioner Smith clarified this is adding additional units to an existing contract. Commissioner Shell suggested having County staff complete some of the maintenance.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a Contract Amendment with JM Engineering, LLC. related to HVAC - Maintenance and Repair Services, Countywide pursuant to RFP 2020-P01, increasing our overall contract to \$164,770.84, a 6% increase.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38663 Authorize payment to Chuck Nash Auto Group for vehicle repair (replacement of lifters, manifold, and gaskets, plus labor) to a 2015 Chevrolet Tahoe in the amount of \$6075.51 for the Hays County Constable, Pct. 4 Office, in which a purchase order was not obtained.

Dan Lyon made a public comment concerning the cost of the item and the repairs being done. Vickie Dorsett, Hays County Budget Officer, explained the delays the County has experienced in receiving replacement vehicles. Commissioner Smith spoke about the issues and cost that will arise from these delays.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Chuck Nash Auto Group for vehicle repair (replacement of lifters, manifold, and gaskets, plus labor) to a 2015 Chevrolet Tahoe in the amount of \$6075.51 for the Hays County Constable, Pct. 4 Office, in which a purchase order was not obtained.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38664 Authorize the Sheriff's Office to transfer two non-law enforcement vehicles (white fleet) to the Pre-trial Services Department effective immediately.

Commissioner Shell clarified which vehicles are being transferred. The Court discussed anticipating the need for new vehicles.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to transfer two non-law enforcement vehicles (white fleet) to the Pre-trial Services Department effective immediately.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38665 Authorize additional funding for the Justice of the Peace Pct. 5 for continuing education training and amend the budget accordingly.

Commissioner Smith thanked Judge Bryant for her thoroughness in the submission process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize additional funding for the Justice of the Peace Pct. 5 for continuing education training and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38666 Approve the appointment of Sharri Boyett to the Animal Advisory Committee.

Judge Becerra thanked Sharri Boyett for her service.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointment of Sharri Boyett to the Animal Advisory Committee.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38667 Authorize the County Judge to execute a First Amended and Restated Professional Services Agreement with Dr. Steven Logsdon related to pre-employment psychological evaluations and fit-for-duty evaluations for prospective and current employees of the Hays County Sheriff's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a First Amended and Restated Professional Services Agreement with Dr. Steven Logsdon related to pre-employment psychological evaluations and fit-for-duty evaluations for prospective and current employees of the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38668 Receive and Ratify the finalized Parks Bond Agreements: the Funding Commitment Agreement between Hays County and the City of Woodcreek; Interlocal Agreement between Hays County and the City of San Marcos for funding the Purchase of Easements and Right of Way for the Purgatory Creek Improvements Project and the Interlocal Agreement Hays County and the City of Buda, TX for the Improvement of Park Facilities at Sites Owned by the City of Buda.

Dan Lyon made a public comment against the item.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to receive and Ratify the finalized Parks Bond Agreements: the Funding Commitment Agreement between Hays County and the City of Woodcreek; Interlocal Agreement between Hays County and the City of San Marcos for funding the Purchase of Easements and Right of Way for the Purgatory Creek Improvements Project and the Interlocal Agreement Hays County and the City of Buda, TX for the Improvement of Park Facilities at Sites Owned by the City of Buda.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38669 Amend the County Clerk's Records Management Fund for additional continuing education funds related to the Tyler Technology annual conference held in May 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to amend the County Clerk's Records Management Fund for additional continuing education funds related to the Tyler Technology annual conference held in May 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38670 Discussion and possible action to award contract for IFB 2023-B11 Darden Hill @ Sawyer Ranch Roundabout to Aaron Concrete Contractors, LLC in the amount of \$3,587,296.50.

Dan Lyon made a public comment concerning the price of the contract. Commissioner Smith explained the need for the roundabout due to the recent construction of schools in the area, and how choosing a roundabout over a traditional intersection has allowed for the preservation of a heritage oak tree. Starting construction now will ensure project completion by the start of school in the fall.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award contract for IFB 2023-B11 Darden Hill @ Sawyer Ranch Roundabout to Aaron Concrete Contractors, LLC in the amount of \$3,587,296.50.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38671 Discussion and possible action to approve a Change Order to the Professional Services Agreement between Hays County and WSB for additional engineering and inspection services related to the FM 2770 turn lane project.

Commissioner Smith clarified this is located in Precinct 4. Jerry Borcharding, Director of Transportation, explained the changes to the agreement.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve a Change Order to the Professional Services Agreement between Hays County and WSB for additional engineering and inspection services related to the FM 2770 turn lane project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38672 Discussion and possible action to authorize the County Judge to execute an Advance Funding Agreement between Hays County and the Texas Department of Transportation relating to the Jacobs Well Road (CR 182) Improvement from 0.425 east of Mount Sharp Road to 0.6 miles east of Mount Sharp Road and amend the budget accordingly.

Dan Lyon made a public comment concerning the cost of the project. Commissioner Shell explained this has been identified as a dangerous section of road with a new school nearby and spoke about how the County is funding the project with federal and state tax dollars.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an Advance Funding Agreement between Hays County and the Texas Department of Transportation relating to the Jacobs Well Road (CR 182) Improvement from 0.425 east of Mount Sharp Road to 0.6 miles east of Mount Sharp Road and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38673 Discussion and possible action to authorize the execution of Change Order No. 12 in the amount of \$1,077,457.36 to the Construction Contract with Sterling Delaware Holding Company for the FM 1626 South project from FM 2770 to RM 967 as part of the Pass-Through Finance Program and amend the budget accordingly.

Dan Lyon made a public comment concerning the number of change orders and the cost. Commissioner Smith explained the number of change orders is not surprising due to the scope of this project. Mark Kennedy, General Counsel, spoke about delays due to COVID and weather. Jerry Borcharding, Director of Transportation, stated the County did its due diligence to ensure the charges are reasonable and appropriate.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of Change Order No. 12 in the amount of \$1,077,457.36 to the Construction Contract with Sterling Delaware Holding Company for the FM 1626 South project from FM 2770 to RM 967 as part of the Pass-Through Finance Program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38674 Discussion and possible action to authorize the County Judge to execute an interlocal agreement between Hays County and the City of Buda related to the study of the SH 45 Southwest Gap Project and amend the budget accordingly.

Dan Lyon made a public comment concerning the cost of the project. Commissioner Smith explained the roadway is not within Buda city limits, but the city is willing to pay for a portion of it due to the project's importance.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an interlocal agreement between Hays County and the City of Buda related to the study of the SH 45 Southwest Gap Project and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38675 Discussion and possible action to accept the maintenance bond rider extension from DNT Construction, Inc. until July 6, 2023 for Shadow Creek subdivision, Phase 9, Section 2 - bond #1848963 in the amount of \$180,609.38.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to accept the maintenance bond rider extension from DNT Construction, Inc. until July 6, 2023 for Shadow Creek subdivision, Phase 9, Section 2 - bond #1848963 in the amount of \$180,609.38.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38676 PLN-1962-NP; Discussion and possible action regarding the Anthem North, Phase 1 N, Preliminary Plan (aka Freedom Subdivision).

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval of the preliminary plan.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Anthem North, Phase 1 N, Preliminary Plan (aka Freedom Subdivision) (PLN-1962-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38677 PLN-2124-NP; Discussion and possible action regarding the Ecclesia Subdivision, Preliminary Plan (1 Lot).



Marcus Pacheco, Director of Development Services, gave background on the property, stated staff recommends conditional approval, and explained the conditions.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to conditionally approve the Ecclesia Subdivision, Preliminary Plan (1 Lot) (PLN-2124-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38678 PLN-2099-PC; Las Lomas, Sec 2, Lot 3-C, Replat; Call for a Public Hearing on March 14th, 2023, followed by discussion and possible action regarding the Las Lomas, Sec 2, Lot 3-C, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a Public Hearing on March 14th, 2023, followed by discussion and possible action regarding the Las Lomas, Sec 2, Lot 3-C, Replat (PLN-2099-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38679 Discussion and possible action to authorize the Information Technology Director to execute equipment quotes for ordering new or replacement Cradlepoint devices through Axon Enterprise, Inc.

Jeff McGill, Director of Information Technology, explained the item and the quote process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Information Technology Director to execute equipment quotes for ordering new or replacement Cradlepoint devices through Axon Enterprise, Inc.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38680 Discussion and possible action to approve vendors for the May 6th Cinco de Mayo Menudo Throwdown 2023 event by Hill Country Cook-Off Association in accordance with the Hays County Property Use Policy.

Judge Becerra spoke about the community's use of the courthouse grounds and the importance of this event. Richard Anzaldua spoke about the event, the many activities they will have, their efforts to expand, and beneficiaries of the fundraising.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to approve vendors for the May 6th Cinco de Mayo Menudo Throwdown 2023 event by Hill Country Cook-Off Association in accordance with the Hays County Property Use Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38681 Discussion and possible action to authorize the renaming of a portion of Dacy Lane to Science Hall Loop.

Commissioner Ingalsbe explained this is due to a new alignment of Dacy Lane. Marcus Pacheco, Director of Development Services, stated the addressing forms will not be sent out until the County finalizes and accepts the construction for the new alignment, most likely later this year.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the renaming of a portion of Dacy Lane to Science Hall Loop.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38682 Discussion and possible action to authorize the County Judge to execute the Social Service Funding Agreements between Hays County and Wimberley Independent School District (WISD), San Marcos Consolidated Independent School District (SMCISD), Hays Consolidated Independent School District (HCISD) and Dripping Springs Independent School District (DSISD) regarding recovery assistance for direct or indirect impacts of COVID-19 and behavior health care services and amend the budget accordingly.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to WISD, SMCISD, HCISD, and DSISD for behavioral and mental health support for their students. Commissioner Smith spoke about how this will allow the school districts flexibility in how to use these funds to fit their needs. Jeri Skrocki, HCISD Director of Safety and Security, thanked the Court for their support and spoke about how these funds will bring resources to the school district.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Social Service Funding Agreements between Hays County and Wimberley Independent School District (WISD), San Marcos Consolidated Independent School District (SMCISD), Hays Consolidated Independent School District (HCISD) and Dripping Springs Independent School District (DSISD) regarding recovery assistance for direct or indirect impacts of COVID-19 and behavior health care services and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38683 Discussion and possible action to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Local Health Department Mobile Vaccine Facility regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

Eric Boehning, Senior Project Manager for Ardurra, presented a plan to grant ARPA funds to the Hays County Local Health Department Mobile Vaccine Facility in order to better serve the County's more vulnerable population. Commissioner Ingalsbe spoke about the services the health department will be able to provide through this. Judge Becerra spoke about the importance of public health.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Local Health Department Mobile Vaccine Facility regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38684 Discussion and possible action to appoint and confirm the chairperson for the Hays County Historical Commission.

Commissioner Shell reviewed the timeline of events that occurred leading up to a meeting called for appointment of new chair. He stated the meeting was held, and Linda Coker was selected to be nominated as chair. Judge Becerra spoke about his role in the Historical Commission as an interim chair and the need for more representation and inclusivity within the Commission. The Court and Mark Kennedy, General Counsel, discussed the statute regarding historical commissions and how to interpret its rules for appointing an interim chair. Linda Coker, Hays County Historical Commission Courthouse Coordinator, and Lila Knight, Hays County Historical Commission Secretary, spoke about the process of appointing a chair and the events that have occurred over the last few weeks.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to appoint and confirm Linda Coker as the chairperson for the Hays County Historical Commission.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra

4 - 1 Passed



Clerk's Note: Executive Session began at 2:30 p.m. and resumed back into open court at 3:29 p.m.

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 within the office of Hays County Human Resources. Possible discussion and/or action may follow in open court.

Clerk's Note: Item L-1 was opened and discussed in open court.

Elaine Cardenas, County Clerk, read a statement prepared by Judge Becerra regarding Human Resource's involvement in the salary study and issues with employees and their timesheets. Daphne Tenorio, Hays County Treasurer, spoke about concerns with HR and its director, as well as issues with several employees and their position changes. Kelly Higgins, Hays County District Attorney, spoke about difficulties he has had hiring due to salaries and criticized the HR policy for raising salaries. Shari Miller, Director of Human Resources, addressed the concerns that were raised and answered questions from the Court regarding the salary study, employee position changes, and timesheets. The Court discussed the progress of the salary study and steps to take moving forward. Commissioner Shell expressed concern over discussing these topics in open court. No action taken.

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of Right of Way located at or near Windy Hill Road in Pct. 1. Possible discussion and/or action may follow in open court.

No action taken.

38685 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 located at 2400 N IH 35, San Marcos. Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe stated this is approximately 10 acres, is the former property of Sheriff Jack Gary, and is a useful connection piece in the Regional Parks Plan.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize use of ARPA funds for purchase of 2400 N IH 35; and to request that Ardurra confirm authority to use ARPA funds for that purpose.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38686 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.

Commissioner Smith noted DWC means Division of Workers Compensation. Mark Kennedy, General Counsel, clarified Hays County is under contract with Deep East Texas for workers compensation insurance.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Office of General Counsel to file a letter with Deep East Texas requesting they withdraw their appeal to the Division of Workers Compensation in relation to DWC number 21267805.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #L-5 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

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 Create. Possible discussion and/or action may follow in open Court.



No action taken.

38687 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 at 401 Veterans Drive, Kyle in Pct.3. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Lease Agreement between Hays County and CenTex AmVets Post 115, related to use of 401 Veteran's Drive, Kyle, TX.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - WAS PULLED.*

Clerk's Note Agenda Item #M-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs. - WAS PULLED.*

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Updates of community health assessment by local health department.

Matthew Gonzales, Health Equity and Community Engagement Program Manager with the Hays County Local Health Department, updated the Court on the progress of the community health assessment, including new community partners. He encouraged residents to attend the Community Vision Session at the San Marcos Public Library and speak about their concerns regarding public health.

Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.

Commissioner Smith updated the Court on bills related to the resolutions passed in a previous meeting and encouraged them to stay informed on their progress. Judge Becerra spoke about the importance of following the legislature. Commissioner Ingalsbe stated she is working on an unfunded mandate resolution. No action taken.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:34 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 28, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 14, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14th DAY OF MARCH A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd 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 Cardenas, County Clerk, read an emailed public comment from Lisa Rodriguez concerning possible re-grading of Justice Clerk positions. John Clark made a public comment concerning election integrity. James Reece made a public comment concerning the use of the courthouse grounds for vendors. Mary Mitchell made a public comment concerning election integrity. Laura Nunn made a public comment concerning election integrity. Rodrigo Amaya made a public comment concerning various County employees and their job performance, and the death of Joshua Wright. Dan Lyon made a public comment concerning high taxes. Daphne Tenorio, Hays County Treasurer, made a public comment updating the Court on employee W-2s, the Treasurer's Reports, and County investments. Randi Franks made a public comment concerning medical care in the Hays County Jail. Tatum Schutt made a public comment concerning medical care in the Hays County Jail. Elle Cross made a public comment concerning medical care in the Hays County Jail.

38688 Adopt a Proclamation recognizing March 24, 2023 as World TB Day for Hays County.

Amy Wolf, Hays County TB Communicable Disease Coordinator, presented TB case numbers for Hays County and spoke about the importance of treating cases as soon as possible to prevent the spread of the disease.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing March 24, 2023 as World TB Day for Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38689 Adopt a Proclamation recognizing March 18, 2023 as Public Defender Day in Hays County.

Jeff Hohl, Chief Public Defender/Supervising Attorney at Neighborhood Defender Service, spoke in support of the Proclamation and all those who work to provide indigent defense services. Rodrigo Amaya made a public comment concerning conditions in the Hays County Jail.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing March 18, 2023 as Public Defender Day in Hays County.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38690 Adopt a Proclamation recognizing March 2023 as Women's History Month to recognize the women of Hays County.

Anita Collins, Community Liason for the Hays County Judge and Representative of the Council for the Indigenous and Tejano Community, provided additional information that is to be included in the Proclamation, and recognized the named women who were present in the courtroom. Commissioner Smith suggested working with the Historical Commission to include more women in future Proclamations. Margie Villalpando, co-founder of Centro Cultural Hispano de San Marcos, spoke about the creation of the center and their mission. Rosina Valle, co-founder of Centro Cultural Hispano de San Marcos, thanked the Court for their support and spoke about the center's work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing March 2023 as Women's History Month to recognize the women of Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38691 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38692 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38693 Ratify the payment of the February 15, 2023 payroll disbursements as follows: Gross wages \$2,351,736.33, Withholdings & Deductions \$660,349.00, Benefits \$706,492.02. Payroll totals will be posted on the Hays County website.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the payment of the February 15, 2023 payroll disbursements as follows: Gross wages \$2,351,736.33, Withholdings & Deductions \$660,349.00, Benefits \$706,492.02. Payroll totals will be posted on the Hays County website.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38694 Ratify the payment of the February 28, 2023 payroll disbursements as follows: Gross wages \$3,133,877.96, Withholdings & Deductions \$903,800.70, Benefits \$880,771.53. Payroll totals will be posted on the Hays County website.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the payment of the February 28, 2023 payroll disbursements as follows: Gross wages \$3,133,877.96, Withholdings & Deductions \$903,800.70, Benefits \$880,771.53. Payroll totals will be posted on the Hays County website.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38695 Approve the payment of the March 15, 2023 payroll disbursements in an amount not to exceed \$3,900,000.00 effective March 15, 2023 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 March 15, 2023 payroll disbursements in an amount not to exceed \$3,900,000.00 effective March 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38696 Approve Commissioners Court Minutes of February 10, 2023 and February 14, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Commissioners Court Minutes of February 10, 2023 and February 14, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38697 Approve the cancelation of the Hays Commissioners Court on the following dates in 2023: July 18, August 29, September 26, October 3, 17, 31, November 14, 28 and December 12.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the cancelation of the Hays Commissioners Court on the following dates in 2023: July 18, August 29, September 26, October 3, 17, 31, November 14, 28 and December 12.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38698 Authorize the County Judge to execute the annual renewal agreement between Hays County Building Maintenance and Johnson Controls in the amount of \$10,900.00 for the preventative maintenance and repairs of the County's remote access thermostat system.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute the annual renewal agreement between Hays County Building Maintenance and Johnson Controls in the amount of \$10,900.00 for the preventative maintenance and repairs of the County's remote access thermostat system.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38699 Authorize the County Judge to sign a resolution of support for the establishment of a No Parking Zone on RM 12.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to sign a resolution of support for the establishment of a No Parking Zone on RM 12.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38700 Authorize the execution of an agreement between Building Maintenance and Flair Data Systems, Inc. for the preventative maintenance and repair services of the Uninterruptible Power Supply (UPS) devices located at the Public Safety Building.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of an agreement between Building Maintenance and Flair Data Systems, Inc. for the preventative maintenance and repair services of the Uninterruptible Power Supply (UPS) devices located at the Public Safety Building.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38701 Accept the 2022 Racial Profiling Report and the 2022 Annual Activity Report from Hays County Constable Office, Pct. 4.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept the 2022 Racial Profiling Report and the 2022 Annual Activity Report from Hays County Constable Office, Pct. 4.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38702 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 Cohen 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38703 Authorize the County Judge to execute a renewal service agreement with Smiths Detection, Inc. in the amount of \$9,386.00 for the general maintenance, inspections, and repairs of the industrial X-Ray security scanners located at the Hays County Government Center; authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a renewal service agreement with Smiths Detection, Inc. in the amount of \$9,386.00 for the general maintenance, inspections, and repairs of the industrial X-Ray security scanners located at the Hays County Government Center; authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38704 Authorize the Office of Emergency Services to transfer funds to continuing education in the Fire Marshal Fee Code Fund and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services to transfer funds to continuing education in the Fire Marshal Fee Code Fund and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38705 Approve out-of-state travel for Assistant Criminal District Attorney, Miranda Ebersole utilizing the DA Asset Forfeiture Funds to attend the Investigating and Prosecuting Sexual Assault conference in Atlanta Georgia.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve out-of-state travel for Assistant Criminal District Attorney, Miranda Ebersole utilizing the DA Asset Forfeiture Funds to attend the Investigating and Prosecuting Sexual Assault conference in Atlanta Georgia.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38706 Ratify the execution of a Temporary Construction Easement between Hays County and The United States of American, Department of Labor regarding the relocation of utility easements on the Gary Job Corps Center property for the FM 110 construction project.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to ratify the execution of a Temporary Construction Easement between Hays County and The United States of American, Department of Labor regarding the relocation of utility easements on the Gary Job Corps Center property for the FM 110 construction project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38707 Authorize the resubmission of a grant application to FEMA. (Federal Emergency Management Agency) in the amount of \$307,733.80.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the resubmission of a grant application to FEMA. (Federal Emergency Management Agency) in the amount of \$307,733.80.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38708 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38709 Authorize the execution of an extension to RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 91 days (June 30, 2023) for \$5,000.00 monthly, plus any additional Letter of Credit Fees and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(4).

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of an extension to RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 91 days (June 30, 2023) for \$5,000.00 monthly, plus any additional Letter of Credit Fees and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38710 Authorize the submission of a grant application to the Department of Justice, State Criminal Alien Assistance Program (SCAAP).

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a grant application to the Department of Justice, State Criminal Alien Assistance Program (SCAAP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38711 Authorize the Hays County Criminal District Attorney to purchase on (1) replacement Dell Laptop with accessories valued at \$1,694.97 utilizing DA- Drug Forfeiture Funds and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Hays County Criminal District Attorney to purchase on (1) replacement Dell Laptop with accessories valued at \$1,694.97 utilizing DA- Drug Forfeiture Funds and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38712 Approve renewal of IFB 2022-B04 Cemetery Maintenance with Kyle Landscaping Services with the proposed 22% price increase.



Dan Lyon made a public comment against the price increase.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2022-B04 Cemetery Maintenance with Kyle Landscaping Services with the proposed 22% price increase.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38713 Accept three proposals from Beckwith Electronic Systems, LLC. for Courtroom 7 (\$3,112.00), Courtroom 9 (\$19,189.00), and Courtroom 10 (\$27,909.00); authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(7)(D).

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept three proposals from Beckwith Electronic Systems, LLC. for Courtroom 7 (\$3,112.00), Courtroom 9 (\$19,189.00), and Courtroom 10 (\$27,909.00); authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38714 Accept the 2022 Racial Profiling Report for the Hays County Sheriff's Office.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the 2022 Racial Profiling Report for the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38715 Approve out-of-state travel using Sheriff Drug Forfeiture Funds to send Sheriff Cutler, Sergeant Ryan Hayden, Sergeant Mark Opiela, Corporal David Marshall, Corporal David Maddocks, Detective Eric Zediker, Detective Brian Wahlert, and Deputy Anthony Hipolito to National Police Week on May 11-16, 2023, in Washington, D.C., and amend the budget accordingly.

Dan Lyon made a public comment against the item.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve out-of-state travel using Sheriff Drug Forfeiture Funds to send Sheriff Cutler, Sergeant Ryan Hayden, Sergeant Mark Opiela, Corporal David Marshall, Corporal David Maddocks, Detective Eric Zediker, Detective Brian Wahlert, and Deputy Anthony Hipolito to National Police Week on May 11-16, 2023, in Washington, D.C., and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38716 Authorize the Sheriff's Office to accept a donation of \$500.00 from the Wimberley VFW Post 6441 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Sheriff's Office to accept a donation of \$500.00 from the Wimberley VFW Post 6441 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38717 Approve the appointment of Commissioner Michelle Gutierrez Cohen and reconfirm the appointment of Commissioner Debbie Gonzales Ingalsbe to the City of Kyle Tax Reinvestment Zone No. 2 board.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the appointment of Commissioner Michelle Gutierrez Cohen and reconfirm the appointment of Commissioner Debbie Gonzales Ingalsbe to the City of Kyle Tax Reinvestment Zone No. 2 board.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38718 Authorize the Transportation Department to purchase eight (8) TAPCO Post Mounted Speed Feedback Signs Street Smart Rentals, LLC. in the amount of \$36,684.00 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Transportation Department to purchase eight (8) TAPCO Post Mounted Speed Feedback Signs Street Smart Rentals, LLC. in the amount of \$36,684.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Authorize the Jail to use existing funds for repairs to the thermaduct system valued at \$25,595.58 and amend the budget accordingly.

Dan Lyon made a public comment concerning the cost of the item. Commissioner Cohen spoke about her concerns with the system. Judge Becerra suggested tabling the item until more information is available. No action taken.

38719 Approve the Appointment of Judge Chris Johnson, County Court at Law # 2, as the County Court at Law Representative for the Hays County Bail Bond Board Committee.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Appointment of Judge Chris Johnson, County Court at Law # 2, as the County Court at Law Representative for the Hays County Bail Bond Board Committee.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Authorize the County Judge to execute an Alarm System Monitoring Agreement and a Proposal with Security One, Inc. related to the addition of security camera's and equipment to the Precinct 3 Building.

Jordan Powell, Assistant General Counsel, stated the agreement is still being worked on and asked that this item be tabled. No action taken.

38720 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 4 in the amount of \$385,000.00 to the Professional Services Agreement between with BGE, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Darden Hill at Sawyer Ranch Roundabout; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

Commissioner Smith provided background on the project. Dan Lyon made a public comment against the item.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 4 in the amount of \$385,000.00 to the Professional Services Agreement between with BGE, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Darden Hill at Sawyer Ranch Roundabout; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38721 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Volkert, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call basis related to road improvement projects in Hays County.



Commissioner Smith stated this adds Volkert to the list of on-call providers for the County. Commissioner Shell stated there is no contract associated with this.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement between Hays County and Volkert, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call basis related to road improvement projects in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38722 Discussion and possible action to amend a Professional Services Agreement between Hays County and Cobb Fendley & Associates Inc. to add an additional \$43,000.00 in Right of Way acquisition services described in Exhibit C related to the proposed improvement of Windy Hill Road from the Kyle City Limits east to FM 2001; authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(4).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to amend a Professional Services Agreement between Hays County and Cobb Fendley & Associates Inc. to add an additional \$43,000.00 in Right of Way acquisition services described in Exhibit C related to the proposed improvement of Windy Hill Road from the Kyle City Limits east to FM 2001; authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38723 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$80,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4, as part of the 2016 Road Bond Program. This action utilizes a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Dan Lyon made a public comment against the item. Jerry Borcharding, Director of Transportation, stated this will cover additional TXDOT reviews and utility coordination which were not included in the original scope of work.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$80,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4, as part of the 2016 Road Bond Program. This action utilizes a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38724 Discussion and possible action to consider the release of the subdivision performance bonds #7901063583 in the amount of \$372,201.25 for Phase 4, and #7901063582 in the amount of \$863,725.25 for Phase 5 of the Trails at Windy Hill subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to release the subdivision performance bonds #7901063583 in the amount of \$372,201.25 for Phase 4, and #7901063582 in the amount of \$863,725.25 for Phase 5 of the Trails at Windy Hill subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38725 Discussion and possible action to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$69,260.00 (Letter of Credit No. 20234029).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$69,260.00 (Letter of Credit No. 20234029).



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38726 PLN-2099-PC: Las Lomas, Sec 2, Lot 3-C, Replat; Hold a Public Hearing followed by discussion with possible action regarding Las Lomas, Sec 2, Lot 3-C, Replat.

Judge Becerra opened the Public Hearing at 2:15 p.m. Elaine Cardenas, County Clerk, read an emailed public comment from Ellen and Mark Edwards against the proposed subdivision due to a lack of information, followed by a second comment stating no objection. Judge Becerra closed the Public Hearing at 2:17 p.m. Colby Machacek, Hays County Development Services Planning Department, gave background on the property and stated it has full staff recommendation.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Las Lomas, Sec 2, Lot 3-C, Replat (PLN-2099-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38727 PLN-2116-NP; Discussion and possible action regarding the Rocky Creek Estates subdivision final plat.

Colby Machacek, Hays County Development Services Planning Department, gave background on the property and stated it has full staff recommendation.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Rocky Creek Estates subdivision final plat (PLN-2116-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38728 PLN-2162-PC; Call for a Public Hearing on March 28th, 2023 followed by discussion and possible action regarding the Oakridge Park at Kinnicinik, Lot 7 & Part of Lot 6, Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on March 28th, 2023 followed by discussion and possible action regarding the Oakridge Park at Kinnicinik, Lot 7 & Part of Lot 6, Replat (PLN-2162-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-1 RE: *Discussion and possible action to authorize the County Judge to execute a proposal from Basic IDIQ Inc. for the repairs and awning replacements to the shade structures at 5 Mile Dam in the amount of \$36,240.41 and amend the budget accordingly. - WAS PULLED.*

Clerk's Note Agenda Item #K-2 RE: *Discussion and possible action to approve vendors for the September 23rd Mermaid Capital of Texas Fest organized by the San Marcos Mermaid Society in accordance with the Hays County Property Use Policy. - WAS PULLED.*

Presentation, discussion, and possible action of Classification and Compensation Study Report by Management Advisory Group International.

Dr. Russell Campbell, Senior Vice President of Management Advisory Group, reviewed the timeline of the project and explained the County delays. He spoke about various issues with the initial draft of the report, including it matching the pre-budgeted amount, salary compression throughout the County, and a lack of a mechanism to move forward in the salary structure. He presented a step and grade system and addressed inequities, position discrepancies, outdated policies and job descriptions, and morale problems. He recommended giving a 10% increase to employees that did not receive one in February, and implementing the study in October. The Court thanked Dr. Campbell for his work and discussed their concerns with the recommendation.

Clerk's Note: Judge Becerra called for a recess that began at 11:29 a.m. and resumed back into open court at 12:01 p.m.



Clerk's Note: Agenda Item K-3 was opened in Executive Session at 12:01 p.m. and resumed back into open court at 12:06 p.m.

The following elected official and department heads spoke in favor of the final report and expressed various concerns: Judge Jimmy Alan Hall, County Court at Law 1; David Peterson, Constable Precinct 1; Judge Sandra Bryant, Justice of the Peace Precinct 5; Kelly Higgins, District Attorney; Jennifer Doinoff, Elections Administrator; Jeff McGill, Director of Information Technology; Michael Berlad, Development Manager for Development Services, on behalf of Marcus Pacheco, Director of Development Services; Ron Hood, Constable Precinct 4; Jerry Borcharding, Director of Transportation; Beverly Crumley, Director of Countywide Operations; Elaine Cardenas, County Clerk. Vickie Dorsett, Hays County Budget Officer, presented various implementation plans at the request of the Court. The Court held a lengthy discussion on implementation plans and concluded the item should be brought back at the next meeting to allow elected officials and department heads the chance to review their employees' positions within the plan and request changes. No action taken.

38729 Discussion and possible action to authorize the County Judge to execute the Social Service Funding Agreement between Hays County and San Marcos Texas Community Radio Association, KZSM, regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Ingalsbe asked if this would transmit emergency services communication beyond city limits. Rob Rourke, Station Manager for KZSM, spoke about their radio and internet capabilities.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute the Social Service Funding Agreement between Hays County and San Marcos Texas Community Radio Association, KZSM, regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38730 Discussion and possible action to add TLIE insurance for CCal Judges Johnson, Brown, and Hall.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to add TLIE insurance for CCal Judges Johnson, Brown, and Hall.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38731 Discussion and possible action to commit \$2,500.00 to the Hays Consolidated Independent School District related to transformers needed to add street lighting on FM 150 near Simon Middle School and Hemphill Elementary School and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to commit \$2,500.00 to the Hays Consolidated Independent School District related to transformers needed to add street lighting on FM 150 near Simon Middle School and Hemphill Elementary School and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38732 Discussion and possible action to approve Amendment #2 to the Texas General Land Office (GLO) CDBG-MIT Grant Administration Contract with Langford Community Management Services, Inc. related to updating the County's Hazard Mitigation Plan.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Amendment #2 to the Texas General Land Office (GLO) CDBG-MIT Grant Administration Contract with Langford Community Management Services, Inc. related to updating the County's Hazard Mitigation Plan.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38733 Discussion and possible action to provide staff with direction regarding the implementation of the 10% pay increase to employees in Grades 106 to 113 who are not bound by the Collective Bargaining Agreement which was approved by the Commissioners Court on January 31, 2023.

Daphne Tenorio, Hays County Treasurer, asked the Court for guidance on how to proceed with increases to employee salaries for those already at the maximum of their pay range. Vickie Dorsett, Hays County Budget Officer, stated those over the maximum usually receive a lump sum at the beginning of the fiscal year. Tenorio suggested monthly stipend payments to assure only those currently employed receive the payment.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to implement the 10% pay increase to employees in Grades 106 to 113 who are not bound by the Collective Bargaining Agreement and who are at the maximum of their pay grade, which was approved by the Commissioners Court on January 31, 2023, as a monthly stipend payment.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38734 Discussion and possible action to adopt a resolution, to support the passage of legislation, including an amendment to the Constitution of the State of Texas that would prohibit the imposition of unfunded mandates on Texas Counties.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a resolution, to support the passage of legislation, including an amendment to the Constitution of the State of Texas that would prohibit the imposition of unfunded mandates on Texas Counties.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38735 Discussion and possible action to execute a service order with Astound Business Solutions related to fiber and data services for the building located at 101 Thermon Drive, San Marcos; authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D).

Jeff McGill, Director of Information Technology, explained this is for fiber and data services for the new building for Countywide Operations, and is a standard agreement that exists for other Hays County buildings.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to execute a service order with Astound Business Solutions related to fiber and data services for the building located at 101 Thermon Drive, San Marcos; authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38736 Discussion and possible action to establish an operating budget for the Combined Emergency Communications Center (CECC) department and amend the budget accordingly.

Commissioner Shell introduced Stephanie Robinson, the new Director of the Combined Emergency Communications Center department. Commissioner Ingalsbe thanked her for her service. Stephanie Robinson thanked the Court for the opportunity.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to establish an operating budget for the Combined Emergency Communications Center (CECC) department and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38737 Discussion and possible action to review and approve a preliminary Hays County budget calendar for Fiscal Year 2024.



Vickie Dorsett, Hays County Budget Officer, spoke about the upcoming FY24 budget calendar.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve a preliminary Hays County budget calendar for Fiscal Year 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38738 Discussion and possible action to authorize the Commissioner Pct. 2 Office to submit Community Project Funding requests to the House Appropriations Committee through Congressman Greg Casar, 35th District of Texas.

Judge Becerra spoke about his excitement for this project. Commissioner Cohen spoke about various projects, including a ladder for the Kyle Fire Department and a community center on the East side of the County. Commissioner Smith spoke about his experience on this Congressional Committee and offered his assistance in the submission process.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to authorize the Commissioner Pct. 2 Office to submit Community Project Funding requests to the House Appropriations Committee through Congressman Greg Casar, 35th District of Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38739 Discussion and possible action to execute a Participation Agreement between Hays County and Choice Partners Cooperative related to participating in Food/Cafeteria related contracts with Choice Partners Cooperative for the 2022-2023 school year.

Commissioner Ingalsbe stated this is a yearly agreement.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to execute a Participation Agreement between Hays County and Choice Partners Cooperative related to participating in Food/Cafeteria related contracts with Choice Partners Cooperative for the 2022-2023 school year.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action to adopt the use of Texas Local Government Code 232.110; and to direct staff towards implementation.

Elaine Cardenas, County Clerk, read an emailed public comment from Ann Clearkin asking for a delay in the approval of the resolution until more information can be provided to residents. Carrie Napiorkowski made a public comment against the construction of an amphitheater and the effects it may have on traffic and safety. Commissioner Smith explained the resolution and the process of passing an ordinance that would set standards for use of this statute. Mark Kennedy, General Counsel, clarified this resolution provides direction to staff. Commissioner Smith spoke about the impact this would have on Hays County. Commissioner Smith and Carrie Napiorkowski discussed the need for a feasibility study and safety concerns. Commissioner Shell asked for more time before voting. No action taken.

38740 Discussion and possible action to award a contract for IFB 2023-B13 Contractor for IT-Elections Building Renovation to Trimbuilt Construction, Inc., \$1,088,798.73 and amend the budget accordingly.

Jennifer Doinoff, Elections Administrator, provided additional information about the bid received. Commissioner Shell reminded the Court it was known that the building would need to be modified when it was purchased, and there will be future bids for electrical, HVAC, and plumbing work, which is being contracted separately.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award a contract for IFB 2023-B13 Contractor for IT-Elections Building Renovation to Trimbuilt Construction, Inc., \$1,088,798.73 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38741 Discussion regarding the proposed Mission Oaks Development Agreement; and possible action to consider tabling the item for a later date.

Commissioner Smith explained he would like to delay this item while the agreement is being worked on. Mark Kennedy, General Counsel, clarified the rules for posting notices and asked Commissioner Smith to identify a future court date for this.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to table the proposed Mission Oaks Development Agreement until March 28, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action regarding the contract between Hays County and McCreary, Veselka, Bragg, and Allen, PC for delinquent collections.

Mark Kennedy, General Counsel, explained this item is needed in order for the contract for delinquency collection for District and County Courts at Law to open for bids and not auto-renew. Stacy Gold, Shareholder with McCreary, Veselka, Bragg, and Allen, asked for the item to be tabled to give adequate time to prepare for discussion. Daphne Tenorio, Hays County Treasurer, spoke against auto-renewing contracts and about the importance of receiving competitive bids. No action taken.

38742 Discussion and possible action to approve a resolution in support of the creation of a District Court within Hays County.

Commissioner Shell explained the County has done this in the past. Commissioner Smith suggested looking at County Court at Law courts in the future as well.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve a resolution in support of the creation of a District Court within Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38743 Discussion and possible action to award RFP 2023-P04 Countywide Electrical to CT Electric and authorize staff and General Counsel to negotiate a contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award RFP 2023-P04 Countywide Electrical to CT Electric and authorize staff and General Counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 3:33 p.m. and resumed back into open court at 3:46 p.m.

38744 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 Right of Way located at or near Windy Hill Road in Pct. 1 & 2. Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe explained that since this is a "whole take", the landowner will be relocating to another location, yet to be determined.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a Purchase Agreement for Parcel 66 of the Windy Hill project located in Precinct 1, owned by Augustin Gonzalez, as presented in Executive Session; to authorize counsel to execute all documents incidental to closing; and to authorize staff and consultants to carry out the process of providing relocation services and support to landowner, using TXDOT standards to do so.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize execution of a Purchase Agreement for Parcel 38 of the Windy Hill project located in Precinct 2, owned by Thomas and Theresa Lemman, as presented in Executive Session; and to authorize counsel to execute all documents incidental to closing.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38745 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 Right of Way located at or near Darden Hill Road in Pct. 4. Possible discussion and/or action may follow in open court.

Commissioner Smith stated this is for 2.595 acres of property that will help service Phase II of the Darden Hill project, and in return, Hays County contractors will build the roundabout project to help service the school onsite.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize execution of a Right of Way Agreement for the Darden Hill Roundabout project between Dripping Springs Independent School District and Hays County, as presented in Executive Session; to authorize execution of Right of Way License Agreement between the same parties; and to authorize counsel to execute all documents incidental to closing.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 615 for the week of March 5, 2023, with a peak of 625 inmates on March 10, 2023. The estimated cost for outsourcing inmates this week was \$163,700. The average number of outsourced males is 249 and females is 13. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 28.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Updates of community health assessment by local health department.

Matthew Gonzales, Health Equity and Community Engagement Program Manager with the Hays County Local Health Department, spoke about the recently held Community Visioning Session and the Vision Statement that was created as a result, upcoming assessments, and outreach efforts.

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*

Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken.



MARCH 14, 2023


Randy Focken, Director of Court and Pre-Trial Services, introduced the new Assistant Director, Albert Sierra, and updated the Court on the progress of the newly formed department. He spoke about how the delays with the salary study have impacted the office and its ability to recruit employees. He praised Jeff McGill, the Director of Information Technology, for his commitment and involvement in developing the technological aspect of the department. He spoke about the need for more mental health services and specialists, his collaboration with other department heads and elected officials, risk assessments, and diversion programs. He provided a target month of May for starting inmate interviews.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:48 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 MARCH 14, 2023.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 28, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 28th DAY OF MARCH A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Chad Chaddick, First Baptist Church San Marcos, 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

Dan Lyon made a public comment concerning County spending and requests for American Rescue Plan Act funds. Rodrigo Amaya made a public comment concerning the County's contracts with McCreary, Veselka, Bragg & Allen. Enrique Ospina made a public comment concerning election integrity.

Honor Diana Gil for 25 years of service to Hays County in the Tax Office.

Jennifer O'Kane, Hays County Tax Assessor-Collector, recognized Diana Gil for her service to the County and its residents.

38746 Adopt a Proclamation recognizing the week of April 3, 2023, as National Public Health Week for Hays County.

Commissioner Ingalsbe thanked the Hays County Local Health Department (HCLHD) employees for their work. Matthew Gonzales, Health Equity and Community Engagement Program Manager with the HCLHD, spoke about the importance of public health in a rapidly growing area. Tammy Crumley, Director of Countywide Operations, recognized the HCLHD employees, including Margie Rodriguez for her 30 years of service. Commissioner Smith thanked the employees for their work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing the week of April 3, 2023, as National Public Health Week for Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38747 Adopt a Proclamation recognizing April 6, 2023 as Tejano Day.

Dan Lyon made a public comment recognizing Roy Benavidez for his service in Vietnam. Anita Collins, Office of the Hays County Judge, invited the public to a Tejano Day celebration at the State Capitol in Austin on April 6th. Samuel Guzman, Chairman of the Texas Association of Mexican American Chambers of Commerce, thanked the Court for the Proclamation and spoke about the importance of the Spanish language.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing April 6, 2023 as Tejano Day.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Tommy Dodd Memorial Buyers Group.

Eric Boehning, Senior Project Manager with Ardurra, spoke about the impact the COVID pandemic had on the organization and presented a plan to allocate ARPA funds to them. Commissioner Smith spoke about the organization's mission.

38748 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38749 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38750 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38751 Approve Commissioners Court Minutes of February 28, 2023 and March 14, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Commissioners Court Minutes of February 28, 2023 and March 14, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38752 Approve the payment of the March 31, 2023 payroll disbursements in an amount not to exceed \$4,500,000.00 effective March 31, 2023 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 March 31, 2023 payroll disbursements in an amount not to exceed \$4,500,000.00 effective March 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-6 RE: *Authorize Building Maintenance to purchase and install two new Herman Miller cubicle spaces valued at \$13,354.01 for the Development Services Office.* - WAS PULLED.

38753 Authorize Building Maintenance to replace the 12.5 ton HVAC rooftop unit #3 (RTU-3) at the Hays County Courthouse in the amount of \$29,476.64 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to replace the 12.5 ton HVAC rooftop unit #3 (RTU-3) at the Hays County Courthouse in the amount of \$29,476.64 and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38754 Authorize the acceptance of a grant award to the Hays County Sheriff's Office from the NRA (National Rifle Association) in the amount of \$16,000.00 for training ammunition.

Commissioner Ingalsbe explained this would fund the purchase of ammunition used by the Sheriff's Office for training. The Court discussed accepting this grant in light of recent school shootings.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of a grant award to the Hays County Sheriff's Office from the NRA (National Rifle Association) in the amount of \$16,000.00 for training ammunition.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra

4 - 1 Passed

Approve the filing of Treasurer Daphne Tenorio's Continuing Education Certificates to include New Treasurers' Seminar, Open Meetings Act completion and Public Information Act completion.

Commissioner Smith explained this item is not needed for elected officials to file their Continuing Education Certificates. No action taken.

38755 Approve and confirm the appointment of Jason Hatch, Shaun Booth, Erica Saenz, Tyvester Neal, Alberto Rodriguez, Frank Rodriguez, Teddy Grabarkewitz as regular full-time Deputy Constable's in the Hays County Constable Precinct 1 Office.

Rodrigo Amaya made a public comment concerning the approval process and number of deputies employed. Judge Becerra explained the Constable Precinct 1 Office will be taking over security for the Government Center from the Sheriff's Office. David Peterson, Constable Precinct 1, spoke about the deputies and their experience.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve and confirm the appointment of Jason Hatch, Shaun Booth, Erica Saenz, Tyvester Neal, Alberto Rodriguez, Frank Rodriguez, Teddy Grabarkewitz as regular full-time Deputy Constable's in the Hays County Constable Precinct 1 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 11:50 a.m. and resumed back into open court at 12:05 p.m.

38756 Authorize the execution of the Dripping Springs Space Needs Assessment Phase 1 Additional Services agreement between Hays County and HDR Architectural Inc. in the amount of \$6,500.00 related to a long-term space needs assessment for the Precinct 4 offices that was originally executed on or about August 2, 2022 and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Smith explained this is for the work done with individual department heads during the space needs assessment.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of the Dripping Springs Space Needs Assessment Phase 1 Additional Services agreement between Hays County and HDR Architectural Inc. in the amount of \$6,500.00 related to a long-term space needs assessment for the Precinct 4 offices that was originally executed on or about August 2, 2022 and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38757 Authorize the County Judge to support the Department of Sociology at Texas State University with their mental health dashboard focus groups by using \$300.00 of the County Judge's budgeted Community Program funds and approve disbursement of funds.

Marisol Villarreal-Alonzo, County Auditor, clarified this is approval for the release of the disbursement.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to support the Department of Sociology at Texas State University with their mental health dashboard focus groups by using \$300.00 of the County Judge's budgeted Community Program funds and approve disbursement of funds.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38758 Authorize the execution of a no-cost extension to the Department of State Health Services, COVID-19 Health Disparities Grant contract.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a no-cost extension to the Department of State Health Services, COVID-19 Health Disparities Grant contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38759 Authorize the Transportation Department to purchase one new vehicle error code scanner from Snap-On Industrial in the amount of \$2,859.16 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Transportation Department to purchase one new vehicle error code scanner from Snap-On Industrial in the amount of \$2,859.16 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38760 Authorize the Veteran's Administration Office to utilize grant funds from the Texas Veteran's Commission to establish a Food Voucher Service and Vehicle Gasoline Program as authorized through the granting agency.

Commissioner Ingalsbe thanked Jude Prather for his work with these programs.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Veteran's Administration Office to utilize grant funds from the Texas Veteran's Commission to establish a Food Voucher Service and Vehicle Gasoline Program as authorized through the granting agency.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38761 Ratify the submission of grant application to the Walmart Community Foundation for the Hays County Unmanned Robotics Team in the amount of \$5,000.00.

Commissioner Ingalsbe expressed concerns with this item and privacy. Captain Shane Smith, Hays County Sheriff's Office Law Enforcement Bureau, explained the intended use of the drones. Judge Becerra spoke about a letter received from Congress against the use of DJI drones due to security concerns. Captain Smith explained the Sheriff's Office does not use DJI's cameras or streaming capabilities, just the drones as platforms to carry cameras. The Court discussed cybersecurity risks and concluded this item is acceptable since the company in question is not being used for cameras.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the submission of grant application to the Walmart Community Foundation for the Hays County Unmanned Robotics Team in the amount of \$5,000.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38762 Approve and confirm the appointment of Eهران M. Wenzel as a regular full-time Deputy Constable in the Hays County Constable, Precinct 2 Office.

Michael Torres, Constable Precinct 2, presented Deputy Wenzel and spoke about his experience. Deputy Wenzel introduced himself to the Court. Commissioner Cohen welcomed him to Precinct 2.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Eهران M. Wenzel as a regular full-time Deputy Constable in the Hays County Constable, Precinct 2 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38763 Approve Utility Permits.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38764 Authorize the Jail to use existing funds for repairs to the thermaduct system valued at \$25,595.58 and amend the budget accordingly.

Dan Lyon made a public comment concerning the repairs and a possible warranty. Commissioner Cohen stated this is not under warranty and this issue has occurred in the past. Charles Dauwalder, Facility Director for the Hays County Jail Complex, answered questions from the Court about the condition of the equipment.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the Jail to use existing funds for repairs to the thermaduct system valued at \$25,595.58 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38765 Approve the appointments of Kasey Studdard and Billy Foulds to the Hays County Development District #1, terms ending September 2026.

Commissioner Smith noted this is the first appointment of community residents into the district.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointments of Kasey Studdard and Billy Foulds to the Hays County Development District #1, terms ending September 2026.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38766 Approve the renewal of IFB 2019-B02 Road Building Materials - General Road Construction with Brauntex Materials, Inc. and Colorado Materials, Ltd.

Commissioner Shell noted this is an example of a contract renewal and the procedures department heads follow for it.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the renewal of IFB 2019-B02 Road Building Materials - General Road Construction with Brauntex Materials, Inc. and Colorado Materials, Ltd.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38767 Approve specifications for IFB 2023-B14 Courthouse Grounds Renovation and authorize Purchasing to solicit for bids and advertise.



Commissioner Ingalsbe explained the need for revegetation after hosting many events on the Courthouse Grounds.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2023-B14 Courthouse Grounds Renovation and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38768 Authorize the execution of a resolution and associated documents related to the General Land Office (GLO), Local Hazard Mitigation Plan Program (LHMPP).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a resolution and associated documents related to the General Land Office (GLO), Local Hazard Mitigation Plan Program (LHMPP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38769 Authorize the submission of a grant application to the Department of Justice for the Justice and Mental Health Collaboration Program in the amount of \$550,000.00 with a County cash match of \$155,000.00.

Randy Focken, Director of Pre-Trial Services, explained this is a collaboration with the Mental Health Court to develop a residential mental health facility and spoke about the grant process. Commissioner Ingalsbe spoke about the need for a diversion center. Focken spoke about the process of identifying resources and providers. Commissioner Smith encouraged the department to work with non-profit organizations.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a grant application to the Department of Justice for the Justice and Mental Health Collaboration Program in the amount of \$550,000.00 with a County cash match of \$155,000.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38770 Amend the Justice of the Peace Technology Fund for the JP Precinct 2 Office for continuing education related to the annual Tyler Technology conference held in San Antonio in May 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Justice of the Peace Technology Fund for the JP Precinct 2 Office for continuing education related to the annual Tyler Technology conference held in San Antonio in May 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38771 Authorize the Sheriff's Office to accept a donation of \$25,000 from Peter & Jill Attia for the Fentanyl Outreach Program and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to accept a donation of \$25,000 from Peter & Jill Attia for the Fentanyl Outreach Program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-27 RE: *Approve out-of-state travel for Deputy Anthony Hipolito and Deputy Mark Andrews to Arkansas City, Kansas beginning April 10-April 12, 2023, to conduct a fentanyl presentation for Arkansas City High School and citizens of the community.*
- WAS PULLED.



38772 Authorize the County Judge to execute a three (3) year Focus Complete Care Hardware Service Plan for \$7,105.19 between Hays County and ZNET Tech, LLC. for FARO, a 3D measuring tool for investigation purposes utilized by the Hays County Sheriff's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a three (3) year Focus Complete Care Hardware Service Plan for \$7,105.19 between Hays County and ZNET Tech, LLC. for FARO, a 3D measuring tool for investigation purposes utilized by the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38773 Authorize the purchase of one Fujitsu fi-8170 Document Scanner valued at \$1,232.00 and one 10-ft Conference Table valued at \$792.18 for the Pre-Trial Services Department and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the purchase of one Fujitsu fi-8170 Document Scanner valued at \$1,232.00 and one 10-ft Conference Table valued at \$792.18 for the Pre-Trial Services Department and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38774 Authorize execution of Amendment 1 to the Professional Services Agreement between Hays County and Initium Health pursuant to RFP 2022-P11 Community Health Assessment.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of Amendment 1 to the Professional Services Agreement between Hays County and Initium Health pursuant to RFP 2022-P11 Community Health Assessment.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38775 Authorize the County Judge to execute a Fifth Amendment to the Waste Connections Lone Star, Inc. Countywide Dumpster Contract (IFB 2021-B12), in relation to adding dumpster services to 101 Thermon Drive, San Marcos, TX, at \$17.78 per haul.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Fifth Amendment to the Waste Connections Lone Star, Inc. Countywide Dumpster Contract (IFB 2021-B12), in relation to adding dumpster services to 101 Thermon Drive, San Marcos, TX, at \$17.78 per haul.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38776 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement with Caldwell County relating to the County's FM 2001 East project.

Commissioner Ingalsbe explained this sets Hays County's responsibilities related to this project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Agreement with Caldwell County relating to the County's FM 2001 East project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38777 Discussion and possible action to accept the maintenance bond rider extension from DNT Construction, Inc. until June 6, 2023 for Great Hills subd., Section 7: Maintenance bond #PB03016800689 in the amount of \$66,811.47.

Commissioner Ingalsbe stated the Transportation Department agrees with and approves of this extension.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the maintenance bond rider extension from DNT Construction, Inc. until June 6, 2023 for Great Hills subd., Section 7: Maintenance bond #PB03016800689 in the amount of \$66,811.47.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38778 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #7901017121 in the amount of \$1,238,375.00, acceptance of the 2-year maintenance bond #PB03016800838M2 in the amount of \$111,648.28, and acceptance of the 1-year revegetation bond #PB03016800838M1 in the amount of \$54,201.00 for Crosswinds subd., Phase 6A.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the subdivision bond #7901017121 in the amount of \$1,238,375.00, accept the 2-year maintenance bond #PB03016800838M2 in the amount of \$111,648.28, and accept the 1-year revegetation bond #PB03016800838M1 in the amount of \$54,201.00 for Crosswinds subd., Phase 6A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38779 Discussion and possible action to accept surety for street and drainage improvements in the amount of \$2,934,946.93 (Performance Bond No. K41681767) for the Prairie Lakes Subdivision, Phase 2, Section 1, Final plat.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept surety for street and drainage improvements in the amount of \$2,934,946.93 (Performance Bond No. K41681767) for the Prairie Lakes Subdivision, Phase 2, Section 1, Final plat.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38780 Discussion and possible action to accept surety for street and drainage improvements in the amount of \$2,452,230.11 (Performance Bond No. K41681779) for the Prairie Lakes Subdivision, Phase 2, Section 2, Final plat.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept surety for street and drainage improvements in the amount of \$2,452,230.11 (Performance Bond No. K41681779) for the Prairie Lakes Subdivision, Phase 2, Section 2, Final plat.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38781 Discussion and possible action to accept surety for street and drainage improvements in the amount of \$24,916.91 (Irrevocable Letter of Credit No. 20234032) for the 6 Creeks, Phase 1, Section 9, Final plat.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept surety for street and drainage improvements in the amount of \$24,916.91 (Irrevocable Letter of Credit No. 20234032) for the 6 Creeks, Phase 1, Section 9, Final plat.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38782 Discussion and possible action to accept surety for street and drainage improvements in the amount of \$18,520.06 (Irrevocable Letter of Credit No. 20234033) for the 6 Creeks, Phase 1, Section 10, Final plat.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept surety for street and drainage improvements in the amount of \$18,520.06 (Irrevocable Letter of Credit No. 20234033) for the 6 Creeks, Phase 1, Section 10, Final plat.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

38783 Discussion and possible action to accept surety for street and drainage improvements in the amount of \$48,344.00 (Irrevocable Letter of Credit No. 20234030) for the 6 Creeks, Phase 1, Section 12, Final plat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept surety for street and drainage improvements in the amount of \$48,344.00 (Irrevocable Letter of Credit No. 20234030) for the 6 Creeks, Phase 1, Section 12, Final plat.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38784 Discussion and possible action to accept surety for street and drainage improvements in the amount of \$1,391,488.75 (Bond No 024267012) for the Waterstone, Phase 1-A, Final plat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept surety for street and drainage improvements in the amount of \$1,391,488.75 (Bond No 024267012) for the Waterstone, Phase 1-A, Final plat.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38785 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #0699738 in the amount of \$806,832.65, acceptance of the 2-year maintenance bond #PB03016800803M in the amount of \$177,475.03, and acceptance of the 1-year revegetation bond #PB03016800932 in the amount of \$65,413.40 for Crosswinds subd., Phase 4A.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept road construction & surface drainage improvements, release the subdivision bond #0699738 in the amount of \$806,832.65, accept the 2-year maintenance bond #PB03016800803M in the amount of \$177,475.03, and accept the 1-year revegetation bond #PB03016800932 in the amount of \$65,413.40 for Crosswinds subd., Phase 4A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38786 Discussion and possible action to accept surety for street and drainage improvements in the amount of \$2,576,049.56 (Bond No 9426154) for the Waterstone, Unit A, Final plat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept surety for street and drainage improvements in the amount of \$2,576,049.56 (Bond No 9426154) for the Waterstone, Unit A, Final plat.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38787 PLN-2165-PC; Call for a Public Hearing on April 11, 2023, followed by discussion and possible action regarding the Replat of Hays City Estates, Lot 9.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on April 11, 2023, followed by discussion and possible action regarding the Replat of Hays City Estates, Lot 9 (PLN-2165-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38788 PLN-2162-PC; Hold a Public Hearing, followed by discussion and possible action regarding the Oakridge Park at Kinnicinik, Lot 7 & Part of Lot 6, Replat.

Judge Becerra opened the Public Hearing at 12:43 p.m. No comments were made. Judge Becerra closed the Public Hearing at 12:43 p.m. Colby Machacek, Development Services Planning Department, provided details on the property and stated staff recommends conditional approval. Commissioner Smith noted this is combining lots into one, not creating multiple new lots.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve the Oakridge Park at Kinnicinik, Lot 7 & Part of Lot 6, Replat (PLN-2162-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38789 PLN-2123-NP; Discussion and possible action regarding Billeaud Acres.

Marcus Pacheco, Director of Development Services, provided details on the property and stated staff recommends approval.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Billeaud Acres (PLN-2123-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38790 PLN-2159-PC; Discussion and possible action regarding the Skyline I, Lot 7, Final.

Marcus Pacheco, Director of Development Services, provided details on the property and stated staff recommends conditional approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to conditionally approve the Skyline I, Lot 7, Final (PLN-2159-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38791 PLN-2100-PC; Hurlbut Ranch West, PT of Tract 20, Replat; Call for a Public Hearing on April 11th, 2023, followed by discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 20, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to call for a Public Hearing on April 11th, 2023, followed by discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 20, Replat (PLN-2100-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38792 PLN-2105-NP; Discussion and possible action regarding Sweet Blessings Ranch (4 Lots) and consider granting a variance to Hays County Development Regulations, Chapter 721.5.07(E).

Commissioner Shell explained the variance request. Colby Machacek, Development Services Planning Department, provided details on the property. Jon Thompson, representative for the applicant, stated the conditions are acceptable.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to conditionally approve Sweet Blessings Ranch (4 Lots) (PLN-2105-NP) and grant a variance to Hays County Development Regulations, Chapter 721.5.07(E).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38793 Discussion and possible action to approve vendors for the September 23rd Mermaid Capital of Texas Fest organized by the San Marcos Mermaid Society in accordance with the Hays County Property Use Policy.

Jamie Lynn Shelton, San Marcos Mermaid Society, spoke about the event.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve vendors for the September 23rd Mermaid Capital of Texas Fest organized by the San Marcos Mermaid Society in accordance with the Hays County Property Use Policy.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38794 Discussion and possible action to authorize the Criminal District Attorney (CDA) to hire two (2) new Attorney IIIs, one (1) Legal Assistant, one (1) Victim Assistance Coordinator and one (1) Paralegal plus related equipment/expenses effective May 1, 2023, to help reduce a backlog of un-filed cases and to improve the service provided to victims on domestic violence and stalking cases and amend the budget accordingly.

Rodrigo Amaya made a public comment concerning staffing issues and gave support for the DA. Gregg Cox, First Assistant District Attorney, explained a newly discovered backlog of cases, their progress on clearing it, a request for more staff, and their new approach to handling domestic violence cases. Judge Becerra spoke about the new direction of the DA's Office. Commissioner Ingalsbe gave support for the request. Commissioner Smith gave support for the request and spoke about supporting victims. Commissioner Shell gave support for the request. Kelly Higgins, Criminal District Attorney, spoke about the importance of moving cases through the system and gave an estimated timeline of about 6 months for clearing the backlog.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the Criminal District Attorney (CDA) to hire two (2) new Attorney IIIs, one (1) Legal Assistant, one (1) Victim Assistance Coordinator and one (1) Paralegal plus related equipment/expenses effective May 1, 2023, to help reduce a backlog of un-filed cases and to improve the service provided to victims on domestic violence and stalking cases and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38795 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Wimberley Valley Library Foundation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Wimberley Valley Library Foundation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38796 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Livestock Exposition regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Livestock Exposition regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38797 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Lonestar Cattlemen Foundation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Lonestar Cattlemen Foundation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38798 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Southside Community Center regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Southside Community Center regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38799 Discussion and possible action to authorize the County Judge to execute the Social Service Funding Agreement between Hays County and Hays County Child Protective Board regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute the Social Service Funding Agreement between Hays County and Hays County Child Protective Board regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-8 RE: *Discussion and possible action to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Office of Emergency Services FirstNet regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly. - WAS PULLED.*

38800 Discussion and possible action to authorize the Budget Office to purchase Digital Budget Book software through ClearGov, Inc. and amend the budget accordingly.

Vickie Dorsett, Hays County Budget Officer, explained this will eventually be used for the creation of more comprehensive budgets. Marisol Villarreal-Alonzo, County Auditor, added this will interface with New World.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Budget Office to purchase Digital Budget Book software through ClearGov, Inc. and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38801 Discussion and possible action on MAG Salary Study plan recommendations and request from elected officials and department heads.

Shari Miller, Director of Human Resources, provided the Court with an updated pay table that includes requests from department heads. The Court discussed the regrade requests and their positions in relation to the current market, and how to handle promotions and demotions within the grade and step plan.

A motion was made by Commissioner Smith, seconded by Judge Becerra to change the recommended grade for the Justice Clerk position from 113 to 114, and the Constable Justice Administrator position from 114 to 115.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



Commissioner Shell expressed concern over how to place employees in the step system. Commissioner Smith explained how the step system works in the Federal Government. Cynthia Millonzi, Assistant County Clerk, provided further clarification on the step system and leaving judgment of where to place employees in the system to the department heads. Vickie Dorsett, Hays County Budget Officer, provided possible implementation plans and their impact to the budget. The Court discussed delaying funding vacant positions and allocating a 10% salary increase to those that did not receive it in February.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt the new minimum salaries and salary grades as presented, give up to a 10% salary increase to positions in grades 114 and above and hired as of January 31, 2023, and delay funding vacant positions until July 1, 2023, all effective April 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38802 Discussion and possible action to award contract IFB 2023-B12 RM 12 @ RM 3237 to Aaron Concrete Contractors, LLC., in the amount of \$2,259,026.50 and amend the budget accordingly.

Commissioner Shell explained this project was separated and rebid, and this is the low bid.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to award contract IFB 2023-B12 RM 12 @ RM 3237 to Aaron Concrete Contractors, LLC., in the amount of \$2,259,026.50 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38803 Discussion and possible action to award contract IFB 2023-B03 Robert S. Light Boulevard to Hunter Industries, Ltd. in the amount of \$1,140,202.65.

Commissioner Smith stated this is a continuation of concrete work on an existing project and is the low bid.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award contract IFB 2023-B03 Robert S. Light Boulevard to Hunter Industries, Ltd. in the amount of \$1,140,202.65.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38804 Discussion and possible action to consider granting a variance to Section 10.W.1 of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of 1500 Quail Run, San Marcos, TX.

Commissioner Shell explained this will allow the landowners to complete construction of their facility while awaiting approval from the City of San Marcos.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to grant a variance to Section 10.W.1 of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of 1500 Quail Run, San Marcos, TX.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38805 Discussion and possible action to authorize the County Judge to execute an agreement between Hays County and CT Electric for Countywide Electrical Services, pursuant to RFP 2023-P04.

Commissioner Shell noted this contract includes a renewal clause.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an agreement between Hays County and CT Electric for Countywide Electrical Services, pursuant to RFP 2023-P04.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38806 Discussion and possible action to execute an Order Agreement, Product Schedule and Equipment Removal for the Sheriff's Office at the Precinct 2 Office (\$259.68 monthly), and Pre-Trial Services (\$188.59 monthly), as well as an Equipment Relocation Request for Countywide Operations (\$407.93) and amend the budget accordingly.

Randy Focken, Director of Pre-Trial Services, explained the fees for moving offices.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to execute an Order Agreement, Product Schedule and Equipment Removal for the Sheriff's Office at the Precinct 2 Office (\$259.68 monthly), and Pre-Trial Services (\$188.59 monthly), as well as an Equipment Relocation Request for Countywide Operations (\$407.93) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38807 Discussion and possible action to authorize additional ARPA funding related to the operational needs of the Mental Health Specialty Court and amend the budget accordingly.

Judge Elaine Brown, County Court at Law 3 and Mental Health Court, explained recently identified resources require contracts. Kaimi Mattila, Mental Health Court Administrator, updated the Court on the progress of the Mental Health Court and the need to expand services. Commissioner Shell spoke about integrating new technology into the County and thanked those involved with the creation of the Mental Health Court. Commissioner Ingalsbe thanked Judge Brown and Kaimi for their work to provide these services. Commissioner Cohen spoke about the importance of mental health and this new leadership's perspective. Commissioner Smith thanked Kaimi for her work and Judge Brown for picking up this project after her election. Commissioner Shell recognized former Judge Zelhart for starting this process.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize additional ARPA funding related to the operational needs of the Mental Health Specialty Court and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38808 Discussion and possible action to authorize the County Judge to execute mental health service contracts to expand services within the County Court at Law Mental Health Specialty Courts program with C. Nichole Mueller-McMorris, LCSW, Allison & Associates Counseling, PLLC, Lisa Hinson, LCDIC, Moonstone, PLLC; and execution of a contract with Horton House for transitional housing.

Commissioner Shell noted these contracts can be auto-renewed. Judge Brown, County Court at Law 3 and Mental Health Court, stated her department will ensure the services provided are satisfactory for auto-renewal. Commissioner Smith noted these contracts include a Not-To-Exceed amount. Judge Brown spoke about issues identifying resources and the effort to bring more programs to Hays County.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute mental health service contracts to expand services within the County Court at Law Mental Health Specialty Courts program with C. Nichole Mueller-McMorris, LCSW, Allison & Associates Counseling, PLLC, Lisa Hinson, LCDIC, Moonstone, PLLC; and execution of a contract with Horton House for transitional housing.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38809 Discussion and possible action to accept the Fiscal Year 2022 Hays County Annual Comprehensive Financial Report as audited by ABIP, PC Certified Public Accountants.



Jeremy Barbatto, Senior Manager at ABIP, PC, presented the financial report to the Court. The Court thanked the Auditor and her office for all their work. Marisol Villarreal-Alonzo, Hays County Auditor, stated more information will be available online by the end of the week.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the Fiscal Year 2022 Hays County Annual Comprehensive Financial Report as audited by ABIP, PC Certified Public Accountants.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38810 Discussion and possible action to table consideration of the proposed Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P. until April 11, 2023, or until some future date designated by Commissioners Court.

William Wagner Jr. made a public comment concerning emergency service access to the property, road conditions, and water availability. Dawn Brady Morris made a public comment concerning emergency service access, road conditions, density, and water conservation. Lauren Ice made a public comment concerning the proposed Development Agreement. Commissioner Smith spoke about the County's limited land-use authority and addressed the concerns that were expressed.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to table consideration of the proposed Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P. until April 11, 2023, or until some future date designated by Commissioners Court.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action to instruct that a policy be incorporated into the Hays County Purchasing Policy and Procedures Manual prohibiting the award of "evergreen" or auto-renewing contracts.

Judge Becerra explained the item. Mark Kennedy, General Counsel, and Marisol Villarreal-Alonzo, County Auditor, clarified the County's use of auto-renewing contracts. The Court discussed the advantages and disadvantages of auto-renewing contracts. Daphne Tenorio, County Treasurer, spoke against auto-renewing contracts. Commissioner Shell explained the Court already reviews every contract before approval. The Court further discussed auto-renewal and how to address it through County policy. No action taken.

Discussion and possible action to seek the review of and proposals from qualified applicants for the collection of delinquent property taxes.

Jennifer O'Kane, Hays County Tax Assessor-Collector, made a public comment explaining the firm is paid by the penalty fees they collect, not by the County, and gave her positive opinion on the work MVBA does. Daphne Tenorio, County Treasurer, asked the Court to review other options for delinquent property tax collection. Mark Kennedy, General Counsel, clarified what needs to be included on the agenda for an RFQ. Judge Becerra gave direction to the Tax Office to work with the Purchasing Department to create an RFQ that can be brought to the next court meeting. No action taken.

Discussion and possible action to seek the review of and proposals from qualified applicants for the collection of court fines and fees.

Mark Kennedy, General Counsel, explained the contracts and their timelines. Judge Becerra gave direction to the Auditor's Office to coordinate with the appropriate department heads to bring an RFQ to the next court meeting. No action taken.

38811 Discussion and possible action to authorize the County Judge to execute a Professional Service Agreement related to RFP 2022-P12 Pet Resource Center - Project Coordinator between Hays County and Austin Pets Alive! and amend the budget accordingly.



Commissioner Ingalsbe explained Austin Pets Alive! will be helping the County with the creation of a Pet Resource Center. Sharri Boyett, Hays County Animal Advocate Advisor, thanked all involved with this project. Clare Callison, Director of National Operations of Austin Pets Alive!, thanked the Court for the opportunity and spoke about the shelter model. The Court discussed with Vickie Dorsett, Hays County Budget Officer, how to fund this contract. Commissioner Ingalsbe amended her motion to include the allocation of funds.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Service Agreement related to RFP 2022-P12 Pet Resource Center - Project Coordinator between Hays County and Austin Pets Alive!, half funded from the Countywide Contingencies Fund and half funded from the Tobacco Settlement Fund, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38812 Discussion and possible action to call for a public hearing on April 25, 2023 to hear and finalize changes to the Hays County Food Establishment Regulations.

Marcus Pacheco, Director of Development Services, stated this is long overdue and is in line with the Texas Food Establishment Regulations Guidelines.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on April 25, 2023 to hear and finalize changes to the Hays County Food Establishment Regulations.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 3:15 p.m. and resumed back into open court at 4:30 p.m.

38813 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Shell stated the John Knox Ranch is approximately 220 acres, the Old Glory Ranch is 646 acres, and the Starnes Ranch is 52 acres. Hill Country Conservancy will be the primary holder to the Conservation Easements, while Hays County and NRCS will be co-holders. Conservation values include water quality, water quantity, wildlife habitat, and Golden Cheeked Warbler habitat. Hays County also intends to negotiate a trail easement on the Starnes Ranch project, which shall be done as a separate negotiation. Judge Becerra emphasized the significance of these conservation efforts.

A motion was made by Commissioner Shell, seconded by Judge Becerra to authorize the County Judge to execute Acquisition Cost-Share and Administration Agreements for Conservation Easements between Hays County, Hill Country Conservancy, and Natural Resources Conservation Service (NRCS), related to the acquisition of Conservation Easements on John Knox Ranch, Old Glory Ranch, and Starnes Ranch, as discussed and described in Executive Session; and to authorize General Counsel to execute all documents incidental to closing those transactions, all to be paid out of the 2020 Parks and Open Space Bond.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding Cause Numbers 22-0249-C, 22-0250-C, and 22-0251-C . Possible discussion and/or action may follow in open court.

John Doucet made a public comment concerning the construction of a roadway through a property. No action taken.

Clerk's Note Agenda Item #M-1 RE: Discussion and possible action related to the burn ban. - WAS PULLED.



Clerk's Note Agenda Item #M-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs. - WAS PULLED.*

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*

Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken.

Randy Focken, Director of Pre-Trial Services, explained a State Statute that addresses mental health and updated the Court on identifying candidates for pre-trial diversion. The Court discussed a schedule for these updates and concluded they can be given once a month at 10 a.m. Focken spoke about acquiring technology for case management and risk assessments.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 4:35 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 MARCH 28, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



APRIL 11, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11th DAY OF APRIL A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd 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

Dan Lyon made a public comment concerning County spending. Jack Gray Jr. made a public comment concerning the possibility of a road being constructed through his property. William Wagner Jr. made a public comment concerning unanswered public information requests regarding the proposed Development Agreement for Mission Oaks Condominiums. Carol Gaultney made a public comment in support of Jennifer Doinoff and the Elections Department. Randi Franks made a public comment concerning medical neglect in the Hays County Jail. Amy Kamp made a public comment concerning medical neglect in the Hays County Jail.

38814 Adopt a Proclamation recognizing Rosemary Burke Campise as the Founder of The Burke Foundation on its 50th anniversary.

The Court thanked Rosemary Campise for her service to Hays County residents. Commissioner Smith spoke about the services provided by the foundation. Judge Becerra spoke about his office's effort to raise awareness for all non-profits and organizations that help community members. Charlie Campise recognized individuals and organizations that contribute to the Burke Center.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing Rosemary Burke Campise as the Founder of The Burke Foundation on its 50th anniversary.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38815 Adopt a Proclamation declaring April 2023 as National Donate Life Month in Hays County.

S. Lemuel Bradshaw spoke about organ donations in Hays County and encouraged residents to register to become donors. The Court thanked Bradshaw for raising awareness for organ donation and for sharing his story.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring April 2023 as National Donate Life Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38816 Adopt a Proclamation recognizing April 2023 as Child Abuse Prevention and Awareness Month.

Melissa Rodriguez, CEO of the Hays-Caldwell Women's Center, spoke about child abuse prevention and sexual assault awareness. Julia Ramsay, Executive Director of the Greater San Marcos Youth Council, thanked the Court for their year-round support. Lee Ikels, President of the Hays County Child Protective Board, spoke about the Remme Rainbow Room. Brandi Raschke, Training Coordinator for CASA of Central Texas, spoke about their need for more volunteers. The Court thanked the organizations and their volunteers for their work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing April 2023 as Child Abuse Prevention and Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38817 Adopt a Proclamation recognizing April 2023 as World Autism Awareness Month.

The Court thanked the Tobias family for bringing awareness to this. Angelica Tobias thanked the Court for the Proclamation and thanked caregivers and parents who care for people with autism. Jerry Hendrix, Interim City Manager for the City of Kyle, spoke about the City Council's and his own experiences with autism.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing April 2023 as World Autism Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38818 Adopt a Proclamation recognizing April 9th - 15th, 2023, as National Telecommunicators Week.

Sheriff Cutler recognized Hays County's Emergency Communication Operators and spoke about the work they do for the community. The Court thanked the Emergency Communication Operators for their service.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing April 9th - 15th, 2023, as National Telecommunicators Week.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Update on Dripping Springs Tax Incremental Zone #1 and Zone #2 by David Edwards and Keenan Smith.

David Edwards, Chair of the Tax Incremental Zone #1 and #2 (TIRZ), spoke about their financial health and new projects. Keenan Smith, Project Manager for TIRZ #1 and #2, spoke about the following priority projects: Old Fitzhugh Road, Town Center, Stephenson Building, Downtown Parking, Downtown Drainage, Roadways, & Sidewalks, and Downtown Restrooms. Commissioner Smith clarified the Triangle project has been dropped because the Texas Department of Transportation is working on improvements in the area. Judge Becerra spoke about the advantages of a TIRZ. The Court thanked Edwards and Smith for their work.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Dripping Springs VFW Post 2933.

Commissioner Smith clarified the Dripping Springs VFW Post 2933 is a 501(C)(19) organization, and they experienced a COVID-related revenue loss of \$5,670.87.

Clerk's Note: Judge Becerra called for a recess that began at 10:40 a.m. and resumed back into open court at 10:47 a.m.

**38819 Approve payments of County invoices.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38820 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38821 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38822 Approve Commissioners Court Minutes of March 28, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of March 28, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38823 Approve the payment of the April 15, 2023 payroll disbursements in an amount not to exceed \$4,500,000.00 effective April 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of the April 15, 2023 payroll disbursements in an amount not to exceed \$4,500,000.00 effective April 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38824 Authorize the acceptance of a grant award from the Department of State Health Services (DSHS), Strengthening U.S. Public Health Infrastructure Grant (PHIG) Program in the amount of \$429,194.00 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Department of State Health Services (DSHS), Strengthening U.S. Public Health Infrastructure Grant (PHIG) Program in the amount of \$429,194.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38825 Authorize Building Maintenance to move the Health Department's vaccine generator from the Remme Rainbow Room to the new Health Department building located at 101 Thermon Drive and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize Building Maintenance to move the Health Department's vaccine generator from the Remme Rainbow Room to the new Health Department building located at 101 Thermon Drive and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38826 Authorize the County Judge to purchase consumable items in an amount not to exceed \$600.00 for the Mental Health First Aid Course to be held on May 16, 2023.

Vickie Dorsett, Hays County Budget Officer, stated Countywide Contingencies has been identified as a potential funding source for this.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to purchase consumable items in an amount not to exceed \$600.00 for the Mental Health First Aid Course to be held on May 16, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38827 Authorize the County Judge to execute a Professional Services Agreement with Tyler Technologies, Inc. for two days of onsite training for Financial Reporting modules used by the County Clerk, District Clerk, Treasurer and Auditor to meet County, State and Federal reporting requirements utilizing a discretionary exemption pursuant to Texas Local Government Code, Section 262.024(a)(7) and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement with Tyler Technologies, Inc. for two days of onsite training for Financial Reporting modules used by the County Clerk, District Clerk, Treasurer and Auditor to meet County, State and Federal reporting requirements utilizing a discretionary exemption pursuant to Texas Local Government Code, Section 262.024(a)(7) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38828 Approve out-of-state travel for Criminalist Kate Frederick to attend the Forensic Ultraviolet and Infrared Photography course on June 14-16, 2023, in Palm Beach Gardens, Florida.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve out-of-state travel for Criminalist Kate Frederick to attend the Forensic Ultraviolet and Infrared Photography course on June 14-16, 2023, in Palm Beach Gardens, Florida.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38829 Authorize the Sheriff's Office to use existing funds to purchase a training collar for the K9 Division valued at \$1,185.00 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds to purchase a training collar for the K9 Division valued at \$1,185.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38830 Authorize the execution of a commitment of funds letter to the Texas Department of Emergency Management (TDEM), Hazard Mitigation Grant Program, Post Fire Declaration.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a commitment of funds letter to the Texas Department of Emergency Management (TDEM), Hazard Mitigation Grant Program, Post Fire Declaration.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38831 Authorize the acceptance of a grant award from the Department of State Health Services (DSHS), FY24 Tuberculosis Prevention and Control - State Grant Program in the amount of \$39,611.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Department of State Health Services (DSHS), FY24 Tuberculosis Prevention and Control - State Grant Program in the amount of \$39,611.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38832 Accept the delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code, Chapter 114.023 and 114.025 for the first quarter of Fiscal Year 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code, Chapter 114.023 and 114.025 for the first quarter of Fiscal Year 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38833 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Burgess & Niple, Inc. to provide engineering services for the RM 2325 Sidewalk project in Precinct 3 pursuant to RFQ 2022-Q03 Engineering Services - RM 2325 Sidewalk.

Commissioner Shell clarified the scope and funding of the project.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement between Hays County and Burgess & Niple, Inc. to provide engineering services for the RM 2325 Sidewalk project in Precinct 3 pursuant to RFQ 2022-Q03 Engineering Services - RM 2325 Sidewalk.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38834 Discussion and possible action to authorize the execution of Change Order No. 5 in the amount of \$764,627.38 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB 2021-B02) project as part of the Hays County Road Bond Program in Precincts 2 and 1 and amend the budget accordingly.

Commissioner Ingalsbe explained this adds another sidewalk and pedestrian lighting, and the City of Kyle will reimburse the County for the cost of the project.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the execution of Change Order No. 5 in the amount of \$764,627.38 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB 2021-B02) project as part of the Hays County Road Bond Program in Precincts 2 and 1 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38835 Discussion and possible action to authorize the County Judge to execute a Contract Amendment No. 1 in the amount of \$15,000.00 to the Professional Services Agreement with BGE, Inc. for bidding and construction phase services on the Robert S. Light Boulevard project (RM 967 to IH 35 SBFR) in Precinct 4, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Smith explained this is for additional bidding and construction phase services and there is no overall change to the contract.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment No. 1 in the amount of \$15,000.00 to the Professional Services Agreement with BGE, Inc. for bidding and construction phase services on the Robert S. Light Boulevard project (RM 967 to IH 35 SBFR) in Precinct 4, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38836 Discussion and possible action to authorize the County Judge to execute a Contract Amendment No. 1 to the Professional Services Agreement with Volkert, Inc. On-Call Construction, Engineering and Inspection (CEI) services to supplement subconsultant B2Z Engineering's Exhibit D rate schedule with rates for materials testing services, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment No. 1 to the Professional Services Agreement with Volkert, Inc. On-Call Construction, Engineering and Inspection (CEI) services to supplement subconsultant B2Z Engineering's Exhibit D rate schedule with rates for materials testing services, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38837 Discussion and possible action to authorize the County Judge to execute an Advance Funding Agreement between Hays County and the Texas Department of Transportation relating to the RM 12 at Skyline and Mountain Crest intersection improvement project and amend the budget accordingly.

Commissioner Shell explained this is for improvements to a dangerous intersection and the construction will be funded by the State.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an Advance Funding Agreement between Hays County and the Texas Department of Transportation relating to the RM 12 at Skyline and Mountain Crest intersection improvement project and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38838 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bonds #CNB-41042-00 in the amount of \$583,636.64 for Anthem subd., Phase 2, and #CNB-41043-00 in the amount of \$530,905.76 for Anthem subd., Phase 3, and acceptance of the 2-year maintenance bond #800131791 in the amount of \$516,827.85 for Anthem subd., Phase 2 and Phase 3 (Pct. 4).

Commissioner Smith explained there are two items for this project because this subdivision is in both Precincts 2 and 4.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the subdivision bonds #CNB-41042-00 in the amount of \$583,636.64 for Anthem subd., Phase 2, and #CNB-41043-00 in the amount of \$530,905.76 for Anthem subd., Phase 3, and accept the 2-year maintenance bond #800131791 in the amount of \$516,827.85 for Anthem subd., Phase 2 and Phase 3 (Pct. 4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38839 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #CNB-41045-00 in the amount of \$321,316.20, and acceptance of the 2-year maintenance bond #800131790 in the amount of \$141,277.05 for Anthem subd., Phase 1C-2 (Pct. 2).

Commissioner Smith explained there are two items for this project because this subdivision is in both Precincts 2 and 4.



A motion was made by Commissioner Smith, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the subdivision bond #CNB-41045-00 in the amount of \$321,316.20, and accept the 2-year maintenance bond #800131790 in the amount of \$141,277.05 for Anthem subd., Phase 1C-2 (Pct. 2).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38840 Discussion and possible action to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$1,310,079.50 for the Hymeadow, Section 3, Phase 4, Final Plat (Subdivision Bond # LICX1975193).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$1,310,079.50 for the Hymeadow, Section 3, Phase 4, Final Plat (Subdivision Bond # LICX1975193).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38841 PLN-2124-NP; Discussion and possible action regarding the Ecclesia Subdivision, Final Plat (1 Lot).

Colby Machacek, Hays County Development Services Planning Department, provided details on the property and stated it has full staff recommendation for approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Ecclesia Subdivision, Final Plat (1 Lot) (PLN-2124-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38842 PLN-2163-PRE; Discussion and possible action regarding the Centre on 12, Preliminary.

Colby Machacek, Hays County Development Services Planning Department, provided details on the property and stated staff recommends conditional approval based on minor deficiencies listed in the back-up.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve Centre on 12, Preliminary (PLN-2163-PRE).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38843 PLN-2165-PC; Hold a Public Hearing, followed by discussion and possible action regarding the Replat of Hays City Estates, Lot 9 and consider granting a variance to use the governing On-Site Sewage Facility Rules of 1984-1986.

Judge Becerra opened the Public Hearing at 11:43 a.m. No comments were made. Judge Becerra closed the Public Hearing at 11:43 a.m. Marcus Pacheco, Director of Development Services, noted there is an error in the agenda item and the years for the On-Site Sewage Facility Rules should be 1986-1997. Colby Machacek, Hays County Development Services Planning Department, provided details on the property and stated staff recommends conditional approval based on deficiencies listed in the back-up. Commissioner Smith thanked the property owners for working with the County during construction near the property. Victoria Cox, property owner, thanked Commissioner Smith for working to improve safety in the area and spoke about their plans for the development, including supporting drip irrigation. Pacheco further explained the variance request, and the Court discussed limitations due to state laws and the need to update them.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve the Replat of Hays City Estates, Lot 9 and grant a variance to use the governing On-Site Sewage Facility Rules of 1986-1997 (PLN-2165-PC).



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38844 PLN-2100-PC; Hold a Public Hearing, followed by discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 20, Replat.

Judge Becerra opened the Public Hearing at 11:58 a.m. Elaine Cardenas, County Clerk, read an emailed public comment from Joel Jungman against the development. Judge Becerra closed the Public Hearing at 11:59 a.m. Colby Machacek, Hays County Development Services Planning Department, provided details on the property and stated staff recommends conditional approval based on deficiencies listed in the back-up.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to conditionally approve the Hurlbut Ranch West, PT of Tract 20, Replat (PLN-2100-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38845 PLN-2166-PC; Call for Public Hearing on April 25th, 2023, followed by discussion and possible action regarding the Beulah Marie Needham Estates, Lot 3, Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for Public Hearing on April 25th, 2023, followed by discussion and possible action regarding the Beulah Marie Needham Estates, Lot 3, Replat (PLN-2166-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #J-6 RE: *Discussion and possible action to allow a platting exception pursuant to Section 232.010 of the Texas Local Government Code for owners of a portion of Tract 40C in Rainbow Ranch Subdivision, an unrecorded subdivision, in Precinct 3.*
- WAS PULLED.

38846 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Tommy Dodd Memorial Buyers Group regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Smith stated these funds will be used for all Hays County youth.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Tommy Dodd Memorial Buyers Group regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38847 Discussion and possible action related to the employment and duties of all individual positions within the Office of General Counsel; and related to the employment and duties of all individual positions within the Hays County Criminal District Attorney's Office.

Kelly Higgins, District Attorney, spoke about the request to merge the Office of General Counsel with the District Attorney's Office. Gregg Cox, First Assistant District Attorney, explained the benefits of this, including consolidating staff and resources. Mark Kennedy, General Counsel, spoke about the need for this due to increased litigation and public information requests. The Court gave support for this request. Commissioner Shell clarified the space within the Historic Courthouse will remain dedicated to the staffers that are currently there, the Criminal District Attorney will work with the Office of General Counsel to ensure that the transactional and consulting legal services continue to function at a high level, the Criminal District Attorney's Office will look at any title changes that might be needed with this restructuring, and asked that the County Budget Officer move the Office of General Counsel operating budget into the Criminal District Attorney's office budget as a subset of that office's Civil Division.



A motion was made by Commissioner Shell, seconded by Judge Becerra to authorize positions within the Office of General Counsel to be incorporated into the Hays County Criminal District Attorney's Office, with pay grades and salaries of the Office of General Counsel positions to remain unchanged; and to amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-3 RE: *Discussion and possible action on the salary study implementation. - WAS PULLED.*

Discussion and possible action regarding countywide compensatory time.

Daphne Tenorio, Hays County Treasurer, explained the issue of County employees with excess compensatory time and asked the Court for direction on how to address it, as well as a review of the County's compensatory time policy. The Court discussed various options, including paying out the time, allowing employees to take time off, and having department heads manage these issues. Marisol Villarreal-Alonzo, County Auditor, spoke about current County and federal policies. No action taken.

38848 Discussion and possible action to authorize the use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Office of Emergency Services to purchase a Compact Rapid Deployable (CRD) for FirstNet in relation to recovery assistance for direct or indirect impacts of COVID-19; and amend the budget accordingly and authorize a discretionary exemption pursuant to Texas Local Government Code Ch 262.024(a)(2).

Commissioner Shell noted the discretionary exemption was added to this item. Mike Jones, Director of Emergency Services, explained this will improve cellular and internet connectivity for first responders in the event of a disaster. Commissioner Shell thanked Jones and the Offices of Emergency Management and Emergency Services for their work on this.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Office of Emergency Services to purchase a Compact Rapid Deployable (CRD) for FirstNet in relation to recovery assistance for direct or indirect impacts of COVID-19; and amend the budget accordingly and authorize a discretionary exemption pursuant to Texas Local Government Code Ch 262.024(a)(2).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:14 p.m. and resumed back into open court at 1:02 p.m.

Clerk's Note Agenda Item #L-1 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

38849 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 Create. Possible discussion and/or action may follow in open Court.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Hays County and Fat Quarter Shop, LLC, as discussed and presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding Cause Numbers 22-0249-C, 22-0250-C, and 22-0251-C . Possible discussion and/or action may follow in open court.

Commissioner Smith stated the Commissioners Court postponed moving forward with these causes in 2022 to explore options. Having done so and exhausted other viable options, this action to move forward allows the RR12/FM150 intersection project to move forward.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to instruct Right of Way counsel to move forward with special commissioners hearings for cause numbers 22-0249-C, 22-0250-C, and 22-0251-C, pursuant to resolutions determining the necessity and authorizing the use of the County's power of eminent domain to acquire that right of way, resolved and adopted by the Commissioners Court in May 2021.

AYE: Commissioner Shell, Commissioner Smith

NAY: Commissioner Ingalsbe, Commissioner Cohen, Judge Becerra

2 - 3 Failed

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - WAS PULLED.*

Clerk's Note Agenda Item #M-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs. - WAS PULLED.*

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.

Commissioner Smith updated the Court on bills that may impact the County, including bills regarding the West Travis County PUA and groundwater. No action taken.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:04 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 APRIL 11, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



APRIL 25, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25th DAY OF APRIL A.D., 2023, 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
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4 Via Teams
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:

Pastor Michael Pigg, Wayfinders Church, 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

Dan Lyon made a public comment concerning rising valuations made by the Hays Central Appraisal District.

Recognition of Margarita "Margie" Rodriguez for 30 years of service to the Hays County Local Health Department.

Tammy Crumley, Director of Countywide Operations, recognized Margie and thanked her for her service to Hays County.

Recognition of the Public Health Essay Competition Winners.

Matthew Gonzales, Hays County Local Health Department Program Manager, recognized the following essay competition winners: Robert Farrell, Johnson High School; Owen Tippett, Hays High School; Ella Revill, Dripping Springs High School; Dorothy Pierre, Lehman High School; Natalie Leal, San Marcos High School; and Emma Davenport, Wimberley High School.

38850 Adopt a Proclamation recognizing May 1-5, 2023 as Air Quality Awareness Week.

Judge Becerra spoke about the importance of Capital Area Council of Governments (CAPCOG). Commissioner Smith spoke.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing May 1-5, 2023 as Air Quality Awareness Week.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38851 Adopt a Proclamation recognizing April 29, 2023 as Dia del Nino.

Lucy Gonzalez, Outreach and Recruitment Specialist at Community Action, Inc. of Central Texas, spoke about the importance of early childhood development and supporting children.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing April 29, 2023 as Dia del Nino.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38852 Adopt a Proclamation recognizing April 30, 2023 as Therapy Animal Day in Hays County.

Commissioner Shell spoke about the investment the Court has made in animal welfare and recognized the animals that serve the community.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing April 30, 2023 as Therapy Animal Day in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38853 Adopt a Proclamation acknowledging the Cinco de Mayo Menudo Throwdown on May 6, 2023.

Judge Becerra spoke about cultural unity. Richard Anzaldua, Hill Country BBQ Cook-Off Association, invited the public to the Menudo Throwdown event with proceeds going towards the Community Action breast cancer awareness program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation acknowledging the Cinco de Mayo Menudo Throwdown on May 6, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38854 Adopt a Proclamation recognizing May 2023 as National Preservation Month in Hays County.

Linda Coker, Hays County Historical Commission Chair, spoke about the importance and benefits of historical preservation. Judge Becerra spoke about the Main Street preservation program. The Court thanked Linda and others involved in preservation for their work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing May 2023 as National Preservation Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38855 Adopt a Proclamation declaring April 24 - 30, 2023 as Infant Immunization Week.

Commissioner Ingalsbe spoke about the importance of immunization. Juli Barksdale, Hays County Epidemiologist, encouraged parents to keep their children fully vaccinated.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring April 24 - 30, 2023 as Infant Immunization Week.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation by Martha Joyce, Director of the Central Texas Dispute Resolution Center.

Martha Joyce, Director of the Central Texas Dispute Resolution Center, spoke about the organization and updated the Court on its operations and services. The Court thanked Martha for her work.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Patriots' Hall of Dripping Springs.

Eric Boehning, Ardurra Project Manager, spoke about the impact of COVID on Patriots' Hall and their plan to build a structure to house local VFWs. Hays County is able to grant them \$50,000.



Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Hays County Emergency Services District #4.

Eric Boehning, Ardurra Project Manager, spoke about the impact of COVID on Hays County ESD #4 and their plan to build an addition to their central station. Hays County is able to grant them \$250,000.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Hays County Emergency Services District #2.

Eric Boehning, Ardurra Project Manager, spoke about the impact of COVID on Hays County ESD #2 and their plan to purchase new EMS ambulances and related equipment. Hays County is able to grant them \$400,000.

Presentation by President & CEO Paul Nguyen of CommuniCare.

Paul Nguyen, President and CEO of CommuniCare, spoke about the history of the organization and the healthcare services they provide to the community. The Court thanked Nguyen and Communicare for their work, especially during the pandemic.

Presentation from Specialized Finance Inc. regarding financing options as well as financing capacity.

Dan Wegmiller, Specialized Finance Inc, explained various financing options and capacity for future projects and development. The Court discussed County growth, taxes and home valuations, and legislative mandates.

38856 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38857 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38858 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38859 Approve Commissioners Court Minutes of April 11, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Commissioners Court Minutes of April 11, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38860 Approve the payment of the April 30, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective April 30, 2023 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 April 30, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective April 30, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38861 Authorize acceptance of payment terms to allow for a 30% down payment and 30% chassis payment to Gerling and Associates, Inc. for the Local Health Department's mobile vaccine van.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize acceptance of payment terms to allow for a 30% down payment and 30% chassis payment to Gerling and Associates, Inc. for the Local Health Department's mobile vaccine van.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38862 Approve the Elections and IT Departments to purchase and install the required items from CT Electric (\$600,200), JM Engineering, LLC.(\$190,804.46), SI Mechanical, LLC. (\$44,125), Firetrol Protection Systems (\$86,650), Amazon (\$15,015.64) and Workplace Resource, LLC. (\$371,725.44) pursuant to IT-Elections Building Renovation Project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the Elections and IT Departments to purchase and install the required items from CT Electric (\$600,200), JM Engineering, LLC.(\$190,804.46), SI Mechanical, LLC.(\$44,125), Firetrol Protection Systems (\$86,650), Amazon (\$15,015.64) and Workplace Resource, LLC. (\$371,725.44) pursuant to IT-Elections Building Renovation Project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38863 Authorize the Hays County Constable Precinct 3 office to accept a donation from St. Mary's Catholic Church group, Knights of Columbus, in the amount of \$1,500.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Hays County Constable Precinct 3 office to accept a donation from St. Mary's Catholic Church group, Knights of Columbus, in the amount of \$1,500.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38864 Authorize Building Maintenance to have Basic IDIQ install a new roof on the Kyle WIC Building in the amount of \$31,843.75.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to have Basic IDIQ install a new roof on the Kyle WIC Building in the amount of \$31,843.75.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38865 Authorize the execution of a resolution in support of a grant application in partnership with the Travis County Sheriff's Office for the Motor Vehicle Crime Prevention Authority Grant Program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a resolution in support of a grant application in partnership with the Travis County Sheriff's Office for the Motor Vehicle Crime Prevention Authority Grant Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38866 Authorize the acceptance of a grant award for the FY24 Department of State Health Services, Public Health Emergency Preparedness (PHEP) grant program in the amount of \$139,393.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a grant award for the FY24 Department of State Health Services, Public Health Emergency Preparedness (PHEP) grant program in the amount of \$139,393.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38867 Approve the rescheduling of the Hays Commissioners Court from May 9th to May 2nd due to essential training in the County Clerk's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the rescheduling of the Hays Commissioners Court from May 9th to May 2nd due to essential training in the County Clerk's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38868 Authorize the execution of Amendment 5 to the FY23 Department of State Health Services (DSHS), Immunizations/Locals (IMM/LOCALS) grant contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of Amendment 5 to the FY23 Department of State Health Services (DSHS), Immunizations/Locals (IMM/LOCALS) grant contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38869 Authorize payment to Kalahari Resort in the amount of \$1,200.60 for employee lodging at the TAC Management and Risk Conference where no purchase order was issued as required per the Hays County Purchasing Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Kalahari Resort in the amount of \$1,200.60 for employee lodging at the TAC Management and Risk Conference where no purchase order was issued as required per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38870 Authorize payment to Bluebonnet Motors in the amount of \$772.28 for the Constable Precinct 5 Office related to vehicle repairs in which no purchase order was issued as required per the Hays County Purchasing Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Bluebonnet Motors in the amount of \$772.28 for the Constable Precinct 5 Office related to vehicle repairs in which no purchase order was issued as required per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38871 Authorize the transfer of additional funding to the County Judge's continuing education budget for expenses related to the Texas Emergency Management Conference, South Texas Judges and Commissioners Conference, and the National Association of Counties (NACo) Conference and amend the budget accordingly.

Commissioner Smith gave support for the item and asked that it be included in the Judge's baseline budget in the future.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the transfer of additional funding to the County Judge's continuing education budget for expenses related to the Texas Emergency Management Conference, South Texas Judges and Commissioners Conference, and the National Association of Counties (NACo) Conference and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38872 Accept donations totaling \$13,410.73 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept donations totaling \$13,410.73 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38873 Accept the delivery of the Community Supervision and Corrections Department's (CSCD) Financial Statements for the Fiscal Year ending on August 31, 2022 for filing with the Hays County Commissioners Court pursuant to Texas Local Government Code, Section 140.004(d) and the Texas Department of Criminal Justice-Community Justice Assistance Divisions Financial Management Manual.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the delivery of the Community Supervision and Corrections Department's (CSCD) Financial Statements for the Fiscal Year ending on August 31, 2022 for filing with the Hays County Commissioners Court pursuant to Texas Local Government Code, Section 140.004(d) and the Texas Department of Criminal Justice-Community Justice Assistance Divisions Financial Management Manual.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38874 Authorize payment to On Site Services in the amount of \$500.00 for the Transportation Department related to the purchase of random drug and alcohol screenings where no purchase order was issued as required per the Hays County purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to On Site Services in the amount of \$500.00 for the Transportation Department related to the purchase of random drug and alcohol screenings where no purchase order was issued as required per the Hays County purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38875 Approve the appointment of Travis Brown to the Board of Emergency Services District #4 to replace John White for a term ending December 31, 2024.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointment of Travis Brown to the Board of Emergency Services District #4 to replace John White for a term ending December 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38876 Receive and Ratify the finalized Real Estate Purchase Contract for Improved Property between Hays County and Wm. M. Gary Estate Limited Partnership and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to receive and Ratify the finalized Real Estate Purchase Contract for Improved Property between Hays County and Wm. M. Gary Estate Limited Partnership and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38877 Amend the acceptance of a grant award to the Hays County Sheriff's Office from the NRA (National Rifle Association) in the total value amount of \$3,824.00 for training ammunition and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the acceptance of a grant award to the Hays County Sheriff's Office from the NRA (National Rifle Association) in the total value amount of \$3,824.00 for training ammunition and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra

4 - 1 Passed

38878 Authorize the Sheriff's Office to accept a proposal from Cornerstone, Inc. related to the Detention Slider Upgrades, pursuant to GSA contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to accept a proposal from Cornerstone, Inc. related to the Detention Slider Upgrades, pursuant to GSA contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38879 Authorize the Sheriff's Office to utilize Cornerstone Detention for repairs to the gate at the Hays County Jail pursuant to the GSA contract GS-07F-269AA and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize Cornerstone Detention for repairs to the gate at the Hays County Jail pursuant to the GSA contract GS-07F-269AA and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38880 Authorize the County Judge to execute Amendment #1 for a time extension to Task Order #4 as part of the Master Interlocal Agreement between Hays County and Texas State University executed on or about April 12, 2022.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Amendment #1 for a time extension to Task Order #4 as part of the Master Interlocal Agreement between Hays County and Texas State University executed on or about April 12, 2022.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38881 Accept the Fiscal Year 2022 Hays County Emergency Services District #9 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the Fiscal Year 2022 Hays County Emergency Services District #9 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38882 Authorize the repairs from Cornerstone Detention Products for the lobby door at the Hays County Jail and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the repairs from Cornerstone Detention Products for the lobby door at the Hays County Jail and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38883 Approve renewal of IFB 2021-B05 Concrete Contractor with Myers Concrete Construction, LP.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve renewal of IFB 2021-B05 Concrete Contractor with Myers Concrete Construction, LP.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38884 Authorize the County Judge to execute an Agreement between Hays County and Rene Bates Auctioneers, Inc. pursuant to Bodyboard Contract 620-20 Auction Services for the Hays County Fiscal Year 2023 Auction.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Agreement between Hays County and Rene Bates Auctioneers, Inc. pursuant to Bodyboard Contract 620-20 Auction Services for the Hays County Fiscal Year 2023 Auction.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38885 Approve Utility Permit.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Utility Permit.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38886 Authorize the acceptance of a \$1,500.00 donation to the Sheriff's Office Community Outreach Program and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a \$1,500.00 donation to the Sheriff's Office Community Outreach Program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38887 Authorize the acceptance of a \$500.00 donation to the Sheriff's Office Crime Victim Services Program and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a \$500.00 donation to the Sheriff's Office Crime Victim Services Program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38888 Authorize the Constable Precinct 1 Office to purchase additional vehicle lighting from Dana Safety Supply, Inc. for two police vehicles valued at \$5,128.19 and amend the budget accordingly.



Commissioner Ingalsbe explained these vehicles were previously budgeted for but require additional funding.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Constable Precinct 1 Office to purchase additional vehicle lighting from Dana Safety Supply, Inc. for two police vehicles valued at \$5,128.19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 11:01 a.m. and resumed back into open court at 11:11 a.m.

38889 Authorize the Office of Emergency Services, Fire Marshal Division to utilize donated funds to build out office cubicles at the Yarrington Building, purchase personal protective uniforms for personnel to wear at fire scenes, and purchase promotional items for community education and outreach and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services, Fire Marshal Division to utilize donated funds to build out office cubicles at the Yarrington Building, purchase personal protective uniforms for personnel to wear at fire scenes, and purchase promotional items for community education and outreach and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38890 Authorize a waiver to the ID Badge policy for Neighborhood Defender Services employees, Hays County's contracted Public Defender's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a waiver to the ID Badge policy for Neighborhood Defender Services employees, Hays County's contracted Public Defender's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38891 Authorize Security One to install a Cellular Communicator to the fire alarm system at the Elections/IT Building in the amount of \$800.00 and execute the systems monitoring agreement and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Security One to install a Cellular Communicator to the fire alarm system at the Elections/IT Building in the amount of \$800.00 and execute the systems monitoring agreement and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38892 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 1 to amend the Exhibit D - Rate Schedule in the Professional Services Agreement with Freese and Nichols, Inc. (FNI) for the Jacobs Well Road Corridor Project from FM 2325 to RM 12 in Precinct 3.

Commissioner Shell stated this incorporates the CPI rate adjustment pursuant to the contract.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 1 to amend the Exhibit D - Rate Schedule in the Professional Services Agreement with Freese and Nichols, Inc. (FNI) for the Jacobs Well Road Corridor Project from FM 2325 to RM 12 in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38893 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 4 in the amount of \$10,000.00 to the Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. (CFA) for utility design and coordination services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute Contract Amendment No. 4 in the amount of \$10,000.00 to the Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. (CFA) for utility design and coordination services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38894 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #800132235 in the amount of \$3,506,205.95, acceptance of the 2-year maintenance bond #PB03016800706M1 in the amount of \$376,152.05, and acceptance of the revegetation bond #PB03016800706M2 in the amount of \$288,668.95 for Crosswinds subd., Phase 3A.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the subdivision bond #800132235 in the amount of \$3,506,205.95, accept the 2-year maintenance bond #PB03016800706M1 in the amount of \$376,152.05, and accept the revegetation bond #PB03016800706M2 in the amount of \$288,668.95 for Crosswinds subd., Phase 3A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38895 PLN-2080-NP; Discussion and possible action regarding the Estates at Darden Hill, Prelim.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends conditional approval.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve the Estates at Darden Hill, Prelim (PLN-2080-NP), pending administrative changes as instructed by Development Services.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

PLN-2166-PC; Hold a Public Hearing, followed by discussion and possible action regarding the Beulah Marie Needham Estates, Lot 3, Replat.

Judge Becerra opened the Public Hearing at 11:55 a.m. Lorinda Sanderson stated she holds an undivided interest in the property and spoke against the subdivision. Judge Becerra closed the Public Hearing at 11:56 a.m. Marcus Pacheco, Director of Development Services, explained this property is in the City of Dripping Springs ETJ, so the city should approve the subdivision application, not Hays County. The Court discussed with Pacheco and Mark Kennedy, General Counsel, the process of determining ownership and the right to develop. Commissioner Smith further spoke about undivided interest and how the County can avoid this issue in the future. No action taken.

PLN-2090-NP; Discussion and possible action regarding the Hays Commons Subdivision, Preliminary Plan.

Carol Pennington made a public comment concerning the proposed subdivision's effect on water and wildlife. Roxanne O'Neal made a public comment concerning the proposed subdivision's effect on water. Candace Blake made a public comment against the subdivision and its on-site sewage facility plan. Bobby Levinski made a public comment concerning the County's jurisdiction over the development and a lack of compliance with the development agreement. Brett Mundy made a public comment concerning the proposed subdivision's effect on her business and emergency service access.



Darlene Starr made a public comment concerning the proposed subdivision's effect on water and biodiversity. Elaine Cardenas, County Clerk, read emailed public comments from the following individuals: Mike Clifford submitted a public comment concerning the proposed subdivision's effect on water and a lack of information regarding impervious cover and risk to karst features; Bill Bunch submitted a public comment concerning the proposed subdivision's effect on water and deficiencies in the preliminary plan; Jim Camp submitted a public comment requesting for the item to be delayed for 2 weeks for further discussion. The Court discussed with Marcus Pacheco, Director of Development Services, and Mark Kennedy, General Counsel, the County's authority over land use, the practice of conditionally approving plans, the need to set minimal requirements for approval, and how to act on this plan, and determined the item should be tabled until the next meeting for further consideration. No action taken.

38896 Hold a public hearing, followed by discussion and possible action to finalize changes to the Hays County Food Establishment Regulations.

Marcus Pacheco, Director of Development Services, explained the state updated the Texas Food Establishment Regulations (TFER). Eric Vangaasbeek, Chief Environmental Health Specialist, and Lynette Hunsworth, Environment Health Specialist II, presented proposed updates to regulations and fees, including a fee for selling eggs at farmers markets, a rush review fee, a late renewal fee, and removing letter grades for food establishments. The Court discussed the proposed fee changes and their possible effects on businesses, as well as making the permitting process as easy as possible for residents. Pacheco reviewed the growing number of food establishments in Hays County. Commissioner Smith expressed concerns over the rush review fee and how it might delay other applications, and suggested putting a time limit on it.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to finalize changes to the Hays County Food Establishment Regulations.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38897 Discussion and possible action to amend the Development Services Fee Schedule.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to amend the Development Services Fee Schedule to exclude the Food Establishment Late Renewal and the Food Establishment Permit Application Rush Review.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38898 Discussion and possible action to authorize the County Judge to execute a proposal from The Fence Lady Inc. for the repairs and awning replacements to the shade structures at 5 Mile Dam in the amount of \$38,275.00 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a proposal from The Fence Lady Inc. for the repairs and awning replacements to the shade structures at 5 Mile Dam in the amount of \$38,275.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38899 Discussion and possible action to adopt an election precinct boundary change.

Jennifer Doinoff, Elections Administrator, explained the need to change election precincts in order to remain in compliance with population rules.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt an election precinct boundary change.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38900 Discussion and possible action to authorize addition of general and law enforcement liability coverage on three newly purchased unmanned aircraft at an additional premium rate of \$2,311.00 annually.

A motion was made by Judge Becerra, seconded by Commissioner Cohen to authorize addition of general and law enforcement liability coverage on three newly purchased unmanned aircraft at an additional premium rate of \$2,311.00 annually.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38901 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Gary P. Hale, Quartermaster of Dripping Springs VFW Post 2933 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Smith stated this grant is for about \$5,600 for lost revenue replacement during COVID.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Gary P. Hale, Quartermaster of Dripping Springs VFW Post 2933 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38902 Discussion and possible action to authorize the County Clerk to re-grade two Bookkeeper positions; one to an Accountant I grade 119 and one to an Accounting Specialist grade 115 effective May 1, 2023.

Elaine Cardenas, County Clerk, explained the request to re-grade the bookkeeper positions due to job responsibilities. Commissioner Shell and Commissioner Ingalsbe expressed concern about re-grading after the completion of the salary study.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to authorize the County Clerk to re-grade two Bookkeeper positions; one to an Accountant I grade 119 and one to an Accounting Specialist grade 115 effective May 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Smith, Judge Becerra

NAY: Commissioner Shell

4 - 1 Passed

38903 Discussion and possible action to include the Hays County Extension Agents in the 4/1/23 salary increase, implementation of salary progression plans within the new salary chart and establishment of a Compensation Committee.

Commissioner Shell spoke about the recommendation to form a Compensation Committee and the need to include the AgriLife Extension Agents in the new salary plan and to continue working on the salary progression plan. The Court discussed with Shari Miller, Director of Human Resources, who should be included in the Compensation Committee, and how to move forward with the salary progression plan. Commissioner Shell concluded the progression plan should be brought back to the next meeting.

A motion was made by Commissioner Shell, seconded by Judge Becerra to include the Hays County Extension Agents in the 4/1/23 salary increase.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

A motion was made by Commissioner Shell to establish a Compensation Committee with 6 members consisting of Jerry Borcharding, Director of Transportation, Shari Miller, Director of Human Resources, Vickie Dorsett, Budget Officer, Ruben Becerra, County Judge, Jenifer O'Kane, Tax Assessor-Collector, and Helly Higgins, District Attorney. No second was made. Motion failed.



A motion was made by Judge Becerra, seconded by Commissioner Cohen to establish a Compensation Committee with 7 elected officials/departments heads consisting of Jerry Borcharding, Director of Transportation, Shari Miller, Director of Human Resources, Vickie Dorsett, Budget Officer, Ruben Becerra, County Judge, Jenifer O'Kane, Tax Assessor-Collector, Helly Higgins, District Attorney, and Elaine Cardenas, County Clerk.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Judge Becerra

NAY: Commissioner Shell, Commissioner Smith

3 - 2 Passed

38904 Discussion and possible action to approve a Resolution of Support for Essential Community Facilities Project for the Dripping Springs Community Library.

Commissioner Smith explained this Resolution would support the Dripping Springs Community Library's application for a grant and would not obligate the County to provide any funding.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve a Resolution of Support for Essential Community Facilities Project for the Dripping Springs Community Library.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38905 Discussion and possible action to authorize the Mental Health Specialty Court to purchase consumable items for a Specialty Court Symposium to be held on April 28th.

Kaimi Mattila, Mental Health Court Administrator, spoke about the upcoming symposium and the opportunity to share resources and knowledge. Commissioner Ingalsbe stated she and Commissioner Shell have agreed to split the amount between their community program budgets. Commissioner Smith thanked the Mental Health Court and Commissioner Ingalsbe for their work on this.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Mental Health Specialty Court to purchase consumable items for a Specialty Court Symposium to be held on April 28th.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38906 Discussion and possible action to authorize the County Judge to execute mental health service contracts to expand services within the County Court at Law Mental Health Specialty Courts program with Megan Gauwain Counseling Services, PLLC and Hiatus Wellness, LLC.

Commissioner Ingalsbe stated this is to provide additional services required by the Mental Health Court program in order for participants to graduate from the program. Kaimi Mattila, Mental Health Court Administrator, spoke about having a variety of providers so both telehealth and in-person services can be offered and accessibility is increased.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute mental health service contracts to expand services within the County Court at Law Mental Health Specialty Courts program with Megan Gauwain Counseling Services, PLLC and Hiatus Wellness, LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 2:35 p.m. and resumed back into open court at 3:13 p.m.

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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

No action taken.



Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code, consultation with counsel and deliberation regarding the Government Center Master Plan, prospective use, and space needs. Possible discussion and/or action may follow in open court.

No action taken.

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 579 for the week of April 16, 2023, with a peak of 587 inmates on April 18, 2023. The estimated cost for outsourcing inmates this week was \$143,790. The average number of outsourced males is 225 and females is 3. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 33.

Clerk's Note Agenda Item #M-3 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.*

38907 Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve a transfer of \$200,000 of American Rescue Plan Act funds from Precinct 1 to Precinct 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-5 RE: Updates of community health assessment by local health department. - WAS PULLED.

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*

Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken.


Randy Focken, Director of Pre-Trial Services, updated the Court on the progress of the department, including the use of technology, the creation of bylaws and a 5-year plan, identifying financial resources, hiring interns from Texas State University, and collaborating with County departments and specialty courts. He explained the preliminary process individuals would potentially go through after being arrested.


ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:13 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 APRIL 25, 2023.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 2, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 2nd DAY OF MAY A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd, Abundant Life Christian Church, 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

Dan Lyon made a public comment concerning county spending and growth. David Patterson emailed a public comment concerning the effects of county growth and its cost to residents.

38908 Adopt a Proclamation declaring May 15-21, 2023 as Police Week and May 18, 2023 as Peace Officers Memorial Day.

Lt. Ronnie Strain, Hays County Sheriff's Office, thanked the Court for the Proclamation and invited the public to a Memorial Day at the Government Center. The Court spoke about the importance of police and peace officers and thanked them and their families for their sacrifices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation declaring May 15-21, 2023 as Police Week and May 18, 2023 as Peace Officers Memorial Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38909 Adopt a Proclamation recognizing May 9, 2023 as National Fentanyl Awareness Day.

Commissioner Cohen read a statement from the Hays County Local Health Department about the impact of fentanyl and the importance of awareness and action. Deputy Anthony Hipolito, Hays County Sheriff's Office, thanked the Court for the Proclamation and spoke about the outreach the office is doing with grant money it was awarded.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing May 9, 2023 as National Fentanyl Awareness Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38910 Adopt a Proclamation recognizing May 2023 as Mental Health Awareness Month.

Cristal Lopez, Youth Services Director for the SMTX Mental Health Coalition, thanked the Court for the Proclamation and invited the public to attend upcoming events.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing May 2023 as Mental Health Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation to update the Commissioners Court on the Plum Creek Watershed Partnership & Watershed Protection Plan by the new Coordinator, Sean Melvin.

Sean Melvin, Plum Creek Watershed Coordinator, updated the Court on the current state of the watershed and spoke about upcoming events and initiatives.

38911 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38912 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38913 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38914 Approve Commissioners Court Minutes of April 25, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Commissioners Court Minutes of April 25, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38915 Approve the payment of the May 15, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective May 15, 2023 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 Cohen to approve the payment of the May 15, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective May 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38916 Authorize the County Judge to execute a no-cost, time extension to the Halff Associates, Inc. Work Authorization #3 Agreement, related to the 2020 Parks and Open Space Bond Program master Services Agreement.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a no-cost, time extension to the Halff Associates, Inc. Work Authorization #3 Agreement, related to the 2020 Parks and Open Space Bond Program master Services Agreement.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38917 Authorize the County Judge to execute a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Preserve at Mustang Creek, Williamson County, Texas.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Preserve at Mustang Creek, Williamson County, Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38918 Authorize Building Maintenance to purchase and install two new Herman Miller cubicle spaces valued at \$13,354.01 for the Development Services Office and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to purchase and install two new Herman Miller cubicle spaces valued at \$13,354.01 for the Development Services Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38919 Authorize the acceptance of an amended grant award from the Office of the Governor, Bullet Resistant Shield Grant Program to reflect the total number of shields to be purchased as 41 instead of 38 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the acceptance of an amended grant award from the Office of the Governor, Bullet Resistant Shield Grant Program to reflect the total number of shields to be purchased as 41 instead of 38 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-10 RE: *Authorize the County Judge to execute an Order Form with Flock Group, Inc. for the Constable Pct. 4 Office to purchase a software subscription for one Falcon Flex LPR Camera System under the Sheriff's Office Master Agreement; authorize a purchasing wavier to the purchasing policy. - WAS PULLED.*

38920 Approve the Consent to Assignment of IFB 2020-B02 Hauling Solid Waste with JJ's Waster and Recycling (formerly Central Waste & Recycling) to Central Texas Refuse, LLC.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the Consent to Assignment of IFB 2020-B02 Hauling Solid Waste with JJ's Waster and Recycling (formerly Central Waste & Recycling) to Central Texas Refuse, LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38921 Authorize the County Judge to execute an updated Proposal with Firetrol Protection Systems for \$95,285 to purchase and install the required items for the IT-Election Building Renovation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an updated Proposal with Firetrol Protection Systems for \$95,285 to purchase and install the required items for the IT-Election Building Renovation.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38922 Authorize the County Judge to execute Contract Amendment No. 5 with Pritchard Industries, SW, formerly known as PBS of Texas, related to RFP 2020-P02 Countywide Janitorial Services, adding janitorial services at 101 Thermon Drive, total monthly amount \$1,725.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute Contract Amendment No. 5 with Pritchard Industries, SW, formerly known as PBS of Texas, related to RFP 2020-P02 Countywide Janitorial Services, adding janitorial services at 101 Thermon Drive, total monthly amount \$1,725.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38923 Authorize the Hays County Judge to execute an amendment and renewal of the Interlocal Agreement with the Guadalupe-Blanco River Authority regarding the funding and implementation of the Plum Creek Watershed Protection Plan (PCWPP) executed on or about July 11, 2011.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Hays County Judge to execute an amendment and renewal of the Interlocal Agreement with the Guadalupe-Blanco River Authority regarding the funding and implementation of the Plum Creek Watershed Protection Plan (PCWPP) executed on or about July 11, 2011.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38924 Authorize the submission of a grant application to the City of San Marcos's Community Block Development Grant program (CDBG) in the amount of \$30,000.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the submission of a grant application to the City of San Marcos's Community Block Development Grant program (CDBG) in the amount of \$30,000.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38925 PLN-1956-PC; Call for a Public Hearing on May 23, 2023, followed by discussion and possible action regarding the 3-G Ranch Addition, Section 3, Lot 5, Replat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a Public Hearing on May 23, 2023, followed by discussion and possible action regarding the 3-G Ranch Addition, Section 3, Lot 5, Replat (PLN-1956-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38926 PLN-2090-NP; Discussion and possible action regarding the Hays Commons Subdivision, Preliminary Plan; and to provide feedback to staff regarding preliminary plans under Chapter 705 of the Hays County Development Regulations.

Keith Whittington made a public comment against the proposed development due to road and flooding concerns. Jeff Kaufmann made a public comment against the proposed development and the need for interjurisdictional cooperation and development process transparency. Jeff Howard, representative for the applicant, made a public comment regarding the applicant's status within the approval process. Robert Levinski made a public comment against the proposed development and expressed concerns over compliance with the development agreement. Carol Gordon emailed a public comment against the proposed development and its possible effect on water quality. Carol Pennington emailed a public comment against the proposed development and its lot sizes and water plans. Mike Clifford with the Greater Edwards Aquifer Alliance emailed a public comment against the proposed development and how it may affect the environment. Brian Zabcik with the Save Barton Creek Association emailed a public comment against the proposed development and how it may affect the environment.



The Court discussed with Mark Kennedy, General Counsel, and Marcus Pacheco, Director of Development Services, the county's process for approving preliminary plans, Hays County's authority over this particular development, approval timelines, and issues with this preliminary plan, as well as how the court should address conditional approvals of plans moving forward.

A motion was made by Judge Becerra, seconded by Commissioner Cohen to deny the Hays Commons Subdivision, Preliminary Plan (PLN-2090-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Judge Becerra

NAY: Commissioner Shell, Commissioner Smith

3 - 2 Passed

38927 Discussion and possible action to adopt an order authorizing the sale of fireworks beginning the Wednesday before the last Monday in May and ending at midnight on the last Monday in May 2023.

Commissioner Shell stated the Fire Marshal has approved this.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt an order authorizing the sale of fireworks beginning the Wednesday before the last Monday in May and ending at midnight on the last Monday in May 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38928 Discussion and possible action to authorize the County Judge to execute an Amended and Restated Interlocal Agreement Regarding the City of Kyle Tax Increment Reinvestment Zone Number Two between Hays County and the City of Kyle.

Commissioner Cohen explained this will extend the agreement from 2038 to 2057. Commissioner Smith suggested standardizing the amount of time these can be extended. Commissioner Shell suggested edits to the agreement. Stephanie Leibe, City of Kyle Bond Counsel with Norton Rose Fulbright, answered questions from the court. Judge Becerra summarized the TIRZ should not be used for general maintenance. Mark Kennedy, General Counsel, clarified a difference in the agenda item posting and the back-up.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Amended and Restated Interlocal Agreement Regarding the City of Kyle Tax Increment Reinvestment Zone Number Two between Hays County and the City of Kyle.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38929 Discussion and possible action on implementation of salary progression plans within the new salary chart.

Commissioner Shell explained there are existing salary progression plans within the county pay structure that need to be adjusted. Shari Miller, Director of Human Resources, further clarified this request is to continue these plans within the newly adopted pay structure and reviewed the budget impact.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to continue the pay progression plans as provided by Human Resources and presented in court.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 10:54 a.m. and resumed back into open court at 11:03 a.m.

38930 Discussion and possible action to consider granting a variance from Section 705.2.01 of the Hays County Development Regulations and allow issuance of development permits to the owner(s) of a portion of Tract 40C in Rainbow Ranch Subdivision, an unrecorded subdivision, in Precinct 3.



Marcus Pacheco, Director of Development Services, explained there will be no additional development on the property, just the installation of a water tank for fire suppression needs.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to grant a variance from Section 705.2.01 of the Hays County Development Regulations and allow issuance of development permits to the owner(s) of a portion of Tract 40C in Rainbow Ranch Subdivision, an unrecorded subdivision, in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38931 Discussion and possible action to authorize each County Courts at Law Judge to procure a credit card in an amount not to exceed \$2,000.00 per card from the County depository bank.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize each County Courts at Law Judge to procure a credit card in an amount not to exceed \$2,000.00 per card from the County depository bank.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38932 Discussion and possible action to authorize the re-grade of one Bookkeeper/Purchasing Coordinator position in the Transportation Department, grade 114 to Financial Specialist I, grade 115, effective May 1, 2023.

Judge Becerra explained this is a continuation of the action taken at the last meeting and will create uniformity between departments. Commissioner Shell stated he will not support further re-grade requests until the budget process begins.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the re-grade of one Bookkeeper/Purchasing Coordinator position in the Transportation Department, grade 114 to Financial Specialist I, grade 115, effective May 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38933 Discussion and possible action to consider a continuance of the Local Disaster Declaration originally proclaimed by the County Judge on or about February 3, 2023, and extended by Commissioners Court on February 10, 2023.

Mike Jones, Director of Emergency Services, spoke about the ongoing clean-up efforts. Mark Kennedy, General Counsel, recommended extending the declaration 91 days so it ends on August 1, 2023, a Commissioners Court date.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to extend the Local Disaster Declaration originally proclaimed by the County Judge on or about February 3, 2023, and extended by Commissioners Court on February 10, 2023, by 91 days.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38934 Discussion and possible action to call for a public hearing on May 23, 2023 to hear and finalize changes to the Hays County Food Establishment Regulations.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on May 23, 2023 to hear and finalize changes to the Hays County Food Establishment Regulations.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:28 a.m. and resumed back into open court at 11:43 a.m.



38935 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Shell stated the agreement will have a Not to Exceed amount of \$250,000, this is a collaboration between Hays County, ICI, and Texas State University, and once diligence is completed and the site is deemed viable, the County and ICI will execute a Parks and Open Space Agreement, committing the remainder of the POSAC recommended \$5,000,000 for this project.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Diligence Funding Agreement between the Indigenous Cultures Institute and Hays County, Texas for the performance of due diligence on a prospective property for the establishment of an Indigenous Cultures Institute Center, as presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38936 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 Right of Way located at or near Windy Hill Road in Pct. 2. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize execution of a Purchase Agreement for Parcel 39 of the Windy Hill Road Improvement Project located in Precinct 2, owned by Heriberto Hernandez, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #L-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 563 for the week of April 23, 2023, with a peak of 572 inmates on April 25, 2023. The estimated cost for outsourcing inmates this week was \$145,220. The average number of outsourced males is 231 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 34.

Clerk's Note Agenda Item #L-3 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 #L-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #L-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #L-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*



May 2, 2023


Clerk's Note Agenda Item #L-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 11:46 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 MAY 2, 2023.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 23, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23rd DAY OF MAY A.D., 2023, 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
MICHELLE COHEN	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:

Jim Davis, Grace Bible Church of San Marcos, 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

Debbie Adams made a public comment concerning county policies and crime. Tristen Cleve made a public comment concerning county policies and crime. Dustin Inderman made a public comment concerning county policies and crime. Andre Lemke made a public comment concerning the cost of the Public Defender Office and crime. Laura Nunn made a public comment concerning county policies and crime. Mary Mitchell made a public comment concerning county policies and crime. Jim Davis made a public comment concerning county policies and crime. Emily Sierra made a public comment concerning discrepancies in paychecks and deferred compensation from the county. Chyna Bond made a public comment concerning discrepancies in deferred compensation accounts from the county. Fox Whitworth made a public comment concerning the Treasurer's Office. William Lawrence made a public comment concerning the Treasurer's Office. Dan Lyon made a public comment concerning county spending and taxes. David Wiley made a public comment promoting Community Action's Breast Cancer Screening Project and their successful outreach.

Clerk's Note: Commissioner Smith joined via Teams until 9:31 a.m.

Presentation by Hays County 4-H members regarding the achievements of their participation at the District 10 - 4-H Spring Roundup.

Sierra Murray, Hays County 4-H and Youth Programs Coordinator, recognized the following 4-H members: Marlena De La Rosa-Moore, Luke Mosser, Nolan De La Rosa-Moore, Kaitlyn Miller, Penelope Soto, Benjamin Soto, and Everly Shumway.

Recognition of Sylvia Rodriguez for 29 years of service to the Hays County Local Health Department.

Tammy Crumley, Director of Countywide Operations, recognized Sylvia Rodriguez for her service to the Health Department.

38937 Adopt a Proclamation recognizing May 2023 as Community Action, Inc of Central Texas Month.

Stacey Martinez, Health Services Director for Community Action, Inc of Central Texas, thanked Hays County for their continued support and spoke about the organization's work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing May 2023 as Community Action, Inc of Central Texas Month.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38938 Adopt a Proclamation recognizing May 2023 as Foster Care Awareness Month.

Daphne Tenorio spoke about her family's experience as a foster family. Commissioner Smith recognized Foster Village in Dripping Springs for their work to support foster families.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing May 2023 as Foster Care Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38939 Adopt a Proclamation declaring May 2023 as Older Americans Month.

Judge Becerra thanked Commissioner Ingalsbe for bringing awareness to this. Commissioner Ingalsbe spoke about Capital Area Council of Governments and the services they provide. Dan Lyon made a public comment concerning taxes for residents 65 and over.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring May 2023 as Older Americans Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38940 Adopt a Proclamation declaring the week of May 21st as Search and Rescue Week in Hays County.

Shannon Smith, Director of Communications and Outreach for Texas Search and Rescue, thanked the Court for the Proclamation and spoke about the organization's new Missing Persons Unit. Todd Snyder, Director of Missing Persons Unit, spoke about the organization's work. The Court spoke about the importance of search and rescue workers and volunteers and thanked them for their work.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Proclamation declaring the week of May 21st as Search and Rescue Week in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hill Country Women's Health Collective (HCWHC).

Eric Boehning, Ardurra Project Manager, presented a plan to provide the Hill Country Women's Health Collective with ARPA funds to purchase a portable ultrasound machine.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Local Health Department Community Outreach.

Eric Boehning, Ardurra Project Manager, presented a plan to provide the Hays County Local Health Department with ARPA funds to improve public health outreach.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Emergency Services District #1 (ESD 1).

Eric Boehning, Ardurra Project Manager, presented a plan to provide the Hays County ESD 1 with ARPA funds to purchase a new EMS ambulance.

38941 Approve payments of County invoices.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve payments of County invoices.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38942 Approve the payment of Juror checks.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38943 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38944 Approve Commissioners Court Minutes of May 2, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Commissioners Court Minutes of May 2, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38945 Approve the payment of the May 31, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective May 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of the May 31, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective May 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38946 Adopt a Resolution of support for the City of Kyle's application to Texas Department of Transportation (TxDOT) for funding of a shared use path along FM 150.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Resolution of support for the City of Kyle's application to Texas Department of Transportation (TxDOT) for funding of a shared use path along FM 150.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38947 Authorize the County Judge to execute a service agreement with Smiths Detection, Inc. in the amount of \$17,898.00 for the general maintenance, inspections, and repairs of the industrial X-Ray security scanners located at the Hays County Government Center; and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a service agreement with Smiths Detection, Inc. in the amount of \$17,898.00 for the general maintenance, inspections, and repairs of the industrial X-Ray security scanners located at the Hays County Government Center; and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38948 Authorize Building Maintenance to install a new 9,000 BTU Mitsubishi mini-split AC system in the Thermon building in the amount of \$4,862.92 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to install a new 9,000 BTU Mitsubishi mini-split AC system in the Thermon building in the amount of \$4,862.92 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38949 Authorize the execution of a resolution for the Office of Governor, Homeland Security Grant Program associated with the Hays County Ready Central Texas Campaign Grant.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution for the Office of Governor, Homeland Security Grant Program associated with the Hays County Ready Central Texas Campaign Grant.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38950 Authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with the Hays County CERT (Community Emergency Response Team) Enhancement Grant.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with the Hays County CERT (Community Emergency Response Team) Enhancement Grant.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38951 Authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with HazMat Team Monitor Maintenance Grant.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with HazMat Team Monitor Maintenance Grant.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38952 Authorize Building Maintenance to replace the existing split system located at the Precinct 3 Constables Office with a new 3-ton Johnson Controls heat pump mini split system in the amount of \$6,826.89 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to replace the existing split system located at the Precinct 3 Constables Office with a new 3-ton Johnson Controls heat pump mini split system in the amount of \$6,826.89 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38953 Amend the Commissioner Pct. 1 operating budget for continuing education expenses related to the South Texas County Judge and Commissioners Association Conference.

Vickie Dorsett, Hays County Budget Officer, stated the potential funding source for this is Countywide Contingencies.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to amend the Commissioner Pct. 1 operating budget for continuing education expenses related to the South Texas County Judge and Commissioners Association Conference.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38954 Authorize the Commissioner Pct. 1 Office to utilize county funds to purchase a replacement refrigerator for the Pct. 1 Office not to exceed \$175.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Commissioner Pct. 1 Office to utilize county funds to purchase a replacement refrigerator for the Pct. 1 Office not to exceed \$175.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38955 Authorize Building Maintenance to replace one Packaged Terminal Air Conditioner (PTAC) unit valued at \$2,558.56 at the Thermon building with a new 12,000 BTU PTAC unit and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to replace one Packaged Terminal Air Conditioner (PTAC) unit valued at \$2,558.56 at the Thermon building with a new 12,000 BTU PTAC unit and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38956 Approve extension of the Public Improvement District (PID) Bond Underwriting Services pool related to RFQ 2019-P04 Bond Underwriting Services for six (6) months, June 1, 2023 - November 30, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve extension of the Public Improvement District (PID) Bond Underwriting Services pool related to RFQ 2019-P04 Bond Underwriting Services for six (6) months, June 1, 2023 - November 30, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38957 Approve the transfer of fee simple interests in Right of Way associated with FM110 (South and Middle Segments) from Hays County to Texas Department of Transportation (TxDOT).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the transfer of fee simple interests in Right of Way associated with FM110 (South and Middle Segments) from Hays County to Texas Department of Transportation (TxDOT).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38958 Approve the sidewalk demolition and repair project at the Historic Courthouse and authorize Myers Concrete to provide labor services pursuant to IFB 2021-B05 Concrete Contractor, total project cost is \$168,890.48.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the sidewalk demolition and repair project at the Historic Courthouse and authorize Myers Concrete to provide labor services pursuant to IFB 2021-B05 Concrete Contractor, total project cost is \$168,890.48.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38959 Authorize the acceptance of a grant award from the Department of State Health Services (DSHS), FY24/25 Regional and Local Services System/Local Public Health Services (RLSS/LPHS) program in the amount of \$102,926.00.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Department of State Health Services (DSHS), FY24/25 Regional and Local Services System/Local Public Health Services (RLSS/LPHS) program in the amount of \$102,926.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38960 Accept the delivery of the Internal Examination report for the Fiscal Year 2022 Hays County Sheriffs Office Chapter 59 Asset Forfeiture Account, and the Exit Internal Examination Report for Commissioner Precinct 2 Office.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the delivery of the Internal Examination report for the Fiscal Year 2022 Hays County Sheriffs Office Chapter 59 Asset Forfeiture Account, and the Exit Internal Examination Report for Commissioner Precinct 2 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38961 Accept the Fiscal Year 2022 Hays County Emergency Services District #4 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the Fiscal Year 2022 Hays County Emergency Services District #4 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38962 Accept the Fiscal Year 2022 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the Fiscal Year 2022 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38963 Approve a 30-day extension for Hays County Emergency Services District #3 for the filing of their Fiscal Year 2022 audit report.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve a 30-day extension for Hays County Emergency Services District #3 for the filing of their Fiscal Year 2022 audit report.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38964 Authorize a purchasing waiver and approve \$384.00 in additional funding for consumable items related to the Mental Health First Aid Course held on May 16, 2023.

Vickie Dorsett, Hays County Budget Officer, stated the potential funding source for this is Countywide Contingencies.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a purchasing waiver and approve \$384.00 in additional funding for consumable items related to the Mental Health First Aid Course held on May 16, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38965 Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 mid-year financial reporting.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 mid-year financial reporting.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38966 Authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the four (4) Stanley Automatic doors at the Public Safety Building; authorize a waiver to the purchasing policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the four (4) Stanley Automatic doors at the Public Safety Building; authorize a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38967 Authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the nine (9) Stanley Automatic doors at the Government Center; authorize a waiver to the purchasing policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the nine (9) Stanley Automatic doors at the Government Center; authorize a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38968 Authorize the execution of a resolution of support for participation in the City of Austin's grant application to the Environmental Protection Agency, Climate Pollution Reduction Grant Program.

Commissioner Smith stated this will also qualify the county to potentially receive additional funding in the future.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution of support for participation in the City of Austin's grant application to the Environmental Protection Agency, Climate Pollution Reduction Grant Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38969 Approve out-of-state travel for Detective Nelson Wray to attend Advanced Mobile Device Examiner on August 21-September 1, 2023, in Hoover, Alabama.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve out-of-state travel for Detective Nelson Wray to attend Advanced Mobile Device Examiner on August 21-September 1, 2023, in Hoover, Alabama.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38970 Approve out-of-state travel for Detective Nelson Wray to attend Advanced Forensics Training on September 18-29, 2023, in Hoover, Alabama.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve out-of-state travel for Detective Nelson Wray to attend Advanced Forensics Training on September 18-29, 2023, in Hoover, Alabama.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38971 Approve Utility Permits.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38972 Approval to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a)(1) and authorize Purchasing to advertise. Purchasing is also seeking approval to properly dispose of items that are placed in the online auction but do not sell.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Purchasing to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a)(1) and authorize Purchasing to advertise, and to properly dispose of items that are placed in the online auction but do not sell.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38973 Ratify the submission of a grant application to the Department of Justice, School Violence Prevention Program Grant Program in the amount of \$499,520.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to ratify the submission of a grant application to the Department of Justice, School Violence Prevention Program Grant Program in the amount of \$499,520.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38974 Authorize the Local Health Department to accept a \$50.00 donation in the form of two (2) \$25.00 gift cards from Casa Garcia's Mexican Restaurant and Cantina for the Summer Health Fair that the Health Department will be hosting on June 10, 2023 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Local Health Department to accept a \$50.00 donation in the form of two (2) \$25.00 gift cards from Casa Garcia's Mexican Restaurant and Cantina for the Summer Health Fair that the Health Department will be hosting on June 10, 2023 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38975 Accept the delivery of the Quarterly Auditor Reports for Constable Precinct 1, Constable Precinct 5, Justice of the Peace Precinct 2, Justice of the Peace Precinct 3, Parks Department, and Health Department for the audit period October 2022 through December 2022.

Marisol Villarreal-Alonzo, Hays County Auditor, pulled the Parks Department report.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the delivery of the Quarterly Auditor Reports for Constable Precinct 1, Constable Precinct 5, Justice of the Peace Precinct 2, Justice of the Peace Precinct 3, and Health Department for the audit period October 2022 through December 2022.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



38976 Authorize the Sheriff's Office to accept a proposal from Cornerstone Detention related to cell padding repair pursuant to GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Sheriff's Office to accept a proposal from Cornerstone Detention related to cell padding repair pursuant to GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38977 Approve specifications for RFP 2023-P09 Delinquent Tax Collection Services and authorize Purchasing to solicit for proposals and advertise.

The Court discussed with Jenifer O'Kane, Hays County Tax Assessor-Collector, the evaluation criteria and who to include in the evaluation committee for the proposals. Judge Becerra spoke against including individuals from municipals on the evaluation committee, and in favor of changing the evaluation criteria. O'Kane spoke about the process of creating the RFP and the need to make any changes in open court. Commissioner Smith spoke in favor of including a commissioner and general counsel in the evaluation committee, as well as those who are directly involved in the collection of delinquent taxes.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for RFP 2023-P09 Delinquent Tax Collection Services and authorize Purchasing to solicit for proposals and advertise, and to add Commissioner Cohen to the evaluation committee.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38978 Authorize a budget amendment for the transfer of \$1,700.00 to continuing education funds within the Development Services operating budget and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a budget amendment for the transfer of \$1,700.00 to continuing education funds within the Development Services operating budget and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38979 Authorize the Justice of the Peace Pct. 5 Office to purchase one new Executive Desk for the Elected Official; accept proposal from Sullivan Contracting for Courtroom bench platform improvements; authorize a purchasing waiver to utilize Total Security Solutions to add bulletproof glass for the Administration Area and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Justice of the Peace Pct. 5 Office to purchase one new Executive Desk for the Elected Official; accept proposal from Sullivan Contracting for Courtroom bench platform improvements; authorize a purchasing waiver to utilize Total Security Solutions to add bulletproof glass for the Administration Area and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38980 Authorize the acceptance of a grant award from the Department of State Health Services FY24 Immunizations-Locals (IMM/LOCALS) Grant Program in the amount of \$192,341.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Department of State Health Services FY24 Immunizations-Locals (IMM/LOCALS) Grant Program in the amount of \$192,341.00.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38981 Authorize the County Judge to execute Contract Amendment 2 with CML Security, LLC. related to Electronic Security Upgrades pursuant to RFP 2022-P07, in the amount of \$7,648.59.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment 2 with CML Security, LLC. related to Electronic Security Upgrades pursuant to RFP 2022-P07, in the amount of \$7,648.59.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38982 Discussion and possible action to authorize the County Judge to execute a contract between Hays County and E-Z Bell Construction, LLC for the annual maintenance of the traffic signal on Nutty Brown Road several hundred feet south of its intersection with Hwy. 290 in Precinct 4 and amend the budget accordingly.

Commissioner Smith explained this is the contractual obligation for the company to fund maintenance for the traffic signal.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a contract between Hays County and E-Z Bell Construction, LLC for the annual maintenance of the traffic signal on Nutty Brown Road several hundred feet south of its intersection with Hwy. 290 in Precinct 4 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38983 Discussion and possible action to authorize the County Judge to execute Amendment #1 to the Advanced Funding Agreement with TXDOT for the design and installation of roadway safety lighting, profile edge line markings, and profile centerline markings on Winters Mill Parkway in Precinct 3.

Commissioner Shell explained this amendment scales back the project to better align with the Wimberley Valley Dark Sky Committee's goals.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Amendment #1 to the Advanced Funding Agreement with TXDOT for the design and installation of roadway safety lighting, profile edge line markings, and profile centerline markings on Winters Mill Parkway in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38984 Discussion and possible action to accept Rolling Meadows Lane, located in Precinct 1, into the County maintenance system.

Commissioner Ingalsbe explained Rolling Meadows Lane was constructed to County standards in 2003 and this corrects an oversight.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept Rolling Meadows Lane, located in Precinct 1, into the County maintenance system.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38985 Discussion and possible action to accept the maintenance bond rider extensions from DNT Construction until October 26, 2023 for: Sunfield subdivision: Phase 2, Section 8 - bond #1060750 in the amount of \$188,961.00, Phase 2, Section 11 - bond #1060751 in the amount of \$231,755.60, Phase 3, Section 2 - bond #PB03016800273M in the amount of \$32,600.00, Phase 3, Section 4 - bond #PB03016800240M in the amount of \$22,000.00, Phase 3 "Roadway Extension" - bond #PB03016800210 in the amount of \$30,350.00; and until April 26, 2024 for: Sunfield subdivision Phase 2, Section 12 - bond #PB03016800417M in the amount of \$90,377.95.



A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extensions from DNT Construction until October 26, 2023 for: Sunfield subdivision: Phase 2, Section 8 - bond #1060750 in the amount of \$188,961.00, Phase 2, Section 11 - bond #1060751 in the amount of \$231,755.60, Phase 3, Section 2 - bond #PB03016800273M in the amount of \$32,600.00, Phase 3, Section 4 - bond #PB03016800240M in the amount of \$22,000.00, Phase 3 "Roadway Extension" - bond #PB03016800210 in the amount of \$30,350.00; and until April 26, 2024 for: Sunfield subdivision Phase 2, Section 12 - bond #PB03016800417M in the amount of \$90,377.95.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38986 Discussion and possible action to approve the selection of Cobb Fendley & Associates Inc. to perform a corridor study of Fitzhugh Road in Precinct 4 from its intersection with RM 12 east to the Travis County line; and authorize staff and counsel to negotiate a contract.

Commissioner Smith spoke about work being done on this road in Travis County and how it may affect the Hays County portion of the road, and explained how this will help address needs for safety improvements.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the selection of Cobb Fendley & Associates Inc. to perform a corridor study of Fitzhugh Road in Precinct 4 from its intersection with RM 12 east to the Travis County line; and authorize staff and counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38987 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,752,914.10 for the Hymeadow, Phase 3, Section 2 Subdivision (Bond #47SUR300214010611).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$2,752,914.10 for the Hymeadow, Phase 3, Section 2 Subdivision (Bond #47SUR300214010611).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38988 Discussion and possible action to call for a public hearing on June 6, 2023 regarding setting a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on June 6, 2023 regarding setting a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38989 Discussion and possible action to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38990 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$50,000.00 to the Professional Services Agreement with BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4, as part of the 2016 Road Bond Program; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$50,000.00 to the Professional Services Agreement with BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4, as part of the 2016 Road Bond Program; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38991 Discussion and possible action to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38992 PLN-1956-PC; Hold a Public Hearing; Followed by discussion and possible action regarding the 3-G Ranch Addition, Section 3, Lot 5, Replat.

Judge Becerra opened the Public Hearing at 2:31 p.m. No comments were made. Judge Becerra closed the Public Hearing at 2:31 p.m. Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends disapproval due to deficiencies in the back-up. He asked the Court to designate Development Services to make the final determination of approval or disapproval should the applicant address the deficiencies.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to disapprove the 3-G Ranch Addition, Section 3, Lot 5, Replat (PLN-1956-PC), and to designate Marcus Pacheco, Director of Development Services, to make the final determination of approval or disapproval of the plat application pursuant to Texas Local Government Code Chapter 232.0028.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action to authorize the County Judge to execute a Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P.

William Wagner made a public comment concerning the Development Agreement and the development's effect on roads and water. Dawn Brady Morris made a public comment concerning the Development Agreement and the development's effect on traffic. Lauren Ice made a public comment concerning the Development Agreement and asking to postpone its execution. Quincy DeSpain made a public comment concerning the development's effect on roads. Thomas Migl made a public comment concerning the Development Agreement. Commissioner Smith spoke about the Development Agreement and clarified it does not exempt the developer from any rules or regulations from the Cities of Austin or Bear Creek. He addressed residents' concerns about roads, fire code compliance, and water, and explained the County's limited authority over land use and development. Mark Kennedy, General Counsel, spoke about the need for new rules for condominium regimes. Jon Thompson, representative for the developer, gave a presentation on the development process. Commissioner Shell discussed with Mark Kennedy and Marcus Pacheco, Director of Development Services, the Development Agreement and its specifications. The Court decided to delay any action until the next meeting on June 6, 2023. No action taken.

Clerk's Note: Judge Becerra called for a recess that began at 11:52 a.m. and resumed back into open court at 12:02 p.m.

38993 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Patriots' Hall of Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Patriots' Hall of Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38994 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Service District #2 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Service District #2 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38995 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Services District #4 (ESD 4) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Services District #4 (ESD 4) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38996 Discussion and possible action to authorize the execution of the Financial Renewal and Terms Amendment between Hays County and United Healthcare Insurance Company.

Shari Miller, Director of Human Resources, clarified what is covered by this contract.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of the Financial Renewal and Terms Amendment between Hays County and United Healthcare Insurance Company.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38997 Discussion and possible action to authorize the Human Resources Department to utilize salary savings to hire a temporary Communications Intern effective June 1st through September 30, 2023.

Shari Miller, Director of Human Resources, spoke about the intern's duties.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the Human Resources Department to utilize salary savings to hire a temporary Communications Intern effective June 1st through September 30, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38998 Authorize the contract renewal of RFP 2021-P01 Elevator Maintenance and Repair Services with Otis Elevator Company with a 7% proposed price increase.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the contract renewal of RFP 2021-P01 Elevator Maintenance and Repair Services with Otis Elevator Company with a 7% proposed price increase.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38999 Discussion and possible action to award a contract for IFB 2023-B14 Courthouse Grounds Renovation to Diamondback Landscaping and Lawn Care, Inc. in the amount \$196,399.75.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to award a contract for IFB 2023-B14 Courthouse Grounds Renovation to Diamondback Landscaping and Lawn Care, Inc. in the amount \$196,399.75.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39000 Discussion and possible action to authorize the execution of a Resolution Supporting the Great Springs Project's application to the Texas Department of Transportation's (TxDOT) 2023 Transportation Alternatives Set-Aside Program Call for Projects for the development of plans for building and linking 100-miles of existing and planned trails from San Antonio to Austin.

Commissioner Shell stated the County has no financial involvement for this item.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution Supporting the Great Springs Project's application to the Texas Department of Transportation's (TxDOT) 2023 Transportation Alternatives Set-Aside Program Call for Projects for the development of plans for building and linking 100-miles of existing and planned trails from San Antonio to Austin.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39001 Discussion and possible action to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections from the Founders Ridge Subdivision to the Dripping Springs ISD Elementary School, Dripping Springs Ranch Park, and Surrounding Area.

Commissioner Smith spoke about the trail and park connections this project would create.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections from the Founders Ridge Subdivision to the Dripping Springs ISD Elementary School, Dripping Springs Ranch Park, and Surrounding Area.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39002 Discussion and possible action to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections on Old Fitzhugh Road from Mercer Street to Ranch Road 12 and Surrounding Areas.

Commissioner Smith spoke about the trail and park connections this project would create.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections on Old Fitzhugh Road from Mercer Street to Ranch Road 12 and Surrounding Areas.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39003 Discussion and possible action to authorize the execution of a Resolution and submission of a detailed grant application to the Texas Department of Transportation (TxDOT) for the Transportation Alternatives Set-Aside (TA) Program for the Hays County Sawyer Ranch Road Shared Use Path Extension.

Commissioner Smith explained this will extend the path to the newly constructed school.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution and submission of a detailed grant application to the Texas Department of Transportation (TxDOT) for the Transportation Alternatives Set-Aside (TA) Program for the Hays County Sawyer Ranch Road Shared Use Path Extension.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39004 Discussion and possible action to authorize the County Judge to execute a Work-Based Learning Program Agreement for the County Clerk's Office to participate in an internship program with Gary Job Corps Center and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a Work-Based Learning Program Agreement for the County Clerk's Office to participate in an internship program with Gary Job Corps Center and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Hold a public hearing; Followed by discussion and possible action regarding changes to the Hays County Food Establishment Regulations.

Judge Becerra opened the Public Hearing at 2:46 p.m. No comments were made. Judge Becerra closed the Public Hearing at 2:46 p.m. Marcus Pacheco, Director of Development Services, explained the Court passed the revised Hays County Food Establishment Regulations on April 25, 2023, but the required Public Hearing was not held. Judge Becerra reopened the Public Hearing at 2:47 p.m. No comments were made. Judge Becerra closed the Public Hearing at 2:47 p.m. Pacheco stated there are no changes to the regulations that were approved. No action taken.

39005 Discussion and possible action regarding all positions and duties within the Hays County Treasurer's Office, including the potential reassignment of positions and duties to other offices within the County; and to amend the budget accordingly.

Commissioner Shell spoke about moving the payroll process from the Treasurer's Office to the Auditor's Office. The Court discussed with Mark Kennedy, General Counsel, if this item could be moved to Executive Session.

Clerk's Note: Judge Becerra called for a recess that began at 1:40 p.m. and resumed back into open court at 1:48 p.m.

Clerk's Note: Item K-14 was reopened at 3:31 p.m.

Daphne Tenorio, Hays County Treasurer, asked for the payroll process and 3 positions to be moved from the Treasurer's Office to the Auditor's Office. Commissioner Shell suggested moving payroll to the Budget Office and asked for clarification on the statutorily defined duties of the Treasurer's Office. Tenorio reviewed the positions in her office and their duties. Vickie Dorsett, Hays County Budget Officer, spoke about her familiarity with the payroll process and asked for a Payroll Administrator position in addition to a restructuring of the 3 positions from the Treasurer's Office. Commissioner Shell asked Jeff McGill, Director of Information Technology, to find potential space in his suite that could be used to relocate payroll immediately, and stated any individual currently in those positions will need to reapply with Dorsett to be retained and accepted under her office. Commissioner Shell requested that Dorsett communicate with the existing employees of those positions as soon as possible. Dorsett asked for the ability to work with Human Resources to retitle the positions.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to transfer the payroll responsibilities from the Treasurer's Office to the Budget Office, including 2 Payroll Managers at grade 124, a Treasury Associate at grade 113, and the creation of a new position of Payroll Administrator at grade 126, effective today, May 23, 2023, and amend the budget accordingly. This transition will include facilities and all files, equipment, and items associated with the positions.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action to receive information from the Hays County Auditor regarding payroll and disbursement deficiencies by the Hays County Treasurer's Office.

Marisol Villarreal-Alonzo, Hays County Auditor, presented to the Court various errors and deficiencies made in the payroll system by the Treasurer's Office since January 2023 and requested a review of the payroll process. The Court members expressed concern over the amount of errors and spoke about the need to resolve them in a timely manner. Villarreal-Alonzo asked for assistance from the Court in receiving access to shared documents. Judge Becerra spoke about updating the County timekeeping system to reduce errors. Daphne Tenorio, Hays County Treasurer, addressed the concerns and spoke about challenges her office has experienced due to manual timekeeping and a lack of policies or procedures. Commissioner Ingalsbe spoke about the need for the Auditor and Treasurer to work together and for a resolution. Commissioner Cohen spoke about a previously held meeting regarding these issues. Commissioner Smith expressed concerns over the errors and spoke about the office's fiduciary duty. The Court further discussed their questions and concerns with Tenorio. Stephanie Hunt, Assistant County Auditor, spoke about assisting the Treasurer's Office with their duties. No action taken.

Clerk's Note: Executive Session began at 2:50 p.m. and resumed back into open court at 3:31 p.m.

Clerk's Note Agenda Item #L-1 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

Clerk's Note Agenda Item #L-2 RE: *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 Lion King and Project Radiata. Possible discussion and/or action may follow in open Court. - WAS PULLED.*

39006 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 Right of Way located at or near Shady Bluff Drive in Pct. 3. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution and recording of a Public Access Easement for the Shady Bluff Drive Road Improvement Project located in Precinct 3, owned by J.D. Jamieson; and approve payment to the owner's attorney The Law Office of Kathleen A Mendoza, PLLC as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution and recording of a Public Access Easement for the Shady Bluff Drive Road Improvement Project located in Precinct 3, owned by Carlos Balam-Kuk Solis, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution and recording of a Public Access Easement for the Shady Bluff Drive Road Improvement Project located in Precinct 3, owned by Donald & Sharon Wild, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39007 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 Right of Way located at or near FM 2001 in Pct. 1. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept landowner's counteroffer and authorize execution of a Purchase Agreement for Parcel 91/91DE of the FM 2001 Project, owned by Geraldine Fogle McCormick, Individually and as Trustee of the Family Trust created under the Last Will and Testament of Thaddeus Charles McCormick, Jr., as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39008 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 Ingalsbe to ratify the County Judge's execution of Subdivision Participation and Release Forms with CVS, Walgreens, Allergen and Walmart as part of the Opioid Settlement Agreement; and to authorize the execution of a Resolution to support the adoption and approval of the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet in its entirety regarding the Opioid Settlement proceeds.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 554 for the week of May 14, 2023, with a peak of 564 inmates on May 18, 2023. The estimated cost for outsourcing inmates this week was \$144,040. The average number of outsourced males is 226 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*



Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:54 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 MAY 23, 2023.



A handwritten signature in cursive script that reads "Elaine H. Cardenas".

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 30, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30th DAY OF MAY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE	Via Teams
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1	
MICHELLE COHEN	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:

Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Frank Arredondo made a public comment concerning the calling of a special meeting and asking for an audit of the Treasurer's Office prior to the recent election of Daphne Tenorio. Dan Lyon made a public comment concerning the intent of the agenda item and in favor of Treasurer Tenorio. Elaine Cardenas, County Clerk, read emailed public comments from the following individuals: Diane McCabe emailed a public comment concerning the calling of a special meeting and asking for more time for input. Phil Ward emailed a public comment concerning the shooting of firearms across roadways. Ann Jensen emailed a public comment concerning the calling of a special meeting and asking for more time for input.

39009 Discussion and possible action regarding all positions and duties within the Hays County Treasurer's Office, the potential reassignment of positions and duties of the Treasurer's Office to other offices within the County, the designation and approval of the appropriate authority for certain County functions related to the processing of payroll, and any other transactions processed by the County, the transfer of files, resources, assets, and any other County-owned property between County offices; and to amend the budget accordingly.

John Hatch made a public comment concerning last minute placement of items on the agenda and the calling of a special meeting. Nicholas Hoover made a public comment concerning making changes to the Treasurer's Office during the adjustment period after the election. Ana Juarez made a public comment concerning a lack of transparency and communication, and asked for an audit of the Treasurer's Office prior to the election. Mark Kennedy, General Counsel, clarified the special meeting was called by three commissioners and a 72-hour notice was given as required by law. Shirley Ogletree made a public comment questioning the timing of the agenda item and the change in payroll processes. Roland Saucedo asked to make his public comment after the Court's discussion. Jeff Kaufmann made a public comment concerning the calling of a special meeting and disagreements between elected officials. Commissioner Shell clarified this is not an emergency meeting, it is a special meeting that was called in compliance with the law. He explained the reason for the meeting, which includes investigations involving employees of the Treasurer's Office and the need for an update from the Budget Office on the recent payroll processing. Vickie Dorsett, Hays County Budget Officer, updated the Court on the payroll process and asked for clarification on the transfer of duties. Shari Miller, Director of Human Resources, spoke about the sharing of personnel files between the Human Resources and Treasurer's Offices and recommended moving them to Human Resources. Daphne Tenorio, Hays County Treasurer, spoke about the transition and employee duties. The Court further discussed with Tenorio, Miller, and Dorsett the logistics of moving files and duties, including issues encountered and how to move forward. Judge Becerra spoke against the calling of this special meeting and the Court's failure to order an audit when requested by the Treasurer.



Commissioner Smith expressed concern over the amount of payroll errors and the possible impact on the County's credit rating. Judge Becerra clarified that no files have been destroyed, there has been no loss of County money, and the Treasurer is not under investigation. Commissioner Smith addressed several public comments and explained why Court members cannot discuss agenda items in private before the meeting. Dan Lyon made a public comment regarding the County's financial management. Roland Saucedo made a public comment against the calling of this meeting and the Court's actions. Judge Becerra expressed concern over whether Commissioner Ingalsbe agreed to be the third court member needed to call this meeting and its legality, and recommended no vote.

A motion was made by Commissioner Shell, seconded by Commissioner Smith for the maintenance and management of personnel files and employment verifications to be moved to Human Resources and for Human Resources to develop policies for access to those files by departments as needed to perform their core duties. The Hays County Budget Office, under the Hays County Budget Officer, shall have the authority to receive reports on timekeeping and paid leave from County offices and prepare payroll for timely disbursement by the County Treasurer. The Hays County Budget Office, under the Hays County Budget Officer, shall have the authority to prepare W-2s and 1095s as needed. The Auditor shall retain the responsibilities of preparing 1099s, auditing payroll, and other financial activities at the County, including the transfer of funds for the purpose of investment pursuant to Hays County's Investment Policy, and shall prepare any remaining investment reports from 2022. The Auditor may further define the process for her cosigning, which includes her authority to oversee the transfer of funds for investment.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra


4 - 1 Passed

ADJOURNMENT

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to adjourn court at 2:50 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 MAY 30, 2023.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JUNE 6, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6th DAY OF JUNE A.D., 2023, 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
MICHELLE COHEN	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:

Jim Davis, Grace Bible Church of San Marcos, 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

Dan Lyon made a public comment concerning court video issues and construction around the Courthouse. Clay Huckaby made a public comment thanking the court for granting \$200,000 of American Rescue Plan Act funds to Hays County ESD 2 and updated the court on the progress of the Shadow Creek neighborhood fire station. Sam Brannon made a public comment concerning the last special meeting and action taken regarding the Treasurer's Office. Elaine Cardenas, County Clerk, read an emailed public comment from Jimmy Navarro concerning vehicle traffic and requesting a status update on the Hillside Terrace Improvement Project.

39010 Adopt a Proclamation recognizing June 2023 as Elder Abuse Prevention Month.

Veronica Flores, Adult Protective Services, spoke about the importance of preventing elder abuse and ways for the public to report abuse. The Court thanked the representatives from APS for their work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing June 2023 as Elder Abuse Prevention Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39011 Adopt a Proclamation recognizing the 17th anniversary of the death of U.S. Army Private First Class Kristian Menchaca, a student of the Gary Job Corps Center.

Randolph Goodman and others from Gary Job Corps Center thanked the Court for their support and spoke about their time with Kristian. The Court recognized Gary Job Corps for all they do for the community. Dan Lyon made a public comment thanking the Court for the proclamation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing the 17th anniversary of the death of U.S. Army Private First Class Kristian Menchaca, a student of the Gary Job Corps Center.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39012 Adopt a Proclamation recognizing June 13-19, 2023 as National Flag Week.

The Court spoke about their appreciation for the country and its flag. Commissioner Shell thanked the Captain Thomas Moore Chapter of the Daughters of the American Revolution (DAR) for sponsoring this item. Representatives from the DAR thanked the Court and spoke about the importance of the American flag.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing June 13-19, 2023 as National Flag Week.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39013 Adopt a Proclamation declaring June 2023 as Hays County Month Long Celebration of Juneteenth.

Constable Peterson, Precinct 1, spoke about the importance of Juneteenth and recognized several individuals from the community for their mentorship. Pastor Derrick Benn, representative for the Juneteenth Foundation, spoke about the history of the holiday and invited the public to various Juneteenth events.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring June 2023 as Hays County Month Long Celebration of Juneteenth.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39014 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39015 Approve the payment of Juror checks.

Marisol Villarreal-Alonzo, County Auditor, added 36 juror checks totaling \$450 from the County Court at Law.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39016 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39017 Approve Commissioners Court minutes for May 23, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Commissioners Court minutes for May 23, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39018 Approve the payment of the June 15, 2023 payroll disbursements in an amount not to exceed \$3,650,000.00 effective June 15, 2023 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 Cohen to approve the payment of the June 15, 2023 payroll disbursements in an amount not to exceed \$3,650,000.00 effective June 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39019 Authorize the County Judge to execute an agreement between the Hays County Local Health Department and Go Sharps Medical Waste Experts LLC for the disposal of Health Department medical waste.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an agreement between the Hays County Local Health Department and Go Sharps Medical Waste Experts LLC for the disposal of Health Department medical waste.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39020 Ratify the submission of a grant application to the Texas Indigent Defense Commission, FY24 Improvement Grant Program in the amount of \$77,391.00 and authorize the execution of the associated resolution.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to ratify the submission of a grant application to the Texas Indigent Defense Commission, FY24 Improvement Grant Program in the amount of \$77,391.00 and authorize the execution of the associated resolution.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39021 Authorize the execution of a Memorandum of Understanding (MOU) with the City of San Marcos related to the Local Health Department's Community Outreach Activities.

Mark Kennedy, General Counsel, noted the Indemnity Clause in the back-up needs to be modified.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a Memorandum of Understanding (MOU) with the City of San Marcos related to the Local Health Department's Community Outreach Activities.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39022 Approve specifications for RFP 2023-P08 Pre-Trial Services Case Management Software and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve specifications for RFP 2023-P08 Pre-Trial Services Case Management Software and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39023 Authorize Building Maintenance to remodel and convert two office spaces into three medical exam rooms located at the Local Health Department on Thermon Drive in the amount of \$63,806.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to remodel and convert two office spaces into three medical exam rooms located at the Local Health Department on Thermon Drive in the amount of \$63,806.00 and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39024 Authorize the County Judge to execute the Texas Historical Commission Antiquities Permit Application Form for Archeology as part of the Sentinel Peak Park Project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Texas Historical Commission Antiquities Permit Application Form for Archeology as part of the Sentinel Peak Park Project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39025 Authorize Building Maintenance to have Security One install an alarm security system at the Local Health Department Thermon location and authorize the County Judge to execute the Alarm System Monitoring Agreement authorizing a waiver to the purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to have Security One install an alarm security system at the Local Health Department Thermon location and authorize the County Judge to execute the Alarm System Monitoring Agreement authorizing a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39026 Receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with the Indigenous Cultures Institute and amend the budget accordingly.

Dan Lyon made a public comment concerning the Funding Agreement and the possible environmental impact of construction. Commissioner Ingalsbe clarified this agreement did go through the Parks and Open Space Advisory Commission. Mark Kennedy, General Counsel, noted the agreement was previously approved by the Court out of Executive Session.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with the Indigenous Cultures Institute and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39027 Authorize the Office of Emergency Services Community Emergency Response Team (CERT) division to accept a donation from the Buda Lions Club in the amount of \$500.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services Community Emergency Response Team (CERT) division to accept a donation from the Buda Lions Club in the amount of \$500.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39028 Authorize the County Judge to execute Letter Amendment #1 for an updated Exhibit B for Rate Schedule to the Master Service Agreement between Hays County and Halff Associates, Inc. regarding the Park Bond Management Program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Letter Amendment #1 for an updated Exhibit B for Rate Schedule to the Master Service Agreement between Hays County and Halff Associates, Inc. regarding the Park Bond Management Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39029 Authorize the County Judge to execute Correction Donation Deeds and Drainage Easements between Hays County and Walton Texas, L.P. for Right of Way Parcels 82 & 86 of the FM 2001 road improvement project; and authorize staff to file the same.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Correction Donation Deeds and Drainage Easements between Hays County and Walton Texas, L.P. for Right of Way Parcels 82 & 86 of the FM 2001 road improvement project; and authorize staff to file the same.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39030 Authorize the County Judge to execute an amended Interlocal Cooperation Agreement between Hays County and Burnet County for Jail Services related to the outsourcing of Hays County inmates.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an amended Interlocal Cooperation Agreement between Hays County and Burnet County for Jail Services related to the outsourcing of Hays County inmates.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra

4 - 1 Passed

39031 Authorize Building Maintenance to have JM Engineering install a new 1.5 ton Mitsubishi mini-split AC system for the electrical room, in the amount of \$9,158.60 and provide additional ductwork, fire smoke dampers, grills, insulation, and supply tap in the amount of \$35,208.00 at the IT-Elections Building, and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to have JM Engineering install a new 1.5 ton Mitsubishi mini-split AC system for the electrical room, in the amount of \$9,158.60 and provide additional ductwork, fire smoke dampers, grills, insulation, and supply tap in the amount of \$35,208.00 at the IT-Elections Building, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39032 Accept the donation of property from Posey Road Direct Holding, LLC of a 0.029 acres tract of land located near the intersection of Posey Road and Old Bastrop Road in Precinct 1; and authorize staff to file a Special Warranty Deed reflecting the same and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the donation of property from Posey Road Direct Holding, LLC of a 0.029 acres tract of land located near the intersection of Posey Road and Old Bastrop Road in Precinct 1; and authorize staff to file a Special Warranty Deed reflecting the same and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39033 Authorize the Office of Emergency Services to use existing funds to purchase ArcGIS Indoors Maps for ArcGIS Online Annual Subscription in the amount of \$11,000.00; authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services to use existing funds to purchase ArcGIS Indoors Maps for ArcGIS Online Annual Subscription in the amount of \$11,000.00; authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39034 Authorize the County Judge to execute a First Amendment for a time extension to the Professional Services Agreement between Hays County and Halff Associates, Inc. regarding the Willow Springs Flood Mitigation Project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a First Amendment for a time extension to the Professional Services Agreement between Hays County and Halff Associates, Inc. regarding the Willow Springs Flood Mitigation Project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39035 Authorize the acceptance of a grant award from the Department of State Health Services (DSHS), Infectious Disease Prevention Section/Surveillance (IDPS/SUR) Grant Program in the amount of \$165,000.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Department of State Health Services (DSHS), Infectious Disease Prevention Section/Surveillance (IDPS/SUR) Grant Program in the amount of \$165,000.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39036 Authorize the Sheriff's Office to use existing operating funds of \$2,629.00 to fund a price difference of grant-funded bullet-resistant shields.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to use existing operating funds of \$2,629.00 to fund a price difference of grant-funded bullet-resistant shields.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39037 Amend the Sheriff's Office Drug Forfeiture Fund in the amount of \$543.00 for additional travel expenses related to Honor Guard attendance at the National Police Week event.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Sheriff's Office Drug Forfeiture Fund in the amount of \$543.00 for additional travel expenses related to Honor Guard attendance at the National Police Week event.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39038 Amend the Sheriff's Office operating budget in the amount of \$10,000.00 for additional Continuing Education needs for the remainder of the fiscal year.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Sheriff's Office operating budget in the amount of \$10,000.00 for additional Continuing Education needs for the remainder of the fiscal year.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39039 Authorize the Juvenile Detention Center to accept a proposal from Cornerstone Detention related to three (3) door repairs pursuant to GSA Contract GA-07F-269AA, and authorize a purchasing wavier for all open market items and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Juvenile Detention Center to accept a proposal from Cornerstone Detention related to three (3) door repairs pursuant to GSA Contract GA-07F-269AA, and authorize a purchasing wavier for all open market items and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39040 Accept delivery of the Quarterly Audit Report for the Parks Department for the audit period October 2022 through December 2022.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept delivery of the Quarterly Audit Report for the Parks Department for the audit period October 2022 through December 2022.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39041 Authorize the County Judge to execute a Contract Amendment with Texan Landscape LLC. pursuant to IFB 2021-B04 Lawn and Landscape Services.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment with Texan Landscape LLC. pursuant to IFB 2021-B04 Lawn and Landscape Services.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39042 Authorize the Election's Administration Office to purchase an annual software subscription service through Vista Solutions Group, LP for a Campaign Finance Portal; authorize a waiver to the Purchasing Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Election's Administration Office to purchase an annual software subscription service through Vista Solutions Group, LP for a Campaign Finance Portal; authorize a waiver to the Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39043 Approve the Elections and IT Departments to authorize Firetrol Protection Systems to perform work on the Fire Alarm System pursuant to Buyboard contract 654-21, total amount \$38,389.04 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the Elections and IT Departments to authorize Firetrol Protection Systems to perform work on the Fire Alarm System pursuant to Buyboard contract 654-21, total amount \$38,389.04 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39044 Authorize the County Clerk, District Clerk, Justice of the Peace Pct. 1.1, Pct. 1.2, Pct. 2, Pct. 3, Pct. 4 and Pct. 5 Offices to obtain one mail permit related to the new Tyler Technologies Jury Module in the amount of \$290.00, and authorize the departments to maintain a three-month escrow balance. Authorize the IT Department to purchase two signature chips from Troy Group, Inc. for the District Clerk's Office and two signature chips for the County Clerk's Office in the amount of \$1,300.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Clerk, District Clerk, Justice of the Peace Pct. 1.1, Pct. 1.2, Pct. 2, Pct. 3, Pct. 4 and Pct. 5 Offices to obtain one mail permit related to the new Tyler Technologies Jury Module in the amount of \$290.00, and authorize the departments to maintain a three-month escrow balance. Authorize the IT Department to purchase two signature chips from Troy Group, Inc. for the District Clerk's Office and two signature chips for the County Clerk's Office in the amount of \$1,300.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39045 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Pape-Dawson Engineers, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Winters Mill at RM 3237 project and amend the budget accordingly.

Commissioner Shell stated the project took an additional 45 days to complete.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Pape-Dawson Engineers, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Winters Mill at RM 3237 project and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39046 Discussion and possible action to authorize the execution of Change Order No. 6 in the amount of \$197,283.05 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1.

Commissioner Cohen and Commissioner Ingalsbe explained this is for utilities and electrical services.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the execution of Change Order No. 6 in the amount of \$197,283.05 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39047 Discussion and possible action to call for a public hearing on June 20, 2023 to establish a No Parking zone on along River Road and Edgewater Drive in Wimberley, Texas.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a public hearing on June 20, 2023 to establish a No Parking zone on along River Road and Edgewater Drive in Wimberley, Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39048 Hold a public hearing with possible action to establish a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

Judge Becerra opened the Public Hearing at 10:06 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:06 a.m. Commissioner Ingalsbe stated staff has recommended the speed limit be lowered due to speeding in the area.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to establish a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39049 Hold a public hearing with possible action to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.

Judge Becerra opened the Public Hearing at 10:07 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:07 a.m. Commissioner Smith stated this was recommended by both residents and the Transportation Department to improve safety.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39050 Hold a public hearing with possible action to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

Judge Becerra opened the Public Hearing at 10:08 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:08 a.m. Commissioner Cohen stated this was recommended by the residents of Sunfield to improve safety.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39051 PLN-2204-PC; Call for a Public Hearing on June 20th, 2023 regarding the Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on June 20th, 2023 regarding the Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat (PLN-2204-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39052 Discussion and possible action to authorize the County Judge to execute a Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P.

William Wagner Jr. made a public comment regarding comments made by the developer and thanked the Court for their attention to residents' concerns. Bob Hardister made a public comment requesting a unit-by-unit approach to land clearing to prevent dust and erosion. Commissioner Smith and Mark Kennedy, General Counsel, clarified lot 5 will fall under the development rules of the Village of Bear Creek. Jon Thompson, consultant for the developer, stated land will be cleared on a house-by-house basis and each house will have its own septic system. Commissioner Smith thanked Hays County staff for their work on this Development Agreement. The Court discussed with Thompson the water plans for the development.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39053 PLN-2163-NP; Discussion and possible action regarding Centre on 12, Final.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Centre on 12, Final (PLN-2163-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39054 Discussion and possible action to adopt changes to election precinct boundary lines pursuant to Sec. 42.005 & 42.006 of the Texas Election Code.

Jennifer Doinoff, Elections Administrator, explained these changes are due to various district lines running through current precincts. Steve Floyd, Development Services GIS Division, reviewed the changes made. Commissioner Smith and Commissioner Shell clarified Commissioner, Justice of the Peace, and Constable districts are not changing.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt changes to election precinct boundary lines pursuant to Sec. 42.005 & 42.006 of the Texas Election Code.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39055 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Emergency Services District #1 (ESD #1) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Doug Fowler, Executive Director of ESD #1, spoke about the ESD's expansion and thanked the Court for the contribution.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Emergency Services District #1 (ESD #1) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39056 Discussion and possible action to approve the Resolution admitting Hays County, Texas as a member of the Texas Housing Foundation, a Texas Regional Housing Authority which is authorized to provide affordable housing to lower income residents.

Commissioner Smith spoke about the County's need for affordable housing. Mark Mayfield, Texas Housing Foundation CEO, spoke about the evolution of the organization and its mission. He described their Community Resource Centers and the services they provide to local non-profits. The Court discussed with Mayfield the role the County would have in this partnership and the potential of a Community Resource Center in Hays County.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Resolution admitting Hays County, Texas as a member of the Texas Housing Foundation, a Texas Regional Housing Authority which is authorized to provide affordable housing to lower income residents.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39057 Discussion and possible action to authorize the County Judge to execute a contract between Hays County and Halff Associates in the amount of \$3,000.00 for the completion of the Hydrologic and Hydraulic (H&H) Evaluation Form (TCEQ Form 20346) for five dams which is a requirement for finalizing the Emergency Action Plan (EAP).

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract between Hays County and Halff Associates in the amount of \$3,000.00 for the completion of the Hydrologic and Hydraulic (H&H) Evaluation Form (TCEQ Form 20346) for five dams which is a requirement for finalizing the Emergency Action Plan (EAP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39058 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Wimberley regarding floodplain administration and environmental health services for a period not to exceed 12 months.

Commissioner Shell stated the City of Wimberley pays Hays County for its services.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Wimberley regarding floodplain administration and environmental health services for a period not to exceed 12 months.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39059 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hill Country Womens Health Collective regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hill Country Womens Health Collective regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39060 Discussion and possible action to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Local Health Department Public Health Outreach regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

Commissioner Cohen stated this is additional funding for the Hays County Local Health Department's outreach programs.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Local Health Department Public Health Outreach regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39061 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement related to Sentinel Peak Project between Hays County and Atlas Technical Consultants LLC.

Commissioner Shell stated this testing will be used for the construction of the park access road.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement related to Sentinel Peak Project between Hays County and Atlas Technical Consultants LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39062 Discussion and possible action to authorize the Countywide Operations Department to hire Texan Landscaping to remove two trees located on the Courthouse grounds, pursuant to IFB 2021-B04 Lawn and Landscape Services, in the amount of \$9,200.00.

Judge Becerra explained the process of deciding to remove the trees and involving the Hays County Historical Commission and the Texas Historical Commission in the decision. Commissioner Ingalsbe clarified the trees were assessed and deemed a hazard. Judge Becerra stated the trees will be replaced.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Countywide Operations Department to hire Texan Landscaping to remove two trees located on the Courthouse grounds, pursuant to IFB 2021-B04 Lawn and Landscape Services, in the amount of \$9,200.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39063 Discussion and possible action to authorize the County Judge to execute a mental health services contract with Deblin Health Concepts & Associates, LLC for the County Court at Law Mental Health Specialty program.

Kaimi Mattila, Mental Health Court Administrator, explained the benefits that a partnership with this company will bring, including community treatment for vulnerable individuals, an increase in staff, and an expedited referral process. Judge Becerra stated this will help lower inmate outsourcing costs. Commissioner Cohen asked for an update on the services provided before automatic renewal of the contract. Commissioner Smith cautioned against evaluating the contract too soon and suggested allowing the Mental Health Court time to implement the services. Mattila spoke about the company's commitment to working with Hays County.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to authorize the County Judge to execute a mental health services contract with Deblin Health Concepts & Associates, LLC for the County Court at Law Mental Health Specialty program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:27 a.m. and resumed back into open court at 12:50 p.m.

39064 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 Right of Way located at or near FM 110 in Pct. 1. Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe stated this is approximately 17.599 acres, the purchase price will be reconciled against prior obligations of the landowner, and since the landowner is no longer intending to operate the business on the property, the industrial conveyor belt intended to support operations will be gifted to Hays County so it may auction the property.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a Purchase Agreement for Parcel 2N of the FM 110 Project, owned by F.M. 158 Land, LTD, a Texas Limited Partnership; and to authorize acceptance of a conditional gift bill of sale of certain personal property related to this transaction, as presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39065 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Shell stated the Purchase Agreement dictates that closing will be contingent on the support of an appraisal that meets or exceeds the purchase price for the property.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Purchase Agreement between Hays County and Hill Country Land Reserve, LLC, related to the Fee Simple Acquisition of approximately 102.8 acres of land for parks and open space purposes, as presented in Executive Session; to authorize the D.A.'s Office - Civil Division to execute any and all documents incidental to closing; and to amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Shell stated numerous projects might require updated appraisals, and some, like the Elsik Tract, require original appraisals.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the D.A.'s Office - Civil Division to select and engage appraisal services for 2020 Parks and Open Space Bond projects, as needed, to be paid out of General Counsel - Legal.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Diligence Funding Agreement between Hays County, Wimberley Independent School District, and Wimberley Youth Sports Association for the performance of due diligence on a prospective property to establish and build youth sporting fields and common areas, as presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

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 Lion King and Project Radiata. Possible discussion and/or action may follow in open Court.

No action taken.

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the duties of the Hays County District Clerk. Possible discussion and/or action may follow in open court.

No action taken.

39066 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 Right of Way located at or near FM 2001 in Pct. 1. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept landowner's counteroffer and authorize execution of a Purchase Agreement for Parcel 76/76E of the FM 2001 Project, owned by Triple Ewald Farms, LLC, a Texas Limited Liability Company, as presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39067 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: Consultation with counsel and deliberation related to lease and use of space within the Hays County Government Center located at 712 South Stagecoach Trail, San Marcos, Texas, 78666. Possible action may follow.

Commissioner Shell stated this is for filming within the Government Center on a weekend day for a commercial, and the Constable's Office will coordinate and provide security.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Location Contract between Hays County and Breaklight Productions, LLC, as presented in Executive Session, and to amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 562 for the week of May 28, 2023, with a peak of 567 inmates on May 30, 2023. The estimated cost for outsourcing inmates this week was \$138,510. The average number of outsourced males is 217 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 31.



Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).* - WAS PULLED.

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department.* - WAS PULLED.

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.* - WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 12:54 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 JUNE 6, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JUNE 20, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 20th DAY OF JUNE A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
MICHELLE COHEN	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.

WITH COMMISSIONER INGALSBE BEING ABSENT, THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Adam Knapp, First United Methodist Church San Marcos, 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 concerning Hays County law enforcement and the trial of Cyrus Gray III. Dan Lyon made a public comment concerning County spending and the placement of flags around the Courthouse. Kelli Keenan made a public comment in support of microchipping pets, especially with the upcoming holidays and the animal shelter being over-capacity. Elaine Cardenas, County Clerk, read an emailed public comment from Austin Baier in support of the Pride Month Proclamation.

39068 Adopt a Proclamation recognizing July 2023 as Park and Recreation Month.

Commissioner Shell thanked the Hays County Parks and Recreation staff for their work. Katherine Sturdivant, Hays County Parks and Recreation, spoke about the importance of parks and stated this year's theme is "Where Community Grows".

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to adopt a Proclamation recognizing July 2023 as Park and Recreation Month.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39069 Adopt a Proclamation recognizing June 2023 as Children's Awareness Month.

Lucy Gonzales, Outreach and Recruitment Specialist for Community Action, Inc. of Central Texas, spoke about the importance of community and support for children.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to adopt a Proclamation recognizing June 2023 as Children's Awareness Month.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39070 Adopt a Proclamation recognizing June 2023 as LGBTQIA+ Pride Month.

Matthew Gonzales made a public comment thanking the Court for the Proclamation and spoke about health issues faced by the LGBTQIA+ community. Dan Lyon made a public comment against the Proclamation. Terry Swift made a public comment against the Proclamation. Commissioner Shell spoke about the importance of acceptance and recognizing past suffering, and stated he disagrees with wording in the Proclamation regarding "hateful laws".



Commissioner Smith spoke about fairness and recognition vs. promotion, and stated he also disagrees with the language regarding "hateful laws". Commissioner Cohen spoke about acceptance and stated she supports the Proclamation as written. Judge Becerra spoke about unity and agreed to change the Proclamation's language. The Court agreed to the following replacement from Commissioner Shell: "Whereas, Hays County recognizes the critical need for education and awareness to end discrimination and prejudice against the LGBTQIA+ community, and is committed to supporting dignity and equality for the LGBTQIA+ community".

A motion was made by Judge Becerra, seconded by Commissioner Cohen to adopt a Proclamation recognizing June 2023 as LGBTQIA+ Pride Month.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39071 Adopt a Proclamation recognizing the dedication of a Texas State Historical Subject Marker for Cuauhtemoc Hall.

Commissioner Cohen and Commissioner Shell spoke about their experiences at Cuauhtemoc Hall growing up and the importance of community centers. Commissioner Smith congratulated La Sociedad Mutualista Cuauhtemoc on their recent 100-year anniversary. Gina Alba-Rogers, Chair of the Council for the Indigenous and Tejano Community, invited the public to the unveiling and dedication ceremony of the Texas Historical Subject Marker and spoke about the history of Cuauhtemoc Hall with the Mexican-American community. Judge Becerra praised Cuauhtemoc Hall for their work within the community. Frank Arredondo spoke about the origins of Cuauhtemoc Hall and thanked the Court for the recognition.

A motion was made by Judge Becerra, seconded by Commissioner Shell to adopt a Proclamation recognizing the dedication of a Texas State Historical Subject Marker for Cuauhtemoc Hall.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Dripping Springs Water Supply Corporation.

Eric Boehning, Ardurra Senior Project Manager, presented a plan to grant \$50,000 to the Dripping Springs Water Supply Corporation to aid in their purchase of two diesel generators that will keep critical services operating in the event of extended power outages. Commissioner Smith spoke about the issues encountered during the 2021 freeze and how this will prevent future problems.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Buda VFW Post 12161.

Eric Boehning, Ardurra Senior Project Manager, presented a plan to grant \$21,203 to the Buda VFW Post 12161 for their pandemic-induced loss of revenue.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the American Legion Post 290 Dripping Springs.

Eric Boehning, Ardurra Senior Project Manager, presented a plan to grant \$5,605 to the American Legion Post 290 Dripping Springs for their pandemic-induced loss of revenue.

Clerk's Note Agenda Item #F-8 RE: *Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Driftwood Historical Conservation Society (DHCS).* - **WAS PULLED.**

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the San Marcos Chamber of Commerce.

Eric Boehning, Ardurra Senior Project Manager, presented a plan to grant \$100,000 to the San Marcos Chamber of Commerce for the implementation of its education and talent pipeline initiative in coordination with SMCISD. Commissioner Shell stated this will help create educational, training, and job opportunities for the local workforce. Judge Becerra spoke about the economic and workforce development of the County.

**39072 Approve payments of County invoices.**

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve payments of County invoices.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39073 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the payment of Juror checks.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39074 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39075 Approve Commissioners Court Minutes of May 30, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve Commissioners Court Minutes of May 30, 2023.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39076 Approve the payment of the June 30, 2023 payroll disbursements in an amount not to exceed \$4,350,000 effective June 30, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the payment of the June 30, 2023 payroll disbursements in an amount not to exceed \$4,350,000 effective June 30, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39077 Authorize the County Judge to execute an agreement between the Hays County Local Health Department and CureMD Inc. for the access and use of the CureMD Electronic Health Records software, approve a 25% deposit at Delivery of Software and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the County Judge to execute an agreement between the Hays County Local Health Department and CureMD Inc. for the access and use of the CureMD Electronic Health Records software, approve a 25% deposit at Delivery of Software and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39078 Accept new terms and conditions from Security One, Inc. related to security camera's and equipment for the Justice of the Peace Precinct 3 Office utilizing the Justice Court Building Security Fund.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to accept new terms and conditions from Security One, Inc. related to security camera's and equipment for the Justice of the Peace Precinct 3 Office utilizing the Justice Court Building Security Fund.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously



39079 Approve the Elections and IT Departments to purchase and install the required signage from Sign Crafters, Inc. for the IT/Elections Building and authorize a fifty (50%) percent deposit to start production of the custom signs and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the Elections and IT Departments to purchase and install the required signage from Sign Crafters, Inc. for the IT/Elections Building and authorize a fifty (50%) percent deposit to start production of the custom signs and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39080 Authorize the acceptance of a grant award from the Texas Indigent Defense Commission (TIDC), FY23 Formula Grant program in the amount of \$175,957.00 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Texas Indigent Defense Commission (TIDC), FY23 Formula Grant program in the amount of \$175,957.00 and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39081 Authorize the acceptance of a grant award from the Texas Department of Agriculture, Texas Community Development Block Grant (TxCDBG) grant program in the amount of \$350,000.00 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Texas Department of Agriculture, Texas Community Development Block Grant (TxCDBG) grant program in the amount of \$350,000.00 and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39082 Authorize the execution of a grant award from the Texas Veterans Commission (TVC), Veterans Treatment Court Grant Program in the amount of \$300,000.00.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of a grant award from the Texas Veterans Commission (TVC), Veterans Treatment Court Grant Program in the amount of \$300,000.00.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39083 Authorize the County Judge to execute a second no-cost, time extension to the Halff Associates, Inc. Work Authorization #3 Agreement, related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the County Judge to execute a second no-cost, time extension to the Halff Associates, Inc. Work Authorization #3 Agreement, related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39084 Authorize the submission of a grant application to the Capital Area Council of Governments (CAPCOG) in the amount of \$26,636.44.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the submission of a grant application to the Capital Area Council of Governments (CAPCOG) in the amount of \$26,636.44.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39085 Ratify the submission of a Public Assistance Grant Request to the Federal Emergency Management Agency (FEMA) for reimbursement of debris cleanup from Winter Storm Mara.



A motion was made by Commissioner Shell, seconded by Commissioner Cohen to ratify the submission of a Public Assistance Grant Request to the Federal Emergency Management Agency (FEMA) for reimbursement of debris cleanup from Winter Storm Mara.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39086 Authorize the acceptance of a grant award from the Texas Veterans Commission for the FY24 Assistance to Veterans Program.

Jude Prather, Hays County Veteran Services Officer, corrected the date in the summary from June 2023 to June 2024.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Texas Veterans Commission for the FY24 Assistance to Veterans Program.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39087 Authorize payment to Wingate by Windham in the amount of \$621.10 for the District Attorney's Office for witness expenses, where no purchase order was issued according to County Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize payment to Wingate by Windham in the amount of \$621.10 for the District Attorney's Office for witness expenses, where no purchase order was issued according to County Policy.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39088 Approve specifications for IFB 2023-B15 Regulatory Road Signs and authorize Purchasing to advertise and solicit for bids.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve specifications for IFB 2023-B15 Regulatory Road Signs and authorize Purchasing to advertise and solicit for bids.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39089 Authorize the contract renewal of RFP 2022-P08 HVAC - Maintenance & Repair Services, Jail with SI Mechanical, LLC.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the contract renewal of RFP 2022-P08 HVAC - Maintenance & Repair Services, Jail with SI Mechanical, LLC.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39090 Authorize the execution of an extension to RFP 2016-P06 Bank Depository with Sage capital Bank, N.A. for a period not to exceed 92 days (September 30, 2023) for \$5,000.00 monthly, plus any additional Letter of Credit Fees and authorize a discretionary exemption pursuant to Section 262.024 (a)(4) of the Texas Local Government Code.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to authorize the execution of an extension to RFP 2016-P06 Bank Depository with Sage capital Bank, N.A. for a period not to exceed 92 days (September 30, 2023) for \$5,000.00 monthly, plus any additional Letter of Credit Fees and authorize a discretionary exemption pursuant to Section 262.024 (a)(4) of the Texas Local Government Code.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39091 Approve the Elections and IT Departments to authorize L.D. Tebben Company Inc. to perform roofing repairs valued at \$4,723.00 on the IT-Election Building, pursuant to TIPS Contract 21060301 and amend the budget accordingly.



A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the Elections and IT Departments to authorize L.D. Tebben Company Inc. to perform roofing repairs valued at \$4,723.00 on the IT-Election Building, pursuant to TIPS Contract 21060301 and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39092 Authorize the County Judge to execute an Easement Agreement for Roadway between Kenneth Jeffries and Hays County, related to the County's maintenance of River Mountain Road, and authorize staff to file the same in the Official Public Record of the County.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the County Judge to execute an Easement Agreement for Roadway between Kenneth Jeffries and Hays County, related to the County's maintenance of River Mountain Road, and authorize staff to file the same in the Official Public Record of the County.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39093 Authorize a waiver to the purchasing policy for Building Maintenance to install ADA handrails in the amount of \$1,160.59 at the rear elected officials' entrance of the Government Center and amend the budget accordingly.

Commissioner Smith asked Tammy Crumley, Director of Countywide Operations, for an update on the work being done to the back gate of the Government Center.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize a waiver to the purchasing policy for Building Maintenance to install ADA handrails in the amount of \$1,160.59 at the rear elected officials' entrance of the Government Center and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39094 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve Utility Permits.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39095 Authorize the County Judge to execute a proposal with Axon Enterprise Inc. related to the Law Enforcement body worn camera and taser program for Constable Pct. 4 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the County Judge to execute a proposal with Axon Enterprise Inc. related to the Law Enforcement body worn camera and taser program for Constable Pct. 4 and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39096 Accept delivery of the Investment Report for October 2022 and November 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to accept delivery of the Investment Report for October 2022 and November 2022.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39097 Authorize the County Judge to execute an Amendment to the Letter of Agreement between Hays County and TexHealth Central Texas, Inc. regarding the small employer premium support program.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the County Judge to execute an Amendment to the Letter of Agreement between Hays County and TexHealth Central Texas, Inc. regarding the small employer premium support program.



AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39098 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and HDR Engineering Inc. related to a warrant study for both signals and four-way stop conditions for the intersection at Robert S. Light Blvd. and 967, and Robert S. Light Blvd. and 2770, not to exceed \$22,234.00.

Commissioner Smith stated the road was officially opened and has gotten positive feedback, and this will speed up the process of installing traffic signals if they are deemed necessary by the Texas Department of Transportation. Judge Becerra further explained the importance of this item.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the County Judge to execute a Professional Services Agreement between Hays County and HDR Engineering Inc. related to a warrant study for both signals and four-way stop conditions for the intersection at Robert S. Light Blvd. and 967, and Robert S. Light Blvd. and 2770, not to exceed \$22,234.00.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39099 Hold a public hearing with possible action to establish a "No Parking" zone along River Road and Edgewater Drive in Wimberley between 2900 River Road and 302 Edgewater Drive.

Judge Becerra opened the Public Hearing at 10:39 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:40 a.m. Commissioner Shell spoke about increased danger on the road due to parked cars.

A motion was made by Commissioner Shell, seconded by Judge Becerra to establish a "No Parking" zone along River Road and Edgewater Drive in Wimberley between 2900 River Road and 302 Edgewater Drive.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39100 Discussion and possible action to call for a public hearing on July 11, 2023, to establish a 3-way stop at the intersection La Ventana Parkway and Elder Hill Road.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on July 11, 2023, to establish a 3-way stop at the intersection La Ventana Parkway and Elder Hill Road.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39101 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, release of the Letter of Credit #20234032 in the amount of \$24,916.91, acceptance of the maintenance bond #PB03016800850M1 in the amount of \$71,130.58, and acceptance of the revegetation bond #PB03016800850M in the amount of \$13,467.04 for 6 Creeks subdivision, Phase 1, Section 9.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, release the Letter of Credit #20234032 in the amount of \$24,916.91, accept the maintenance bond #PB03016800850M1 in the amount of \$71,130.58, and accept the revegetation bond #PB03016800850M in the amount of \$13,467.04 for 6 Creeks subdivision, Phase 1, Section 9.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39102 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, release of the Letter of Credit #20234033 in the amount of \$18,520.06, acceptance of the maintenance bond #PB03016800850M12 in the amount of \$60,222.12, and acceptance of the revegetation bond #PB03016800850M in the amount of \$7,786.86 for 6 Creeks subdivision, Phase 1, Section 10.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, release the Letter of Credit #20234033 in the amount of \$18,520.06, accept the maintenance bond #PB03016800850M12 in the amount of \$60,222.12, and accept the revegetation bond #PB03016800850M in the amount of \$7,786.86 for 6 Creeks subdivision, Phase 1, Section 10.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39103 PLN-2204-PC; Hold a Public Hearing; Followed by discussion and possible action regarding the Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat.

Judge Becerra opened the Public Hearing at 10:28 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:29 a.m. Colby Machacek, Development Services Planning Division, provided background on the property and stated staff recommends disapproval due to the outstanding deficiencies as provided in the comment letter in the back-up.

A motion was made by Commissioner Smith, seconded by Judge Becerra to disapprove Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat (PLN-2204-PC).

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39104 PLN-2218-PC; Call for a Public Hearing on July 11, 2023 followed by discussion and possible action regarding the Douglas Estates, D-11 Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on July 11, 2023 followed by discussion and possible action regarding the Douglas Estates, D-11 Replat (PLN-2218-PC).

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39105 PLN-2235-PC; Call for a Public Hearing on July 11, 2023 followed by discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 23, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a Public Hearing on July 11, 2023 followed by discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 23, Replat (PLN-2235-PC).

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39106 Discussion and possible action to execute a Memorandum of Understanding (MOU) with the City of Kyle authorizing the use of city property to house the Remote Automatic Weather Station (RAWS); accept a Proposal in the amount of \$6,755.00 from Water & Earth Technologies (WET) for the RAWS relocation expenses; and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D).

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to execute a Memorandum of Understanding (MOU) with the City of Kyle authorizing the use of city property to house the Remote Automatic Weather Station (RAWS); accept a Proposal in the amount of \$6,755.00 from Water & Earth Technologies (WET) for the RAWS relocation expenses; and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D).

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

Update on Hays County website development.

Kim Hilsenbeck, Hays County Communications Manager, reviewed the timeline of creating a new County website and presented the progress made so far. The Court provided feedback, and Hilsenbeck predicted project completion by the end of the year.

39107 Discussion and possible action to authorize the Local Health Department to utilize salary savings to hire one temporary Health Promotion Intern effective June 26 through September 30, 2023.



A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the Local Health Department to utilize salary savings to hire one temporary Health Promotion Intern effective June 26 through September 30, 2023.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39108 Discussion and possible action authorizing the County Judge to execute a Licensed Training Provider Agreement between Hays County and the American National Red Cross licensing Red Cross training materials and curriculum permitting County employees or volunteers to deliver instruction in Red Cross training courses.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the County Judge to execute a Licensed Training Provider Agreement between Hays County and the American National Red Cross licensing Red Cross training materials and curriculum permitting County employees or volunteers to deliver instruction in Red Cross training courses.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39109 Discussion and possible action to approve Amendment #2 to the Motor Vehicle License Registration Agent Agreement between Hays County Tax Assessor-Collector and HEB Grocery Company, LP.

Commissioner Smith spoke about the convenience this will bring to Dripping Springs residents once the new HEB location on Nutty Brown and 290 opens. Jordan Powell, Civil Division of the D.A.'s Office, noted a correction made to the amendment. Jenifer O'Kane, Tax Assessor-Collector, clarified that residents will be able to renew their vehicle registration at this HEB location starting July 5th.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Amendment #2 to the Motor Vehicle License Registration Agent Agreement between Hays County Tax Assessor-Collector and HEB Grocery Company, LP.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39110 Discussion and possible action to approve the Assessment and Collection Agreements with Dripping Springs MUD (Municipal Utility District) 1.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Assessment and Collection Agreements with Dripping Springs MUD (Municipal Utility District) 1.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39111 Discussion and possible action to approve the Assessment and Collection Agreements with Mirasol Springs MUD (Municipal Utility District).

Commissioner Smith noted this is now located in Precinct 3.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Assessment and Collection Agreements with Mirasol Springs MUD (Municipal Utility District).

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously

39112 Discussion and possible action to approve the Assessment and Collection Agreements with Wild Ridge MUD (Municipal Utility District).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Assessment and Collection Agreements with Wild Ridge MUD (Municipal Utility District).

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

4 - 0 Passed - Unanimously



39113 Discussion and possible action to authorize the County Judge to execute a proposal with Ultimate Kronos Group (UKG) related to the Budget/Payroll Office implementing a new County-wide Timekeeping System.

Vickie Dorsett, Hays County Budget Officer, spoke about the new timekeeping system's features and compatibility with County departments, especially law enforcement agencies. The Court gave support for the new system. Daphne Tenorio, Hays County Treasurer, stated the new system will help cut down employee comp time accrual. Dorsett stated the new system is expected to go into use in the fall.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the County Judge to execute a proposal with Ultimate Kronos Group (UKG) related to the Budget/Payroll Office implementing a new County-wide Timekeeping System.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39114 Discussion and possible action to authorize the Budget/Payroll Office to implement a payroll reduction authorization process for overpayments to county employees.

Vickie Dorsett, Hays County Budget Officer, reviewed overpayment correction plans. Judge Becerra gave support for a repayment plan. Mark Kennedy, General Counsel, noted this is an ongoing authorization, not a one-time authorization.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the Budget/Payroll Office to implement a payroll reduction authorization process for overpayments to county employees.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39115 Discussion and possible action to authorize the Budget Officer to work with VALIC Financial Advisors on a "make-whole" contribution process to identify negative impacts on employees deferred compensation accounts as a result of missed contributions and amend the budget accordingly.

Vickie Dorsett, Hays County Budget Officer, explained the issue and stated the County will fund 10% of missed contributions plus labor. Daphne Tenorio, Hays County Treasurer, reviewed the timeline and stated the agenda item summary is inaccurate and the payments were made. Commissioner Shell clarified the 10% is to fund any interest that was not accrued, and if no interest was lost the money will be refunded to the County.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the Budget Officer to work with VALIC Financial Advisors on a "make-whole" contribution process to identify negative impacts on employees deferred compensation accounts as a result of missed contributions and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39116 Discussion and possible action authorizing the County Judge to execute an Information Release Contract with the Texas Workforce Commission for the benefit of the Hays County Criminal District Attorney's Office.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an Information Release Contract with the Texas Workforce Commission for the benefit of the Hays County Criminal District Attorney's Office.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39117 Discussion and possible action to partner with Pet Prevent A Litter of Central Texas (PALS) to provide two Microchip Clinics in Hays County estimated at \$1,400.00 and amend the budget accordingly.

Commissioner Shell suggested funding this from the Tobacco Settlement Fund. Commissioner Smith asked to add funding for an additional clinic. Commissioner Shell stated the new amount would be \$2,100.



A motion was made by Commissioner Cohen, seconded by Commissioner Smith to partner with Pet Prevent A Litter of Central Texas (PALS) to provide three Microchip Clinics in Hays County estimated at \$2,100.00 and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:36 a.m. and resumed back into open court at 12:05 p.m.

Clerk's Note Agenda Item #L-1 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

39118 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 of the Hays County Information Technology department. Possible discussion and/or action may follow in open court.

Commissioner Shell explained recent vacancies and the retirement of a long-time employee has created an opportunity for a restructuring of the IT department.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept a restructure of the Information Technology Department to dissolve the vacant Judicial Financial Manager and establish 2 IT Application Support Analysts, grades 123, and 1 IT Judicial Data Analyst, grade 123, effective July 1, 2023, utilizing salary savings, as presented in Executive Session.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

39119 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 of the Hays County Pre-trial Services. Possible discussion and/or action may follow in open court.

Judge Becerra spoke about the modernization of Hays County's judicial system.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to create a progression plan for Pre-trial Officers levels I, II, and III, respectively grades 117, 119, and 121, and establish 1 Pre-trial Officer II, 2 Pre-trial Officer IIIs with one being a Mental Health Specialist, and 1 Administrative Assistant II, effective July 1, 2023, and authorize the Director to hire Officers up to the 25th percentile dependent on candidate qualifications, and purchase computer equipment, journaling products, and other operational needs, as presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
4 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 572 for the week of June 11, 2023, with a peak of 575 inmates on June 13, 2023. The estimated cost for outsourcing inmates this week was \$84,115. The average number of outsourced males is 236 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 39.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*


Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 12:07 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 JUNE 20, 2023.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JULY 11, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11th DAY OF JULY A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Jim Davis, Grace Bible Church San Marcos, 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

Tom Smith made a public comment concerning air pollution around SH-45 and advocated for electric vehicles. Dan Lyon made a public comment thanking emergency services for their response to the Vineyard Hill/Hilliard Road fire and asked for more emergency escape routes in the area. Rodrigo Amaya made a public comment concerning court-appointed attorneys and pre-trial detention.

Recognition of the Texas Historical Commission's Distinguished Service Award to the Hays County Historical Commission for the 2022 year of service.

Linda Coker, Chair of the Hays County Historical Commission, spoke about the volunteers and highlighted their work on markers, cemeteries, and local governments. Commissioner Smith thanked the previous chair of the Historical Commission, Kate Johnson, for her service.

Presentation and Update on the Hays County Center for Pet Resources, Education, and Research by Austin Pets Alive!

Lee Ann Shenefiel, Austin Pets Alive! Executive Advisor, reviewed the progress made so far in the creation of a Pet Resource Center and spoke about current work, including a Comprehensive Program Plan, a Community Values and Needs Survey, and a Demographic Analysis. The Court gave support for the project and thanked all involved. Judge Becerra spoke about the importance of identifying community needs before constructing a facility. Commissioner Ingalsbe suggested having the surveys available in Spanish. Commissioner Cohen spoke about addressing food insecurity. Commissioner Shell thanked the City of San Marcos and the regional animal shelter for their work. Commissioner Smith expressed concern over inclusion of the western and eastern portions of the county and meeting project timelines.

39120 Approve payments of County invoices.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

**39121 Approve the payment of Juror checks.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39122 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39123 Approve Commissioners Court Minutes of June 6, 2023 and June 20, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 6, 2023 and June 20, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39124 Approve the payment of the July 15, 2023 payroll disbursements in an amount not to exceed \$3,700,000 effective July 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the payment of the July 15, 2023 payroll disbursements in an amount not to exceed \$3,700,000 effective July 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39125 Approve and confirm the appointment of Courtney Gamble as a regular full-time Deputy Constable in the Hays County Constable's Precinct 1 Office.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Courtney Gamble as a regular full-time Deputy Constable in the Hays County Constable's Precinct 1 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39126 Authorize the Hays County Veterans Service Office to occupy the office space within the Hays County Courthouse.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Hays County Veterans Service Office to occupy the office space within the Hays County Courthouse.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39127 Receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with Wimberley Independent School District (WISD) and Wimberley Youth Sports Association (WYSA) and amend the budget accordingly.

Dan Lyon made a public comment concerning the county paying for this item and the use of the fields. Commissioner Shell explained WISD is allowing the use of this property and gave support for the item. Judge Becerra spoke about projects being completed in all precincts. Commissioner Smith spoke about Parks Bond projects having public access.



A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to Receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with Wimberley Independent School District (WISD) and Wimberley Youth Sports Association (WYSA) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39128 Authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Motor Kit, Freedom Wireless, Portable Only Operation on Harley-Davidson Motor with PA Interface valued at \$854.00 from PVP Communication and amend the budget accordingly.

Rodrigo Amaya made a public comment against waivers to the purchasing policy. Commissioner Smith stated he agrees with the public comment, except in cases like this when law enforcement need to make emergency equipment purchases.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Motor Kit, Freedom Wireless, Portable Only Operation on Harley-Davidson Motor with PA Interface valued at \$854.00 from PVP Communication and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39129 Authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Freedom Speakermic with Wireless System Control valued at \$534.00 from PVP Communication and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Freedom Speakermic with Wireless System Control valued at \$534.00 from PVP Communication and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39130 Authorize the Transportation Department to purchase one replacement Dell Latitude 5540 laptop computer and wireless mouse in the amount of \$1,431.04 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Transportation Department to purchase one replacement Dell Latitude 5540 laptop computer and wireless mouse in the amount of \$1,431.04 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39131 Authorize the acceptance of a cash match contribution from Cedar Oaks Mesa Water Supply Corporation, as a grant requirement, in the amount of \$17,500.00 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the acceptance of a cash match contribution from Cedar Oaks Mesa Water Supply Corporation, as a grant requirement, in the amount of \$17,500.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39132 Ratify the submission of a grant application to the Bulletproof Vest Partnership in the amount of \$20,628.32.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to ratify the submission of a grant application to the Bulletproof Vest Partnership in the amount of \$20,628.32.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39133 Authorize a budget amendment transfer of \$5,000.00 to continuing education funds within the County Clerk's Records Management Fund and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a budget amendment transfer of \$5,000.00 to continuing education funds within the County Clerk's Records Management Fund and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39134 Authorize Payment to Card Service Center in the amount of \$894.99 for repairs done to the Kyle/Buda Community Emergency Response Team (CERT) trailer in which no purchase order was issued per the county purchasing policy and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize Payment to Card Service Center in the amount of \$894.99 for repairs done to the Kyle/Buda Community Emergency Response Team (CERT) trailer in which no purchase order was issued per the county purchasing policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39135 Accept the Fiscal Year 2022 Hays County Emergency Services District #1 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #1 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39136 Accept the Fiscal Year 2022 Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39137 Accept the Fiscal Year 2022 Hays County Emergency Services District #3 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #3 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39138 Accept the Fiscal Year 2022 Hays County Emergency Services District #6 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #6 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39139 Accept the Fiscal Year 2022 Hays County Emergency Services District #8 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #8 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39140 Approve specifications for IFB 2023-B09 Sawyer Ranch Road - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B09 Sawyer Ranch Road - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39141 Approve specifications for IFB 2023-B17 Jack Rabbit Lane - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B17 Jack Rabbit Lane - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39142 Authorize the Sheriff's Office to use existing funds of \$771.96 to purchase law enforcement equipment for the Jail Division for training purposes.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds of \$771.96 to purchase law enforcement equipment for the Jail Division for training purposes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39143 Authorize the Sheriff's Office to use existing funds to purchase four Glock 17 training pistols with supplies valued at \$3,497.00 for training purposes.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds to purchase four Glock 17 training pistols with supplies valued at \$3,497.00 for training purposes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39144 Authorize the Sheriff's Office to use existing funds to purchase a vehicle partition valued at \$1,392.00 for the transport unit.

Rodrigo Amaya made a public comment concerning the information in the back-up. Marisol Villarreal-Alonzo, Hays County Auditor, explained why several departments are involved in the purchasing process.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds to purchase a vehicle partition valued at \$1,392.00 for the transport unit.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39145 Authorize the Sheriff's Jail Division to use savings of \$28,439.00 from FY 2023 capital improvements to cover additional expenses for replacement A/C units approved in the FY 2023 budget process and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Jail Division to use savings of \$28,439.00 from FY 2023 capital improvements to cover additional expenses for replacement A/C units approved in the FY 2023 budget process and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39146 Authorize an amendment for the Sheriff's Office to purchase law enforcement equipment and supplies from Sheriff Drug Forfeiture Funds.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize an amendment for the Sheriff's Office to purchase law enforcement equipment and supplies from Sheriff Drug Forfeiture Funds.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Authorize payment to Drippin' Towin' Service, Inc. of \$500.00 for two invoices where no purchase order was in place as per the County Purchasing Policy.

Rodrigo Amaya made a public comment concerning prices charged by the towing company and county policy. Marisol Villarreal-Alonzo, Hays County Auditor, explained the split purchase policy and stated more information would have to be obtained from the Sheriff's Office to answer the Court's questions. No action taken.

39147 Approve specifications for IFB 2023-B16 Centerpoint Road and authorize Purchasing to solicit for bids and advertise.

Stephanie Hunt, Assistant County Auditor, made a correction to page 120 of the scope of work in the back-up, changing the section with "FM 2770" to the wording in the item summary.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B16 Centerpoint Road and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39148 Approve specifications for RFP 202-P02 Bank Depository and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for RFP 202-P02 Bank Depository and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39149 Authorize the Hays County Commissioners Court to submit a request for funds to the Texas Comptroller's Office for unclaimed capital credits pursuant to the Texas Property Code, Section 74.602.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Hays County Commissioners Court to submit a request for funds to the Texas Comptroller's Office for unclaimed capital credits pursuant to the Texas Property Code, Section 74.602.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

**39150 Approve Utility Permits.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39151 Authorize the execution of a renewal Letter Agreement with the Community Supervision and Corrections Department (CSCD) related to the FY 2024 Veteran's Services - Veteran's Treatment Court Grant for Adult Probation Services.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the execution of a renewal Letter Agreement with the Community Supervision and Corrections Department (CSCD) related to the FY 2024 Veteran's Services - Veteran's Treatment Court Grant for Adult Probation Services.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39152 Authorize the County Judge to execute an Amendment Order Form with Flock Group, Inc. for the Constable Pct. 4 Office to purchase a software subscription for one Falcon Flex LPR Camera System under the Sheriff's Office Master Agreement; authorize a purchasing waiver to the purchasing policy.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Amendment Order Form with Flock Group, Inc. for the Constable Pct. 4 Office to purchase a software subscription for one Falcon Flex LPR Camera System under the Sheriff's Office Master Agreement; authorize a purchasing waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39153 Authorize the Sheriff's Office to use existing funds of \$1,108.00 to purchase law enforcement equipment for SWAT and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds of \$1,108.00 to purchase law enforcement equipment for SWAT and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39154 Authorize an amendment for expenditures related to DR-4705 Winter Storm Mara related to debris removal and cleanup operations and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize an amendment for expenditures related to DR-4705 Winter Storm Mara related to debris removal and cleanup operations and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39155 Ratify the authorization of Cornerstone Detention Products, Inc. to conduct emergency repairs to the intercom system located in the Hays County Jail pursuant to the GSA Contract GA-07-269AA and our Service Agreement and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D) for all open market items.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to ratify the authorization of Cornerstone Detention Products, Inc. to conduct emergency repairs to the intercom system located in the Hays County Jail pursuant to the GSA Contract GA-07-269AA and our Service Agreement and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D) for all open market items.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39156 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Freese & Nichols, Inc regarding inspection of MS4 facilities as required by the City of San Marcos and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024(a)(4).

Commissioner Ingalsbe stated the facilities being inspected are located at the Sheriff's Office, Juvenile Center, Government Center, and Elections/IT Building.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement between Hays County and Freese & Nichols, Inc regarding inspection of MS4 facilities as required by the City of San Marcos and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39157 Discussion and possible action to authorize the Court to execute a Contract Amendment No. 4 in the amount of \$346,000.00 to the Professional Services Agreement between Hays County and American Structurepoint, Inc. for additional design services on the RM 3237 Phase 1 Intersection improvements project in Precinct 3, as part of the Hays County Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

Judge Becerra asked for item wording to remain the same throughout these items, changing "authorize the Court" to "authorize the County Judge". Commissioner Shell explained funding for phase 1 of this project was deferred by Capital Area Metropolitan Planning Organization (CAMPO), but the Texas Department of Transportation has agreed to fund and construct phase 1 in 3 different pieces.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Court to execute a Contract Amendment No. 4 in the amount of \$346,000.00 to the Professional Services Agreement between Hays County and American Structurepoint, Inc. for additional design services on the RM 3237 Phase 1 Intersection improvements project in Precinct 3, as part of the Hays County Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39158 Discussion and possible action to authorize the County Judge to execute a TIA Contribution Agreement between Hays County and Arroyo Cap II-1, LLC, in the amount of \$56,446.00, for certain off-site traffic improvements related to the Sunset Oaks/Highmeadow Subdivision, and amend the budget accordingly.

Commissioner Ingalsbe stated this is for 169 residential lots.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a TIA Contribution Agreement between Hays County and Arroyo Cap II-1, LLC, in the amount of \$56,446.00, for certain off-site traffic improvements related to the Sunset Oaks/Highmeadow Subdivision, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39159 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, release of the Letter of Credit #20234033 in the amount of \$18,520.06, acceptance of the maintenance bond #PB03016800851M2 in the amount of \$60,222.12, and acceptance of the revegetation bond #PB03016800851M1 in the amount of \$7,078.86 for 6 Creeks subdivision, Phase 1, Section 10.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, release the Letter of Credit #20234033 in the amount of \$18,520.06, accept the maintenance bond #PB03016800851M2 in the amount of \$60,222.12, and accept the revegetation bond #PB03016800851M1 in the amount of \$7,078.86 for 6 Creeks subdivision, Phase 1, Section 10.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39160 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,553,164.45 for the Waterstone, Unit B, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23234).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$2,553,164.45 for the Waterstone, Unit B, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23234).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39161 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,252,601,.83 for the Waterstone, Unit C, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23233).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$2,252,601,.83 for the Waterstone, Unit C, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23233).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39162 Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Sparrow Lane and Skyview Terrace.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Sparrow Lane and Skyview Terrace.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39163 Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Jennifer Drive and Christopher Drive.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Jennifer Drive and Christopher Drive.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39164 Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Skyview Terrace and Green Pastures Road.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Skyview Terrace and Green Pastures Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39165 Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Miller Lane and Country Lane.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Miller Lane and Country Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

PLN-2093-PRE; Discussion and possible action to consider granting a variance from Chapter 721 § 5.03 and Table 721.02 of the Hays County Development Regulations regarding the Hawk Ridge, Phase 2, Preliminary Plan.

Marcus Pacheco, Director of Development Services, provided background on the property and explained the variance on cul-de-sac radius that is requested. Commissioner Smith stated this would create uniformity throughout the neighborhood. Jerry Borcharding, Director of Transportation, explained the shorter radius in Phase 1 was not caught by the county and the developer should be held to the regular Development Regulations. The Court discussed whether to grant the variance. Andrew Dodson, Engineer for Hawk Ridge Phases 1 and 2, addressed the Court's concerns regarding fire code and safety standards. Judge Becerra asked for the Fire Marshal to review the item and tabled it for later discussion.

Clerk's Note: Item J-1 was reopened at 12:32 p.m.

Marcus Pacheco stated there are no notes or comments relating to the development not meeting fire code. Andrew Dodson further addressed the Court's concerns regarding fire code and drainage. Commissioner Smith tabled the item for a later date to allow the Fire Marshal to complete his review, and asked Pacheco to change the item wording to clarify that this is not a variance that will be regularly granted. Commissioner Ingalsbe asked for the Transportation Department to review drainage for the development as well. No action taken.

39166 PLN-2218-PC; Hold a Public Hearing; Followed by discussion and possible action regarding the Douglas Estates, D-11 Replat.

Judge Becerra opened the Public Hearing at 12:12 p.m. No comments were made. Judge Becerra closed the Public Hearing at 12:12 p.m. Marcus Pacheco, Director of Development Services, provided background on the property, stated staff recommends disapproval due to missing subdivision fees, missing proof of required notice postings, and missing information on the plat, and asked the Court to grant Development Services the authority to review any resubmissions and grant approval or disapproval upon resubmission. Commissioner Smith spoke about remaining consistent with timelines and regulations.

A motion was made by Commissioner Smith, seconded by Judge Becerra to disapprove the Douglas Estates, D-11 Replat (PLN-2218-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39167 PLN-2235-PC; Hold a Public Hearing; Followed by discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 23, Replat.

Judge Becerra opened the Public Hearing at 12:15 p.m. No comments were made. Judge Becerra closed the Public Hearing at 12:15 p.m. Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends disapproval due to missing subdivision fees, missing proof of required notice postings, and significant missing information on the plat, and asked the Court to grant Development Services the authority to review any resubmissions and grant approval or disapproval upon resubmission. Commissioner Shell clarified this action will allow Development Services to work with the applicant on deficiencies before approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to disapprove the Hurlbut Ranch West, PT of Tract 23, Replat (PLN-2235-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39168 PLN-2115-PRE; Discussion and possible action regarding Vista West Ranches, Lots 12A & 12B, Preliminary Plan.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Vista West Ranches, Lots 12A & 12B, Preliminary Plan (PLN-2115-PRE).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39169 Discussion and possible action to adopt an Order Authorizing Extraordinary Optional Redemption of a Portion of the Hays County, Texas Special Assessment Revenue Bonds, Series 2015 (La Cima Public Improvement District Major Public Improvement Project) and the Hays County, Texas Special Assessment Revenue Bonds, Series 2020 (La Cima Public Improvement District Neighborhood Improvement Areas #1-2 Project).

Jordan Powell, Assistant Criminal District Attorney - Civil Division, stated the developer prepaid some of their assessments. Julie Houston, Hays County Bond Counsel with the Law Firm of Orrick, Herrington & Sutcliffe, reviewed the county's options regarding what to do with the prepayments and suggested paying down principals.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt an Order Authorizing Extraordinary Optional Redemption of a Portion of the Hays County, Texas Special Assessment Revenue Bonds, Series 2015 (La Cima Public Improvement District Major Public Improvement Project) and the Hays County, Texas Special Assessment Revenue Bonds, Series 2020 (La Cima Public Improvement District Neighborhood Improvement Areas #1-2 Project).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39170 Discussion and possible action to adopt a Resolution Approving a La Cima South Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.

Commissioner Shell stated this is for La Cima South which was created in August 2022. Jordan Powell, Assistant Criminal District Attorney - Civil Division, explained the purpose of the Financing Agreement. Julie Houston, Hays County Bond Counsel, further elaborated on the Financing Agreement and stated this does not commit the county to spending any funds today, it just sets rules for development.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution Approving a La Cima South Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39171 Discussion and possible action to adopt a Resolution Approving a La Cima North Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.

Commissioner Shell stated this is for La Cima North, which was created in September 2022 after neighborhood meetings to address resident concerns. Jordan Powell, Assistant Criminal District Attorney - Civil Division, pointed out specific development parameters regarding landscape buffers on page 11 in section 3.10 of the Financing Agreement. Julie Houston, Hays County Bond Counsel, stated that except for the development parameters mentioned by Powell, this is substantially similar to the Financing Agreement for La Cima South.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution Approving a La Cima North Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39172 Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related to the replacement of the pressure transducer on Wayside Drive, authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D), and amend the budget accordingly.

Commissioner Smith asked about standardizing this process. Vickie Dorsett, Hays County Budget Officer, explained the county has a maintenance contract with WET, but when the cost exceeds \$2,000 and \$5,000 it requires a budget amendment, and the county does not have funds budgeted to repair damages caused by auto accidents or weather. Mike Jones, Director of the Office of Emergency Services, spoke about efforts made to mitigate damage, including applying for a grant for funds. Stephanie Hunt, First Assistant Auditor, explained the procurement process for these items.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept a Proposal from Water & Earth Technologies (WET) related to the replacement of the pressure transducer on Wayside Drive, authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D), and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39173 Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related to upgrading the York Creek Flasher 3 to an Advance Notice Flasher and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept a Proposal from Water & Earth Technologies (WET) related to upgrading the York Creek Flasher 3 to an Advance Notice Flasher and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39174 Discussion and possible action to approve the appointment of David Edwards as the Hays County representative to the Board of Commissioners of the Texas Housing Foundation, a Texas regional housing authority.

Judge Becerra gave support for the appointment. Commissioner Smith spoke about Edwards' qualifications.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the appointment of David Edwards as the Hays County representative to the Board of Commissioners of the Texas Housing Foundation, a Texas regional housing authority.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39175 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and American Legion Post 290 Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and American Legion Post 290 Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously



39176 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Buda VFW Post 12161 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Buda VFW Post 12161 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39177 Discussion and possible action to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and Dripping Springs Water Supply Corporation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and Dripping Springs Water Supply Corporation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39178 Discussion and possible action to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and San Marcos Area Chamber of Commerce, Inc. regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and San Marcos Area Chamber of Commerce, Inc. regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39179 Discussion and possible action to consider granting a variance from Section 705.2.01 of the Hays County Development Regulations and allow issuance of a development authorization for an entry monument on a property along Yarrington Road for the Sunset Oaks Subdivision.

Marcus Pacheco, Director of Development Services, explained the variance was requested so that a sign may be constructed without requiring a new plat. Commissioner Ingalsbe suggested looking at the county's development rules and determining how to address these types of requests in the future. Commissioner Smith stated there are often issues with signs being placed too close to right-of-way and discussed solutions with Commissioner Ingalsbe.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to grant a variance from Section 705.2.01 of the Hays County Development Regulations and allow issuance of a development authorization for an entry monument on a property along Yarrington Road for the Sunset Oaks Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39180 Discussion and possible action to grant a purchasing waiver to the Tax Assessor's Office to utilize BIS Consulting, LLC. to perform 2023 tax rate calculations, where BIS was not the lowest quote received.



Jenifer O'Kane, Hays County Tax Assessor-Collector, explained this is for a new software that will integrate with the Hays Central Appraisal District's website, and the funds have already been approved in the budget.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to grant a purchasing waiver to the Tax Assessor's Office to utilize BIS Consulting, LLC. to perform 2023 tax rate calculations, where BIS was not the lowest quote received.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39181 Discussion and possible action to execute a Master Lease Agreement with Ricoh USA, Inc. to add a copier for the Budget Office (\$155.01 monthly), IT Department (\$98.51 monthly) and Constable Precinct 4 Office (\$155.01 monthly) and amend the budget accordingly.

Stephanie Hunt, Assistant County Auditor, clarified the Constable Precinct 4 Office only has a desktop printer and needs a full copier.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to execute a Master Lease Agreement with Ricoh USA, Inc. to add a copier for the Budget Office (\$155.01 monthly), IT Department (\$98.51 monthly) and Constable Precinct 4 Office (\$155.01 monthly) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39182 Discussion and possible action to accept a proposal from Water & Earth Technologies (WET) in the amount of \$5,413.83 related to the repair/replacement of the damaged York Creek Road Flasher 1; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept a proposal from Water & Earth Technologies (WET) in the amount of \$5,413.83 related to the repair/replacement of the damaged York Creek Road Flasher 1; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39183 Discussion and possible action to accept a proposal from Water & Earth Technologies (WET) in the amount of \$10,241.15 related to the repairs of the damaged flasher at Jacobs Well and Cypress Creek and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(7)(D).

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept a proposal from Water & Earth Technologies (WET) in the amount of \$10,241.15 related to the repairs of the damaged flasher at Jacobs Well and Cypress Creek and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39184 Discussion and possible action to authorize the Development & Community Services Director to convert the GIS Specialist slot 0232-001 to a GIS Analyst position effective immediately.

Marcus Pacheco, Director of Development Services, explained that downgrading the position will help with staff restructuring and task distribution. Judge Becerra recognized Pacheco for his leadership of Development Services.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Development & Community Services Director to convert the GIS Specialist slot 0232-001 to a GIS Analyst position effective immediately.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

39185 Discussion and possible action to authorize the part-time Justice Clerk slot 0855-005 to work full-time for the period of July 18 through July 26, 2023 for the Justice of the Peace Pct. 1-1 Office and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the part-time Justice Clerk slot 0855-005 to work full-time for the period of July 18 through July 26, 2023 for the Justice of the Peace Pct. 1-1 Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Discussion and possible action to approve a Scope of Work for a 10-year historical review and forensic audit to include the dates to review from January 1, 2012 through December 30, 2022.

Daphne Tenorio, Hays County Treasurer, presented a proposal for a forensic audit of the Treasurer's Office to identify previous deficiencies, as well as policies and procedures. Commissioner Cohen asked for the Procurement Department to be involved. Commissioner Shell asked how this audit would differ from the work already done by the Auditor's Office. Marisol Villarreal-Alonzo, Hays County Auditor, explained her office's duties and ongoing audits. The Court discussed the direction they would like to take the audit in and how to improve the handover process for newly elected officials. Commissioner Shell suggested working with the Auditor and Texas Association of Counties (TAC) to develop policies and procedures. Judge Becerra spoke in favor of providing additional support to the Treasurer's Office. Villarreal-Alonzo suggested narrowing the scope of work for better results. Commissioner Smith spoke about the importance of continuity of operations and the duties of the Auditor's Office. Jordan Powell, Assistant Criminal District Attorney - Civil Division, reviewed options moving forward. Stephanie Hunt, Assistant County Auditor, spoke about the procurement process. No action taken.

Clerk's Note: Judge Becerra called for a recess that began at 10:37 a.m. and resumed back into open court at 10:46 a.m.

Clerk's Note: Executive Session began at 12:41 p.m. and resumed back into open court at 1:10 p.m.

Clerk's Note Agenda Item #L-1 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

39186 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.7495 acre, owned by ADBF, LLC, a Texas limited liability company and Studio Estates, LLC, a Texas limited liability company, and which is required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action (Parcels 56). Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe stated attempted negotiations between the parties have been unsuccessful and eminent domain is the county's remaining option for the construction of the proposed FM 2001 improvements.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell for the Commissioners Court of Hays County to authorize the use of the power of eminent domain to acquire fee simple interest in 0.7495 acre from property located along FM 2001, owned by ADBF, LLC, a Texas limited liability company and Studio Estates, LLC, a Texas limited liability company, and which is required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously



39187 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 Right of Way located at or near FM 110 in Pct. 1. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize \$7,655.00 payment to Sheets & Crossfield for additional work done on the FM 110 improvement project, Parcel 2N, as discussed in Executive Session and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

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 Lion King. Possible discussion and/or action may follow in open Court.

No action taken.

Executive Session pursuant to Sections 551.071 and 551.076 of the Texas Government Code: consultation with counsel and deliberation regarding the deployment of security device(s) located at the Hays County Government Center, 712 S. Stagecoach Trail, San Marcos. Possible discussion and/or action may follow in open court.

No action taken.

39188 Discussion and possible action related to the burn ban.

Mark Wobus, Hays County Fire Marshal, updated the Court on a recent fire and drought conditions, and asked for a burn ban order for 90 days. Judge Becerra thanked all involved with controlling the Vineyard Hill/Hilliard Road fire and spoke about the community response. Commissioner Smith spoke about the partnership between Hays County and surrounding emergency service districts and recognized law enforcement for their assistance. Judge Becerra recognized the Transportation Department for their work as well.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to implement a 90-day burn ban effective today, July 11, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 582 for the week of July 2, 2023, with a peak of 595 inmates on July 6, 2023. The estimated cost for outsourcing inmates this week was \$157,090. The average number of outsourced males is 250 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. During the month of June 2023, the county jail trustees worked a total of 5,126 hours at a rate of \$12/hour for a savings of \$61,518. The jobs performed by the trustees range from kitchen, laundry, cleaning within the facility, and special project assignments. The number of "paper-ready" inmates who are now wardens of the state is 45. Commissioner Shell noted if the jail was fully staffed the county would not need to outsource inmates right now.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*



July 11, 2023

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.*
- WAS PULLED.


Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:11 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 JULY 11, 2023.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



JULY 25, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25th DAY OF JULY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1	
MICHELLE COHEN	COMMISSIONER, PCT. 2	
LON A. SHELL	COMMISSIONER, PCT. 3	
WALT SMITH	COMMISSIONER, PCT. 4	Via Teams
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.

WITH JUDGE BECERRA BEING ABSENT, THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Danielle Knapp, First United Methodist Church San Marcos, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon made a public comment concerning county debt and spending. Jim Davis made a public comment concerning an invocation he gave at a previous meeting. Rodrigo Amaya made a public comment concerning court-appointed attorneys and pre-trial detention.

Presentation of Hays County Employee Service Awards.

Shari Miller, Director of Human Resources, introduced the service awards. Kim Jeter, Human Resources Manager, recognized employees for their years of service to Hays County.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Hays County Emergency Services District #6.

Eric Boehning, Ardurra Senior Project Manager, stated \$169,400 would support the purchase of life-saving devices.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Forever 15 Project.

Eric Boehning, Ardurra Senior Project Manager, stated \$9,445 would fund presentations to raise awareness of the dangers of fentanyl.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Mental Health Court Incentives.

Eric Boehning, Ardurra Senior Project Manager, stated \$10,000 would fund incentives for reaching milestones in the treatment program.

Presentation by the City of San Marcos on the status of Animal Services.

Sharri Boyett made a public comment thanking the Court for their support and made recommendations to improve the animal shelter. DerryAnn Krupinsky, Assistant Director of Neighborhood Enhancement for the City of San Marcos, updated the Court on the San Marcos Regional Animal Shelter's objectives, capacity, and focus areas for the next year, as well as ordinance revisions. The Court thanked Sharri, DerryAnn, and the City of San Marcos for all their work for animal services. Commissioner Cohen gave support for additional microchipping events at the Precinct 2 office. Commissioner Smith asked for earlier notice of microchipping events so they can be promoted by the county.

**39189 Approve payments of County invoices.**

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39190 Approve the payment of Juror checks.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39191 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39192 Approve Commissioners Court Minutes of July 11, 2023.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve Commissioners Court Minutes of July 11, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39193 Approve the payment of the July 31, 2023 payroll disbursements in an amount not to exceed \$4,400,000 effective July 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve the payment of the July 31, 2023 payroll disbursements in an amount not to exceed \$4,400,000 effective July 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39194 Authorize the execution of the annual renewal agreement between the Hays County Parks Department/Countywide Operations and Checkfront Inc. in the amount of \$8,248.50 for continued access to the online reservation systems.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the execution of the annual renewal agreement between the Hays County Parks Department/Countywide Operations and Checkfront Inc. in the amount of \$8,248.50 for continued access to the online reservation systems.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39195 Approve the reappointment of Scott Roberts to the board of the Driftwood Economic Development Municipal Management District, four year term ending June 30, 2027.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve the reappointment of Scott Roberts to the board of the Driftwood Economic Development Municipal Management District, four year term ending June 30, 2027.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously



39196 Authorize Building Maintenance to use existing funds to purchase a mobile trailer pressure washer and amend the budget accordingly.

Rodrigo Amaya made a public comment concerning the cost of this item. Tammy Crumley, Director of Countywide Operations, stated this was approved in the FY23 budget, and this will be used to pressure wash graffiti from various county locations including Five Mile Dam, Jacob's Well, and the Government Center.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize Building Maintenance to use existing funds to purchase a mobile trailer pressure washer and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39197 Accept donations totaling \$76,950.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to accept donations totaling \$76,950.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39198 Authorize the execution of a Rental Agreement with Industrial Communications for the Hays County Juvenile Detention Center effective March 20, 2023, pursuant to DIR contract DIR-TSO-4115.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the execution of a Rental Agreement with Industrial Communications for the Hays County Juvenile Detention Center effective March 20, 2023, pursuant to DIR contract DIR-TSO-4115.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39199 Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 quarterly financial reporting.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 quarterly financial reporting.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39200 Authorize the Justice of the Peace, Pct. 5 Office to purchase a building security camera system from Security One, Inc. utilizing the Justice Court Building Security Fund, authorize a waiver to the Purchasing Policy, and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the Justice of the Peace, Pct. 5 Office to purchase a building security camera system from Security One, Inc. utilizing the Justice Court Building Security Fund, authorize a waiver to the Purchasing Policy, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39201 Authorize the execution of Amendment one to the Courthouse Grounds Renovation Contract (IFB 2023-B14) in relation to additional work to remove, and haul off the posts surrounding the courthouse grounds, in the amount of \$6,396.00.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the execution of Amendment one to the Courthouse Grounds Renovation Contract (IFB 2023-B14) in relation to additional work to remove, and haul off the posts surrounding the courthouse grounds, in the amount of \$6,396.00.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39202 Amend the Local Health Department Hazards grant budget for additional travel funds needed related to the 2023 PHEP training that was held in Temple, Texas.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to amend the Local Health Department Hazards grant budget for additional travel funds needed related to the 2023 PHEP training that was held in Temple, Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39203 Approve Utility Permits.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39204 Accept delivery of the Fiscal Year 2022 Commissary Internal Examination report for the Hays County Sheriff's Office, and the Internal Examination and Exit Internal Examination Report for the Justice of the Peace Precinct 5 Office.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to accept delivery of the Fiscal Year 2022 Commissary Internal Examination report for the Hays County Sheriff's Office, and the Internal Examination and Exit Internal Examination Report for the Justice of the Peace Precinct 5 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39205 Ratify the acceptance of a 2009 Chevy Ambulance from Hays County Emergency Services District #3 valued at \$3,500.00 to the Sheriff's Office and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to ratify the acceptance of a 2009 Chevy Ambulance from Hays County Emergency Services District #3 valued at \$3,500.00 to the Sheriff's Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39206 Accept the delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code, Chapter 114.023 and 114.025 for the second quarter of Fiscal Year 2023.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to accept the delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code, Chapter 114.023 and 114.025 for the second quarter of Fiscal Year 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39207 Authorize the Juvenile Detention Center to accept a proposal from JM Engineering, LLC for replacement of five HVAC smoke evacuation dampers and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the Juvenile Detention Center to accept a proposal from JM Engineering, LLC for replacement of five HVAC smoke evacuation dampers and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39208 Authorize the County Judge to approve the renewal of a Remote Birth Access contract between Hays County and Department of State Health Services (DSHS) Vitals Statistics Unity related to State Wide Birth Certificates.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the County Judge to approve the renewal of a Remote Birth Access contract between Hays County and Department of State Health Services (DSHS) Vitals Statistics Unity related to State Wide Birth Certificates.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39209 Authorize a grant award extension from the Department of Justice, Office of Justice FY20 Coronavirus Supplemental Funding Program and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize a grant award extension from the Department of Justice, Office of Justice FY20 Coronavirus Supplemental Funding Program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39210 Authorize the Veteran's Services Office to transfer two vehicles to Capital Area Rural Transportation (CARTS) and transfer insurance proceeds received on one vehicle for needed repairs.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the Veteran's Services Office to transfer two vehicles to Capital Area Rural Transportation (CARTS) and transfer insurance proceeds received on one vehicle for needed repairs.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39211 Approve an amended list of positions authorized to receive overtime payments as outlined in the Hays County Personnel Policy, Section 2A112.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve an amended list of positions authorized to receive overtime payments as outlined in the Hays County Personnel Policy, Section 2A112.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39212 Discussion and possible action to authorize the execution of Changer Order No. 3 in the amount of \$350,487.89 reduction to the Construction Contract with Aaron Concrete Contractors, LP for the Winters Mill Parkway at RM 3237 (IFB2022-B10) project as part of the Hays County Road Bond Program in Precinct 3.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of Changer Order No. 3 in the amount of \$350,487.89 reduction to the Construction Contract with Aaron Concrete Contractors, LP for the Winters Mill Parkway at RM 3237 (IFB2022-B10) project as part of the Hays County Road Bond Program in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39213 Hold a public hearing with possible action to establish a 3-way stop at the intersection of Jennifer Drive and Christopher Drive.



Commissioner Ingalsbe opened the Public Hearing at 10:06 a.m. No comments were made. Commissioner Ingalsbe closed the Public Hearing at 10:06 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to establish a 3-way stop at the intersection of Jennifer Drive and Christopher Drive.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39214 Hold a public hearing with possible action to establish a 4-way stop at the intersection of Sparrow Lane and Skyview Terrace.

Commissioner Ingalsbe opened the Public Hearing at 10:07 a.m. No comments were made. Commissioner Ingalsbe closed the Public Hearing at 10:07 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to establish a 4-way stop at the intersection of Sparrow Lane and Skyview Terrace.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39215 Hold a public hearing with possible action to establish a 4-way stop at the intersection of Skyview Terrace and Green Pastures Road.

Commissioner Ingalsbe opened the Public Hearing at 10:08 a.m. No comments were made. Commissioner Ingalsbe closed the Public Hearing at 10:08 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to establish a 4-way stop at the intersection of Skyview Terrace and Green Pastures Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39216 Hold a public hearing and possible action to establish a 3-way stop at the intersection of Miller Lane and Country Lane.

Commissioner Ingalsbe opened the Public Hearing at 9:59 a.m. Ruben Guerra spoke in favor of the 3-way stop due to traffic and safety issues. Commissioner Ingalsbe closed the Public Hearing at 10:01 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to establish a 3-way stop at the intersection of Miller Lane and Country Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39217 Discussion and possible action to call for a public hearing on August 8th, 2023, to establish a 3-way stop at the intersection La Ventana Parkway and Elder Hill Road.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to call for a public hearing on August 8th, 2023, to establish a 3-way stop at the intersection La Ventana Parkway and Elder Hill Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39218 Discussion and possible action to call for a public hearing on August 8th, 2023, to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to call for a public hearing on August 8th, 2023, to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39219 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements of the 3-year maintenance bond #800155699 in the amount of \$121,454.95 for Anthem subd., Phase 4A.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to accept road construction & surface drainage improvements of the 3-year maintenance bond #800155699 in the amount of \$121,454.95 for Anthem subd., Phase 4A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39220 PLN-2248-PC; Call for a Public Hearing on August 1st, 2023 followed by discussion and possible action regarding Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat.

Commissioner Shell corrected the Public Hearing date to August 8th, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to call for a Public Hearing on August 8th, 2023 followed by discussion and possible action regarding Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat (PLN-2248-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39221 Discussion and possible action to authorize the County Judge to execute a new Participating Addendum and Statement of Work between Hays County and Securus Technologies, LLC.pursuant to the National Association of State Procurement Officials (NASPO) ValuePoint Master Agreement #99SWC-NV22-13387 related to Inmate Kiosks and Communications at the Hays County Jail.

Commissioner Ingalsbe asked for clarification on wording in the contract. Stephanie Hunt, First Assistant Auditor, explained why the State of Nevada is mentioned in the contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a new Participating Addendum and Statement of Work between Hays County and Securus Technologies, LLC.pursuant to the National Association of State Procurement Officials (NASPO) ValuePoint Master Agreement #99SWC-NV22-13387 related to Inmate Kiosks and Communications at the Hays County Jail.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39222 Discussion and possible action authorizing the County Judge to execute an Information Release Contract with the Texas Workforce Commission for the benefit of the Hays County Sheriff's Office.

Commissioner Ingalsbe stated this is a yearly renewal that assists investigators.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Information Release Contract with the Texas Workforce Commission for the benefit of the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39223 Discussion and possible action to establish a Board consisting of three District Court Judges and two Commissioners Court members for the purposes of appointing a Purchasing Agent pursuant to Texas Local Government Code Ch. 262.011.



Commissioner Cohen spoke about the need for a designated Purchasing Agent and the benefits it would bring. Steve Thomas, District Court, stated Judge Steele is supportive of a Purchasing Department, and Judges Tibbe, Wright-Reneau, and Pool would serve on the board. Commissioner Cohen stated she would like to be on the board due to her experience in procurement operations. Commissioner Smith volunteered to serve on the board.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to establish a Board consisting of District Court Judges Tibbe, Wright-Reneau, and Pool, and Commissioners Cohen and Smith for the purposes of appointing a Purchasing Agent pursuant to Texas Local Government Code Ch. 262.011.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39224 Discussion and possible action to authorize the County Judge to execute a contract amendment with Deblin Health Concepts & Associates, LLC related to mental health services for the County Court at Law Mental Health Specialty Court.

Judge Elaine Brown, County Court at Law 3, explained this amendment would allow Deblin to provide a higher level of care management, psychiatric services, and medications.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract amendment with Deblin Health Concepts & Associates, LLC related to mental health services for the County Court at Law Mental Health Specialty Court.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39225 Discussion and possible action authorizing the County Judge to execute a Service Agreement between Hays County and The Bug Master for pest control services for the Thermon Building in the amount of \$90.00 quarterly and authorize a Purchasing Policy waiver.

Commissioner Ingalsbe asked if Judge Becerra's absence necessitates previous motion wording changes for the contracts to be executed. Gregg Cox, First Assistant Criminal District Attorney, stated this clarification is enough. Commissioner Shell amended his motion to "authorize the execution of".

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of a Service Agreement between Hays County and The Bug Master for pest control services for the Thermon Building in the amount of \$90.00 quarterly and authorize a Purchasing Policy waiver.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39226 Discussion and possible action authorizing the County Judge to execute a Service Agreement between Hays County and The Bug Master for one-time pest control services at the Jacob's Well Natural Area in the amount of \$990.00 and authorize a waiver to the Purchasing Policy.

Tammy Crumley, Director of Countywide Operations, explained this is needed due to an infestation of an invasive species of ants.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of a Service Agreement between Hays County and The Bug Master for one-time pest control services at the Jacob's Well Natural Area in the amount of \$990.00 and authorize a waiver to the Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39227 Discussion and possible action to establish one new Financial Specialist III position within the District Clerk's Office effective August 1, 2023 and amend the budget accordingly.



Shari Miller, Director of Human Resources, spoke about the history of this position and why it is needed. Marisol Villarreal-Alonzo, Hays County Auditor, stated this position was recommended for the reconciliation of restitution checks. Commissioner Shell noted new positions should be included in budget discussions, but because of the Auditor's recommendation he will support this today. Commissioner Smith expressed concern over the District Clerk's absence from Commissioners Court and numbers included in the back-up, but stated he will support this today because of the Auditor's recommendation. Villarreal-Alonzo clarified the funding source.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to establish one new Financial Specialist III position within the District Clerk's Office effective August 1, 2023 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Clerk's Note: Item K-7 was re-opened at 10:45 a.m.

Avrey Anderson, Hays County District Clerk, spoke about the need for this position. Commissioner Smith and Commissioner Shell expressed concerns over Anderson's absence from court and his comments.

39228 Discussion and possible action to award RFP 2023-P08 Pre-Trial Services Case Management Software to Corrections Software Solutions and authorize staff and Civil Division to negotiate a contract.

Randy Focken, Director of Pre-Trial Services, stated this proposal was the least expensive and had the quickest turn around time for process implementation.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to award RFP 2023-P08 Pre-Trial Services Case Management Software to Corrections Software Solutions and authorize staff and Civil Division to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39229 Discussion and possible action to authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County and the City of San Marcos regarding the administration of immunizations at the annual back-to-school vaccine fair on August 5, 2023 and August 7 -11, 2023.

Tammy Crumley, Director of Countywide Operations, explained vaccines will no longer be administered by Christus and this agreement will allow the City of San Marcos Fire Department to assist the county at the vaccine fair, and through the rest of the year if needed.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the execution of an Interlocal Cooperation Agreement between Hays County and the City of San Marcos regarding the administration of immunizations at the annual back-to-school vaccine fair on August 5, 2023 and August 7 -11, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - WAS PULLED.*

Clerk's Note Agenda Item #M-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs. - WAS PULLED.*

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*



Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department.* - WAS PULLED.

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.* - WAS PULLED.

Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken.

Rodrigo Amaya made a public comment asking for more details on the advancement of the department and its mission. Randy Focken, Director of Pre-Trial Services, updated the Court on the department including staffing, case management, creating a process to evaluate and treat individuals, and diversion program opportunities. Commissioner Ingalsbe asked if there will be assistance for inmates having trouble speaking with their attorneys. Focken spoke about the possibility of video conferencing within the jail and providing access to financial affidavits. Commissioner Shell thanked Focken for his work and spoke about the progress Hays County has made regarding pre-trial services. Commissioner Ingalsbe reviewed all the work done so far for pre-trial and suggested having a page on the county website for the department. Gregg Cox, First Assistant Criminal District Attorney, stated a pre-trial diversion program has been in the planning stages and will move along faster now that Pre-Trial Services is operating.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adjourn court at 10:54 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 JULY 25, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 1, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 1st DAY OF AUGUST A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd, Abundant Life Christian Church, 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

Dan Lyon made a public comment concerning county spending. Diana Gonzales made a public comment recognizing Pedernales Electric Cooperative's 85th anniversary and spoke about the organization's history.

39230 Adopt a Proclamation recognizing August 7, 2023 as the 175th Anniversary of the Hays County Sheriff's Office.

The Court spoke about the importance of the Sheriff's Office and thanked the employees for their work. Gary Cutler, Hays County Sheriff, thanked the Court for the recognition and spoke about the employees and their dedication to the job. Judge Becerra encouraged people to apply for the Hays County Sheriff's Citizens Academy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Proclamation recognizing August 7, 2023 as the 175th Anniversary of the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39231 Adopt a Proclamation recognizing August 2023 as National Immunizations Awareness Month.

Commissioner Ingalsbe thanked the Hays County Local Health Department for their service to the community. Commissioner Cohen thanked public health workers and spoke about an event for free vaccines. Commissioner Shell recognized the Health Department for their history of outstanding work. Commissioner Smith thanked the Health Department for their work in public health. Judge Becerra spoke about his experience managing public health and the Health Department's work. Matthew Gonzales, Local Health Department Manager, spoke about the importance and impact of vaccines, addressing vaccine hesitancy with community engagement and communication, and recognized Health Department employees.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing August 2023 as National Immunizations Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

**39232 Approve payments of County invoices.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39233 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39234 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39235 Authorize a waiver to the purchasing policy for a corrected Hofmann's quote for Building Maintenance to install ADA handrails in the amount of \$3,380.09 at the rear elected officials' entrance of the Government Center and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize a waiver to the purchasing policy for a corrected Hofmann's quote for Building Maintenance to install ADA handrails in the amount of \$3,380.09 at the rear elected officials' entrance of the Government Center and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39236 Receive Annual Road Reports for each Precinct as required by the Texas Transportation Code Sect 251.005.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to receive Annual Road Reports for each Precinct as required by the Texas Transportation Code Sect 251.005.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39237 Approve out-of-state travel for CECC Director Stephanie Robinson to attend the Tyler New World Advisory Board Meeting on September 19-20, 2023 in Troy, Michigan.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve out-of-state travel for CECC Director Stephanie Robinson to attend the Tyler New World Advisory Board Meeting on September 19-20, 2023 in Troy, Michigan.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39238 Authorize an exam site renewal and fee of \$500.00 with Texas Commission on Law Enforcement for the Sheriff's Training Academy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize an exam site renewal and fee of \$500.00 with Texas Commission on Law Enforcement for the Sheriff's Training Academy.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39239 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39240 Authorize the execution of Amendment 2 with JM Engineering to provide additional required duct work, materials, grill, and fire smoke damper, in relation to the IT-Election Building renovation in the amount of \$15,122.40 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of Amendment 2 with JM Engineering to provide additional required duct work, materials, grill, and fire smoke damper, in relation to the IT-Election Building renovation in the amount of \$15,122.40 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39241 Authorize the Hays County Local Health Department (HCLHD) to engage services directly with local Fire, EMS and licensed medical personnel to assist with vaccine efforts for children and adults who are eligible under the Texas Vaccines for Children and Adult Safety Net Program through the Texas Department of State Health Services.

Tammy Crumley, Director of Countywide Operations, explained the county signed an agreement with the City of San Marcos last week, but would instead like to engage in direct agreements with local fire, EMS, and medical personnel to assist with providing immunization services. Commissioner Shell asked about the progress of the new IT/Elections building, and Crumley stated the estimated date of completion is mid-September.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Hays County Local Health Department (HCLHD) to engage services directly with local Fire, EMS and licensed medical personnel to assist with vaccine efforts for children and adults who are eligible under the Texas Vaccines for Children and Adult Safety Net Program through the Texas Department of State Health Services.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39242 Discussion and possible action to authorize the execution of Fiscal Year Work Authorizations with HNTB Corporation in the total amount of \$2,928,423.00 to continue providing General Engineering Consultant (GEC)/Program Management services for the Hays County 2016 Road Bond Program projects.

Dan Lyon made a public comment against the item and its cost. Commissioner Shell stated the 2016 Bond Program is wrapping up and HNTB has done good work. Carlos Lopez, HNTB Program Manager for Hays County GEC, thanked Hays County and explained that due to the county's work with the Texas Department of Transportation, the original \$131 million approved by the voters in 2016 was leveraged into over \$200 million. The Court commended Lopez and his team for their work. Commissioner Ingalsbe asked if this is expected to be the final work authorization, and Lopez stated most projects are close to being completed. Jerry Borcharding, Director of Transportation, agreed with the Court on the quality of HNTB's work. Commissioner Shell noted the overall cost for doing this work in-house would be much more expensive than this.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of Fiscal Year Work Authorizations with HNTB Corporation in the total amount of \$2,928,423.00 to continue providing General Engineering Consultant (GEC)/Program Management services for the Hays County 2016 Road Bond Program projects.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39243 Discussion and possible action to consider the release of the 2-year maintenance bond #in the amount of \$61,623.61, and the acceptance of roads into the county road maintenance system for 6 Creeks Subdivision, Phase 1, Section 5A.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to release the 2-year maintenance bond in the amount of \$61,623.61, and accept roads into the county road maintenance system for 6 Creeks Subdivision, Phase 1, Section 5A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39244 Discussion and possible action to consider the release of the 2-year maintenance bond #135518C in the amount of \$89,741.66, and the acceptance of roads into the county road maintenance system for Trails at Windy Hill subdivision, Phase 3.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to release the 2-year maintenance bond #135518C in the amount of \$89,741.66, and accept roads into the county road maintenance system for Trails at Windy Hill subdivision, Phase 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39245 Discussion and possible action to consider the release of the 2-year maintenance bond #PB0301680069 in the amount of \$66,811.47, and the acceptance of roads into the county road maintenance system for Great Hills subdivision, Section 7.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to release the 2-year maintenance bond #PB0301680069 in the amount of \$66,811.47, and accept roads into the county road maintenance system for Great Hills subdivision, Section 7.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39246 PLN-2232-PC; Call for a Public Hearing on August 15th, 2023, followed by discussion and possible action regarding Fitzhugh Acres, Lot 4, Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on August 15th, 2023, followed by discussion and possible action regarding Fitzhugh Acres, Lot 4, Replat (PLN-2232-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39247 Discussion and possible action authorizing the execution of a contract between Hays County and Securus Technologies, Inc. for digital mail services and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D).

Commissioner Ingalsbe explained this provides digital mail for inmates and prevents items not permitted from being delivered. Captain Julie Villalpando, Hays County Sheriff Corrections Bureau, stated this will improve safety at the jail. Judge Becerra clarified that mail has always been screened before being delivered to inmates. Villalpando stated this is paid for with the commission earned from the Securus contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a contract between Hays County and Securus Technologies, Inc. for digital mail services and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39248 Discussion and possible action to authorize the execution of Change Order No.1 to the Thermon building remodel agreement with The Fence Lady Inc. in the amount of \$7,066.21 and amend the budget accordingly.

Dan Lyon made a public comment concerning change orders and the cost of the item. Commissioner Shell stated he agrees with Lyon's concerns and clarified the county requested these improvements. Tammy Crumley, Director of Countywide Operations, further explained the issues were identified by the county, not the contractor, and it will be more cost-effective to address them now rather than in the future. Crumley described the improvements that will be made, including cabinetry, gutters, and doors.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of Change Order No.1 to the Thermon building remodel agreement with The Fence Lady Inc. in the amount of \$7,066.21 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action to consider the creation of a Justice Court, Precinct 2 Place 2 under Chapter 27 of the Texas Government Code.

Commissioner Cohen explained she believes a Justice of the Peace Place 2 should be added to Precinct 2 due to increased work load and population growth. Beth Smith, Justice of the Peace Precinct 2, spoke about the challenges she has faced due to large population growth and the potential of providing services to the eastern portion of the county. Judge Becerra spoke about plans for an East Hays County campus and gave support for another Justice Court. Sandra Bryant, Justice of the Peace Precinct 5, spoke about the large growth Hays County has experienced and gave support for another Justice Court. Tucker Furlow, Assistant Criminal District Attorney - Civil Division, spoke about the process of creating a new Justice Court and how it could affect elections. Commissioner Ingalsbe spoke about providing more services to the eastern portion of the county. Commissioner Shell spoke about the possibility of creating a precinct on the east side of the county and having a medical examiner, and inquired about the costs associated with the creation of a new Justice Court. The Court discussed with Judge Smith and Judge Bryant the staff and office space that would be needed. Commissioner Smith gave support for more services on the east side of the county and spoke about maintaining convenience for citizens. The Court discussed with Furlow the possibility of creating a 6th precinct and gave direction for the creation of a committee to evaluate options and provide a recommendation, and for Countywide Operations to search for office space on the east side of the county. No action taken.

Discussion and possible action regarding the Fiscal Year 2024 budget including a presentation of the Budget Office recommended budget and selection of dates for budget workshops.

Vickie Dorsett, Hays County Budget Officer, presented the recommended budget to the Court and stated Budget Workshops are scheduled for 11 a.m. on August 8th and August 15th, and the Public Hearing to vote on a proposed budget and proposed tax rate is scheduled for 1 p.m. on August 22nd. The Court thanked Dorsett for all her work on the budget and discussed inflation, the tax rate, and salary increases. No action taken.

Clerk's Note: Executive Session began at 11:42 a.m. and resumed back into open court at 12:18 p.m.

39249 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Smith clarified the Office of General Counsel has been moved under the Criminal District Attorney's Office, and this just transfers all duties.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to confirm that past Parks-related authorizations for the Office of General Counsel are now given to the Civil Division of the Hays County Criminal District Attorney's Office, including but not limited to authority to engage Surveying or Appraisal services for Parks Bond projects, and authority to execute all documents incidental to Closing a transaction approved by Commissioners Court.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39250 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 Hot Pursuit and Project Midnight Blue. Possible action may follow in open court.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the Civil Division of the Hays County Criminal District Attorney's Office to send a letter of support in regard to Project Midnight Blue, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban.* - **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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 562 for the week of July 23, 2023, with a peak of 572 inmates on July 29, 2023. The estimated cost for outsourcing inmates this week was \$150,650. The average number of outsourced males is 240 and females is 0. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 48.

Clerk's Note: Judge Becerra called for a recess that began at 11:13 a.m. and resumed back into open court at 11:21 a.m.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).* - **WAS PULLED.**

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department.* - **WAS PULLED.**

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.* - **WAS PULLED.**

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken.* - **WAS PULLED.**

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 12:20 p.m.



August 1, 2023

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 AUGUST 1, 2023.



Elaine H. Cardenas

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 8, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8th DAY OF AUGUST A.D., 2023, 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
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4 Via Teams
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:

Pastor Darius Todd, Abundant Life Christian Church San Marcos, 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

Dan Lyon made a public comment concerning wildfires and the need for additional exits from neighborhoods, as well as county spending.

Presentation and update regarding the creation and work of the Hays County Behavioral Advisory Team (BAT).

Commissioner Ingalsbe recognized members of the team that were present. Judge Elaine Brown, County Court at Law 3, updated the Court on the work of the Hays County BAT. Identified gaps in service include the need for crisis services, a diversion center, assertive community treatment programs, competency restoration, a behavioral health office, and an enhancement of 911 and law enforcement response to behavioral crises. So far, the BAT has created subcommittees to address the gaps in service, increased awareness throughout the community, and held a symposium on diversion court. Kelly Higgins, Hays County Criminal District Attorney, reiterated the identified gaps in service and spoke about the challenges those with mental illness face when going through the criminal justice system and how competency restoration can address them. Stan Stanridge, San Marcos Police Department Chief, spoke about the opportunity for Hays County to develop new services for mental health issues. The Court gave support for this initiative and thanked those involved. Alex Villalobos, Hays County Chief of Staff, spoke about the importance of preventing crises through education and awareness.

39251 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39252 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

**39253 Approve the payment of United Healthcare claims.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39254 Approve Commissioners Court Minutes of July 25, 2023 and August 1, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Commissioners Court Minutes of July 25, 2023 and August 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39255 Approve the payment of the August 15, 2023 payroll disbursements in an amount not to exceed \$3,800,000 effective August 15, 2023 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 Cohen to approve the payment of the August 15, 2023 payroll disbursements in an amount not to exceed \$3,800,000 effective August 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39256 Authorize the execution of a contract amendment to the Department of State Health Services (DSHS), Public Health Workforce Grant.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a contract amendment to the Department of State Health Services (DSHS), Public Health Workforce Grant.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39257 Authorize the execution of an amendment to a grant award from the Department of State Health Services, Tuberculosis Prevention - Federal (TB-FED).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of an amendment to a grant award from the Department of State Health Services, Tuberculosis Prevention - Federal (TB-FED).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39258 Authorize the County Judge to execute a Memorandum of Understanding (MOU) between the Department of State Health Services (DSHS) and the Hays County Local Health Department (HCLHD) for medications received through DSHS's Pharmacy Unit ordering platform.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a Memorandum of Understanding (MOU) between the Department of State Health Services (DSHS) and the Hays County Local Health Department (HCLHD) for medications received through DSHS's Pharmacy Unit ordering platform.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39259 Authorize the acceptance of a grant award from the Capital Area Council of Governments (CAPCOG) in the amount of \$10,000.00 and amend the budget accordingly.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the acceptance of a grant award from the Capital Area Council of Governments (CAPCOG) in the amount of \$10,000.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39260 Authorize the County Judge to execute an updated services agreement between Hays County and The Bug Master to add pest prevention services to the interior of the PSB 911 Call Center in the amount of \$115.00 quarterly and authorize a waiver to the purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an updated services agreement between Hays County and The Bug Master to add pest prevention services to the interior of the PSB 911 Call Center in the amount of \$115.00 quarterly and authorize a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39261 Authorize the transfer of \$1,100.00 to continuing education funds within the Development Services operating budget and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the transfer of \$1,100.00 to continuing education funds within the Development Services operating budget and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39262 Amend the Elections Administration Office continuing education budget for additional funds needed to attend the 41st Annual Election Law Seminar for County Election Officials held in Austin, Texas.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to amend the Elections Administration Office continuing education budget for additional funds needed to attend the 41st Annual Election Law Seminar for County Election Officials held in Austin, Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39263 Authorize IT and Election's Department to purchase security camera and monitoring system for the IT-Elections Building from Security One, Inc. and authorize a purchasing wavier to the Purchasing Policy and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize IT and Election's Department to purchase security camera and monitoring system for the IT-Elections Building from Security One, Inc. and authorize a purchasing wavier to the Purchasing Policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39264 Authorize the Justice of the Peace, Precinct 5 Office to purchase one Microsoft Surface Go3 tablet utilizing the Justice Court Technology Fund and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Justice of the Peace, Precinct 5 Office to purchase one Microsoft Surface Go3 tablet utilizing the Justice Court Technology Fund and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39265 Authorize additional travel funds for the Juvenile Probation Office related to juvenile placements and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize additional travel funds for the Juvenile Probation Office related to juvenile placements and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39266 Approve Utility Permits.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39267 Authorize the County Clerk's Office to purchase four additional modular desk units for staffing needs and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Clerk's Office to purchase four additional modular desk units for staffing needs and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39268 Authorize the Constable Pct. 5 Office to purchase additional law enforcement supplies utilizing continuing education savings and amend the budget accordingly.

Vickie Dorsett, Hays County Budget Officer, explained the Constable Pct. 5 Office had additional firearms training that was paid for out of the continuing education fund and stated the amount requested in the backup is being reduced from \$900 to \$750.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Constable Pct. 5 Office to purchase additional law enforcement supplies utilizing continuing education savings and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39269 Authorize the County Judge to execute an Interface Agreement between Hays County and Clinical Pathology Laboratories, Inc. (CPL) for an electronic medical record interface between CPL and CureMD.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an Interface Agreement between Hays County and Clinical Pathology Laboratories, Inc. (CPL) for an electronic medical record interface between CPL and CureMD.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39270 Approve the appointment of Alex Banbury to the Hays County Historical Commission to replace Jonafa Banbury, the County Judge's appointee.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the appointment of Alex Banbury to the Hays County Historical Commission to replace Jonafa Banbury, the County Judge's appointee.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39271 Discussion and possible action to authorize the Court to execute Contract Amendment No. 1 in the amount of \$10,000.00 to the Professional Services Agreement between Hays County and Halff Associates, Inc. for appraisal review services on the RM 12 safety improvements near the intersection of Skyline Drive and Mountain Crest Drive project in Precinct 3, as part of the Hays County Road Bond Program.

Commissioner Shell spoke about the progress of the project.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Court to execute Contract Amendment No. 1 in the amount of \$10,000.00 to the Professional Services Agreement between Hays County and Halff Associates, Inc. for appraisal review services on the RM 12 safety improvements near the intersection of Skyline Drive and Mountain Crest Drive project in Precinct 3, as part of the Hays County Road Bond Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39272 Discussion and possible action to authorize the execution of Contract Amendment No. 4 in the amount of \$55,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

Commissioner Smith explained this is the fastest way to have a traffic signal designed, which is needed due to safety concerns at the intersection. Judge Becerra urged all involved to expedite the process and suggested temporary signage.

A motion was made by Commissioner Shell, seconded by Judge Becerra to authorize the execution of Contract Amendment No. 4 in the amount of \$55,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39273 Discussion and possible action to authorize the County Judge to execute an Advance Funding Agreement Amendment No. 1 between Hays County and the Texas Department of Transportation relating to the US 290 at Trautwein Road intersection improvement project.

Judge Becerra explained the benefits of Advance Funding Agreements. Commissioner Smith stated construction is expected to start before the end of the year.

A motion was made by Judge Becerra, seconded by Commissioner Shell to authorize the County Judge to execute an Advance Funding Agreement Amendment No. 1 between Hays County and the Texas Department of Transportation relating to the US 290 at Trautwein Road intersection improvement project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39274 Discussion and possible action to approve the selection of Doucet & Associates, Inc. to provide engineering services for RM 12 from RM 150 to Golds Road project in Precinct 3; and authorize staff and counsel to negotiate a contract.

Commissioner Shell spoke about the long term improvements needed on this roadway and explained why these projects take several years to be completed.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the selection of Doucet & Associates, Inc. to provide engineering services for RM 12 from RM 150 to Golds Road project in Precinct 3; and authorize staff and counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39275 Hold a public hearing with possible action to establish a 3-way stop at the intersection La Ventana Parkway and Elder Hill Road.

Judge Becerra opened the Public Hearing at 10:42 a.m. David Blackwell spoke about the location of the 3-way stop and suggested adding flashing lights closer to the sharp turn in the road to alert drivers. Jennifer Manning spoke about the location of the 3-way stop and stated this intersection is too far from the portion of road where accidents occur for the stop to be useful. Judge Becerra closed the Public Hearing at 10:45 a.m. Commissioner Smith spoke about safety issues at this road and explained how a 3-way stop should slow down traffic prior to the turn. David Blackwell expressed concerns over the effectiveness of this safety measure. Commissioner Smith spoke about resident concerns about this portion of the road that have been brought to him and further explained why he believes this will be effective, including a recommendation from the Transportation Department. Commissioner Shell spoke about the challenges of balancing road improvements and controlling speed. Judge Becerra stated he plans to visit the site to learn more about the traffic issues. Commissioner Ingalsbe noted this can be revisited and reevaluated for effectiveness once the 3-way stop is established.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to establish a 3-way stop at the intersection La Ventana Parkway and Elder Hill Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39276 Discussion and possible action to consider the release of the 2-year maintenance bond #107434401 in the amount of \$135,377.94, and the acceptance of roads into the county road maintenance system for Parten Ranch Phase 5.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to release the 2-year maintenance bond #107434401 in the amount of \$135,377.94, and accept roads into the county road maintenance system for Parten Ranch Phase 5.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39277 Discussion and possible action to consider the release of the 2-year maintenance bond #135515C in the amount of \$284,666.74, and the acceptance of roads into the county road maintenance system for Hymeadown Section 2, Phase 1.

Commissioner Ingalsbe corrected the spelling of the subdivision name and stated this has staff recommendation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to release the 2-year maintenance bond #135515C in the amount of \$284,666.74, and accept roads into the county road maintenance system for Hymeadow Section 2, Phase 1.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39278 PLN-2248-PC; Hold for a Public Hearing, followed by discussion and possible action regarding Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat.

Judge Becerra opened the Public Hearing at 10:00 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:01 a.m. Colby Machacek, Hays County Development Services Planning Department, provided background on the property and stated staff recommends disapproval due to outstanding deficiencies noted in the backup. Development Services staff is willing to work with the applicant to address the deficiencies so that the item can be brought back to court for a final determination.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to disapprove Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat (PLN-2248-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39279 PLN-2093-PRE; Discussion and possible action to consider granting a variance from Chapter 721 § 5.03 and Table 721.02 of the Hays County Development Regulations regarding the Hawk Ridge, Phase 2, Preliminary Plan.

Colby Machacek, Hays County Development Services Planning Department, stated the Fire Marshal has reviewed the request and provided a letter of approval. Commissioner Smith spoke about drainage concerns and stated the Transportation Department no longer believes there is an issue. Jon Thompson, applicant, spoke about the development and stated this is the last step before the preliminary plan can be approved. Commissioner Shell and Commissioner Ingalsbe stated in the future they believe plans with these issues should be redrawn. Commissioner Smith agreed, but stated he was willing to sponsor this item so that the subdivision is able to maintain uniformity in its design.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance from Chapter 721 § 5.03 and Table 721.02 of the Hays County Development Regulations regarding the Hawk Ridge, Phase 2, Preliminary Plan (PLN-2093-PRE).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39280 Discussion and possible action to authorize the execution of a contract between Hays County and Corrections Software Solutions regarding Pre-Trial Case Management Software (RFP 2023-P08) and amend the budget accordingly.

Randy Focken, Director of Pre-Trial Services, explained this software is used widely across the state and will allow for better management of cases and communications. Judge Becerra asked how this will help reduce "Failures to Appear", and Focken stated this will provide two-way communication with individuals. Commissioner Ingalsbe asked if this will address the issue of case resets, and Focken explained this will give the ability to evaluate cases and determine why they are being stalled. Commissioner Cohen asked how notifications are being sent, and Focken stated both email and text messages will be used.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a contract between Hays County and Corrections Software Solutions regarding Pre-Trial Case Management Software (RFP 2023-P08) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39281 Discussion and possible action to consider granting a variance to Section 10.W.1 of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of the property located at 6331 Niederwald Strasse, Kyle, TX 78620.

Colby Machacek, Hays County Development Services Planning Department, explained the variance is needed due to the replat not being submitted to the county for review. Granting the variance would allow the construction of the system while the plat review process takes place. Judge Becerra spoke about the need for more coordination between the county and municipalities. Commissioner Shell noted there is a state law that requires cities and counties to streamline this process, and there are a few cities that are still lacking agreements with the county. Alex Hernandez, property owner, spoke about the process of constructing his house and the need for the variance. Commissioner Ingalsbe gave support for granting the variance and thanked Hernandez for his patience with the county.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to grant a variance to Section 10.W.1 of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of the property located at 6331 Niederwald Strasse, Kyle, TX 78620.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39282 Discussion and possible action to authorize execution of a General Letter of Understanding for implementation of Employee Navigator, operated by The Blue Orange Solutions, LLC, for County benefits management and authorize a waiver to the County Purchasing Policy.



Shari Miller, Director of Human Resources, explained employee benefits have historically been managed on paper, and this new system's cost would be sponsored by Aflac, one of the county's insurance providers. This system would provide increased access to and better management of benefit information for both employees and Human Resources.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize execution of a General Letter of Understanding for implementation of Employee Navigator, operated by The Blue Orange Solutions, LLC, for County benefits management and authorize a waiver to the County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39283 Discussion and possible action to authorize Building Maintenance to install an ADA ramp in front of the Thermon building leading from the parking lot to the building.

Tammy Crumley, Director of Countywide Operations, explained the sidewalk needs to be updated to be ADA compliant.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize Building Maintenance to install an ADA ramp in front of the Thermon building leading from the parking lot to the building.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 11:00 a.m. and resumed back into open court at 11:14 a.m.

39284 11:00 a.m. - Budget Workshop regarding the Fiscal Year 2024 budget. Possible action may follow.

Vickie Dorsett, Hays County Budget Officer, spoke to the Court about American Rescue Plan Act (ARPA) funds and options for allocating them to various organizations. The Court discussed how to fund School Resource Officers and decided to review their allocations and return with a proposal at the next meeting. Dorsett reviewed the Social Services fund requests and recommendations and the Court discussed allocation options.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to approve the recommended FY 2024 Social Services Budget.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:59 a.m. and resumed back into open court at 1:33 p.m.

Executive Session pursuant to Sections 551.071, 551.074, and 551.076 of the Texas Government Code: consultation with counsel and deliberation regarding the deployment of security personnel or devices at the Hays County Government Center and each individual position within the Constables Office for Precinct 1.

No action taken.

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of real property associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

No action taken.



Discussion and possible action related to the burn ban.

Judge Becerra spoke about the Oak Grove fire and thanked all firefighters, workers, and volunteers for their assistance. The fire burned 400 acres and one home was lost. He urged residents to trim trees on their property to mitigate risk and spoke about the importance of establishing additional routes out of neighborhoods with only one entrance. The Court thanked Jude Prather, Hays County Veteran Services Officer, Mike Jones, Director of the Office of Emergency Services, State Representative Erin Zwiener, Representative Chip Roy, and all who donated supplies and food. Commissioner Shell spoke about improving communication with citizens. Commissioner Smith thanked the A&M Forest Service for their coordination and assistance. No action 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 566 for the week of July 30, 2023, with a peak of 572 inmates on August 2, 2023. The estimated cost for outsourcing inmates this week was \$157,185. The average number of outsourced males is 240 and females is 7. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick.

Clerk's Note Agenda Item #N-3 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 #N-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #N-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #N-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*


Clerk's Note Agenda Item #N-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:33 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 AUGUST 8, 2023.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 15, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 15th DAY OF AUGUST A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd, Hays County Chaplain, 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

Dan Lyon made a public comment concerning county spending and watershed protection.

39285 Adopt a Proclamation declaring the week of August 14, 2023 as Rose Brooks Week in Hays County.

Rose Brooks thanked the Court for the Proclamation. The Court recognized and thanked Brooks for her service to the community.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring the week of August 14, 2023 as Rose Brooks Week in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation by Christus Santa Rosa -- San Marcos, Interim CEO, Anne Pileggi and Christus Trinity Community Clinic Director, Kathleen Chomel, to provide an annual update on the operations and services provided to Hays County.

Anne Pileggi reviewed the services provided to indigent patients in Hays County. Kathleen Chomel spoke about plans to expand access to healthcare and increase specialty providers. The Court discussed transportation issues and how to improve access to healthcare. Dr. Stephen Richardson spoke about telemedicine services available.

39286 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39287 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of Juror checks.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39288 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39289 Approve Commissioners Court Minutes of August 8, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Commissioners Court Minutes of August 8, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39290 Authorize Representative Changes to the Local Government Investment Cooperative (LOGIC) account.

Daphne Tenorio, Hays County Treasurer, explained this update will remove two former treasurers' names from the account and add Tenorio's, and will authorize the Auditor's Office to have inquiry review.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Representative Changes to the Local Government Investment Cooperative (LOGIC) account.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39291 Accept \$76,560.00 in supplemental funds from the Texas Juvenile Justice Department related to post-TJJD disposition and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept \$76,560.00 in supplemental funds from the Texas Juvenile Justice Department related to post-TJJD disposition and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39292 Accept a donation of \$6,000.00 from Onera Wimberley for costs associated with the Transportation Departments installation of a Solar Radar Sign on Buttercup Lane and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept a donation of \$6,000.00 from Onera Wimberley for costs associated with the Transportation Departments installation of a Solar Radar Sign on Buttercup Lane and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39293 Accept delivery of the Quarterly Audit Reports for 1st Quarter Fiscal Year 2023 for the following offices: Constable 3, Development Services, Elections, Fire Marshal, Justice of the Peace Pct. 1.1, Pct. 1-2, Pct. 4 and Pct. 5, Recycling and Solid Waste Centers, and Transportation.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept delivery of the Quarterly Audit Reports for 1st Quarter Fiscal Year 2023 for the following offices: Constable 3, Development Services, Elections, Fire Marshal, Justice of the Peace Pct. 1.1, Pct. 1-2, Pct. 4 and Pct. 5, Recycling and Solid Waste Centers, and Transportation.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39294 Authorize Recycling and Solid Waste to purchase two (2) Hessaire Portable Evaporative Coolers in the amount of \$1,510.00 each and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Recycling and Solid Waste to purchase two (2) Hessaire Portable Evaporative Coolers in the amount of \$1,510.00 each and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39295 Authorize the execution of a Second Amendment to Interlocal Agreement #2020-0107 with Texas State University for Task Order #3 concerning the project titled Blanco River-Aquifers Assessment Tool for Water and Understanding Sustainability Trends: Independent Technical Review.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a Second Amendment to Interlocal Agreement #2020-0107 with Texas State University for Task Order #3 concerning the project titled Blanco River-Aquifers Assessment Tool for Water and Understanding Sustainability Trends: Independent Technical Review.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39296 Authorize the County Judge to execute the Letter of Transfer for Held-In-Trust Collections and the Letter of Transfer/Ownership for the project records related to the Archeological Survey that was completed on Sentinel Peak.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Letter of Transfer for Held-In-Trust Collections and the Letter of Transfer/Ownership for the project records related to the Archeological Survey that was completed on Sentinel Peak.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39297 Authorize the County Judge to execute a Letter of Support for the City of San Marcos Resilient Infrastructure Improvements Grant Application regarding the improvement of the stormwater drainage system within the Sunset Acres neighborhood located in Precinct 1.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a Letter of Support for the City of San Marcos Resilient Infrastructure Improvements Grant Application regarding the improvement of the stormwater drainage system within the Sunset Acres neighborhood located in Precinct 1.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39298 Authorize Building Maintenance to purchase a new Tiger Cat 61" Scag Mower in the amount of \$10,009.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to purchase a new Tiger Cat 61" Scag Mower in the amount of \$10,009.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39299 Authorize the Local Health Department to purchase exam room furniture for the patient exam rooms at the Local Health Department and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Local Health Department to purchase exam room furniture for the patient exam rooms at the Local Health Department and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39300 Authorize the Office of Emergency Services to transfer funds to continuing education in the Fire Marshal Fee Code Fund and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Office of Emergency Services to transfer funds to continuing education in the Fire Marshal Fee Code Fund and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39301 Authorize the acceptance of a grant award from the Texas Indigent Defense Commission (TIDC) FY24 Improvement Grant Program in the amount of \$61,913.00.

Commissioner Ingalsbe thanked the TIDC for awarding the grant. Tammy Crumley, Director of Countywide Operations, noted this is a 4-year grant and the match increases every year.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the acceptance of a grant award from the Texas Indigent Defense Commission (TIDC) FY24 Improvement Grant Program in the amount of \$61,913.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39302 Approve renewal of IFB 2020-B06 Roadway Striping with D.I.J. Construction, Inc., effective June 1, 2023.

Judge Becerra asked the Transportation Department to include the Courthouse Grounds in the next roadway striping project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve renewal of IFB 2020-B06 Roadway Striping with D.I.J. Construction, Inc., effective June 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39303 Authorize the IT and Election's Department to purchase and install Networx wireless networking locks system from Rick's Lock & Key Service, Inc. and authorize a wavier to the Purchasing Policy and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the IT and Election's Department to purchase and install Networx wireless networking locks system from Rick's Lock & Key Service, Inc. and authorize a wavier to the Purchasing Policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39304 Authorize the IT and Election's Department to accept contract change order one in the amount of \$799.94 with Firetrol Protection Systems related to the addition of a pull station pursuant to Buyboard Contract #654-21 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the IT and Election's Department to accept contract change order one in the amount of \$799.94 with Firetrol Protection Systems related to the addition of a pull station pursuant to Buyboard Contract #654-21 and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39305 Authorize additional funding for the Extension Office related to travel expenses for Agriculture events and a mandatory Agri-Life faculty meeting and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize additional funding for the Extension Office related to travel expenses for Agriculture events and a mandatory Agri-Life faculty meeting and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39306 Authorize additional continuing education funds for the Juvenile Detention Center related to Basic Life Support training for staff and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize additional continuing education funds for the Juvenile Detention Center related to Basic Life Support training for staff and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39307 Discussion and possible action to consider the release of the 2-year maintenance bond #4438044MNT in the amount of \$30,833.58, and the acceptance of roads into the county road maintenance system for Anthem Subdivision Phase 1, Section B.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to release the 2-year maintenance bond #4438044MNT in the amount of \$30,833.58, and accept roads into the county road maintenance system for Anthem Subdivision Phase 1, Section B.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39308 Discussion and possible action to consider the release of the 2-year maintenance bond #EACX4002108 in the amount of \$240,001.76, and the acceptance of roads into the county road maintenance system for Sunset Oaks Section 4, Phase 1A.

Commissioner Ingalsbe stated this has staff recommendation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to release the 2-year maintenance bond #EACX4002108 in the amount of \$240,001.76, and accept roads into the county road maintenance system for Sunset Oaks Section 4, Phase 1A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39309 PLN-2218-PC; Discussion and possible action regarding the Douglas Estates, D-11 Replat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval. The Court voted to disapprove on July 11, 2023 due to deficiencies, which have since been remedied.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Douglas Estates, D-11 Replat (PLN-2218-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39310 PLN-2232-PC; Hold a Public Hearing, followed by discussion and possible action regarding Fitzhugh Acres, Lot 4, Replat.



Judge Becerra opened the Public Hearing at 11:32 a.m. No comments were made. Judge Becerra closed the Public Hearing at 11:32 a.m. Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends disapproval due to deficiencies.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to disapprove Fitzhugh Acres, Lot 4, Replat (PLN-2232-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39311 PLN-2235-PC; Discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 23, Replat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval. The Court voted to disapprove on July 11, 2023 due to deficiencies, which have since been remedied.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Hurlbut Ranch West, PT of Tract 23, Replat (PLN-2235-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39312 Discussion and possible action to call an election to be held on November 7, 2023 for the purpose of voting on Constitutional Amendments.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call an election to be held on November 7, 2023 for the purpose of voting on Constitutional Amendments.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39313 Discussion and possible action to approve Early Voting locations and Election Day vote center locations for the upcoming Constitutional Amendment election.

Commissioner Smith gave support for the locations and spoke about the work that goes into identifying them.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Early Voting locations and Election Day vote center locations for the upcoming Constitutional Amendment election.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39314 Discussion and possible action to authorize the County Judge to execute a letter of interest to the Hill Country Conservancy regarding the Regional Conservation Partnership Program.

Commissioner Shell stated this not a commitment to spend money, but a letter of intent to participate in a 2023 proposal for the Regional Conservation Partnership Program by the Hill Country Conservancy, and would qualify the county for matching funds.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a letter of interest to the Hill Country Conservancy regarding the Regional Conservation Partnership Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39315 Discussion and possible action to consider the creation of a Justice Court, Precinct 2 Place 2 under Chapter 27 of the Texas Government Code.



Commissioner Cohen stated a subcommittee was formed and due to county growth, the subcommittee recommends the creation of a Justice Court, Precinct 2 Place 2. Judge Beth Smith, Justice of the Peace Precinct 2, spoke about the need for an additional Justice Court due to the large number of inquests she handles. Commissioner Ingalsbe stated the creation of a new position, not a new precinct, is recommended by the subcommittee. Commissioner Shell recognized the Justices of the Peace for their willingness to work together and inquired about the budget implications and appointment process for a new Justice Court. Michael Torres, Constable Precinct 2, gave support for a new Justice Court and spoke about staffing needs. Commissioner Smith gave support for a new Justice Court and asked for input in the process as a representative of Mountain City. Judge Becerra suggested the creation of a new precinct, and the Court discussed whether this would address the JP's issues. Judge John Burns, Justice of the Peace Precinct 4, spoke about the challenges caused by population growth and gave support for the creation of a new Justice Court.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the creation of a new Justice of the Peace Court in Hays County, to be hereafter called Justice of the Peace, Precinct 2, Place 2; to authorize the Hays County Human Resources Department to begin the recruiting process of filling the new Justice of the Peace vacancy for said court by posting for the newly created position for a minimum period of two weeks; to modify the previously created committee for the specific purpose of reviewing the applications received for the newly created Justice of the Peace position and thereafter returning with candidate recommendations to the Commissioners Court. The modified committee would include Commissioner Ingalsbe, Hays County HR Director, Shari Miller, and Commissioner Cohen.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 10:45 a.m. and resumed back into open court at 11:02 a.m.

39316 Discussion and possible action to award a contract for IFB 2023-B09 Sawyer Ranch Road - Remove and Replace Hot Mix with Lone Star Paving in the amount of \$1,008,000.00.

Commissioner Smith explained this is needed due to the numerous schools located along this roadway.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award a contract for IFB 2023-B09 Sawyer Ranch Road - Remove and Replace Hot Mix with Lone Star Paving in the amount of \$1,008,000.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39317 Discussion and possible action to award a contract for IFB 2023-B17 Jack Rabbit Lane - Remove and Replace Hot Mix with Bennett Paving, Inc. in the amount of \$176,750.00.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to award a contract for IFB 2023-B17 Jack Rabbit Lane - Remove and Replace Hot Mix with Bennett Paving, Inc. in the amount of \$176,750.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

11:00 a.m. - Budget Workshop regarding the Fiscal Year 2024 budget. Possible action may follow.

Sergeant Freddy Duran, Texas DPS Highway Patrol, requested an Administrative Assistant position for the now full-time operational scale house in Hays County. Judge Becerra asked about state funding, and Sergeant Duran explained the state is funding the facility and equipment for the position. Commissioner Ingalsbe asked about the scale house's hours and staffing. Commissioner Cohen asked about the work this position would be responsible for. Commissioner Smith spoke about the possibility of opening a driver's license office and DPS substation in Dripping Springs. Sergeant Duran spoke about his goals for the facility. Vickie Dorsett, Hays County Budget Officer, stated the compensation committee will be presenting a recommendation on personnel at the next Budget Workshop. No action taken.



Clerk's Note: Executive Session began at 11:43 a.m. and resumed back into open court at 11:56 a.m.

39318 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Shell stated the county is awaiting an appraisal and anything in addition would be considered bargain sale, the maximum the county will be responsible for is \$2.5 million, and this will provide trail connectivity to the San Marcos Loop. Judge Becerra clarified this is for a walking trail, not a roadway.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Purchase Agreement between Hays County and Hill Country Land Reserve, LLC, regarding the purchase of fee title in 102.8 acres of property, commonly known as the "Elsik Tract" and located west by northwest of San Marcos, Texas, in Precinct 3, as presented in Executive Session, authorize Civil Division counsel to take all actions and execute all documents incidental to Closing, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #N-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 561 for the week of August 6, 2023, with a peak of 574 inmates on August 7, 2023. The estimated cost for outsourcing inmates this week was \$156,450. The average number of outsourced males is 231 and females is 10. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 38.

Clerk's Note Agenda Item #N-3 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 #N-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Updates of community health assessment by local health department.

Matthew Gonzales, Hays County Local Health Department Manager, presented an executive summary of the analysis portion of the community health assessment. Topics included data collection methods, visioning sessions, community status assessments, and community partner assessments. The identified goals are to improve the indigent care program application process, to assess, develop, and sustain a County Medical Reserve Corps to respond to public health urgent needs and emergencies, to support the expansion of the Enhanced ID Card Program in San Marcos to other parts of the county, to establish an information sharing process centered on the new Healthy Hays Coalition, to broaden the scope of organizations and individuals actively engaged in community participation and collaboration, to gather new partners to collaborate on transportation solutions, and to determine effective opportunities for partnership with housing stakeholders and influencers. The Court thanked Matthew and all involved with compiling this data and spoke about next steps.

Clerk's Note Agenda Item #N-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*



August 15, 2023

Clerk's Note Agenda Item #N-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken.* - **WAS PULLED.**

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 11:58 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 AUGUST 15, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 22, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 22nd DAY OF AUGUST A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Jeff Latham, Westover Baptist Church, 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 COMMENT

Dan Lyon made a public comment regarding water conservation efforts. Amy Kamp made a public comment regarding concerns with the legal system in Hays County. Cyrus Gray made a public comment regarding concerns with the legal system in Hays County.

39319 Adopt a proclamation declaring September 2023 as Emergency Preparedness Month in Hays County.

Mike Jones, Director of the Office of Emergency Services, thanked the Court and spoke about the importance of preparedness. Michelle Villegas, Emergency Preparedness Coordinator, invited the public to the 6th annual Hays County Emergency Preparedness Fair. Judge Becerra spoke about Emergency Service Districts (ESDs) and the ongoing work against wildfires. Commissioner Smith spoke about the ESDs in Dripping Springs. The Court thanked all emergency workers and volunteers.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to adopt a proclamation declaring September 2023 as Emergency Preparedness Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation of Hays County Employee Service Awards.

Kim Jeter, Hays County HR Manager, presented service milestone awards to Hays County employees.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for TruChoice Pregnancy Resource Center.

Christopher Pitts and Terry Cummings made public comments against the item. Elaine H. Cardenas, Hays County Clerk, read an emailed public comment from Lianne Staff against the item. Judge Becerra noted this will not be voted on today. Eric Boehning, Ardurra Senior Project Manager, stated the ARPA grant would be used to purchase an ultrasound machine and exam table. Commissioner Shell explained the ARPA fund process and spoke about correspondence received against this item.



Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Capital IDEA.

Eric Boehning, Ardurra Senior Project Manager, stated the funds would be used to enroll students into their career expressway and would cover childcare, college prep, tuition, and supplies. Commissioner Ingalsbe stated \$90,000 is to be given over the next two years. Commissioner Smith thanked Commissioner Ingalsbe for this item and spoke about the work Capital IDEA has done within the county. Boehning explained the intent of the American Rescue Plan Act and how local governments are able to use the funds to mitigate the effects of the COVID-19 pandemic. Commissioner Smith further elaborated on the broad definition of the "effects of COVID" and how these funds can be used for non-profits and organizations that experienced revenue loss during the pandemic.

Presentation by Dr. George Naufal, Texas A&M Associate Research Scientist, regarding Counsel at First Appearance (CAFA) Study Results.

Dr. George Naufal, Texas A&M Associate Research Scientist, presented a study on how the presence of defense counsel at Magistration impacts defendant outcomes. The Court discussed the study results with Dr. Naufal, including comparisons to other counties the study was conducted in, the impact of the pandemic on court proceedings, and possible savings for the county. Chevo Pastrano, local attorney, expressed concerns over the implementation of CAFA and possible ethical issues. Gregg Cox, First Assistant Criminal District Attorney, gave support for giving defense counsel access to Magistration and spoke about recent changes to the Hays County legal system, including Pre-Trial Services and the Public Defender's Office.

39320 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39321 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39322 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39323 Approve Commissioners Court Minutes of August 15, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Commissioners Court Minutes of August 15, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39324 Approve the payment of the August 31, 2023 payroll disbursements in an amount not to exceed \$5,150,000 effective August 31, 2023 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 Cohen to approve the payment of the August 31, 2023 payroll disbursements in an amount not to exceed \$5,150,000 effective August 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39325 Adopt a resolution reflecting the creation of Justice Court, Precinct 2, Place 2, in accordance with action of the Hays County Commissioners Court on August 15, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a resolution reflecting the creation of Justice Court, Precinct 2, Place 2, in accordance with action of the Hays County Commissioners Court on August 15, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39326 Authorize the Transportation Department to purchase a replacement fuel transfer tank valued at \$792.07 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Transportation Department to purchase a replacement fuel transfer tank valued at \$792.07 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39327 Accept donations totaling \$4,425.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept donations totaling \$4,425.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39328 Authorize the execution of Amendment Number 2 to the Department of State Health Services (DSHS) Health Disparities Grant contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of Amendment Number 2 to the Department of State Health Services (DSHS) Health Disparities Grant contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39329 Approve out-of-state travel for Emergency Communications Manager Megan Jones to attend the Tyler Advisory Board Meeting on September 19-20, 2023, in Troy, Michigan.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve out-of-state travel for Emergency Communications Manager Megan Jones to attend the Tyler Advisory Board Meeting on September 19-20, 2023, in Troy, Michigan.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39330 Authorize the Sheriff's Office to purchase law enforcement equipment valued at \$1,198.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Sheriff's Office to purchase law enforcement equipment valued at \$1,198.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39331 Authorize the execution of the FY 2024 Capital Area Council of Governments (CAPCOG) Interlocal Agreement for 9-1-1 Geographic Information System Database Management with the Capital Area Emergency Communications District (CAECD) for emergency communications Geographic Information Systems (GIS) services to be provided by Hays County with no County matching funds required.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of the FY 2024 Capital Area Council of Governments (CAPCOG) Interlocal Agreement for 9-1-1 Geographic Information System Database Management with the Capital Area Emergency Communications District (CAECD) for emergency communications Geographic Information Systems (GIS) services to be provided by Hays County with no County matching funds required.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39332 Authorize the Commissioner Precinct 1 Office to support Rodriguez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Commissioner Precinct 1 Office to support Rodriguez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39333 Authorize the County Judge to use \$1500.00 of his Community Program Expense to support the San Marcos Kiwanis Club (\$500), Centro Cultural Hispano de San Marcos (\$500) and SMTX Pride (\$500).

Dan Lyon made a public comment against the item. Elaine H. Cardenas, County Clerk, read a letter submitted by SMTX Pride requesting support.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to use \$1500.00 of his Community Program Expense to support the San Marcos Kiwanis Club (\$500), Centro Cultural Hispano de San Marcos (\$500) and SMTX Pride (\$500).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Judge Becerra

NAY: Commissioner Shell, Commissioner Smith

3 - 2 Passed

39334 Authorize the submission of a grant application to the Department of Justice (DOJ), Bureau of Justice Assistance (BJA), FY23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation in the amount of \$37,601.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the submission of a grant application to the Department of Justice (DOJ), Bureau of Justice Assistance (BJA), FY23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation in the amount of \$37,601.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39335 Authorize the County Judge to execute a renewal agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for preventative maintenance and repairs of the four (4) Stanley Automatic doors at the Public Safety Building; authorize a waiver to the purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a renewal agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for preventative maintenance and repairs of the four (4) Stanley Automatic doors at the Public Safety Building; authorize a waiver to the purchasing policy.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39336 Authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for preventative maintenance and repairs of the nine (9) Stanley Automatic doors at the Government Center; authorize a waiver to the purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for preventative maintenance and repairs of the nine (9) Stanley Automatic doors at the Government Center; authorize a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39337 Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 quarterly financial reporting.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 quarterly financial reporting.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39338 Authorize the execution of a First Amendment to the Professional Services Contract between Hays County and Neighborhood Defender Service, Inc., effective October 1, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a First Amendment to the Professional Services Contract between Hays County and Neighborhood Defender Service, Inc., effective October 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39339 Approve Utility Permits.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39340 Approve Contract Change orders 1 (decrease \$670.64), 2 (increase \$7,790.00), and 3 (increase \$8,665.34) for Trimbuilt Construction, Inc. pursuant to IFB 2023-B13 Contractor for IT-Elections Building Renovation, increasing the overall contract by 1% and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Contract Change orders 1 (decrease \$670.64), 2 (increase \$7,790.00), and 3 (increase \$8,665.34) for Trimbuilt Construction, Inc. pursuant to IFB 2023-B13 Contractor for IT-Elections Building Renovation, increasing the overall contract by 1% and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 10:55 a.m. and resumed back into open court at 11:01 a.m.



39341 Discussion and possible action to authorize the execution of a Supplemental No. 12 to the Professional Services Agreement with HNTB Corporation and Fiscal Year Work Authorization for the Hays County/TxDOT Partnership Program General Engineering Consultant (GEC)/Program Management services in Hays County, increasing the Compensation Cap by \$211,074.00 from \$7,782,695.30 to \$7,993,769.30 and extending the termination date of the contract to September 30, 2024; authorizing a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(4).

Commissioner Shell stated this Partnership Program has only a few projects left.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of a Supplemental No. 12 to the Professional Services Agreement with HNTB Corporation and Fiscal Year Work Authorization for the Hays County/TxDOT Partnership Program General Engineering Consultant (GEC)/Program Management services in Hays County, increasing the Compensation Cap by \$211,074.00 from \$7,782,695.30 to \$7,993,769.30 and extending the termination date of the contract to September 30, 2024; authorizing a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39342 Discussion and possible action authorizing the County Judge to execute a Supplemental Work Authorization 1 to the Professional Services Agreement with Doucet & Associates to increase the amount payable from \$52,800.00 to \$66,400.00 for additional design services related to parking lot expansion at the Pct. 2 office building and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Supplemental Work Authorization 1 to the Professional Services Agreement with Doucet & Associates to increase the amount payable from \$52,800.00 to \$66,400.00 for additional design services related to parking lot expansion at the Pct. 2 office building and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39343 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$40,000.00 to the Professional Services Agreement with RPS Infrastructure, Inc. for the FM 621 Safety Improvements project in Precinct 1, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Shell thanked Commissioner Ingalsbe for this project and spoke about the safety issues on this road.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$40,000.00 to the Professional Services Agreement with RPS Infrastructure, Inc. for the FM 621 Safety Improvements project in Precinct 1, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39344 Discussion and possible action to award a contract for IFB 2023-B16 Centerpoint Road with Capital Excavation in the amount of \$1,724,962.85.

Commissioner Ingalsbe explained this is a safety improvement project that will lower two blind hills on Centerpoint Road and Beback Inn Road, and thanked Jerry Borcharding, Director of Transportation, for locating contractors to do this work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to award a contract for IFB 2023-B16 Centerpoint Road with Capital Excavation in the amount of \$1,724,962.85.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39345 Discussion and possible action to call for a public hearing on September 5, 2023 to establish a 25 MPH speed limit on Great Northern and Santa Fe Run.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 5, 2023 to establish a 25 MPH speed limit on Great Northern and Santa Fe Run.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39346 Discussion and possible action to call for a public hearing on September 5, 2023 to establish a 25 MPH speed limit on Rolling Meadows Lane.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 5, 2023 to establish a 25 MPH speed limit on Rolling Meadows Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39347 Discussion and possible action to call for a public hearing on September 5, 2023, to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 5, 2023, to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39348 Discussion and possible action to call for a public hearing on September 5, 2023, to establish a 35 MPH speed limit on Sawyer Ranch Road.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 5, 2023, to establish a 35 MPH speed limit on Sawyer Ranch Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39349 Discussion and possible action to call for a public hearing on September 5, 2023, to establish a 25 MPH speed limit within the Green Pastures Subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 5, 2023, to establish a 25 MPH speed limit within the Green Pastures Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39350 PLN-2171-NP; Discussion and possible action regarding the Aveyns Court Subdivision, Final Plat.

Marcus Pacheco, Director of Development Services, provided information on the property and stated staff recommends approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Aveyns Court Subdivision, Final Plat (PLN-2171-NP).



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39351 Discussion and possible action to authorize the County Judge to execute a Development Agreement for the Haney Park Subdivision between Hays County and Haney Park, LLC.

Marcus Pacheco, Director of Development Services, provided information on the property and stated staff and counsel have reviewed the agreement.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a Development Agreement for the Haney Park Subdivision between Hays County and Haney Park, LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39352 PLN-2232-PC; Discussion and possible action regarding Fitzhugh Acres, Lot 4, Replat.

Marcus Pacheco, Director of Development Services, provided information on the property and stated deficiencies have been addressed and staff recommends approval.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Fitzhugh Acres, Lot 4, Replat (PLN-2232-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39353 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recover Grant Agreement between Hays County and Hays County Emergency Services District #6 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Chief Scott Collard, Hays County Emergency Services District #6, thanked the Court for the contribution. Judge Becerra spoke about the importance of the ESDs and their work.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recover Grant Agreement between Hays County and Hays County Emergency Services District #6 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39354 Discussion and possible action to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Mental Health Court Incentive Program regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

Commissioner Cohen stated the Hays County Mental Health Court will receive \$10,000 for their Incentive Program. Commissioner Ingalsbe noted she plans to match this contribution in the future.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Mental Health Court Incentive Program regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39355 Discussion and possible action authorizing the County Judge to execute the Hays County Social Services Funding Agreement between Hays County and Forever 15 Project regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Cohen spoke about the organization and thanked Janel Rodriguez and her family for their dedication to ending the fentanyl crisis. The Court recognized the Rodriguez family for their strength and commitment to this issue. Eric Boehning, Ardurra Senior Project Manager, spoke about the eligible use categories for ARPA funds and stated the Forever 15 Projects falls under mental health and substance abuse prevention. Commissioner Smith and Commissioner Shell offered to contribute \$10,000 from each of their allocations, making the total contribution \$40,000.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Hays County Social Services Funding Agreement between Hays County and Forever 15 Project regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39356 Discussion and possible action to consider granting a variance to Section 10 (D)(1)(C) (1) of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of the property located at 12909 Nutty Brown Road, Austin, TX 78737.

Commissioner Smith explained the property does not meet county size requirements for nonresidential lots due to 0.10 acres being used by Hays County as a Right-of-Way. Marcus Pacheco, Director of Development Services, further explained that the county acquired a portion of the lot for the Nutty Brown Road expansion project in 2005 and the new property owners have nonresidential plans for the lot.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance to Section 10 (D)(1)(C)(1) of the Hays County Rules for On-Site Sewage Facilities and allow issuance of On-Site Sewage System permit to the owner of the property located at 12909 Nutty Brown Road, Austin, TX 78737.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39357 Discussion and possible action to authorize the Hays County Criminal District Attorney's Office to double-fill the First Assistant Civil District Attorney, slot 0781-001 for a four-week period effective September 1st through September 30, 2023 and amend the budget accordingly.

Kelly Higgins, Hays County Criminal District Attorney, explained that Mark Kennedy, Assistant Criminal District Attorney - General Counsel, is retiring, and Jordan Powell, Assistant Criminal District Attorney - Civil Division, will be filling his position as the new Civil First Assistant. Kennedy stated double-filling this position for a month will allow for additional training for both Powell and their new hire.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Hays County Criminal District Attorney's Office to double-fill the First Assistant Civil District Attorney, slot 0781-001 for a four-week period effective September 1st through September 30, 2023 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39358 Discussion and possible action to create the Hays County Salary Grievance Committee for the remainder of the fiscal year Pursuant to Chapter 152 of the Local Government Code.

Jordan Powell, Assistant Criminal District Attorney - Civil Division, explained that if a salary grievance is filed, the Court has the option to choose either a committee comprised of members of the public that have recently served on a grand jury, or a committee comprised of six elected officials and 3 members of the public.



The County Judge presides over the committee but does not vote. The Court discussed their options and chose a committee of elected officials and members of the public. Judge Becerra pulled the following names from the 2022 grand jury panels: Scott Alexander Umble, Janis Ramsey, Matt Murphree, Deborah Richardson, Glen Briggs, Staci Rives, Mark Edward Phillips Jr., Charles Edwin Bonowitz IV, Adriana Guerrero, Dana McFadden, Justin Cantu, Laurie Stearns, Ashley Marie Telles, Brandon Wilson, Shelby Annette Shockley, Andrew Christopher Minke, Daniel Oates, Christopher Morris, Gwendolyn Balboa, and Linda Arredondo.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to create the Hays County Salary Grievance Committee for the remainder of the fiscal year Pursuant to Chapter 152 of the Local Government Code.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39359 Discussion and possible action to order the County Auditor to perform an audit and issue a report of the fiscal accounts and records for ESD 7 in accordance with Section 775.082 of the Texas Health and Safety Code.

Commissioner Shell explained that in the event the ESD does not complete their audit, this would give the authority to complete it to the County Auditor's Office. Marisol Villarreal-Alonzo, Hays County Auditor, spoke about the statute and her authority to perform this audit, and stated the estimated cost is \$5,000, which the ESD would reimburse the county for.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to order the County Auditor to perform an audit and issue a report of the fiscal accounts and records for ESD 7 in accordance with Section 775.082 of the Texas Health and Safety Code.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 1:01 p.m. and resumed back into open court at 1:13 p.m.

39360 Hold a public hearing on the Fiscal Year 2024 Hays County Proposed Budget - 1:00 p.m.

Judge Becerra opened the Public Hearing at 1:13 p.m. Ellen Ermis, Kyle Area Senior Zone Communications and Grants Director, thanked the court for their previous allocations and asked for the court to consider allocating additional funds for the FY24 budget. Judge Becerra closed the Public Hearing at 1:15 p.m. Vickie Dorsett, Hays County Budget Officer, reviewed requests made during the Budget Workshops. Budget requests discussed by the Court include a January 1st start date for a new Administrative Assistant II for the DPS License and Weight Sergeant, elected official salary increases, a start date of October 1st for the newly to be appointed Justice of the Peace Precinct 2 Place 2, the Emergency Communications Center budget, and regrades for the 9 Investigator positions in the District Attorney's Office. Capital projects discussed by the Court include a constituent engagement system, new development regulations, Government Center expansion, a new Precinct 2 office, and using TIRZ funding for a dual city and county services location in Dripping Springs.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to accept the Budget Office's budget as proposed with changes made both on paper and verbally in Commissioners Court.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Judge Becerra

NAY: Commissioner Smith

4 - 1 Passed

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to set the Fiscal Year 2024 salaries and allowances for Elected Officials as discussed and to accept the changes for the Fiscal Year 2024 Proposed Budget as presented by the County Budget Office; set a Final Public Hearing to adopt the Fiscal Year 2024 Budget and levy the taxes to be held on September 19, 2023, at 1:00 p.m. in the Hays County Commissioner Courtroom located at 111 E. San Antonio St., San Marcos, Texas.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Judge Becerra

NAY: Commissioner Smith

4 - 1 Passed

A motion was made by Commissioner Shell, seconded by Commissioner Smith to set the Fiscal Year 2024 tax rate at .3075 cents as follows: .2046 cents for the General Maintenance and Operation rate, .0829 cents for the Debt rate, and .0200 cents for the Road and Bridge Maintenance and Operation rate.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Ingalsbe noted the tax rate is lower than the previous year, and Commissioner Shell explained it will still generate additional revenue. Dorsett stated a tax rate Public Hearing will be held on September 5th, 2023 at 11:00 a.m.

11:00 a.m. - Budget Workshop regarding the Fiscal Year 2024 budget. Possible action may follow.

Vickie Dorsett, Hays County Budget Officer, stated there are no departments signed up to speak, and the compensation committee will be presenting salary recommendations. Shari Miller, Director of Human Resources, spoke on the findings of the compensation committee including a recommended 15-step salary plan, longevity placement within the plan, and promotions. The Court discussed their implementation options and funding requirements. Miller stated the committee needs more time to analyze regrade requests, but recommends regrading the 9 Investigator positions in the District Attorney's Office due to an oversight during the salary study. The Court discussed whether position regrade requests should be considered now or later in the fiscal year. Elaine Cardenas, Hays County Clerk, spoke about her regrade requests and the progress that has been made in employee salaries. Jerry Borcharding, Director of Transportation, spoke about regrade requests and the MAG study. Kelly Higgins, Hays County Criminal District Attorney, requested an earlier start date of October 1st for a new paralegal position in his office. Dorsett presented the Court with recommended elected official salaries, as well as a possible tiered system based on terms in office. The Court discussed the benefits of a tiered system and market comparisons for elected official salaries. No action taken.

Clerk's Note Agenda Item #M-1 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

Clerk's Note Agenda Item #N-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 551 for the week of August 13, 2023, with a peak of 557 inmates on August 17, 2023. The estimated cost for outsourcing inmates this week was \$154,340. The average number of outsourced males is 231 and females is 10. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 41.

Clerk's Note Agenda Item #N-3 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 #N-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #N-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*



Clerk's Note Agenda Item #N-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.*
- WAS PULLED.

Clerk's Note Agenda Item #N-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:41 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 AUGUST 22, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 5, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 5th DAY OF SEPTEMBER A.D., 2023, 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
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ANNE MEDINA	DEPUTY 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:

Pastor Darius Todd, Hays County Chaplain, 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

Lauren Foye, President of Prevent a Litter (PALS) of Central Texas, made a public comment requesting funding for operations and community outreach. Anne Medina, Deputy County Clerk, read an emailed public comment from Rebecca Prince in support of allocating American Rescue Plan Act (ARPA) funds to TruChoice Pregnancy Resource Center.

39361 Adopt a proclamation recognizing September 2023 as National Suicide Prevention and Action Month.

Kathy Rivera, Cenikor Foundation, spoke about the Mental Health Coalition's and the Core Four Partnership's purpose. The Court thanked the organizations for their work and spoke about the importance of suicide prevention. Commissioner Smith encouraged collaboration with the Hays County Behavioral Advisory Team. Judge Becerra spoke about the importance of mental health.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a proclamation recognizing September 2023 as National Suicide Prevention and Action Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39362 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39363 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

**39364 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39365 Approve Commissioners Court Minutes of August 22, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of August 22, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39366 Authorize the Commissioner Precinct 1 Office to support Mendez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with interest-based activities and opportunities for Mendez students.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Commissioner Precinct 1 Office to support Mendez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with interest-based activities and opportunities for Mendez students.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39367 Authorize payment to 4-Way Auto, LLC. in the amount of \$898.46 related to Constable Pct. 2 vehicle repairs in which no purchase order was issued as required per the County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize payment to 4-Way Auto, LLC. in the amount of \$898.46 related to Constable Pct. 2 vehicle repairs in which no purchase order was issued as required per the County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39368 Authorize additional funding for the Treasurer's Office for continuing education training and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize additional funding for the Treasurer's Office for continuing education training and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39369 Authorize the Sheriff's Office to convert a vacant Transportation Deputy slot 0550-075 to a Transportation Corrections Officer position effective 9/5/2023 and move the budgeted position to the Jail Division operating budget and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to convert a vacant Transportation Deputy slot 0550-075 to a Transportation Corrections Officer position effective 9/5/2023 and move the budgeted position to the Jail Division operating budget and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39370 Authorize reimbursement in the amount of \$24,050.00 for high fencing to be constructed along the perimeter of Hays County's 1,068.45 acre conservation easement located in Precinct 3, south of the La Cima subdivision.

Dan Lyon made a public comment concerning the cost of the fence and installation. Commissioner Shell explained the county agreed to share the cost of the fence with the landowner, and it is important for the security of the preserve. Commissioner Smith stated this is a fair price.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize reimbursement in the amount of \$24,050.00 for high fencing to be constructed along the perimeter of Hays County's 1,068.45 acre conservation easement located in Precinct 3, south of the La Cima subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39371 Authorize the Justice of the Peace, Precinct 1-2 Office to purchase one Dell OptiPlex 7010 utilizing the Justice Court Technology Fund and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Justice of the Peace, Precinct 1-2 Office to purchase one Dell OptiPlex 7010 utilizing the Justice Court Technology Fund and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39372 Authorize payment to Carol Bedrich for the purchase of consumable items for the Behavioral Advisory Team (BAT) meeting in the amount of \$271.26.

Commissioner Smith stated he anticipates a similar request at the next meeting, and it will most likely be paid for from the Community Outreach fund.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Carol Bedrich for the purchase of consumable items for the Behavioral Advisory Team (BAT) meeting in the amount of \$271.26.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39373 Approve renewal of RFP 2020-P08 Election Form Printing Services with AMG Printing.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve renewal of RFP 2020-P08 Election Form Printing Services with AMG Printing.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39374 Approve renewal of RFP 2019-P05 Employee Assistance Program for one (1) additional year as stated in the original proposal, effective August 1, 2023.

Dan Lyon made a public comment concerning the cost of the program and the timeline of approving the contract. Stephanie Hunt, First Assistant County Auditor, explained the renewal was overlooked and this is asking the Court to ratify the contract back to August 1st so there is no lapse in coverage. Shari Miller, Director of Human Resources, stated the annual cost of this program is \$12,075, which is reimbursed by United Healthcare, and spoke about the services it provides Hays County employees.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve renewal of RFP 2019-P05 Employee Assistance Program for one (1) additional year as stated in the original proposal, effective August 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39375 Accept the delivery of the Internal Examination reports for the Fiscal Year 2022 District Attorney Chapter 59, Justice of the Peace Precinct 2 Office, Constable Precinct 4 Office, and the Constable Precinct 5 Office.

Dan Lyon made a public comment concerning inconsistencies with Vehicle Identification Numbers in the reports. Marisol Villarreal-Alonzo, Hays County Auditor, explained there were errors in the reports that have been corrected and spoke about her recommendations for segregation of duties and improving accuracy. Commissioner Shell thanked the Auditor's Office for their thoroughness.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept the delivery of the Internal Examination reports for the Fiscal Year 2022 District Attorney Chapter 59, Justice of the Peace Precinct 2 Office, Constable Precinct 4 Office, and the Constable Precinct 5 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39376 Authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2023 Hays County SOC 1 Audit.

Marisol Villarreal-Alonzo, Hays County Auditor, explained the SOC 1 Audit is an audit of the internal controls of the Tax Office, which is useful for both the county and the agencies the office collects funds for. The Court discussed with Villarreal-Alonzo, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, and Stephanie Hunt, First Assistant County Auditor, the possibility of conducting an external audit of the Treasurer's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2023 Hays County SOC 1 Audit.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Authorize the submission of a grant application to the National Rifle Association (NRA), NRA Foundation Grant in the amount of \$1,430.00.

Commissioner Smith explained this grant is for training ammunition for the Sheriff's Office. Judge Becerra stated law enforcement are fully funded without this grant. Commissioner Ingalsbe stated she is unable to support this item. Commissioner Smith, Commissioner Ingalsbe, and Judge Becerra spoke about their views regarding this item.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the submission of a grant application to the National Rifle Association (NRA), NRA Foundation Grant in the amount of \$1,430.00.

AYE: Commissioner Shell, Commissioner Smith

NAY: Commissioner Ingalsbe, Commissioner Cohen, Judge Becerra

2 - 3 Failed

39377 Authorize the acceptance of a grant award from the Department of Justice, Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP) in the amount of \$140,544.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the acceptance of a grant award from the Department of Justice, Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP) in the amount of \$140,544.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39378 Authorize the acceptance of a grant award from the Office of the Attorney General (OAG), Statewide Automated Victim Notification Service (SAVNS) grant program in the amount of \$30,285.26.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the acceptance of a grant award from the Office of the Attorney General (OAG), Statewide Automated Victim Notification Service (SAVNS) grant program in the amount of \$30,285.26.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39379 Approve the amended Property Use Policy.

Commissioner Shell recommended changing language regarding park locations due to the possibility of precinct changes during redistricting.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the amended Property Use Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39380 Approve the Hart Intercivic repair estimate in the amount of \$4,000.00 for 5 Duo Touch, 2 Controller, and 1 Duo Go that are no longer under warranty, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the Hart Intercivic repair estimate in the amount of \$4,000.00 for 5 Duo Touch, 2 Controller, and 1 Duo Go that are no longer under warranty, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39381 Authorize reimbursement of travel expenses related to Animal Advisory committee member, Sharri Boyett attendance to the 2023 Best Friends National Conference in Houston, Texas related to Animal Welfare and amend the budget accordingly.

Commissioner Smith expressed concern over reimbursing a volunteer without prior approval from the Court. Commissioner Shell suggested bringing items like this to Court prior to the event, similar to out of state travel agenda items. Vickie Dorsett, Hays County Budget Officer, stated it is recommended to fund this from the Countywide fund, but there is also additional funding available in the County Judge's Community Program fund. Judge Becerra clarified that moving forward, reimbursement for volunteer travel will be brought to the Court prior to the event.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize reimbursement of travel expenses related to Animal Advisory committee member, Sharri Boyett attendance to the 2023 Best Friends National Conference in Houston, Texas related to Animal Welfare and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39382 Authorize payment to Interstate Towing in the amount of \$500.00 for the Transportation Department related to the towing of a county vehicle where no purchase order was issued as required per the Hays County purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize payment to Interstate Towing in the amount of \$500.00 for the Transportation Department related to the towing of a county vehicle where no purchase order was issued as required per the Hays County purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39383 Discussion and possible action to authorize the execution of Change Order No. 2 in the amount of (\$58,334.78) to the Construction Contract with Aaron Concrete Contractors, LP for the Darden Hill Roundabout (IFB2023-B11) project as part of the Hays County Road Bond Program in Precinct 4.

Commissioner Smith explained this is for changes and unanticipated costs for the Darden Hill Roundabout project in front of Cypress Springs Elementary School, and substantial completion of the project is expected before the end of the year.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of Change Order No. 2 in the amount of (\$58,334.78) to the Construction Contract with Aaron Concrete Contractors, LP for the Darden Hill Roundabout (IFB2023-B11) project as part of the Hays County Road Bond Program in Precinct 4.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39384 Discussion and possible action to authorize the County Judge to execute a Contract Amendment with HDR Engineering, Inc. pursuant to the Professional Services Agreement for Robert S. Light Boulevard Signal Light Study.

Commissioner Smith stated both the City of Buda and the Texas Department of Transportation are working to expedite this project. Jerry Borcharding, Director of Transportation, stated there recently was a fatal accident at this intersection and it is important that this study is completed. Commissioner Smith stated the County is also looking into interim measures to improve safety while the study is being conducted.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment with HDR Engineering, Inc. pursuant to the Professional Services Agreement for Robert S. Light Boulevard Signal Light Study.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39385 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$49,600.00 to the Professional Services Agreement for right-of-way acquisition services with LJA Engineering, Inc. for the Hillside Terrace Safety Improvements (IH 35 to FM 2001) project in Precinct 2.

Commissioner Cohen stated this increases the contract compensation for the work on the Hillside Terrace project which includes land planning, estimating, transcriber, and interpreter services.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$49,600.00 to the Professional Services Agreement for right-of-way acquisition services with LJA Engineering, Inc. for the Hillside Terrace Safety Improvements (IH 35 to FM 2001) project in Precinct 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39386 Discussion and possible action to authorize the County Judge to execute a TIA Contribution Agreement related to Hymeadow Subdivision, Section 2, Phase 3, between Hays County and Clayton Properties Group Inc., dba Brohn Homes in the amount of \$45,424.00.

Commissioner Ingalsbe stated the traffic impact analysis outlines the per lot contribution of \$334 to be spent on traffic and transportation improvements related to the construction of Hymeadow Subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a TIA Contribution Agreement related to Hymeadow Subdivision, Section 2, Phase 3, between Hays County and Clayton Properties Group Inc., dba Brohn Homes in the amount of \$45,424.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39387 Discussion and possible action to approve the selection of Lockwood, Andrews and Newnam, Inc. (LAN) to provide engineering services for Old Stagecoach at Post Road Intersection project in Precinct 3; and authorize staff and counsel to negotiate a contract.

Commissioner Shell stated this was brought to his attention by a recent accident that caused a fire, and the intersection now serves a large park and subdivision and is due for improvements. Jerry Borcharding, Director of Transportation, stated a roundabout will likely be recommended.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the selection of Lockwood, Andrews and Newnam, Inc. (LAN) to provide engineering services for Old Stagecoach at Post Road Intersection project in Precinct 3; and authorize staff and counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39388 Hold a public hearing with possible action to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39389 Hold a public hearing with possible action to establish a 25 MPH speed limit on Great Northern and Santa Fe Run.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 25 MPH speed limit on Great Northern and Santa Fe Run.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39390 Hold a public hearing with possible action to establish a 25 MPH speed limit on Rolling Meadows Lane.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 25 MPH speed limit on Rolling Meadows Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39391 Hold a public hearing with possible action to establish a 35 MPH speed limit on Sawyer Ranch Road.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 35 MPH speed limit on Sawyer Ranch Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39392 Hold a public hearing with possible action to establish a 25 MPH speed limit within the Green Pastures Subdivision.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 25 MPH speed limit within the Green Pastures Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39393 Discussion and possible action to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Green Pastures Road and Country Lane.

Judge Becerra thanked the Commissioners for their work on road improvements and safety.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Green Pastures Road and Country Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39394 Discussion and possible action to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Bunton Lane, Heidenreich Lane, and Dairy Road.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Bunton Lane, Heidenreich Lane, and Dairy Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39395 Discussion and possible action to consider the release of the 2-year maintenance bond #PB03016800710 in the amount of \$61,623.61, and the acceptance of roads into the county road maintenance system for 6 Creeks Subdivision, Phase 1, Section 5A.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to release the 2-year maintenance bond #PB03016800710 in the amount of \$61,623.61, and accept roads into the county road maintenance system for 6 Creeks Subdivision, Phase 1, Section 5A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39396 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, acceptance of the maintenance bond #PB03016800910M1 in the amount of \$58,887.84, and acceptance of the revegetation bond #PB03016800910M in the amount of \$45,070.00 for Caliterra, Phase 5, Section 14.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept road construction and surface drainage improvements, accept the maintenance bond #PB03016800910M1 in the amount of \$58,887.84, and accept the revegetation bond #PB03016800910M in the amount of \$45,070.00 for Caliterra, Phase 5, Section 14.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39397 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, release of the Letter of Credit #20234029 in the amount of \$69,260.00, acceptance of the maintenance bond #4461007 in the amount of \$56,682.10, and acceptance of the revegetation bond #4461010 in the amount of \$6,666.00 for 6 Creeks subdivision, Phase 1, Section 7.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, release the Letter of Credit #20234029 in the amount of \$69,260.00, accept the maintenance bond #4461007 in the amount of \$56,682.10, and accept the revegetation bond #4461010 in the amount of \$6,666.00 for 6 Creeks subdivision, Phase 1, Section 7.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39398 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, accept the maintenance bond #4461009 in the amount of \$52,704.60, and acceptance of the revegetation bond #4461011 in the amount of \$5,928.00 for 6 Creeks subdivision, Phase 1, Section 12.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, accept the maintenance bond #4461009 in the amount of \$52,704.60, and accept the revegetation bond #4461011 in the amount of \$5,928.00 for 6 Creeks subdivision, Phase 1, Section 12.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39399 PLN-2237-NP; Discussion and possible action regarding the Sorrell Hill Subdivision, Final Plat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Sorrell Hill Subdivision, Final Plat (PLN-2237-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39400 PLN-2248-PC; Discussion and possible action regarding Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat (PLN-2248-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39401 Discussion and possible action to approve the order setting rates of compensation for person(s) service as Grand Jurors or Petit Jurors in Civil or Criminal cases in District Court, County Court, County Court-at-Law or Justice Court(s) effective September 1, 2023.

Daphne Tenorio, Hays County Treasurer, stated an increase in juror payment amounts went into effect on September 1st, 2023 and this will update the county's policies and processes.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the order setting rates of compensation for person(s) service as Grand Jurors or Petit Jurors in Civil or Criminal cases in District Court, County Court, County Court-at-Law or Justice Court(s) effective September 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39402 Discussion and possible action to approve the 2024 Sheriff & Constable Fees.



Vickie Dorsett, Hays County Budget Officer, stated she plans to recommend an increase to the vehicle usage fees. Marisol Villarreal-Alonzo, Hays County Auditor, stated she plans to change the format of the Constables' off duty vehicle reports. The Court discussed fees for off duty use of vehicles both in and out of the County and fees for use of vehicles by non-profit organizations.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the 2024 Sheriff & Constable Fees, excluding the vehicle use fees.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39403 Discussion and possible action to authorize the County Clerk's Office to procure a credit card in an amount not to exceed \$3,500.00 from the County Depository Bank.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Clerk's Office to procure a credit card in an amount not to exceed \$3,500.00 from the County Depository Bank.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39404 Discussion and possible action to authorize the Human Resources Department to hire a temporary Communications Manager to finalize the website upgrade with an effective date of 9/10/23 to end on or before 12/31/23.

Commissioner Shell stated this will allow Human Resources to retain a current employee long enough to finish the county website update.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Human Resources Department to hire a temporary Communications Manager to finalize the website upgrade with an effective date of 9/10/23 to end on or before 12/31/23.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39405 Discussion and possible action to adopt the Resolution of the Hays County Commissioners Court Approving Procedures for Various Development Applications.

Marcus Pacheco, Director of Development Services, explained this coincides with changes to the Texas Local Government Code pertaining to development processes and procedures that went into effect on September 1st, 2023, and would designate plat application approval authority to Development Services. Commissioner Shell spoke about future plans to update the Hays County Development Regulations and clarifying language regarding preliminary plans, development agreements, and condominium regimes. Judge Becerra asked for the new processes to be reviewed for unnecessary redundancies. Commissioner Smith spoke about a recent legislative change that allows property owners to petition to be removed from a city's extraterritorial jurisdiction, which will create additional work for Development Services, as well as plans for an expedited inspection certification process. Mike Jones, Director of the Office of Emergency Services, spoke about timelines for Fire Marshal and Transportation Department inspections.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt the Resolution of the Hays County Commissioners Court Approving Procedures for Various Development Applications.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39406 Discussion and possible action to consider the creation of a Veterans Commission whose duties would be to collaborate with countywide, veteran-focused organizations to support and promote veterans' needs.



Jude Prather, Hays County Veteran Services Officer, spoke about his vision for the Veterans Commission and suggested formalizing a process for naming roads after veterans. The Court discussed possibilities for the commission with Prather, including collaborating with and increasing coordination between organizations across the County and appointing members to the commission.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to create a Veterans Commission whose duties would be to collaborate with countywide, veteran-focused organizations to support and promote veterans' needs.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39407 Discussion and possible action authorizing the execution of a Professional Services Agreement with WD Brown & Associates, PLLC regarding forensic financial investigation services and data analytics and amend the budget accordingly.

Tucker Furlow, Assistant Criminal District Attorney - Civil Division, stated this is for current and future financial investigations in the Sheriff's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a Professional Services Agreement with WD Brown & Associates, PLLC regarding forensic financial investigation services and data analytics and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39408 Discussion and possible action to authorize the Human Resources Department to purchase two battery powered track stair chairs for safety purposes and amend the budget accordingly.

Shari Miller, Director of Human Resources, explained these chairs would be used to assist with evacuations in emergency situations. Mike Jones, Director of the Office of Emergency Services, stated these would be used for those that are not in wheelchairs, but are unable to easily go downstairs. The Court discussed the advantages and disadvantages of these chairs and other options.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Human Resources Department to purchase two battery powered track stair chairs for safety purposes and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39409 Discussion and possible action to accept a Proposal with Vaughn Construction related to the Hays County Jail Attorney Visitation renovation.

Terry Whitman with ECM, project manager for the 2017 Public Safety Bond Program, explained this project is the expansion and renovation of the attorney visitation areas which is needed due to the creation of the Public Defender's Office. This project will double the visitation space.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a Proposal with Vaughn Construction related to the Hays County Jail Attorney Visitation renovation.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39410 Discussion and possible action to authorize additional funding for 8/31/23 to 9/30/23 paid interns for the County Courts at Law and amend the budget accordingly.

Judge Jimmy Alan Hall, Hays County Court at Law 1, stated this will fund interns from Texas State University for the rest of this fiscal year and spoke about the value of this internship program.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize additional funding for 8/31/23 to 9/30/23 paid interns for the County Courts at Law and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 11:02 a.m. and resumed back into open court at 11:09 a.m.

11:00 a.m. - Hold a public hearing on the Fiscal Year 2024 proposed tax increase.

Judge Becerra opened the Public Hearing at 11:09 a.m. Dan Lyon spoke about his concerns with property appraisals and taxes, as well as county spending on the salary study and new positions. Judge Becerra clarified the amount spent on the salary study and spoke about why it was needed. Commissioner Shell further clarified the amount Mr. Lyon referenced was the amount set aside to implement recommendations from the study, not fund the study. Judge Becerra closed the Public Hearing at 11:14 a.m. Vickie Dorsett, Hays County Budget Officer, reviewed the proposed tax rates and stated the final Public Hearing will be on September 19th, 2023 at 1 p.m. Jenifer O'Kane, Hays County Tax Assessor-Collector, spoke about her office's role in the taxation process. Commissioner Cohen suggested holding more town halls to help residents understand county taxes.

Clerk's Note: Executive Session began at 11:52 a.m. and resumed back into open court at 11:58 a.m.

39411 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Judge Becerra related to the County's purchase of fee title in 102.8 acres of property, commonly known as the "Elsik Tract" and located west by northwest of San Marcos, Texas, in Precinct 3, authorize the Civil Division to negotiate and finalize the extension of the grazing lease already existing on the property from the date of closing until end of February 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 544 for the week of August 27, 2023, with a peak of 573 inmates on August 31, 2023. The estimated cost for outsourcing inmates this week was \$159,825. The average number of outsourced males is 240 and females is 6. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 46.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*



Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.*
- WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 11:59 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 SEPTEMBER 5, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 12, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 12th DAY OF SEPTEMBER A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd, Hays County Chaplain, 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

Matthew Gonzales, Hays County Local Health Department Manager, made a public comment concerning employee pay and the cost of employee replacement. Dan Lyon made a public comment concerning county debt and spending.

39412 Adopt a Proclamation recognizing the week of September 17-23, 2023 as Constitution Week.

Jeannine Inbody, Vice Regent of the Jacob's Well Chapter of the Daughters of the American Revolution (DAR), thanked the Court for the proclamation and spoke about the history and importance of Constitution Week.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing the week of September 17-23, 2023 as Constitution Week.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39413 Adopt a Proclamation recognizing September 16, 2023 as the 2nd Annual Hispanic Heritage Exhibition Walk Day.

The Court thanked those involved with organizing the event and spoke about the importance of recognizing and celebrating Hispanic history. Lucy Gonzales invited the public to the 2nd Annual Hispanic Heritage Exhibition Walk Day and spoke about Hispanic history in Texas.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing September 16, 2023 as the 2nd Annual Hispanic Heritage Exhibition Walk Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39414 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve payments of County invoices.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39415 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39416 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39417 Approve Commissioners Court Minutes of September 5, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Commissioners Court Minutes of September 5, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39418 Approve the payment of the September 15, 2023 payroll disbursements in an amount not to exceed \$3,800,000 effective September 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of the September 15, 2023 payroll disbursements in an amount not to exceed \$3,800,000 effective September 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39419 Authorize the Commissioner Precinct 1 Office to support Bowie Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Commissioner Precinct 1 Office to support Bowie Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39420 Authorize the Commissioner Precinct 1 Office to support De Zavala Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Commissioner Precinct 1 Office to support De Zavala Elementary in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39421 Accept additional funding from the Texas Juvenile Justice Department for Salary Adjustments for Juvenile Probation and Supervisory Officers and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept additional funding from the Texas Juvenile Justice Department for Salary Adjustments for Juvenile Probation and Supervisory Officers and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39422 Approve the transfer of Commissioners Court authorizations, previously granted to the Office of General Counsel, to the Civil Division of the Hays County Criminal District Attorney's Office.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the transfer of Commissioners Court authorizations, previously granted to the Office of General Counsel, to the Civil Division of the Hays County Criminal District Attorney's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39423 Authorize the purchase of one APC Smart-UPS for the Combined Emergency Communication Center and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the purchase of one APC Smart-UPS for the Combined Emergency Communication Center and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39424 Approve Utility Permit.

Commissioner Smith explained the West Travis County Public Utility Agency is planning to provide additional water service to northern Hays County.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Utility Permit.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39425 Accept the delivery of the Quarterly Auditor Reports for the Sheriff Off-Duty Vehicle Fees and Sheriff Fees of Office for the audit period October 2022 through December 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the delivery of the Quarterly Auditor Reports for the Sheriff Off-Duty Vehicle Fees and Sheriff Fees of Office for the audit period October 2022 through December 2022.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39426 Accept delivery of the Internal Examination report for the Constable Precinct 1 Office.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept delivery of the Internal Examination report for the Constable Precinct 1 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39427 Approve an increase of \$200.00 in the Tax Office change fund as recommended by the County Auditor pursuant to Texas Local Government Code Chapter 130.902 (d).



A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve an increase of \$200.00 in the Tax Office change fund as recommended by the County Auditor pursuant to Texas Local Government Code Chapter 130.902 (d).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39428 Authorize the Commissioner Pct. 1 Office to support Owen Goodnight Middle School in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Commissioner Pct. 1 Office to support Owen Goodnight Middle School in the San Marcos Consolidated Independent School District (SMCISD) with activities for SMCISD students, families and staff.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39429 Approve the Property Use Policy incorporating slight property location oversights and the changes requested by the Commissioners Court on September 5, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Property Use Policy incorporating slight property location oversights and the changes requested by the Commissioners Court on September 5, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39430 Approve specifications for RFP 2023-P11 Property & Liability Insurance and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve specifications for RFP 2023-P11 Property & Liability Insurance and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39431 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, acceptance of the maintenance bond #2322927 in the amount of \$207,976.09, and acceptance of the revegetation bond #2322927 in the amount of \$11,784.00 for Prairie Lakes Phase 1, Section 1.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept road construction and surface drainage improvements, accept the maintenance bond #2322927 in the amount of \$207,976.09, and accept the revegetation bond #2322927 in the amount of \$11,784.00 for Prairie Lakes Phase 1, Section 1.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39432 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, acceptance of the maintenance bond #602-201414-7 in the amount of \$231,368.76, Headwaters at Barton Creek, Phase 3.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept road construction and surface drainage improvements, accept the maintenance bond #602-201414-7 in the amount of \$231,368.76, Headwaters at Barton Creek, Phase 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39433 PLN-1956-PC; Discussion and possible action regarding the 3-G Ranch Addition, Section 3, Lot 5, Replat.



Colby Machacek, Hays County Development Services Planning Department, provided background on the property and stated the Court denied the plat on May 23, 2023, and since then the deficiencies have been cleared and staff recommends approval.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the 3-G Ranch Addition, Section 3, Lot 5, Replat (PLN-1956-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39434 Discussion and possible action to approve Joint Election Agreements for the November 7, 2023 for local political subdivisions that will run jointly with the Constitutional Amendment Election Pursuant to Texas Election Code Sec. 271.002.

Jennifer Doinoff, Hays County Elections Administrator, stated several entities have canceled their election since this item was posted to the agenda. The remaining entities holding elections are the City of San Marcos, City of Kyle, City of Mountain City, City of Woodcreek, and Wayside Municipal Utility District.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Joint Election Agreements for the November 7, 2023 for local political subdivisions that will run jointly with the Constitutional Amendment Election Pursuant to Texas Election Code Sec. 271.002.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39435 Discussion and possible action to appoint personnel for the November 7, 2023, Constitutional Amendment Election.

Jennifer Doinoff, Hays County Elections Administrator, explained this is a supplemental list to fill positions that are empty, and a formula is used to determine which party will hold the judge position for each voting precinct.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to appoint personnel for the November 7, 2023, Constitutional Amendment Election.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39436 Discussion and possible action to authorize the execution of an agreement between Hays County and Milliman, Inc. for actuarial services related to retiree drug subsidy.

Shari Miller, Hays County Human Resources Director, explained this study allows the county to apply for subsidies from Medicare's retiree drug subsidy program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of an agreement between Hays County and Milliman, Inc. for actuarial services related to retiree drug subsidy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39437 Discussion and possible action to reinstate dates of employment during period of unemployment for Amanda Cowan.

Elaine Cardenas, Hays County Clerk, read an emailed public comment from Maribel Holtz against the item. Commissioner Cohen explained this 5-year employee was terminated for 14 days before being rehired by Hays County and requested that the Court reinstate her time of service, vacation, sick, and comp time balances, vacation accrual amount, and reactivate insurance coverage. Commissioner Ingalsbe stated this should be reviewed with the rest of the county's personnel policy. Shari Miller, Hays County Human Resources Director, stated the current policy does not allow for gaps in service. Commissioner Shell stated he is not supportive of this action and the policy should be amended to address gaps in service.



Commissioner Smith spoke about other employees with gaps in service, amending the personnel policy, and insurance liability, and stated he is not supportive of this today. Marisol Villarreal-Alonzo, Hays County Auditor, spoke about liability increases for providing insurance during gaps in service. Vickie Dorsett, Hays County Budget Officer, reviewed the costs to both the county and the employee in this situation. Judge Becerra spoke about the need to address this issue in the personnel policy. Commissioner Ingalsbe asked for this item to be brought back at a later date to allow time for the policy to be reviewed. The Court discussed with Miller possible changes to the policy. Amanda Cowan stated she is only requesting to have her gap in service closed and leave accrual amounts reinstated. Judge Becerra tabled the item for further discussion.

Clerk's Note: Agenda Item K-4 was reopened at 10:31 a.m.

Commissioner Shell expressed concern over setting a precedent for similar situations. Judge Becerra stated he believes this will be addressed in the personnel policy soon. Commissioner Smith asked the Court to maintain uniformity for all employees with reinstated sick leave in the future.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to gap employment dates for Amanda Cowan to reinstate sick leave balance of 154.5 hours and vacation accruals at 8 hours per month effective January 26, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Judge Becerra

NAY: Commissioner Shell, Commissioner Smith

3 - 2 Passed

39438 Discussion and possible action to accept the resignation of Commissioner Debbie Ingalsbe from the Board of Directors of the Greater San Marcos Partnership (GSMP) and approve the appointment of Judge Ruben Becerra to the Board of Directors of Greater San Marcos Partnership to replace her after her term ends on October 19, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept the resignation of Commissioner Debbie Ingalsbe from the Board of Directors of the Greater San Marcos Partnership (GSMP) and approve the appointment of Judge Ruben Becerra to the Board of Directors of Greater San Marcos Partnership to replace her after her term ends on October 19, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #L-1 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 552 for the week of September 3, 2023, with a peak of 564 inmates on September 8, 2023. The estimated cost for outsourcing inmates this week was \$168,740. The average number of outsourced males is 255 and females is 4. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 44.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).* - WAS PULLED.

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department.* - WAS PULLED.

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.* - WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 10:34 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 SEPTEMBER 12, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 19, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19th DAY OF SEPTEMBER A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd, Hays County Chaplain, 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

Dan Lyon made a public comment against salary increases for elected officials.

39439 Adopt a Proclamation recognizing October 1-7, 2023 as National 4-H Week.

The Court congratulated the 4-H members present and spoke about all the program offers. Marlena Moore, Penelope Soto, Benjamin Soto, and Kaitlyn Miller, 4-H members, spoke about their involvement in the program. Sierra Murray, Hays County 4-H and Youth Program Coordinator, stated the Hays County 4-H Council will host a blood drive on October 6th, 2023 from 10 a.m. to 2 p.m. at the Hays County Precinct 3 Office.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Proclamation recognizing October 1-7, 2023 as National 4-H Week.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39440 Adopt a Proclamation recognizing September 15-October 15, 2023 as Hispanic Heritage Month.

Commissioner Ingalsbe expressed appreciation for the recognition of Hispanic Heritage Month. Commissioner Cohen spoke about the importance of Hispanic history. Commissioner Shell thanked the Historical Commission and other groups for their work on preserving Hispanic heritage and history. Commissioner Smith spoke about working with the Historical Commission on additional recognition and funding a facility through the Parks and Open Space bond. Judge Becerra spoke about unity and recognizing history. Gina Alba-Rogers, Chair of the Council for the Indigenous and Tejano Community, thanked the Court for the Proclamation and spoke about new historical findings. Miguel Arredondo, Chair of the Hispanic Heritage Committee, thanked the Court for the Proclamation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing September 15-October 15, 2023 as Hispanic Heritage Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



Presentation of Hays County Employee Service and Retirement Awards.

Shari Miller, Hays County Human Resources Director, presented employees with service milestone and retirement awards. The Court, Mike Jones, Director of the Office of Emergency Services, Lieutenant Dennis Gutierrez, Hays County Sheriff's Office, Shari Miller, Director of Human Resources, and Marisol Villarreal-Alonzo, Hays County Auditor, recognized Mark Kennedy, General Counsel, for his retirement from Hays County and thanked him for over 20 years of service.

Presentation by the Hays County Office of Emergency Services to include a recap of the 2023 Preparedness Fair and to announce the winning department for the best overall basket in the employee raffle basket contest.

Mike Jones, Director of the Office of Emergency Services, spoke about the 2023 Preparedness Fair and thanked its sponsors and participating Hays County departments. The Hays County Auditor's Office was presented with the first place award for the raffle basket contest.

39441 Approve payments of County invoices.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39442 Approve the payment of Juror checks.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39443 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39444 Approve Commissioners Court Minutes of September 12, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Commissioners Court Minutes of September 12, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39445 Approve the payment of the September 30, 2023 payroll disbursements in an amount not to exceed \$4,700,000 effective September 30, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of the September 30, 2023 payroll disbursements in an amount not to exceed \$4,700,000 effective September 30, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39446 Approve Resolution Amending Authorized Representatives agreement with TexPool.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Resolution Amending Authorized Representatives agreement with TexPool.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39447 Authorize Countywide Operations to renew the annual Commercial General Liability and Excess Liability Insurance related to the Gay Ruby Dahlstrom Nature Preserve in the amount of \$10,009.85; authorize a waiver to the purchasing policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Countywide Operations to renew the annual Commercial General Liability and Excess Liability Insurance related to the Gay Ruby Dahlstrom Nature Preserve in the amount of \$10,009.85; authorize a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39448 Authorize the execution of the First Contract Renewal for the Statewide Automated Victim Notification Service (SAVNS) with Apriss Insights, LLC.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of the First Contract Renewal for the Statewide Automated Victim Notification Service (SAVNS) with Apriss Insights, LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39449 Authorize the Hays County Criminal District Attorney's Office to purchase four (4) HotDocs user licenses for document assembly software related to Child Protection Court cases.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Hays County Criminal District Attorney's Office to purchase four (4) HotDocs user licenses for document assembly software related to Child Protection Court cases.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39450 Authorize the execution of a renewal agreement for \$39,355.08 for Westlaw Patron Access for use by Hays County Law Library patrons.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a renewal agreement for \$39,355.08 for Westlaw Patron Access for use by Hays County Law Library patrons.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39451 Authorize the execution of a renewal agreement for \$31,376.76 Westlaw online legal research services for use by Hays County Courts judges and staff with funds budgeted for FY2024 budget.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a renewal agreement for \$31,376.76 Westlaw online legal research services for use by Hays County Courts judges and staff with funds budgeted for FY2024 budget.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39452 Approve Utility Permits.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39453 Authorize payment to Richard Cowell Tactical where the amount was \$554.50 to purchase a vest carrier for the Constable Pct. 3 office 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 Richard Cowell Tactical where the amount was \$554.50 to purchase a vest carrier for the Constable Pct. 3 office in which no purchase order was issued as required per the County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39454 Authorize the acceptance of additional funds from the Texas Indigent Defense Commission for the Regional Padilla Compliance Program in the amount of \$136,451.00 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of additional funds from the Texas Indigent Defense Commission for the Regional Padilla Compliance Program in the amount of \$136,451.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39455 Authorize payment to Panoramic Software Inc. Vetpro software in the amount of \$1,800.00 for the Veteran's Administration Office in which no purchase order was issued as required per County Purchasing Policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Panoramic Software Inc. Vetpro software in the amount of \$1,800.00 for the Veteran's Administration Office in which no purchase order was issued as required per County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39456 Authorize the County Judge to execute the First Amendment for a time extension to the Contract between Hays County and Vista Planning and Design for work on Sentinel Peak Preserve Master Plan Phase 2 A&B.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the First Amendment for a time extension to the Contract between Hays County and Vista Planning and Design for work on Sentinel Peak Preserve Master Plan Phase 2 A&B.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39457 Authorize the County Judge to execute a Contract Amendment with Texas Disposal Systems related to Hauling Solid Waste pursuant to IFB 2020-B02, adding a \$15.00 monthly weight report fee for each location, Driftwood and Wimberley.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment with Texas Disposal Systems related to Hauling Solid Waste pursuant to IFB 2020-B02, adding a \$15.00 monthly weight report fee for each location, Driftwood and Wimberley.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39458 Approve contract change orders for Diamondback Landscaping and Lawn care, Inc. (\$20,021.10) pursuant to IFB 2023-B13 for additional scope of work for the Courthouse Grounds Renovation Project.



Dan Lyon made a public comment concerning guarantees on equipment replacements and repairs. Judge Becerra and Tammy Crumley, Director of Countywide Operations, explained why the sprinkler replacements are needed. Commissioner Ingalsbe stated this project is winding down and she will be requesting additional funding from the Tax Increment Reinvestment Zone (TIRZ).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve contract change orders for Diamondback Landscaping and Lawn care, Inc. (\$20,021.10) pursuant to IFB 2023-B13 for additional scope of work for the Courthouse Grounds Renovation Project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39459 Authorize the execution of an extension to RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 91 days (December 31, 2023) for \$5,000.00 monthly, plus any additional Letter of Credit Fees and authorize a discretionary exemption pursuant to Section 262.024 (a)(4) of the Texas Local Government Code.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of an extension to RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 91 days (December 31, 2023) for \$5,000.00 monthly, plus any additional Letter of Credit Fees and authorize a discretionary exemption pursuant to Section 262.024 (a)(4) of the Texas Local Government Code.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39460 Accept Delivery of the Quarterly Audit Report for the Fire Marshal Office and the Parks Department for the audit period January 2023 through March 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept Delivery of the Quarterly Audit Report for the Fire Marshal Office and the Parks Department for the audit period January 2023 through March 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39461 Accept delivery of the Internal Examination report for the District Attorney's Office.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept delivery of the Internal Examination report for the District Attorney's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39462 Approve specifications for RFQ 2023-Q01 Public Improvement District (PID) Bond Underwriting Services and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for RFQ 2023-Q01 Public Improvement District (PID) Bond Underwriting Services and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39463 Amend various departmental operating, special revenue and capital project budget funds in preparation for the County's Fiscal Year 2023 year-end process.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budget funds in preparation for the County's Fiscal Year 2023 year-end process.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39464 Authorize payment to AMG Print & Mailing in the amount of \$1,015.72 for the Treasurer's Office in which no purchase order was issued as required per County Purchasing Policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to AMG Print & Mailing in the amount of \$1,015.72 for the Treasurer's Office in which no purchase order was issued as required per County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39465 Approve Commissioner Pct 4 to contribute community funds to the following: Dripping Springs Independent School District Education Foundation (\$1,000.00), Hays Independent School District Education Foundation (\$1,000.00), and Foster Village (\$1,000.00).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Commissioner Pct 4 to contribute community funds to the following: Dripping Springs Independent School District Education Foundation (\$1,000.00), Hays Independent School District Education Foundation (\$1,000.00), and Foster Village (\$1,000.00).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39466 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 4 in the amount of \$40,000.00 to the Professional Services Agreement with WSB & Associates, Inc. for the US 290 West at Trautwein Road Intersection project in Precinct 4, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Smith explained this amendment addresses changes that need to be made to the intersection plan due to a new development in the area.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 4 in the amount of \$40,000.00 to the Professional Services Agreement with WSB & Associates, Inc. for the US 290 West at Trautwein Road Intersection project in Precinct 4, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39467 Discussion and possible action to authorize the County Judge to execute Change Order No. 3 in the amount of \$92,978.49 to the Professional Services Agreement with BGE, Inc. for the RM 12 Safety Improvements near the intersection of Mountain Crest and Skyline Drive project in Precinct 3, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Shell stated Texas Department of Transportation will pay for construction and this increase is mainly due to additional coordination that is needed with property owners.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Change Order No. 3 in the amount of \$92,978.49 to the Professional Services Agreement with BGE, Inc. for the RM 12 Safety Improvements near the intersection of Mountain Crest and Skyline Drive project in Precinct 3, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39468 Hold a public hearing with possible action to establish a 3-way stop at the intersection of Green Pastures Road and Country Lane.

Judge Becerra opened the Public Hearing at 1:02 p.m. No comments were made. Judge Becerra closed the Public Hearing at 1:02 p.m.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to establish a 3-way stop at the intersection of Green Pastures Road and Country Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39469 Hold a public hearing with possible action to establish a 3-way stop at the intersection of Bunton Lane, Heidenreich Lane, and Dairy Road.

Judge Becerra opened the Public Hearing at 1:02 p.m. No comments were made. Judge Becerra closed the Public Hearing at 1:02 p.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to establish a 3-way stop at the intersection of Bunton Lane, Heidenreich Lane, and Dairy Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39470 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$381,390.20 for the Driftwood, Phase 1, Lot 2, Revised Plat (Irrevocable Standby Letter of Credit No. 1103466966).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$381,390.20 for the Driftwood, Phase 1, Lot 2, Revised Plat (Irrevocable Standby Letter of Credit No. 1103466966).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39471 Discussion and possible action to consider the release of the subdivision performance bond #7901063583 in the amount of \$372,201.25 for phase 4, and #7901063582 in the amount \$863,725.25 for phase 5, and the acceptance of the roads into the County Road Maintenance System for Trails at Windy Hills Subdivision Phase 4 and 5.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to release the subdivision performance bond #7901063583 in the amount of \$372,201.25 for phase 4, and #7901063582 in the amount \$863,725.25 for phase 5, and accept the roads into the County Road Maintenance System for Trails at Windy Hills Subdivision Phase 4 and 5.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39472 Discussion and possible action to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$2,855,411.19 for the Sunset Oaks, Section 4, Phase 3B, Final Subdivision (Bond # 6131050164).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$2,855,411.19 for the Sunset Oaks, Section 4, Phase 3B, Final Subdivision (Bond # 6131050164).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39473 PLN-2208-PC; Call for a Public Hearing on October 10th, 2023, followed by discussion and possible action regarding Carol Oaks, Lot 6, Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on October 10th, 2023, followed by discussion and possible action regarding Carol Oaks, Lot 6, Replat (PLN-2208-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39474 PLN-2293-PC; Call for a Public Hearing on October 10th, 2023, followed by discussion and possible action regarding 272 AC Fitzhugh, Lots 18 & 28, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to call for a Public Hearing on October 10th, 2023, followed by discussion and possible action regarding 272 AC Fitzhugh, Lots 18 & 28, Replat (PLN-2293-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #J-3 RE: PLN-2313-NP; Discussion and possible action regarding the Hawk Ridge, Phase 2, Final Plat (27 Lots). - WAS PULLED.

39475 Discussion and possible action to authorize the execution of a \$2,000,000.00 Letter of Agreement between Hays County and CHRISTUS Santa Rosa Hospital (CSRSM) as budgeted for FY2024 related to Indigent health care costs' authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4).

Judge Becerra inquired about opening this to other parties in the future. Commissioner Shell provided background on this program and recognized Christus for working with Hays County to enhance the indigent health services provided.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a \$2,000,000.00 Letter of Agreement between Hays County and CHRISTUS Santa Rosa Hospital (CSRSM) as budgeted for FY2024 related to Indigent health care costs' authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39476 Discussion and possible action to adopt an order of the Commissioners Court of Hays County, Texas accepting and approving the 2023 Annual Service Plan Update to the Service and Assessment Plan (SAP) including updated Major Improvement Area assessment roll, Neighborhood Improvement Area #1 assessment roll, Neighborhood Improvement Area #2 assessment roll, and Neighborhood Improvement Area #3 assessment roll for the La Cima Public Improvement District (PID); making and adopting findings; providing a cumulative repealer clause; and providing an effective date.

Jordan Powell, Assistant Criminal District Attorney - Civil Division, stated this is an annual update to the SAP and reviewed the changes.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt an order of the Commissioners Court of Hays County, Texas accepting and approving the 2023 Annual Service Plan Update to the Service and Assessment Plan (SAP) including updated Major Improvement Area assessment roll, Neighborhood Improvement Area #1 assessment roll, Neighborhood Improvement Area #2 assessment roll, and Neighborhood Improvement Area #3 assessment roll for the La Cima Public Improvement District (PID); making and adopting findings; providing a cumulative repealer clause; and providing an effective date.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39477 Hold a public hearing in accordance with Section 293.101 of the Texas Health and Safety Code, to discuss, consider, and take appropriate action on the proposed mandatory payment rate to be assessed on institutional healthcare providers in fiscal year (FY) 2024 pursuant to the County Health Care Provider Participation Program.

Judge Becerra opened the Public Hearing at 10:56 a.m. Robin Oldham, representative for Adelanto HealthCare Ventures, spoke about the benefits of the program and stated the providers are requesting a rate of 6%, which would generate over \$50 million. Judge Becerra closed the Public Hearing at 10:59 a.m. Commissioner Shell spoke about the creation of the Hays County Local Provider Participation Fund (LPPF) and how it has assisted hospitals in treating uninsured and underinsured patients.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to set a rate of 6% for the Hays County Local Provider Participation Fund.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39478 Discussion and possible action to execute an Equipment Relocation Request for the Personal Health Department (\$417.38) and the Election's Office (\$417.38) copiers and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute an Equipment Relocation Request for the Personal Health Department (\$417.38) and the Election's Office (\$417.38) copiers and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39479 Discussion and possible action to appoint a Justice of the Peace, Precinct 2 Place 2 effective 10/1/2023 pursuant to Texas Local Government Code Chapter 87.041.

Commissioner Cohen reviewed the selection process and stated J.R. Mendoza is recommended by the selection committee for the new Justice of the Peace, Precinct 2 Place 2 position. Commissioner Ingalsbe thanked Andy Cable, Justice of the Peace Precinct 3, for being involved in the interview process. Judge Becerra explained why this position is appointed now and elected in November. Commissioner Shell and Commissioner Smith thanked Commissioner Cohen and Commissioner Ingalsbe for their work on this recommendation.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to appoint J.R. Mendoza to fill the vacancy in the office of the Justice of the Peace, Precinct 2 Place 2 effective 10/1/2023 pursuant to Texas Local Government Code Chapter 87.041.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39480 Discussion and possible action to set the off-duty County Patrol Vehicle fees for the Constable and Sheriff Departments under Texas Local Government Code Section 118.131.

Commissioner Smith spoke about the process of determining the fees. Vickie Dorsett, Hays County Budget Officer, explained why increases are being recommended. Ron Hood, Constable Precinct 4, stated a majority of the constables have agreed to a \$20 fee for use of a County vehicle, a \$25 fee for the use of a County vehicle with an officer present, and a \$100 fee for the continuous use of a County vehicle during an event. Funeral escorts will continue to be performed free of charge. The Court discussed the recommended fees and whether to allow County vehicles to be used outside of Hays County. Lieutenant Dennis Gutierrez, Hays County Sheriff's Office, spoke about the rate recommendations and suggested hourly rates instead of flat fees for continuous use. Tucker Furlow, Assistant Criminal District Attorney - Civil Division, stated the fees will need to be set before October 1st but can become effective in January. Commissioner Smith suggested keeping the flat rate for continuous use up to a certain amount of time, and implementing an hourly rate if an event goes past that time. Commissioner Shell suggested \$100 for up to 4 hours, and \$40 per hour after that. Judge Becerra clarified the flat rates of \$20 and \$25 will be kept for basic use of County vehicles. The Court further discussed the use of vehicles outside of Hays County and concluded they can be used in adjacent counties for public events. Constable Hood asked for the hourly rate after 4 hours for continuous use to be changed to \$25 per hour.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to set the off-duty County Patrol Vehicle fees for the Constable and Sheriff Departments under Texas Local Government Code Section 118.131 as discussed in court.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 10:38 a.m. and resumed back into open court at 10:47 a.m.



39481 Discussion and possible action to authorize the execution of the Equipment Calibration & Maintenance Program Agreement with FarrWest pursuant to HGAC Contract EP11-20, in the amount of \$14,469.72 annually, effective October 1, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of the Equipment Calibration & Maintenance Program Agreement with FarrWest pursuant to HGAC Contract EP11-20, in the amount of \$14,469.72 annually, effective October 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

1:00pm - Hold a final public hearing for the Fiscal Year 2024 Hays County Proposed Budget.

Judge Becerra opened the Public Hearing at 1:06 p.m. Dan Lyon spoke against County spending and salary increases. Ellen Ermis, Communications Coordinator and Grant Writer for the Kyle Area Senior Zone, thanked the Court for their contribution and spoke about their need for a community center. Judge Becerra closed the Public Hearing at 1:10 p.m. Vickie Dorsett, Hays County Budget Officer, reviewed budget requests and changes with the Court, including funding for the new Justice of the Peace Precinct 2 Place 2, a new Purchasing Department, and personnel changes. The Court discussed Commissioner Smith's request for additional staff in his office and using ARPA funds for a temporary position. Deedee Rodgers, Hays County Clerk Chief Deputy, spoke about employee placement within the salary step plan and longevity. The Court discussed the implementation of the salary step plan and concluded employees will be placed in the step plan on October 1, 2023 based on their date of promotion, and department heads will be allowed to use the remaining funding to place their employees in the plan based on date of hire at their own discretion on February 1, 2024. Dorsett reviewed additional changes to the budget, including inmate outsourcing and jail funding, personnel and equipment requests from various departments, and ARPA fund allocations. Commissioner Smith and Marcus Pacheco, Director of Development Services, discussed new requested planner positions and additional work that will be created for the department by the new annexation law. Commissioner Shell granted \$10,000 of his ARPA allocation to each of the following social service organizations: Pet Prevent a Litter of Central Texas (PALS), Southside Community Center, Hays-Caldwell Women's Center, Greater San Marcos Youth Shelter, and CASA of Central Texas. Commissioner Smith stated he plans to allocate his remaining ARPA funds by the end of the year. Commissioner Ingalsbe granted \$10,000 of her ARPA allocation to PALS, \$25,000 to KZSM Radio Station, \$7,500 to the Council for the Indigenous and Tejano Community (CITC), and \$10,000 to Southside Community Center. Commissioner Cohen granted \$5,000 of her ARPA allocation to PALS, \$7,500 to CITC, and \$5,000 to Southside Community Center. Commissioner Smith explained why the Behavioral Advisory Team (BAT) can be funded by the Opioid Settlement Fund. Shari Miller, Director of Human Resources, presented updated employee service gifts.

39482 Discussion and possible action to set the Fiscal Year 2024 salaries and allowances for Hays County Elected Officials.

Commissioner Smith stated he will not vote for a pay raise for himself.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to set the salaries and allowances for Hays County Elected Officials, including longevity payments for those eligible as posted and presented for Fiscal Year 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Judge Becerra

NAY: Commissioner Smith

4 - 1 Passed

39483 Discussion and possible action to adopt the Fiscal Year 2024 Hays County budget after making final changes as a result of the public hearing.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to adopt the Fiscal Year 2024 Hays County Budget to include all changes approved and presented during the final budget hearing.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39484 Discussion and possible action to ratify the property tax increase reflected in the Fiscal Year 2024 Hays County budget.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to ratify the property tax increase reflected in the Fiscal Year 2024 Hays County Budget. This budget will raise more revenue from property taxes than last year's budget by an amount of \$12,771,921 or 12.03% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$7,717,538.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39485 Discussion and possible action to approve an order adopting the tax rate for Fiscal Year 2024 and levy the taxes.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe that the Fiscal Year 2024 property tax rate be set by the adoption of a tax rate of .3075 cents as follows; .2046 cents - General Maintenance & Operations, .0829 cents - General Debt, .0200 cents - Road & Bridge Maintenance & Operations.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

11:00 a.m. - Budget Workshop regarding the Fiscal Year 2024 budget. Possible action may follow.

Judge Becerra opened the Budget Workshop at 11:05 a.m. Gina Alba-Rogers, Chair of the Council for the Indigenous and Tejano Community (CITC), presented the council's work over the past year and requested \$25,000 in funding from Hays County. Justin Randolph, Assistant Professor of History at Texas State University, spoke in support of CITC and additional funding. Elaine Cardenas, Hays County Clerk, read letters of support for CITC from Professor Justin Randolph and Steven Gonzales, Executive Director of El Camino Real de los Tejas National Historic Trail Association. Alba-Rogers spoke about plans for a museum exhibit. Commissioner Ingalsbe offered to provide the additional funding for CITC through her ARPA allocation. Commissioner Smith expressed concerns over fully funding a social service organization and suggested alternative funding sources. Vickie Dorsett, Hays County Budget Officer, reviewed with the Court various budget requests, including personnel regrades, promotions, and placement of employees into the step and grade salary plan. The Court had a lengthy discussion with Dorsett, Shari Miller, Director of Human Resources, and Elaine Cardenas, County Clerk, on whether to place employees in the step plan based on their date of hire or their date of most recent promotion. Commissioner Shell suggested placing employees in the step plan based on their date of promotion, and allowing department heads to use the remaining funding to place their employees in the plan based on date of hire at their own discretion on February 1, 2024. Judge Becerra closed the Budget Workshop at 12:50 p.m. No action taken.

Clerk's Note: Executive Session began at 2:54 p.m. and resumed back into open court at 3:13 p.m.

39486 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Shell stated this is a follow-up to the Court's previous action regarding the Elsik transaction, and closing costs are \$13,323.33, which includes title insurance and fees.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to amend the budget to provide closing costs for the transaction, bringing the total amount of the transaction to \$2,513,323.33, to be paid from Parks and Open Space Bond funds.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39487 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 Right of Way located at or near Windy Hill Road in Pct. 2. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept the landowner's counteroffer and authorize execution of a Purchase Agreement for Parcel 11 of the Windy Hill Road Project owned by Joshua B. Walker and Anne M. Walker, as presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #N-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 554 for the week of September 10, 2023, with a peak of 563 inmates on September 13, 2023. The estimated cost for outsourcing inmates this week was \$168,260. The average number of outsourced males is 251 and females is 8. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 49.

Clerk's Note Agenda Item #N-3 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 #N-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #N-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #N-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*


Clerk's Note Agenda Item #N-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:17 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 SEPTEMBER 19, 2023.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



OCTOBER 10, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10th DAY OF OCTOBER A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ROXANNE RODRIGUEZ	DEPUTY 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.

WITH JUDGE BECERRA BEING ABSENT, THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe called the meeting to order. Pastor Darius Todd, Hays County Chaplain, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags.

PUBLIC COMMENTS

Harvey Jenkins made a public comment concerning the cost of living in Hays County. Dan Lyon made a public comment concerning the cost of living in Hays County, elected official salaries, and county spending. Nancy Heintz made a public comment on behalf of the Homeless Coalition of Hays County and spoke about raising awareness and increasing funding. Alyssia Woods made a public comment thanking the Court for their support of Capital IDEA and shared a story from one of the organization's students. Jessica Cain made a public comment thanking the Court for their support of Capital IDEA.

39488 Adopt a Proclamation recognizing October 15-21, 2023 as Texas Native Plant Week in Hays County.

Laura Legett, Hill Country Chapter of the Native Plant Society of Texas, thanked the Court for the Proclamation.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to adopt a Proclamation recognizing October 15-21, 2023 as Texas Native Plant Week in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39489 Adopt a Proclamation recognizing October 2023 as Election Worker Appreciation Month.

Jennifer Doinoff, Hays County Elections Administrator, spoke about her staff and all the work they do. Those interested in training can visit www.co.hays.tx.us/elections for more information.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to adopt a Proclamation recognizing October 2023 as Election Worker Appreciation Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39490 Adopt a Proclamation recognizing October 2023 as Breast Cancer Awareness Month.



Commissioner Cohen spoke about the importance of regular examinations and the barriers to obtaining them. Matthew Gonzales, Hays County Local Health Department Manager, thanked the Court for the Proclamation and spoke about the importance of early detection. David Wiley, Outreach Manager for the Community Action Breast Cancer Project, spoke about the screening services provided by Community Action and their outreach. Lydia Perez, Project Coordinator for the Community Action Breast Cancer Project, thanked the Court for their support. Commissioner Smith spoke about using American Rescue Plan Act (ARPA) funds for cancer screenings for the community.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to adopt a Proclamation recognizing October 2023 as Breast Cancer Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39491 Adopt a Proclamation recognizing October 2023 as National Domestic Violence Month.

Melissa Rodriguez, CEO of the Hays-Caldwell Women's Center (HCWC), spoke about the impact of domestic violence on the community and updated the Court on the shelter renovations that were funded by the American Rescue Plan Act allocations. The Court thanked Rodriguez and the HCWC for their work. Commissioner Smith spoke about the Dripping Springs ISD dating violence mock trial.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to adopt a Proclamation recognizing October 2023 as National Domestic Violence Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Friends of the Public Library of Buda Texas.

Eric Boehning, Ardurra Project Manager, stated \$15,972 would remedy the revenue loss experienced due to the impact COVID-19 had on fundraising.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Driftwood Historical Conservation Society (DHCS).

Eric Boehning, Ardurra Project Manager, stated \$22,560 would remedy the revenue loss experienced due to the impact of COVID-19.

39492 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39493 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39494 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

**39495 Approve Commissioners Court Minutes of September 19, 2023.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Commissioners Court Minutes of September 19, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39496 Approve the payment of the October 15, 2023 payroll disbursements in an amount not to exceed \$3,850,000.00 effective October 13, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of the October 15, 2023 payroll disbursements in an amount not to exceed \$3,850,000.00 effective October 13, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39497 Authorize the County Judge to execute a proposal with Axon Enterprise, Inc. related to the Law Enforcement taser program for the District Courts, pursuant to Buyboard Contract #648-21 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute a proposal with Axon Enterprise, Inc. related to the Law Enforcement taser program for the District Courts, pursuant to Buyboard Contract #648-21 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39498 Authorize the County Judge to execute a contract amendment with Water & Earth Technologies for FY 24 related to the maintenance and system support for the Hays County Early Flood Warning System; authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D).

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute a contract amendment with Water & Earth Technologies for FY 24 related to the maintenance and system support for the Hays County Early Flood Warning System; authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39499 Approve the appointment of Miguel Pena to the Hays County Historical Commission to replace Irma Rodriguez Gaitan, the Commissioner Precinct 1 appointee.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the appointment of Miguel Pena to the Hays County Historical Commission to replace Irma Rodriguez Gaitan, the Commissioner Precinct 1 appointee.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39500 Authorize the County Judge to execute an agreement with Two Men and A Truck in the amount of \$11,235.50 to move the Elections Department and the IT Department to their new building located at 120 Stagecoach Trail.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize Commissioner Ingalsbe to execute an agreement with Two Men and A Truck in the amount of \$11,235.50 to move the Elections Department and the IT Department to their new building located at 120 Stagecoach Trail.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39501 Approve the appointment of Justin Transeau to the Emergency Services District (ESD) No. 4 Board of Emergency Services Commissioners, to fill the vacancy created by the passing of Theodore L. "Larry" Coker, for a term ending December 31, 2024.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the appointment of Justin Transeau to the Emergency Services District (ESD) No. 4 Board of Emergency Services Commissioners, to fill the vacancy created by the passing of Theodore L. "Larry" Coker, for a term ending December 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39502 Authorize Building Maintenance to have Rick's Lock & Key provide and install all door lock cores for the Elections / IT Building in the amount of \$6,784.00, and authorize a waiver to the purchasing policy.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Building Maintenance to have Rick's Lock & Key provide and install all door lock cores for the Elections / IT Building in the amount of \$6,784.00, and authorize a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39503 Authorize the acceptance of a grant award from the Office of the Governor, State Homeland Security Program in the amount of \$14,470.00 for annual HazMat Monitor Maintenance.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, State Homeland Security Program in the amount of \$14,470.00 for annual HazMat Monitor Maintenance.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39504 Authorize the acceptance of a grant award from the Office of the Governor, State Homeland Security Program - Law Enforcement Terrorism Prevention Act in the amount of \$30,891.90 for the purchase of camera poles and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, State Homeland Security Program - Law Enforcement Terrorism Prevention Act in the amount of \$30,891.90 for the purchase of camera poles and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39505 Authorize the acceptance of a grant award from the Office of the Governor, UASI State Homeland Security Program in the amount of \$78,000.00 for the HazMat Team Enhancement project and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, UASI State Homeland Security Program in the amount of \$78,000.00 for the HazMat Team Enhancement project and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39506 Authorize the execution of an amendment to the Department of State Health Services FY24 Public Health Emergency Preparedness (PHEP) Contract.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of an amendment to the Department of State Health Services FY24 Public Health Emergency Preparedness (PHEP) Contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39507 Authorize the acceptance of a grant award from the Department of Justice (DOJ), Bureau of Justice Assistance (BJA), FY23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$37,086.00.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Department of Justice (DOJ), Bureau of Justice Assistance (BJA), FY23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$37,086.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39508 Authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division, FY24 Rifle-Resistant Body Armor Grant in the amount of \$23,034.40 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division, FY24 Rifle-Resistant Body Armor Grant in the amount of \$23,034.40 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39509 Authorize the acceptance of a grant award from the Office of the Governor, FY24 UASI Austin - Regular Funding in the amount of \$11,656.00 for the Hays County CERT Enhancement Project and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, FY24 UASI Austin - Regular Funding in the amount of \$11,656.00 for the Hays County CERT Enhancement Project and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39510 Authorize the acceptance of a grant award from the Office of the Governor, FY24 UASI Austin - Regular Funding in the amount of \$11,220.00 for the Ready Central Texas Project and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, FY24 UASI Austin - Regular Funding in the amount of \$11,220.00 for the Ready Central Texas Project and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39511 Authorize the Elections Administration Office to purchase four (4) workbench-style tables for elections and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Elections Administration Office to purchase four (4) workbench-style tables for elections and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously



39512 Authorize the County Judge to execute Social Service Agency contracts as approved in the Fiscal Year 2024 budget.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute Social Service Agency contracts as approved in the Fiscal Year 2024 budget.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39513 Approve setting the salary for the Senior Staff Engineer in the Transportation Department at a Grade 127.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve setting the salary for the Senior Staff Engineer in the Transportation Department at a Grade 127.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39514 Authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division, First Responder Mental Health Program in the amount of \$8,065.00 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division, First Responder Mental Health Program in the amount of \$8,065.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39515 Authorize the acceptance of a grant award from the Patrick Leahy Bulletproof Vest Partnership in the amount of \$970.07.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Patrick Leahy Bulletproof Vest Partnership in the amount of \$970.07.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39516 Accept amended towing service fees related to the Hays County Sheriff's Office Wrecker Service Agreement, effective January 1, 2022.

Dan Lyon made a public comment concerning the dates on the agreement and price rates. Harvey Jenkins made a public comment asking for clarification on the price rates. Commissioner Ingalsbe explained this will make fees consistent for towing county-owned vehicles. Jordan Powell, First Assistant Criminal District Attorney - Civil Division, stated back-dating the agreement is permissible. Chief Deputy Mike Davenport, Hays County Sheriff's Office, explained the fee was raised in 2022 without Commissioners Court approval, so this agreement is correcting the rate back to that date. Commissioner Smith explained this standardizes the fees under the Texas Department of Licensing and Regulation's capped rate.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept amended towing service fees related to the Hays County Sheriff's Office Wrecker Service Agreement, effective January 1, 2022.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39517 Authorize the Sheriff's Office to add a \$45.00 telephone allowance for Deputy slot number 0550-36 effective 10/15/2023 and amend the budget accordingly.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Sheriff's Office to add a \$45.00 telephone allowance for Deputy slot number 0550-36 effective 10/15/2023 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39518 Authorize the Budget Office to budget awarded grant funds of \$164,107.00 from the Office of the Governor, Bullet Resistant Shield Grant Program.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Budget Office to budget awarded grant funds of \$164,107.00 from the Office of the Governor, Bullet Resistant Shield Grant Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39519 Authorize the County Judge to execute the First Amendment to the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Kyle Area Senior Zone (KASZ) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Commissioner Ingalsbe to execute the First Amendment to the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Kyle Area Senior Zone (KASZ) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39520 Authorize the County Judge to execute the First Amendment to the Hays County Social Service Funding Agreement with United Way for Greater Austin regarding use of American Rescue Plan Act (ARPA) funds for Cancer Screening and Treatment for individuals living at or below 250% of the federal poverty level and are uninsured and not eligible for other resources.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize Commissioner Ingalsbe to execute the First Amendment to the Hays County Social Service Funding Agreement with United Way for Greater Austin regarding use of American Rescue Plan Act (ARPA) funds for Cancer Screening and Treatment for individuals living at or below 250% of the federal poverty level and are uninsured and not eligible for other resources.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39521 Authorize the County Judge to execute the First Amendment to the Hays County Social Services Funding Agreement between Hays County and Forever 15 Project regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute the First Amendment to the Hays County Social Services Funding Agreement between Hays County and Forever 15 Project regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39522 Authorize the Recycling and Solid Waste Department to pre-issue payment to Wastequip LLC in the amount of \$12,303.21 for a vertical baler.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the Recycling and Solid Waste Department to pre-issue payment to Wastequip LLC in the amount of \$12,303.21 for a vertical baler.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39523 Approve the vendors for the November 18th Chili Cookoff event to be held on the historic courthouse grounds by Hill Country Cookoff Association in accordance with the Hays County Property Use Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the vendors for the November 18th Chili Cookoff event to be held on the historic courthouse grounds by Hill Country Cookoff Association in accordance with the Hays County Property Use Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39524 Authorize the contract renewal of RFP 2022-P10 County Clerk Auto-Indexing System with Just Appraised, Inc.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the contract renewal of RFP 2022-P10 County Clerk Auto-Indexing System with Just Appraised, Inc.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39525 Authorize the purchase of items from BJ's Tees valued at \$1,890.23 for the continuing education safety program for the Transportation Department.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the purchase of items from BJ's Tees valued at \$1,890.23 for the continuing education safety program for the Transportation Department.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39526 Approve out of state travel for Deputy Stefan Haltermann to attend the International Breachers Symposium on October 29-November 1, 2023 in Southaven, MS.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve out of state travel for Deputy Stefan Haltermann to attend the International Breachers Symposium on October 29-November 1, 2023 in Southaven, MS.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39527 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39528 Approve specifications for IFB 2024-B01 TXCDBG - Cedar Oaks Mesa WSC - Water Improvements and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve specifications for IFB 2024-B01 TXCDBG - Cedar Oaks Mesa WSC - Water Improvements and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously



39529 Accept delivery of the Quarterly Audit Reports for the County Clerk Office - Records Division for the period of October 2022 through December 2022, and the Constable Precinct 1, Constable Precinct 3, Constable Precinct 5, Sheriff-Fees of Office, Elections, Personal Health and the Recycling & Solid Waste Centers for the period of January 2023 through March 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to accept delivery of the Quarterly Audit Reports for the County Clerk Office - Records Division for the period of October 2022 through December 2022, and the Constable Precinct 1, Constable Precinct 3, Constable Precinct 5, Sheriff-Fees of Office, Elections, Personal Health and the Recycling & Solid Waste Centers for the period of January 2023 through March 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39530 Authorize payment to Carol Bedrich for the purchase of consumable items in the amount of \$239.82 for the Behavioral Advisory Team (BAT) meeting held on September 6, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize payment to Carol Bedrich for the purchase of consumable items in the amount of \$239.82 for the Behavioral Advisory Team (BAT) meeting held on September 6, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39531 Authorize the purchase of additional Christmas decor for the Historic Courthouse building and grounds not to exceed \$15,000.00 and amend the budget accordingly.

Dan Lyon made a public comment against county spending on Christmas decor.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the purchase of additional Christmas decor for the Historic Courthouse building and grounds not to exceed \$15,000.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39532 Approve out-of-state travel needed to send Deputy Anthony Hipolito and Deputy Mark Andrews to the 2nd Annual National Emerging Drug Trends Conference beginning November 8th-9th, 2023, in North Charleston, SC and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve out-of-state travel needed to send Deputy Anthony Hipolito and Deputy Mark Andrews to the 2nd Annual National Emerging Drug Trends Conference beginning November 8th-9th, 2023, in North Charleston, SC and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39533 Accept delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code Chapter 114.023 and 114.025 for April, May and June 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to accept delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code Chapter 114.023 and 114.025 for April, May and June 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39534 Approve and accept the official bond for the appointed Purchasing Agent.

Commissioner Ingalsbe congratulated Stephanie Hunt on her appointment as the Hays County Purchasing Agent.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve and accept the official bond for the appointed Purchasing Agent.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39535 Authorize the County Judge to execute a resolution certifying that Hays County has approved a \$13,000.00 grant for the Fiscal Year 2024 budget year to Combined Community Action in support for providing home delivered meals to homebound persons in the county that are elderly or disabled.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize Commissioner Ingalsbe to execute a resolution certifying that Hays County has approved a \$13,000.00 grant for the Fiscal Year 2024 budget year to Combined Community Action in support for providing home delivered meals to homebound persons in the county that are elderly or disabled.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39536 Authorize corrections to the Fiscal Year 2024 budgeted purchase order rollover list.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize corrections to the Fiscal Year 2024 budgeted purchase order rollover list.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39537 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Pape-Dawson Engineers, Inc. regarding construction, engineer, and inspection services, pursuant to RFQ 2022-Q02, for the Centerpoint Road Project (IFB 2023-B16).

Commissioner Ingalsbe stated this is for project management services for the Centerpoint Road project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Commissioner Ingalsbe to execute a Professional Services Agreement between Hays County and Pape-Dawson Engineers, Inc. regarding construction, engineer, and inspection services, pursuant to RFQ 2022-Q02, for the Centerpoint Road Project (IFB 2023-B16).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39538 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$48,000.00 to the Professional Service Agreement with Kimley Horn & Associates, Inc. for the FM 2001 East (Greaf Road to Southeast of SH 21) project in Precinct 1, as part of the 2016 Road Bond Program and amend the budget accordingly.

Commissioner Ingalsbe stated this is for geotechnical, traffic control plans, and environmental services related to adding retaining walls and turn lanes to this project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Commissioner Ingalsbe to execute Contract Amendment No. 1 in the amount of \$48,000.00 to the Professional Service Agreement with Kimley Horn & Associates, Inc. for the FM 2001 East (Greaf Road to Southeast of SH 21) project in Precinct 1, as part of the 2016 Road Bond Program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39539 Discussion and possible action to call for a public hearing on October 24, 2023 to establish a No Dumping zone on Goforth Road and Rohde Road.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to call for a public hearing on October 24, 2023 to establish a No Dumping zone on Goforth Road and Rohde Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39540 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, accept the maintenance bond #4461009 in the amount of \$52,704.60, and acceptance of the revegetation bond #4461011 in the amount of \$5,928.00 for 6 Creeks subdivision, Phase 1, Section 12.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, accept the maintenance bond #4461009 in the amount of \$52,704.60, and accept the revegetation bond #4461011 in the amount of \$5,928.00 for 6 Creeks subdivision, Phase 1, Section 12.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39541 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, acceptance of the maintenance bond #2331900 in the amount of \$84,007.93, and acceptance of the revegetation bond #2331900 in the amount of \$14,176.89 for Prairie Lakes Phase 1, Section 2.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to accept road construction and surface drainage improvements, accept the maintenance bond #2331900 in the amount of \$84,007.93, and accept the revegetation bond #2331900 in the amount of \$14,176.89 for Prairie Lakes Phase 1, Section 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39542 Discussion and possible action to authorize the County Judge to execute a Phasing Agreement for the Prairie Lakes (Diecieseis Tract) Subdivision between Hays County and Diecieseis, LLC.

Marcus Pacheco, Director of Development Services, provided background on the development and stated the Phasing Agreement includes a license agreement for improvements within the county right of way, roadway standard alternatives, and traffic mitigation inputs.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize Commissioner Ingalsbe to execute a Phasing Agreement for the Prairie Lakes (Diecieseis Tract) Subdivision between Hays County and Diecieseis, LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39543 PLN-2107-NP; Discussion and possible action regarding the Pinnix Subdivision, Lot 1, Final plat.

Efren Chavez, Hays County Development Services County Planner, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the Pinnix Subdivision, Lot 1, Final plat (PLN-2107-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39544 PLN-2204-PC; Discussion and possible action regarding the Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat.

Efren Chavez, Hays County Development Services County Planner, provided background on the property and stated staff recommends approval.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat (PLN-2204-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39545 PLN-2293-PC; Hold a Public Hearing followed by discussion and possible action regarding 272 AC Fitzhugh, Lots 18 & 28, Replat.

Commissioner Ingalsbe opened the Public Hearing at 11:00 a.m. No comments were made. Commissioner Ingalsbe closed the Public Hearing at 11:00 a.m. Efren Chavez, Hays County Development Services County Planner, provided background on the property.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve 272 AC Fitzhugh, Lots 18 & 28, Replat (PLN-2293-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39546 PLN-2208-PC; Hold a Public Hearing followed by discussion and possible action regarding Carol Oaks, Lot 6, Replat.

Commissioner Ingalsbe opened the Public Hearing at 11:01 a.m. No comments were made. Commissioner Ingalsbe closed the Public Hearing at 11:01 a.m. Efren Chavez, Hays County Development Services County Planner, provided background on the property and stated staff recommends disapproval due to deficiencies listed in the backup.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to disapprove Carol Oaks, Lot 6, Replat (PLN-2208-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39547 Discussion and possible action to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and Capital Investing in Development and Employment of Adults, Inc (IDEA) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute the Hays County Social Service Funding Agreement between Hays County and Capital Investing in Development and Employment of Adults, Inc (IDEA) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-2 RE: *Discussion and possible action to execute a Master Lease Agreement with Ricoh USA, Inc. to add a copier for the Procurement Office, \$153.20 monthly. - WAS PULLED.*

39548 Discussion and possible action authorizing the execution of an Interlocal Cooperative Agreement for Law Enforcement Services related to Hays County Water Control and Improvement District No. 1 and Hays County Water Control and Improvement District No. 2.

Jordan Powell, First Assistant Criminal District Attorney - Civil Division, explained the Precinct 4 Constable's Office previously provided these services and this agreement covers the change to the Sheriff's Office. Commissioner Smith further explained the hours of service needed did not align with the Constable's Office's working hours. Chief Deputy Mike Davenport, Hays County Sheriff's Office, noted this will be an off-duty job. Commissioner Smith stated this action will help standardize the language used in these types of agreements in the future.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of an Interlocal Cooperative Agreement for Law Enforcement Services related to Hays County Water Control and Improvement District No. 1 and Hays County Water Control and Improvement District No. 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Clerk's Note: Commissioner Ingalsbe called for a recess that began at 11:07 a.m. and resumed back into open court at 11:13 a.m.

39549 Discussion and possible action to renew the coverage with United Healthcare for Health and Dental Employee and Retiree Insurance.

Shari Miller, Director of Human Resources, reviewed changes to the plans and new services that will be offered to employees, and noted the emergency room co-pay for non-admission is being increased from \$300 to \$500.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to renew the coverage with United Healthcare for Health and Dental Employee and Retiree Insurance.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39550 Discussion and possible action to award RFP 2023-P09 Delinquent Tax Collection Services to McCreary Veselka Bragg & Allen (MVBA) and authorize staff and the District Attorney Civil Division to negotiate a contract.

Harvey Jenkins made a public comment against using a law firm for delinquent tax collection. Roxanne Rodriguez, Chief Deputy County Clerk, read an emailed public comment from Ruben Becerra asking to table the item and expressing concerns over the selection process. Jenifer O'Kane, Hays County Tax Assessor-Collector, spoke about the selection committee and scoring process. Commissioner Smith spoke about contract renewals and the importance of 3-5 year contracts for this type of work. Commissioner Ingalsbe asked why presentations were not given by the companies, and O'Kane stated the committee had enough information from the applications alone. Commissioner Cohen stated she is confident in the selection committee and their process. Commissioner Shell clarified presentations are not normal procedure. The Court discussed options for contract timelines.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award RFP 2023-P09 Delinquent Tax Collection Services to McCreary Veselka Bragg & Allen (MVBA) and authorize staff and the District Attorney Civil Division to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39551 Discussion and possible action to authorize Countywide Operations / Local Health Department to hire the Registered Nurse TB position and the Registered Nurse Immunizations position at the 50th percentile effective October 10, 2023, and amend the budget accordingly.

Tammy Crumley, Director of Countywide Operations, explained that similar to other counties throughout the state, these positions have been vacant due to low salaries and Hays County is at risk of losing funding if they are not filled soon. Commissioner Smith stated he believes the salary study was not accurate for these positions and is supportive of this.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize Countywide Operations / Local Health Department to hire the Registered Nurse TB position and the Registered Nurse Immunizations position at the 50th percentile effective October 10, 2023, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39552 Discussion and possible action to convert vacant budgeted deputy slots to deputy/cadet slots for all current and future vacant slots effective October 10, 2023.



Commissioner Ingalsbe stated this will give the Sheriff's Office flexibility in their hiring process. Chief Deputy Mike Davenport, Hays County Sheriff's Office, explained this will allow civilians to be recruited and sent to an academy. Commissioner Smith suggested having those in the academy work for the Sheriff's Office part-time.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to convert vacant budgeted deputy slots to deputy/cadet slots for all current and future vacant slots effective October 10, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39553 Discussion and possible action to authorize the County Judge to execute a Master Vehicle Lease Agreement with Commercial Vehicle Leasing, LLC (dba D&M Leasing) related to countywide leased vehicles.

Commissioner Shell stated it has been difficult for the county to obtain vehicles and this may increase competition and options. Vickie Dorsett, Hays County Budget Officer, noted she has met with D&M Leasing recently to review vehicle issues, and the county will still have its leases with Enterprise.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize Commissioner Ingalsbe to execute a Master Vehicle Lease Agreement with Commercial Vehicle Leasing, LLC (dba D&M Leasing) related to countywide leased vehicles.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39554 Discussion and possible action to adopt a name, mission statement, and vision statement for the Hays County Pet Resource Center project facility.

Sharri Boyett, Hays County Animal Advocate, stated the recommended name, mission statement, and vision statement reflect the focus on a community model and pets being retained.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to adopt a name, mission statement, and vision statement for the Hays County Pet Resource Center project facility.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:41 a.m. and resumed back into open court at 12:37 p.m.

Clerk's Note Agenda Item #L-1 RE: *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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

39555 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.501 acre, waterline easement interest in 0.043 acre, and gas line easement in 0.065 acre from property owned by Merlin's Roost 1400, LLC., and which is required for the construction of the proposed Hillside Terrace roadway improvements and utility adjustments, and take other appropriate action (Parcel 15). Possible action may follow in open court.

Those present in Executive Session were Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources.



A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe that the Commissioners Court of Hays County authorize the use of the power of eminent domain to acquire fee simple interest in 0.501-acre, waterline easement interest in 0.043-acre, and gas line easement interest in 0.065-acre from property located along Hillside Terrace, owned by Merlin's Roost 1400, LLC., and which is required for the construction of the proposed Hillside Terrace roadway improvements and utility adjustments, and take other appropriate action (Parcel 15).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39556 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.996 acre, waterline easement interest in 0.086 acre, and gas line easement in 0.128 acre from property owned by Hillside BP, Ltd., and which is required for the construction of the proposed Hillside Terrace roadway improvements and utility adjustments, and take other appropriate action (Parcel 16). Possible action may follow in open court.

Those present in Executive Session were Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe that the Commissioners Court of Hays County authorize the use of the power of eminent domain to acquire fee simple interest in 0.996 acre, waterline easement interest in 0.086 acre, and gas line easement interest in 0.128 acre from property located along Hillside Terrace, owned by Hillside BP, Ltd., and which is required for the construction of the proposed Hillside Terrace roadway improvements and utility adjustments, and take other appropriate action (Parcel 16).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39557 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.056 acre, and utility easement interest in 0.083 acre from property owned by Adept Builders, LLC, and which is required for the construction of the proposed Hillside Terrace roadway improvements and utility adjustments, and take other appropriate action (Parcel 22). Possible action may follow in open court.

Those present in Executive Session were Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe that the Commissioners Court of Hays County authorize the use of the power of eminent domain to acquire fee simple interest in 0.056 acre and utility easement interest in 0.083 acre from property located along Old Goforth Road, owned by Adept Builders, LLC, and which is required for the construction of the proposed Hillside Terrace roadway improvements and utility adjustments, and take other appropriate action (Parcel 22).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39558 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.

Those present in Executive Session were Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources. Commissioner Cohen stated this firm will provide another option when cases are not covered by TAC and/or the county has a conflict of counsels issue.



A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to ratify the Hays County Criminal District Attorney's Office - Civil Division's execution of an engagement letter with Fletcher, Farley, Shipman & Salinas L.L.P. for County legal services on an as-needed basis.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban.* - WAS PULLED.

Clerk's Note Agenda Item #M-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs.* - WAS PULLED.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).* - WAS PULLED.

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department.* - WAS PULLED.

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.* - WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adjourn court at 12:41 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 OCTOBER 10, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



OCTOBER 24, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 24th DAY OF OCTOBER A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ANNE MEDINA	DEPUTY 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.

WITH JUDGE BECERRA BEING ABSENT, THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe called the meeting to order. Pastor Darius Todd, Hays County Chaplain, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags.

PUBLIC COMMENTS

William L. Wagner Jr. made a public comment concerning the Mission Oaks Condominiums and the developer's compliance with the Hays County Development Agreement, as well as Public Information Requests submitted to Hays County. Virginia Parker made a public comment regarding a federal funding opportunity for a study on Cape's Dam and its possible removal or reconstruction. Dan Lyon made a public comment concerning activity on the Historic Courthouse grounds and county spending.

39559 Adopt a Proclamation recognizing October 2023 as Mediation Awareness Month.

Martha Joyce, Director of the Central Texas Dispute Resolution Center, introduced several employees and presented the court with a plaque in honor of their support throughout the years.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing October 2023 as Mediation Awareness Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39560 Adopt a Proclamation supporting Operation Green Light for Veterans in Hays County.

Jude Prather, Hays County Veteran Services Officer, encouraged citizens to install green light bulbs in support of Operation Green Light for Veterans.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to adopt a Proclamation supporting Operation Green Light for Veterans in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39561 Adopt a Proclamation observing October 23, 2023 as the Michael Hernandez Day of Service.

Commissioner Smith thanked Michael Hernandez for his service to Hays County. Jude Prather, Hays County Veteran Services Officer, spoke about his experience working with Hernandez. Hernandez thanked the court for the recognition.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Proclamation observing October 23, 2023 as the Michael Hernandez Day of Service.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39562 Adopt a Proclamation recognizing November 4, 2023 as Harvey Miller Day of Service.

Alex Banbury, President of the Dunbar Heritage Association, invited the public to the 3rd Annual Harvey Miller Day of Service on November 4th. Commissioner Ingalsbe thanked the Banburys for honoring Harvey Miller.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing November 4, 2023 as Harvey Miller Day of Service.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Presentation of Hays County Employee Service and Retirement Awards.

Kim Jeter, Hays County Human Resources Manager, presented service milestone awards to Hays County Employees.

39563 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39564 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39565 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39566 Approve Commissioners Court Minutes of October 10, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve Commissioners Court Minutes of October 10, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39567 Approve the payment of the October 31, 2023 payroll disbursements in an amount not to exceed \$4,850,000.00 effective October 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the payment of the October 31, 2023 payroll disbursements in an amount not to exceed \$4,850,000.00 effective October 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39568 Authorize the execution of the "Resolution Approving Assignment of Private Activity Bond Authority to Texas Department of Housing and Community Affairs (TDHCA); and Containing Other Provisions Relating to the Subject", regarding the Capital Area Housing Finance Corporation (CAHFC) application to facilitate a Single Family Mortgage Orientation Program.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of the "Resolution Approving Assignment of Private Activity Bond Authority to Texas Department of Housing and Community Affairs (TDHCA); and Containing Other Provisions Relating to the Subject", regarding the Capital Area Housing Finance Corporation (CAHFC) application to facilitate a Single Family Mortgage Orientation Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39569 Authorize the execution of a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Northside Village, Williamson County, Texas.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Northside Village, Williamson County, Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39570 Authorize the purchase of X-ray machine roller tables that are used by Pct.1 Building Security at the Government Center in the amount of \$4,196.00; authorize a purchasing waiver requiring three quotes and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the purchase of X-ray machine roller tables that are used by Pct.1 Building Security at the Government Center in the amount of \$4,196.00; authorize a purchasing waiver requiring three quotes and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39571 Approve out-of-state travel for Assistant Criminal District Attorneys, Allison Buess and Christopher Griffith to attend the Arson and Explosive for Prosecutor Course in Huntsville, Alabama.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve out-of-state travel for Assistant Criminal District Attorneys, Allison Buess and Christopher Griffith to attend the Arson and Explosive for Prosecutor Course in Huntsville, Alabama.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39572 Authorize payment to Gruene Harley-Davidson for FY23 repairs and maintenance to two (2) Harley-Davidson motorcycles totaling \$2,634.43 for the Hays County Constable, Pct. 4 Office, in which purchase orders were not obtained per the Hays County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize payment to Gruene Harley-Davidson for FY23 repairs and maintenance to two (2) Harley-Davidson motorcycles totaling \$2,634.43 for the Hays County Constable, Pct. 4 Office, in which purchase orders were not obtained per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously



39573 Approve the reappointment of Andy Cable, Scott Brown and John Anderson to the Board of Emergency Services District #7 for two year terms ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the reappointment of Andy Cable, Scott Brown and John Anderson to the Board of Emergency Services District #7 for two year terms ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39574 Authorize the County Judge to execute a work order between Hays County and Security One, Inc. to replace one of the cameras in the PCT. 3 Courtroom in the amount of \$748.34 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize Commissioner Ingalsbe to execute a work order between Hays County and Security One, Inc. to replace one of the cameras in the PCT. 3 Courtroom in the amount of \$748.34 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39575 Ratify the submission of a grant application to the Firehouse Subs Public Safety Foundation in the amount of \$24,447.39.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to ratify the submission of a grant application to the Firehouse Subs Public Safety Foundation in the amount of \$24,447.39.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39576 Authorize the renewal of the Hays County Accident Insurance Policy with La Vernia Insurance Agency related to all authorized volunteers at a premium renewal rate of \$300.00.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the renewal of the Hays County Accident Insurance Policy with La Vernia Insurance Agency related to all authorized volunteers at a premium renewal rate of \$300.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39577 Authorize the County Judge to execute a work order with CureMD for one additional Health Department inventory module user license in the amount of \$99.00.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize Commissioner Ingalsbe to execute a work order with CureMD for one additional Health Department inventory module user license in the amount of \$99.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39578 Approve the cancelation of Commissioners Court on January 9 & 23, February 13 & 20, March 5 & 19, April 2, 16 & 30, May 14 & 28 and June 11 & 25.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve the cancelation of Commissioners Court on January 9 & 23, February 13 & 20, March 5 & 19, April 2, 16 & 30, May 14 & 28 and June 11 & 25.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously



39579 Authorize the submission of a grant application to the United States Department of Agriculture (USDA), Community Wildfire Defense Grant program in the amount of \$249,650.00.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the submission of a grant application to the United States Department of Agriculture (USDA), Community Wildfire Defense Grant program in the amount of \$249,650.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39580 Authorize the submission of a grant application to the Texas Historical Commission, Certified Local Government Grant Program in the amount of \$30,000.00 with a \$60,000 local match.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the submission of a grant application to the Texas Historical Commission, Certified Local Government Grant Program in the amount of \$30,000.00 with a \$60,000 local match.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39581 Approve contract change order 1, increase \$53,125.94, with Myers Concrete Construction, LP pursuant to IFB 2021-B05 Concrete Contractor for additional perimeter sidewalk work required for the Courthouse Grounds Renovation Project.

Dan Lyon made a public comment concerning an increase in the project price. Stephanie Hunt, Hays County Purchasing Agent, explained how the project changes led to the price increase. Tammy Crumley, Director of Countywide Operations, stated the entire sidewalk needs to be replaced as opposed to patch replacements in order to maintain historical accuracy.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve contract change order 1, increase \$53,125.94, with Myers Concrete Construction, LP pursuant to IFB 2021-B05 Concrete Contractor for additional perimeter sidewalk work required for the Courthouse Grounds Renovation Project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39582 Approve renewal of IFB 2020-B02 Hauling Solid Waste with Texas Disposal Systems and Central Texas Refuse, LLC. for one (1) additional year, with the proposed price changes from Texas Disposal Systems, increasing their contract 8%.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve renewal of IFB 2020-B02 Hauling Solid Waste with Texas Disposal Systems and Central Texas Refuse, LLC. for one (1) additional year, with the proposed price changes from Texas Disposal Systems, increasing their contract 8%.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39583 Authorize the execution of the Sixth Amendment to RFP 2020-P02 Countywide Janitorial Services between Hays County and Pritchard Industries.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of the Sixth Amendment to RFP 2020-P02 Countywide Janitorial Services between Hays County and Pritchard Industries.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39584 Approve out-of-state travel for Cpl. Garrett Dominguez and Mobile Crisis Outreach Liaison Erin Barker to attend the NTOA Crisis Negotiations Conference on November 13-16, 2023, in Scottsdale, AZ.



A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve out-of-state travel for Cpl. Garrett Dominguez and Mobile Crisis Outreach Liaison Erin Barker to attend the NTOA Crisis Negotiations Conference on November 13-16, 2023, in Scottsdale, AZ.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39585 Authorize the Development Services Department to obtain professional services with Eric O'Neil for the creation of a Python script for County GIS and MyPermitNow services, authorize a purchasing policy waiver and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the Development Services Department to obtain professional services with Eric O'Neil for the creation of a Python script for County GIS and MyPermitNow services, authorize a purchasing policy waiver and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39586 Approve out-of-state travel for Lieutenant Matt Wasko to attend the Use of Force Summit on November 28-30, 2023, in Uncasville, CT.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to approve out-of-state travel for Lieutenant Matt Wasko to attend the Use of Force Summit on November 28-30, 2023, in Uncasville, CT.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39587 Authorize the Sheriff's Office to procure a credit card in an amount not to exceed \$5,000.00 from the County depository account.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the Sheriff's Office to procure a credit card in an amount not to exceed \$5,000.00 from the County depository account.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39588 Authorize a three-year (3) Focus Complete Care Service Plan for \$10,925.00 with ZNET Tech, LLC for FARO, a 3D measuring tool used by the Sheriff's Office for investigative purposes.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize a three-year (3) Focus Complete Care Service Plan for \$10,925.00 with ZNET Tech, LLC for FARO, a 3D measuring tool used by the Sheriff's Office for investigative purposes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39589 Authorize the Historical Commission Office to purchase consumable treats for the Kyle Depot to participate in the City of Kyle annual "Trick or Treat" event.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the Historical Commission Office to purchase consumable treats for the Kyle Depot to participate in the City of Kyle annual "Trick or Treat" event.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39590 Authorize the Veteran's Administration Office to request a \$50,000.00 increase for client services for grant year 2023-2024 at the quarterly Texas Veterans Commission meeting in November 2023.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Veteran's Administration Office to request a \$50,000.00 increase for client services for grant year 2023-2024 at the quarterly Texas Veterans Commission meeting in November 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39591 Accept the resignation of Dennis Lane from the Board of Emergency Services District #1 and approve the appointment of Dan O'Brien to serve the remainder of the term ending December 31, 2024.

Commissioner Smith thanked Dennis Lane for his service and Dan O'Brien for filling the position.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the resignation of Dennis Lane from the Board of Emergency Services District #1 and approve the appointment of Dan O'Brien to serve the remainder of the term ending December 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39592 Accept delivery of the Quarterly Internal Examination Reports for the Justice of the Peace Precinct 2 Office, Justice of the Peace Precinct 3 for the period of Jan 2023 to March 2023, Parks Department and Health Department for the period of April 2023 to June 2023, and Parks Department for the period of July 2023 to September 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept delivery of the Quarterly Internal Examination Reports for the Justice of the Peace Precinct 2 Office, Justice of the Peace Precinct 3 for the period of Jan 2023 to March 2023, Parks Department and Health Department for the period of April 2023 to June 2023, and Parks Department for the period of July 2023 to September 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39593 Authorize the execution of a First Amendment to the Funding Agreement between Hays County and the City of Kyle for Purposes of a Hays County Citizen Reporting System.

Tucker Furlow, Assistant Criminal District Attorney - Civil Division, stated the dollar amount of \$10,225 in section IV(A) of the First Amendment has been amended to \$14,891.25.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a First Amendment to the Funding Agreement between Hays County and the City of Kyle for Purposes of a Hays County Citizen Reporting System.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39594 Discussion and possible action to authorize the Court to execute a Non-Standard Utility Agreement in the amount of \$83,550.00 with County Line Special Utility District for the relocation of existing facilities in conflict with the FM 2001 East Safety Improvements project from Graef Road to Southeast of SH 21 in Precinct 1, amend the budget accordingly, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(C).

Commissioner Ingalsbe stated this is for the relocation of a water line.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Court to execute a Non-Standard Utility Agreement in the amount of \$83,550.00 with County Line Special Utility District for the relocation of existing facilities in conflict with the FM 2001 East Safety Improvements project from Graef Road to Southeast of SH 21 in Precinct 1, amend the budget accordingly, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(C).



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39595 Hold a public hearing with possible action to establish a No Dumping zone on Goforth Road and Rohde Road.

Commissioner Ingalsbe opened the Public Hearing at 10:31 a.m. Matt DeBow spoke in favor of installing "No Dumping" signs in the area. Commissioner Ingalsbe closed the Public Hearing at 10:33 a.m.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to establish a No Dumping zone on Goforth Road and Rohde Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39596 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release the Letter of Credit #55110289 in the amount of \$1,202,038.38 and accept the 3-year maintenance bond #30189377 in the amount of \$27,033.60 for Mansions of Buda/Suffield Drive.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept road construction & surface drainage improvements, release the Letter of Credit #55110289 in the amount of \$1,202,038.38 and accept the 3-year maintenance bond #30189377 in the amount of \$27,033.60 for Mansions of Buda/Suffield Drive.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39597 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release the Letter of Credit #FTFC-23234 in the amount of \$2,553,164.45 and acceptance of the 2-year maintenance bond #355371K in the amount of \$129,932.25 for Waterstone Unit B.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the Letter of Credit #FTFC-23234 in the amount of \$2,553,164.45 and accept the 2-year maintenance bond #355371K in the amount of \$129,932.25 for Waterstone Unit B.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39598 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #LICX1975193 in the amount of \$1,310,079.50 and acceptance of the 2-year maintenance bond #341695J in the amount of \$91,551.55 for the Hymeadow subd., Section 3, Phase 4.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the subdivision bond #LICX1975193 in the amount of \$1,310,079.50 and accept the 2-year maintenance bond #341695J in the amount of \$91,551.55 for the Hymeadow subd., Section 3, Phase 4.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39599 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #30171067 in the amount of \$2,200,902.44 and acceptance of the 2-year maintenance bond #EACX4027628 in the amount of \$153,907.66 for Sunset Oaks subd., Section 4, Phase 3A.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, release the subdivision bond #30171067 in the amount of \$2,200,902.44 and accept the 2-year maintenance bond #EACX4027628 in the amount of \$153,907.66 for Sunset Oaks subd., Section 4, Phase 3A.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39600 PLN-2247-PC; Call for a Public Hearing on November 7, 2023, followed by discussion and possible action regarding Stagecoach Ranch, Sec 2, Lot 19E, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to call for a Public Hearing on November 7, 2023, followed by discussion and possible action regarding Stagecoach Ranch, Sec 2, Lot 19E, Replat (PLN-2247-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39601 PLN-2272-PC; Call for a Public Hearing on November 7, 2023, followed by discussion and possible action regarding 3-G Ranch, Sec 1, Lot 1-A, Vacate and Replat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a Public Hearing on November 7, 2023, followed by discussion and possible action regarding 3-G Ranch, Sec 1, Lot 1-A, Vacate and Replat (PLN-2272-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39602 PLN-2321-NP; Discussion and possible action regarding the ratification of the Vista West Ranches, Lot 12, Final Plat.

Marcus Pacheco, Director of Development Services, provided background on the property and explained that due to the Commissioners Court schedule, staff has already granted an administrative approval that needs to be ratified by the court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to ratify the Vista West Ranches, Lot 12, Final Plat (PLN-2321-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39603 PLN-2313-NP; Hawk Ridge, Phase 2 Subdivision (27 Lots). Discussion and possible action to accept the Performance Bond No. 4467851 in the amount of \$828,300.00 for street, erosion, and drainage improvements & seek final determination for the final plat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the Performance Bond No. 4467851 in the amount of \$828,300.00 for street, erosion, and drainage improvements and approve the final plat of Hawk Ridge, Phase 2 Subdivision (27 Lots) (PLN-2313-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

Clerk's Note: Commissioner Ingalsbe called for a recess that began at 10:41 a.m. and resumed back into open court at 10:50 a.m.

39604 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Friends of the Buda Public Library regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Jaime Lee, Vice President of Friends of the Buda Public Library, stated these funds will benefit the community through classes and programs and will help replenish revenue lost during the COVID-19 pandemic. Commissioner Smith stated the total grant amount is \$15,972 from the Precinct 4 American Rescue Plan Act (ARPA) allocation.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Commissioner Ingalsbe to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Friends of the Buda Public Library regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39605 Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Driftwood Historical Conservation Society regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Smith stated \$22,580 from the Precinct 4 ARPA allocation will go toward revenue replacement for the Driftwood Historical Conservation Society.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Driftwood Historical Conservation Society regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39606 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and the Greater San Marcos Partnership regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Dan Lyon made a public comment against the item. Commissioner Shell stated this is similar to other agreements the county has with non-profit organizations.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and the Greater San Marcos Partnership regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39607 Discussion and possible action to the execution of Work Authorization #5 in the amount of \$27,792.00 between Hays County and Halff Associates, Inc., related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

Commissioner Shell stated this is for Sentinel Peak Preserve and the county hopes to have a park open by next summer.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to execute Work Authorization #5 in the amount of \$27,792.00 between Hays County and Halff Associates, Inc., related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39608 Discussion and possible action to authorize Countywide Operations/Local Health Department to convert the Outreach Specialist slot 1127-002 from a three-quarter time position to a full-time position effective August 1, 2023, and inactivate the Community Program Manager position 0238-001.

Tammy Crumley, Director of Countywide Operations, stated the Outreach Specialist position is grant-funded and the Community Program Manager position is no longer needed.



A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize Countywide Operations/Local Health Department to convert the Outreach Specialist slot 1127-002 from a three-quarter time position to a full-time position effective August 1, 2023, and inactivate the Community Program Manager position 0238-001.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39609 Discussion and possible action to authorize an agreement between the Hays County Parks Department and ColorMix Graphics in the amount of \$5,000.00 for logo and branding development for the Hays County Parks Department.

Tammy Crumley, Director of Countywide Operations, stated ColorMix Graphics will design 1 graphic for the Parks Department and 1 graphic for each of the 5 county parks. Commissioner Shell suggested designing graphics and merchandise for county parks that could be sold to the public to generate revenue.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize an agreement between the Hays County Parks Department and ColorMix Graphics in the amount of \$5,000.00 for logo and branding development for the Hays County Parks Department.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39610 Discussion and possible action to authorize the County Judge to execute an agreement between Hays County and L.D. Tebben Company for the installation of gutters to the Thermon building in the amount of \$9,450.00.

Tammy Crumley, Director of Countywide Operations, explained this will prevent further erosion and foundation issues.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute an agreement between Hays County and L.D. Tebben Company for the installation of gutters to the Thermon building in the amount of \$9,450.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39611 Discussion and possible action to authorize the County Judge to execute an Additional Services Proposal with Hellmuth, Obata & Kassabaum, LP (HOK) for construction phase services related to the Jail Attorney Visitation project.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize Commissioner Ingalsbe to execute an Additional Services Proposal with Hellmuth, Obata & Kassabaum, LP (HOK) for construction phase services related to the Jail Attorney Visitation project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39612 Discussion and possible action to adopt a resolution appointing Commissioner Michelle Cohen to the Board of Directors of the Capital Area Housing Finance Corporation, effective November 1, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a resolution appointing Commissioner Michelle Cohen to the Board of Directors of the Capital Area Housing Finance Corporation, effective November 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39613 Discussion and possible action to re-grade the Field Operations Coordinator position in the Elections Administration Office effective 11/1/2023 and amend the budget accordingly.



Shari Miller, Director of Human Resources, explained this is a new position and after further research, Human Resources believes it should be graded higher.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to re-grade the Field Operations Coordinator position in the Elections Administration Office effective 11/1/2023 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39614 Discussion and possible action to adopt the Hays County FY 2024 Holiday Calendar.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to adopt the Hays County FY 2024 Holiday Calendar.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39615 Discussion and possible action to authorize the Hays County Health Department to provide flu vaccines to county employees and their eligible dependents enrolled in the county health plan.

Shari Miller, Director of Human Resources, spoke about flu vaccine opportunities for county employees. Tammy Crumley, Director of Countywide Operations, asked employees to complete the necessary forms before arriving for their vaccine.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Hays County Health Department to provide flu vaccines to county employees and their eligible dependents enrolled in the county health plan.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39616 Discussion and possible action authorizing the execution of a Product Schedule and Order Agreement with Ricoh USA, Inc. to add a printer/copier for the Purchasing Office, \$163.50 monthly.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the execution of a Product Schedule and Order Agreement with Ricoh USA, Inc. to add a printer/copier for the Purchasing Office, \$163.50 monthly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39617 Discussion and possible action to award RFP 2023-P11 Property & Liability Insurance to Texas Association of Counties and authorize staff and the District Attorney Civil Division to negotiate a contract.

Shari Miller, Director of Human Resources, stated this will align renewal dates for all policies.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to award RFP 2023-P11 Property & Liability Insurance to Texas Association of Counties and authorize staff and the District Attorney Civil Division to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39618 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement (ILA) between Hays County and the City of Wimberley regarding floodplain administration and environmental health services for a period not to exceed 12 months.

Marcus Pacheco, Director of Development Services, explained Hays County has assisted the City of Wimberley in administering their flood protection, on-site sewage facilities, and food establishment programs. The City of Wimberley is rescinding their On-Site Sewage Facility and Food Establishment regulations, and Hays County will be administering and enforcing County regulations in place of City regulations within the incorporated city limits.



Commissioner Shell stated the City pays the County \$3,000 per month for these services. Pacheco noted the agenda item summary in the back-up should read "ILA has Hays County administering & enforcing county ordinances."

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Commissioner Ingalsbe to execute an Interlocal Agreement (ILA) between Hays County and the City of Wimberley regarding floodplain administration and environmental health services for a period not to exceed 12 months, including amended language to enforce county ordinances as presented in court.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39619 Discussion and possible action to authorize Constable Pct. 3 to utilize Classic Collision for vehicle repairs to a 2023 leased Tahoe and amend the budget accordingly.

Vickie Dorsett, Hays County Budget Officer, explained additional work is needed due to a hail storm and spoke about improving communication between the county and the companies used for repairs.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Constable Pct. 3 to utilize Classic Collision for vehicle repairs to a 2023 leased Tahoe and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39620 Discussion and possible action to authorize the Hays County Treasurer to hire a temporary full-time employee effective October 30, 2023 through December 29, 2023 to assist in the Compliance Division and amend the budget accordingly.

Daphne Tenorio, Hays County Treasurer, stated the Compliance Division handles payment plan collections for the District Courts and explained how the temporary employee will assist with its duties.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to authorize the Hays County Treasurer to hire a temporary full-time employee effective October 30, 2023 through December 29, 2023 to assist in the Compliance Division and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

39621 Discussion and possible action to authorize the Constable Pct. 3 Office to utilize Lower Colorado River Authority (LCRA) for vehicle equipment removal and installation services and amend the budget accordingly.

Commissioner Shell explained that due to delays caused by vacancies in the Sheriff's Office, LCRA has offered to provide this service.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Constable Pct. 3 Office to utilize Lower Colorado River Authority (LCRA) for vehicle equipment removal and installation services and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

4 - 0 Passed - Unanimously

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

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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.



Those present in Executive Session were Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Vickie Dorsett, Hays County Budget Officer, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Marisol Villarreal-Alonzo, Hays County Auditor. No action taken.

Clerk's Note Agenda Item #M-1 RE: Discussion and possible action related to the burn ban. - WAS PULLED.

Clerk's Note Agenda Item #M-2 RE: Discussion related to the Hays County inmate population, to include current population counts and costs. - WAS PULLED.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.

Clerk's Note Agenda Item #M-5 RE: Updates of community health assessment by local health department. - WAS PULLED.

Clerk's Note Agenda Item #M-6 RE: Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken. - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adjourn court at 11:36 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 OCTOBER 24, 2023.



A handwritten signature in cursive script that reads "Elaine H. Cardenas".

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 7, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 7th DAY OF NOVEMBER A.D., 2023, 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
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
BRIANA RAMIREZ-VARGAS	DEPUTY 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 called the meeting to order. Pastor Darius Todd, Hays County Chaplain, gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags.

PUBLIC COMMENTS

William L. Wagner Jr. made a public comment concerning unfulfilled Public Information Requests regarding the Mission Oaks Condominiums development. Dan Lyon made a public comment concerning county disbursements and debt. Lauren Foye made a public comment thanking the court for their monetary support of Pet Prevent a Litter of Central Texas (PALS).

39622 Adopt a Proclamation declaring November 7, 2023 as Lieutenant Colonel George C. Carruthers Day and recognize Lt. Col. Carruthers for his recent 100th Birthday and selection for the French Legion of Honor.

The court thanked Lt. Col. Carruthers for his service. Judge Becerra spoke about the importance of unity. Rob Carruthers thanked the court for honoring his father and encouraged the public to attend the Veterans Day Parade on November 11th.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Proclamation declaring November 7, 2023 as Lieutenant Colonel George C. Carruthers Day and recognize Lt. Col. Carruthers for his recent 100th Birthday and selection for the French Legion of Honor.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39623 Adopt a Proclamation declaring November 5 - 11, 2023 as Dr. Elvin Holt Week in Hays County.

The court recognized Dr. Holt for his accomplishments and service. Ramika Adams, President of the Calaboose African American History Museum, thanked the court for the Proclamation and spoke about Dr. Holt's life and friendship.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring November 5 - 11, 2023 as Dr. Elvin Holt Week in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39624 Adopt a Proclamation declaring November 2023 as Turkeys Tackling Hunger Month.

The court thanked the Hays County Food Bank for their service. Iris Tate, Development/Communications Manager, Mae Watts-Parrish, Director, and Mark Jones, Vice President of the Hays County Food Bank, thanked the court for the Proclamation and spoke about the increase in food insecurity in the community and the growing need for donations and volunteers.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring November 2023 as Turkeys Tackling Hunger Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39625 Adopt a Proclamation declaring November 13-19, 2023 as Global Entrepreneurship Week 2023, a week of inclusion through international collaboration and mentorship.

The court spoke about the importance of entrepreneurship in the community and thanked the organizations involved. Carina Boston Pinales, Founder of Splash Coworking, spoke about Global Entrepreneurship Week and local startups in the community.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring November 13-19, 2023 as Global Entrepreneurship Week 2023, a week of inclusion through international collaboration and mentorship.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #F-5 RE: Presentation by Uber representative, Rick Koch, regarding potential transportation options for the County. - WAS PULLED.

39626 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39627 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39628 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39629 Approve Commissioners Court Minutes of October 24, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Commissioners Court Minutes of October 24, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39630 Approve the payment of the November 15, 2023 payroll disbursements in an amount not to exceed \$4,100,000.00 effective November 15, 2023 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 Cohen to approve the payment of the November 15, 2023 payroll disbursements in an amount not to exceed \$4,100,000.00 effective November 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39631 Authorize Building Maintenance to purchase a new Carpet Extractor in the amount of \$3,588.39 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to purchase a new Carpet Extractor in the amount of \$3,588.39 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39632 Authorize the execution of an Interlocal Agreement between Hays County and Travis County for participation in the Sheriff's Combined Auto Theft Enforcement Task Force; establishing one additional Detective position and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of an Interlocal Agreement between Hays County and Travis County for participation in the Sheriff's Combined Auto Theft Enforcement Task Force; establishing one additional Detective position and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39633 Authorize a budget amendment for the Health Department in the amount of \$414.00 to Mohawk Medical Mall for shipping costs on two medical exam tables and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize a budget amendment for the Health Department in the amount of \$414.00 to Mohawk Medical Mall for shipping costs on two medical exam tables and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39634 Authorize a revision to the Texas Department of State Health Services (DSHS) Health Equity Grant budget, adding two additional intern positions to the Health Department, and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize a revision to the Texas Department of State Health Services (DSHS) Health Equity Grant budget, adding two additional intern positions to the Health Department, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39635 Authorize payment to Rick's Lock & Key in the amount of \$1,228.90 for additional locks and cores needed for the Election IT Building Remodel.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize payment to Rick's Lock & Key in the amount of \$1,228.90 for additional locks and cores needed for the Election IT Building Remodel.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39636 Approve the appointments of the following individuals to the Capitol Area Metropolitan Planning Authority Technical Advisory Committee: Winton Porterfield as primary member and Marti Reich as alternate, and Angela Kennedy as the Small Cities primary member and Aaron Reed as the Small Cities alternate member.

Commissioner Smith stated these appointments represent several Hays County communities.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the appointments of the following individuals to the Capitol Area Metropolitan Planning Authority Technical Advisory Committee: Winton Porterfield as primary member and Marti Reich as alternate, and Angela Kennedy as the Small Cities primary member and Aaron Reed as the Small Cities alternate member.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39637 Authorize Building Maintenance to purchase a new Tornado Floor Scrubber in the amount of \$1,478.13 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to purchase a new Tornado Floor Scrubber in the amount of \$1,478.13 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39638 Approve the resolution amending authorized representatives for the Tax Office Texpool account.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the resolution amending authorized representatives for the Tax Office Texpool account.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39639 Authorize the execution of the Third Amendment to the Interlocal Cooperation Agreement between Hays County and Comal County for Jail Services, effective January 1, 2024.

Dan Lyon made a public comment against the item and changes made to the contract. Commissioner Shell spoke about how the cost for inmate outsourcing is calculated and stated he believes this is a fair price.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of the Third Amendment to the Interlocal Cooperation Agreement between Hays County and Comal County for Jail Services, effective January 1, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39640 Receive and ratify the finalized Purchase Agreement between Hays County and the Hill Country Land Reserve, LLC. related to Parks and Open Space bond project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to receive and ratify the finalized Purchase Agreement between Hays County and the Hill Country Land Reserve, LLC. related to Parks and Open Space bond project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39641 Authorize the execution of an annual renewal agreement between Hays County and Samsara in the amount of \$11,700.00 for continued access to the GPS tracking system used for vehicles under Countywide Operations.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the execution of an annual renewal agreement between Hays County and Samsara in the amount of \$11,700.00 for continued access to the GPS tracking system used for vehicles under Countywide Operations.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39642 Accept delivery of the Auditor's Office Quarterly Internal Examination Reports.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept delivery of the Auditor's Office Quarterly Internal Examination Reports.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Item G-18 was opened in Executive Session.

39643 Authorize the County Judge to execute a proposal from Security One Inc. for the purchase and installation of two additional security cameras for the Elections IT Building in the amount of \$4,524.18 and amend the budget accordingly.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Vickie Dorsett, Hays County Budget Officer, Stephanie Hunt, Hays County Purchasing Agent, Tammy Crumley, Director of Countywide Operations, Shari Miller, Director of Human Resources, and Matthew Gonzales, Hays County Health Department Manager.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a proposal from Security One Inc. for the purchase and installation of two additional security cameras for the Elections IT Building in the amount of \$4,524.18 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39644 Approve Utility Permits.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39645 Authorize the County Judge to execute a contract renewal with TransUnion for investigative purposes for the Sheriff's Office, with a proposed price increase of \$168.00 monthly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a contract renewal with TransUnion for investigative purposes for the Sheriff's Office, with a proposed price increase of \$168.00 monthly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-21 RE: *Authorize the execution of a resolution and the submission of a grant application to the Capital Area Council of Governments, FY24 Solid Waste Grant Program in the amount of \$18,298.00. - WAS PULLED.*



39646 Authorize the execution of a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Redwood Apartments, Hays County, Texas.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the execution of a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Redwood Apartments, Hays County, Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39647 Approve the IT & Elections Department to purchase a refrigerator and microwave for the new IT-Elections Building, total not to exceed \$950.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve the IT & Elections Department to purchase a refrigerator and microwave for the new IT-Elections Building, total not to exceed \$950.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39648 Approve and accept the official oath and set the required bond amount for the newly appointed Justice of the Peace, Pct. 2-2.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve and accept the official oath and set the required bond amount for the newly appointed Justice of the Peace, Pct. 2-2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39649 Authorize a discretionary exemption per Texas Local Government Code 262.024 (a)(7)(D) captive replacement parts or components for equipment, for the Sheriff's Office, Jail Division to purchase software for employee entry access at the Public Safety Building and Jail Facility.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize a discretionary exemption per Texas Local Government Code 262.024 (a)(7)(D) captive replacement parts or components for equipment, for the Sheriff's Office, Jail Division to purchase software for employee entry access at the Public Safety Building and Jail Facility.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39650 Authorize reimbursement to Terri Van Ackeren for venue rental fees at Dripping Springs Ranch Park related to a Community Forum held on October 2, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize reimbursement to Terri Van Ackeren for venue rental fees at Dripping Springs Ranch Park related to a Community Forum held on October 2, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39651 Adopt a resolution supporting a Multiple Use Agreement (MUA) with the Texas Department of Transportation (TxDOT) allowing the installation and operation of automated license plate recognition cameras in the TxDOT right-of-way and authorizing the Civil Division of the Hays County Criminal District Attorney's Office to execute such MUA.

Dan Lyon made a public comment against the item and expressed concerns over privacy. Commissioner Smith explained the county has an existing contract for these devices on county roads, and this would allow for installation on state roads as well.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a resolution supporting a Multiple Use Agreement (MUA) with the Texas Department of Transportation (TxDOT) allowing the installation and operation of automated license plate recognition cameras in the TxDOT right-of-way and authorizing the Civil Division of the Hays County Criminal District Attorney's Office to execute such MUA.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39652 Discussion and possible action to authorize the County Judge to execute a Professional Service Agreement with Lockwood, Andrews and Newnam, Inc. to provide engineering services for improvements at the intersection of Old Stagecoach and Post Road in Precinct 3.

Commissioner Shell spoke about the changes and modernization needed at the intersection.

A motion was made by Judge Becerra, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Service Agreement with Lockwood, Andrews and Newnam, Inc. to provide engineering services for improvements at the intersection of Old Stagecoach and Post Road in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39653 Discussion and possible action to authorize the execution of Change Order #1 to the Professional Services Agreement between Hays County and WSB Inc., dated February 1, 2022, to add an additional \$38,503.75 to account for design changes related to local input regarding dark sky lighting and the addition of construction phase services, and extend the contract by an additional year.

Commissioner Shell stated this is for lighting improvements that align with dark sky lighting, and the Texas Department of Transportation will fund the installation and construction of the project.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of Change Order #1 to the Professional Services Agreement between Hays County and WSB Inc., dated February 1, 2022, to add an additional \$38,503.75 to account for design changes related to local input regarding dark sky lighting and the addition of construction phase services, and extend the contract by an additional year.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39654 Discussion and possible action to approve a resolution requesting the Texas Department of Transportation (TxDOT) add a segment of Yarrington Road to the State Highway System for ownership and maintenance of the right-of-way as part of the FM 110 North project.

Commissioner Ingalsbe explained this portion of Yarrington Road is now considered FM 110 and the state requested this action so they may take over road maintenance.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve a resolution requesting the Texas Department of Transportation (TxDOT) add a segment of Yarrington Road to the State Highway System for ownership and maintenance of the right-of-way as part of the FM 110 North project.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39655 Discussion and possible action to approve an Advance Funding Agreement Amendment #1 for the District Safety Program On-System for the RM 3237 Intersection Improvements and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County.

Commissioner Shell explained the county is responsible for the design of the improvements and the state will cover construction costs that have been identified at just under \$6 million.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve an Advance Funding Agreement Amendment #1 for the District Safety Program On-System for the RM 3237 Intersection Improvements and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39656 Discussion and possible action to approve the selection of Cobb, Fendley & Associates, Inc. to provide utility coordination services for RM 2325 Sidewalks project in Precinct 3; and authorize staff and counsel to negotiate a contract.

Commissioner Shell stated this area has been identified for sidewalk improvements for students and visitors, and the county is responsible for utility coordination work.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the selection of Cobb, Fendley & Associates, Inc. to provide utility coordination services for RM 2325 Sidewalks project in Precinct 3; and authorize staff and counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39657 Discussion and possible action to consider the release of the subdivision bond #ES00012802 in the amount of \$2,174,384.25 for Headwaters at Barton Creek, Phase 3.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to release the subdivision bond #ES00012802 in the amount of \$2,174,384.25 for Headwaters at Barton Creek, Phase 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #I-7 RE: *Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$272,576.87 for the Caliterra Subdivision, Phase 5, Section 13 (Site Improvement Performance Bond No. 800166069).* - **WAS PULLED.**

39658 Discussion and possible action to consider the release of the Letter of Credit #20234030 in the amount of \$48,344.00 for 6 Creeks, Phase 1, Section 12.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to release the Letter of Credit #20234030 in the amount of \$48,344.00 for 6 Creeks, Phase 1, Section 12.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39659 PLN-2247-PC; Hold a Public Hearing, followed by discussion and possible action regarding Stagecoach Ranch, Sec 2, Lot 19E, Replat.

Judge Becerra opened the Public Hearing at 12:03 p.m. No comments were made. Judge Becerra closed the Public Hearing at 12:04 p.m. Marcus Pacheco, Director of Development Services, provided background on the property. He stated staff recommends disapproval due to deficiencies included in the backup and requested the authority to approve the plat once the deficiencies are addressed.

A motion was made by Commissioner Shell, seconded by Judge Becerra to disapprove Stagecoach Ranch, Sec 2, Lot 19E, Replat (PLN-2247-PC) until corrections can be made to their submittal, and authorize the Development Services Department to approve once all conditions have been met.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39660 PLN-2272-PC; Hold a Public Hearing, followed by discussion and possible action regarding 3-G Ranch, Sec 1, Lot 1-A, Vacate and Replat.

Judge Becerra opened the Public Hearing at 12:05 p.m. No comments were made. Judge Becerra closed the Public Hearing at 12:05 p.m. Marcus Pacheco, Director of Development Services, provided background on the property. He stated staff recommends disapproval due to deficiencies included in the backup and requested the authority to approve the plat once the deficiencies are addressed.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to disapprove 3-G Ranch, Sec 1, Lot 1-A, Vacate and Replat (PLN-2272-PC) until corrections can be made, and authorize the Development Services Department to approve once all conditions have been met.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39661 PLN-2295-NP; Discussion and possible action regarding the ratification of the Jacobs Well Landing subdivision.

Commissioner Shell stated this item is an example of the new process in which Development Services may approve a plat once deficiencies are addressed and bring it back to Commissioners Court for ratification. Marcus Pacheco, Director of Development Services, provided background on the property and stated staff approved the application and are requesting ratification.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to ratify the Jacobs Well Landing subdivision (PLN-2295-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39662 PLN-1900-NP; Discussion and possible action regarding the ratification of Prairie Lakes Subdivision, Phase 2, Section 1, Final Plat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff approved the application and are requesting ratification.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to ratify Prairie Lakes Subdivision, Phase 2, Section 1, Final Plat (PLN-1900-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39663 PLN-2062-NP; Discussion and possible action regarding the ratification of Prairie Lakes Subdivision, Phase 2, Section 2, Final Plat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff approved the application and are requesting ratification.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to ratify Prairie Lakes Subdivision, Phase 2, Section 2, Final Plat (PLN-2062-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39664 Discussion and possible action to authorize the execution of Work Authorization #4 in the amount of \$136,930.73 between Hays County and Halff Associates, Inc. related to the 2020 Parks and Open Space Bond Program Master Services Agreement and amend the budget accordingly.

Dan Lyon made a public comment against the item and its cost. Commissioner Ingalsbe spoke about the possibilities for this park, including trails, fishing areas, and playgrounds, and stated meetings will be held to gather input from the community. Commissioner Shell spoke about the value of this project and how it will improve the area.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of Work Authorization #4 in the amount of \$136,930.73 between Hays County and Halff Associates, Inc. related to the 2020 Parks and Open Space Bond Program Master Services Agreement and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39665 Discussion and possible action to change the name of the Hays County Local Health Department to Hays County Health Department.

Tammy Crumley, Director of Countywide Operations, spoke about the benefits of this name change.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to change the name of the Hays County Local Health Department to Hays County Health Department.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39666 Discussion and possible action to adopt a resolution supporting the initiative of Hays Consolidated Independent School District in providing an armed security officer at each district campus.

Commissioner Cohen explained more school resource officers are required to be on campuses due to recent legislation passed. Commissioner Smith spoke about difficulties in filling these positions.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to adopt a resolution supporting the initiative of Hays Consolidated Independent School District in providing an armed security officer at each district campus.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39667 Discussion and possible action to implement the proposed Hays County Intern Program guidelines.

Shari Miller, Director of Human Resources, spoke about the new intern program guidelines and explained that interns should be assigned work that will enhance their education. She asked that departments request interns through Human Resources, and noted interns should be unpaid if they are able to receive course credit for their work.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to implement the proposed Hays County Intern Program guidelines.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39668 Discussion and possible action to approve the creation, bylaws, and structure for the Hays County Judicial Services Board, restructure the Pretrial Services Department as the Judicial Services Department, and appoint Commissioner Cohen to replace Commissioner Shell as a non-voting member on the Hays County Judicial Services Board.

Commissioner Shell spoke about the history of the Pre-trial Services Department and its transition into the Judicial Services Department. Judge Becerra spoke about how this restructuring will increase efficiencies and noted the board will still report to the Commissioners Court. Commissioner Shell spoke about the court's non-voting positions on the board and the efforts of all involved in this new department. Commissioner Ingalsbe thanked all involved and spoke about the importance of pre-trial and judicial services. Commissioner Cohen thanked Commissioner Shell for the nomination to the board. Commissioner Smith thanked Commissioner Shell and Commissioner Ingalsbe for their years of work on this. Commissioner Shell recognized Judge Gary Steel, 274th Judicial District, for his work on this.



Judge Sherri Tibbe, 453rd Judicial District, and Judge Elaine Brown, County Court at Law 3, thanked the court for their commitment to this. Vickie Dorsett, Hays County Budget Officer, stated this item is currently fully funded by the American Rescue Plan Act (ARPA) and in the future it will be moved to the General Fund.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the creation and bylaws for the new structure of the Hays County Judicial Services Board, previously called the Pretrial Services Department; to place the new Judicial Services Department underneath the Courts to be supervised by the Courts along with the Hays County Judicial Services Board and the newly approved bylaws; and to appoint Commissioner Cohen to replace Commissioner Shell as a non-voting member on the Hays County Judicial Services Board with the other member being Commissioner Ingalsbe.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39669 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement with Blanco River Regional Recovery Team (BR3T) regarding a Rental/Utility Assistance Program for Hays County Citizens; including Project and Case Management as well as establishing a part-time temporary position for the Auditor's Office and amend the budget accordingly, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(A)(4) Personnel or professional services.

Eric Boehning, Ardurra Project Manager, praised the court for their effective use of American Rescue Plan Act (ARPA) funds. Commissioner Ingalsbe spoke about this partnership with BR3T and preventing homelessness. The court thanked Ardurra for their project management. Commissioner Smith stated he will contribute \$25,000 from his ARPA allocation to this. Vickie Dorsett, Hays County Budget Officer, clarified the contract will not change, but the Precinct 1 contribution will decrease from \$825,000 to \$800,000. Commissioner Smith asked for more outreach for this program in Precinct 4.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement with Blanco River Regional Recovery Team (BR3T) regarding a Rental/Utility Assistance Program for Hays County Citizens; including Project and Case Management as well as establishing a part-time temporary position for the Auditor's Office and amend the budget accordingly, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(A)(4) Personnel or professional services.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39670 Discussion and/or action regarding the authorization to approve specifications for RFP 2024-P01 Delinquent Justice, County and District Court Fees and Fines Collection Services and direct purchasing to solicit for proposals, advertise, and conduct in-person presentations from selected applicants.

Commissioner Shell asked for clarification on which courts are included in this item. Stephanie Hunt, Hays County Purchasing Agent, explained the Justice Courts have asked for a contract separate from the County Courts at Law and District Courts. Judge Andrew Cable, Justice of the Peace Precinct 3, further explained why the Justice Courts are requesting their own contract for collection services. The court discussed the selection committee and concluded it should be comprised of 3 Justices of the Peace, a member of the Commissioners Court, and an individual from the Civil Division of the District Attorney's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve specifications for RFP 2024-P01 Delinquent Justice Court Fees and Fines Collection Services and direct purchasing to solicit for proposals, advertise, and conduct in-person presentations from selected applicants; and to create a selection committee comprised of Justices of the Peace John Burns, Maggie Moreno, and Andrew Cable, County Judge Ruben Becerra, and an appointee from the District Attorney's Civil Division.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



Discussion and possible action to consider salary increases for the County Court at Law Court Reporters and amend the budget accordingly.

Briana Ramirez-Vargas, Deputy County Clerk, read an emailed public comment from Rosa Luera against the item. Judge Jimmy Alan Hall, County Court at Law 1, spoke about the urgent need to increase the pay for and retain court reporters. Judge Becerra and Commissioner Smith spoke in support of the item. Judge Sherri Tibbe, 453rd Judicial District, spoke in support of the item, as well as revisiting court reporter salaries for the Districts Courts. Commissioner Smith suggested looking into temporary solutions until positions can be filled. Judge Elaine Brown, County Court at Law 3, spoke in favor of the item and of the importance of having a reporter physically present to do the job. Shari Miller, Director of Human Resources, spoke about the positions and the increases they have received throughout the salary study. Commissioner Cohen and Commissioner Ingalsbe expressed hesitancy over raising salaries before the increases expected in February 2024. Vickie Dorsett, Hays County Budget Officer, clarified the step plan placement that will happen in February and noted the new salary plan does not account for outside experience. Judge Hall requested that the court compromise and raise the salaries of two court reporters to match the highest paid. Commissioner Shell spoke about the issues the county has had with salaries and suggested bringing this request to the Compensation Committee. The court had a lengthy discussion regarding the implementation of salary increases.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to implement salary increases for the County Court at Law Court Reporters and amend the budget accordingly.

AYE: Commissioner Smith, Judge Becerra

NAY: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell

2 - 3 Failed

Clerk's Note: Judge Becerra called for a recess that began at 11:19 a.m. and resumed back into open court at 11:29 a.m.

39671 Discussion and possible action to authorize the Constable Pct. 1 Office and Sheriff's Office to procure vehicle repairs for 2023 leased vehicles and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Constable Pct. 1 Office and Sheriff's Office to procure vehicle repairs for 2023 leased vehicles and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:23 p.m. and resumed back into open court at 1:42 p.m.

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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, and Vickie Dorsett, Hays County Budget Officer. No action taken.

39672 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 Munch, Project Midnight Blue, Project Hot Pursuit, and Project Lion King. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Vickie Dorsett, Hays County Budget Officer, Jessica Inacio, Greater San Marcos Partnership, and Victoria Vargas, Director of Economic Development at the City of Kyle.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Hays County Auditor and the Hays County Treasurer to process and disburse a payment of \$58,323.03 payable to H.E.B. Grocery Company, L.P., in recognition of H.E.B.'s partial performance under the Ch. 381 Economic Development Agreement between Hays County and H.E.B.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

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 Right of Way located at or near Hillside Terrace in Precinct 2. Possible discussion and/or action may follow in open court.

Those present in Executive Session were The Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Winton Porterfield, Assistant Director of the Hays County Transportation Department, Shari Miller, Director of Human Resources, Vickie Dorsett, Hays County Budget Officer, and David Baylor, LJA Engineering Director of Right of Way. No action taken.

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the employment and duties of the position of the Hays County Local Health Authority. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, Matthew Gonzales, Hays County Health Department Manager, Tammy Crumley, Director of Countywide Operations, and Vickie Dorsett, Hays County Budget Officer. No action taken.

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 548 for the week of October 29, 2023, with a peak of 554 inmates on November 1, 2023. The estimated cost for outsourcing inmates this week was \$177,320. The average number of outsourced males is 274 and females is 5. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken. - WAS PULLED.*




ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:43 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 NOVEMBER 7, 2023.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 14, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14th DAY OF NOVEMBER A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
LILLIAN GILLESPIE	DEPUTY 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.

WITH COMMISSIONER INGALSBE AND COMMISSIONER SMITH BEING ABSENT, THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins made a public comment concerning county debt. Dan Lyon made a public comment concerning jail staffing, county disbursements, and the Cape's Park project.

39673 Canvass the totals of the November 7, 2023 Constitutional Amendment Election.

Jennifer Doinoff, Hays County Elections Administrator, stated voter turnout was about 16%. Judge Becerra thanked Doinoff and her employees and volunteers for their work to maintain election integrity. Doinoff spoke about having a successful first election in the new Hays County Elections facility.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to canvass the totals of the November 7, 2023 Constitutional Amendment Election.


AYE: Commissioner Cohen, Commissioner Shell, Judge Becerra
3 - 0 Passed - Unanimously

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 10:10 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 NOVEMBER 14, 2023.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 21, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21st DAY OF NOVEMBER A.D., 2023, 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
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
LILLIAN GILLESPIE	DEPUTY 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 called the meeting to order. Pastor Darius Todd, Hays County Chaplain, gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags.

PUBLIC COMMENTS

Dan Lyon made a public comment regarding Hays County. Lillian Gillespie, Deputy County Clerk, read an emailed public comment from Sara Shannon thanking Commissioner Smith, Constable Ellen, and the Transportation Department for their attention to traffic and safety issues in the Leisurewoods, Coves of Cimarron, and Cimarron Parks neighborhoods.

Presentation of Hays County Employee Service and Retirement Awards.

Kim Jeter, Hays County Human Resources Manager, presented service milestone awards to Hays County employees.

39674 Approve payments of County invoices.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39675 Approve the payment of Juror checks.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39676 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39677 Approve Commissioners Court Minutes of November 7, 2023 and November 14, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Commissioners Court Minutes of November 7, 2023 and November 14, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39678 Approve the payment of the November 30, 2023 payroll disbursements in an amount not to exceed \$5,200,000.00 effective November 30, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of the November 30, 2023 payroll disbursements in an amount not to exceed \$5,200,000.00 effective November 30, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39679 Approve the reappointment of Marilyn Miller and Steve Janda to the Board of Emergency Services District #6 for a two-year term ending December 31, 2025.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the reappointment of Marilyn Miller and Steve Janda to the Board of Emergency Services District #6 for a two-year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39680 Authorize Building Maintenance to replace a broken section of the main sewer line at the Broadway location in the amount of \$15,851.00 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to replace a broken section of the main sewer line at the Broadway location in the amount of \$15,851.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39681 Authorize Building Maintenance to issue final payment to Total Security Solutions in the amount of \$8,972.00 in advance of delivery for the installation of bulletproof glass at Precinct 5 and authorize payment to be disbursed with the county utility checks on November 28, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to issue final payment to Total Security Solutions in the amount of \$8,972.00 in advance of delivery for the installation of bulletproof glass at Precinct 5 and authorize payment to be disbursed with the county utility checks on November 28, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39682 Authorize the Recycling and Solid Waste Department to purchase one additional Self Dumping Hopper in the amount of \$1,190.00 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Recycling and Solid Waste Department to purchase one additional Self Dumping Hopper in the amount of \$1,190.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39683 Authorize the execution of the 2024 CEO/Law Enforcement Certifications and Assurances Form associated with funding from the Office of the Governor.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of the 2024 CEO/Law Enforcement Certifications and Assurances Form associated with funding from the Office of the Governor.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39684 Authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Super Seer Corporation Officer Motorcycle Helmet valued at \$604.80 from Super Seer Corporation and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Super Seer Corporation Officer Motorcycle Helmet valued at \$604.80 from Super Seer Corporation and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39685 Authorize payment to Longhorn Harley-Davidson for installation of a PVP radar display and communication switch to a 2022 Harley-Davidson for \$1,097.55 for the Hays County Constable, Pct. 4 Office, in which a purchase order was not obtained as required per the Purchasing Policy and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Longhorn Harley-Davidson for installation of a PVP radar display and communication switch to a 2022 Harley-Davidson for \$1,097.55 for the Hays County Constable, Pct. 4 Office, in which a purchase order was not obtained as required per the Purchasing Policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39686 Authorize Building Maintenance to replace the failed HVAC R-22 Unit #1 at the AM VETs Building located at 401 Veterans Dr. in the amount of \$5,785.01 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to replace the failed HVAC R-22 Unit #1 at the AM VETs Building located at 401 Veterans Dr. in the amount of \$5,785.01 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39687 Authorize Building Maintenance to purchase and replace the hot water heater on the third floor of the Courthouse in the amount of \$2,053.02 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to purchase and replace the hot water heater on the third floor of the Courthouse in the amount of \$2,053.02 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39688 Authorize the submission of a grant application to the Texas Veterans Commission, Veterans Treatment Court program in the amount of \$350,000.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the submission of a grant application to the Texas Veterans Commission, Veterans Treatment Court program in the amount of \$350,000.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39689 Approve the appointment of Erin Abel to the Emergency Services District (ESD) No. 9 Board of Emergency Services Commissioners, to fill the vacancy of the position previously held by Roger Boyd, for the remainder of the term ending December 31, 2024.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the appointment of Erin Abel to the Emergency Services District (ESD) No. 9 Board of Emergency Services Commissioners, to fill the vacancy of the position previously held by Roger Boyd, for the remainder of the term ending December 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39690 Approve the reappointment of Paul Terry to the Emergency Services District (ESD) No. 5 Board of Emergency Services Commissioners, a two-year term ending December 31, 2025.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the reappointment of Paul Terry to the Emergency Services District (ESD) No. 5 Board of Emergency Services Commissioners, a two-year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39691 Accept donations totaling \$3,000.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept donations totaling \$3,000.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39692 Authorize the County Judge to execute a service agreement between Hays County and Tetra Vertical Solutions for the maintenance, inspections, and repairs to the Skyfold Wall located at the Public Safety Building, and authorize a purchasing waiver to obtain three quotes.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a service agreement between Hays County and Tetra Vertical Solutions for the maintenance, inspections, and repairs to the Skyfold Wall located at the Public Safety Building, and authorize a purchasing waiver to obtain three quotes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39693 Authorize the County Judge to execute a no-cost, time extension to the Half Associates, Inc. Work Authorization #3 Agreement, related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

Dan Lyon made a public comment against the item. Commissioner Shell stated there is no additional cost for this time extension and spoke about project timelines.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a no-cost, time extension to the Half Associates, Inc. Work Authorization #3 Agreement, related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39694 Authorize the submission of a grant application to the Texas Veterans Commission, General Assistance program in the amount of \$250,000.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the submission of a grant application to the Texas Veterans Commission, General Assistance program in the amount of \$250,000.00.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39695 Approve renewal of IFB 2022-B19 Metal Beam Guard Fence (MBFG) Materials with Texas Corrugators.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve renewal of IFB 2022-B19 Metal Beam Guard Fence (MBFG) Materials with Texas Corrugators.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39696 Authorize payment to SHI Government Solutions in the amount of \$24,585.00 for the Transportation Department related to the annual subscription renewal of the Cartegraph OMS Plus software package where no purchase order was issued as required per the Hays County purchasing policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to SHI Government Solutions in the amount of \$24,585.00 for the Transportation Department related to the annual subscription renewal of the Cartegraph OMS Plus software package where no purchase order was issued as required per the Hays County purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39697 Accept delivery of Internal Examination Reports for the Justice of the Peace Precinct 1, Place 2 Office, Justice of the Peace Precinct 1, Place 1 Office, and Treasurer's Office.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept delivery of Internal Examination Reports for the Justice of the Peace Precinct 1, Place 2 Office, Justice of the Peace Precinct 1, Place 1 Office, and Treasurer's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39698 Approve and execute the Sheriff's Office Equitable Sharing Agreement and Certification in accordance with the statutes and guidelines that govern the Federal Equitable Sharing Program.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve and execute the Sheriff's Office Equitable Sharing Agreement and Certification in accordance with the statutes and guidelines that govern the Federal Equitable Sharing Program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39699 Authorize a discretionary exemption per Texas Local Government Code 262.024 (a)(4) for the renewal of Advanced Hosting Services with Collective Data utilized by the Sheriff's Office for inventory purposes.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a discretionary exemption per Texas Local Government Code 262.024 (a)(4) for the renewal of Advanced Hosting Services with Collective Data utilized by the Sheriff's Office for inventory purposes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39700 Ratify the purchase of a replacement transformer valued at \$4,807.50 for the Jail and amend the budget accordingly.



Dan Lyon made a public comment concerning failing equipment and warranties at the County Jail. Commissioner Ingalsbe stated this was an emergency purchase.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to ratify the purchase of a replacement transformer valued at \$4,807.50 for the Jail and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39701 Approve Utility Permits.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39702 Approve extension of the Public Improvement District (PID) Bond Underwriting Services pool related to RFQ 2019-P04 Bond Underwriting Services for six (6) months, November 30, 2023 - May 31, 2024.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve extension of the Public Improvement District (PID) Bond Underwriting Services pool related to RFQ 2019-P04 Bond Underwriting Services for six (6) months, November 30, 2023 - May 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39703 Authorize the County Judge to execute a contract Amendment between Hays County and Blair Wildlife Consulting, LLC. related to the Professional Services Agreement for environmental support services for the Regional Habitat Conservation Plan.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a contract Amendment between Hays County and Blair Wildlife Consulting, LLC. related to the Professional Services Agreement for environmental support services for the Regional Habitat Conservation Plan.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39704 Authorize payment to Fire Technical Services, LLC. In the amount of \$5,280.00 for the Office of Emergency Services related to permit and inspection management software, in which no purchase order was issued as required per the Hays County Purchasing Policy and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Fire Technical Services, LLC. In the amount of \$5,280.00 for the Office of Emergency Services related to permit and inspection management software, in which no purchase order was issued as required per the Hays County Purchasing Policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39705 Authorize additional funding for the Constable Pct. 5 Office LCRA Hand-held Radios as approved in the FY24 budget and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize additional funding for the Constable Pct. 5 Office LCRA Hand-held Radios as approved in the FY24 budget and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39706 Authorize the execution of a resolution and the submission of a grant application to the Texas Indigent Defense Commission, FY24 Formula Grant program.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution and the submission of a grant application to the Texas Indigent Defense Commission, FY24 Formula Grant program.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39707 Discussion and possible action to authorize the Court to execute a Professional Service Agreement between Hays County and Doucet & Associates, Inc. to provide engineering services on the RM 12 from Golds Road to RM 150 project in Precinct 3.

Commissioner Shell spoke about the project and the needed improvements to this section of road, including turn lanes and shoulders for safety. Judge Becerra spoke about the progress made so far on RM 12. Commissioner Smith spoke about the Texas Department of Transportation possibly funding projects for this road.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Court to execute a Professional Service Agreement between Hays County and Doucet & Associates, Inc. to provide engineering services on the RM 12 from Golds Road to RM 150 project in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39708 Discussion and possible action to authorize the Court to execute Contract Amendment No. 5 to increase the contract compensation cap by \$4,000.00 and amend the Exhibit D - Rate Schedule in the Professional Service Agreement with American Structurepoint, Inc. for the RM 3237 Safety Improvements Project from RM 150 to RM 12 in Precinct 3.

Dan Lyon made a public comment concerning this item and its cost. Commissioner Shell noted the state will cover construction costs and explained how engineering firms determine their rates.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Court to execute Contract Amendment No. 5 to increase the contract compensation cap by \$4,000.00 and amend the Exhibit D - Rate Schedule in the Professional Service Agreement with American Structurepoint, Inc. for the RM 3237 Safety Improvements Project from RM 150 to RM 12 in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39709 Discussion and possible action to authorize the execution of Change Order No. 1 in the amount of (\$72,064.71) to the Construction Contract with Hunter Industries, Ltd. for Robert S. Light (IFB 2023-B03) project in Precinct 4.

Dan Lyon made a public comment concerning the need for change orders. Commissioner Smith spoke about the urgent need for these safety improvements and explained this change order will push the project forward by about a year. Commissioner Shell noted this price change is a deduction. Judge Becerra spoke about why the need for additional safety improvements was not realized until after the intersection was constructed.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of Change Order No. 1 in the amount of (\$72,064.71) to the Construction Contract with Hunter Industries, Ltd. for Robert S. Light (IFB 2023-B03) project in Precinct 4.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39710 Discussion and possible action to call for a public hearing on December 5, 2023 to establish a No Dumping zone on Marsh Lane.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to call for a public hearing on December 5, 2023 to establish a No Dumping zone on Marsh Lane.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39711 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$272,576.87 for the Caliterra Subdivision, Phase 5, Section 13 (Site Improvement Performance Bond No. 800166069).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$272,576.87 for the Caliterra Subdivision, Phase 5, Section 13 (Site Improvement Performance Bond No. 800166069).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39712 Discussion and possible action to accept the maintenance bond rider extensions from DNT Construction until April 25, 2024 for: Sunfield subdivision: Phase 2, Section 8 - bond #1060750 in the amount of \$188,961.00, Phase 2, Section 11 - bond #1060751 in the amount of \$231,755.60, Phase 3, Section 2 - bond #PB03016800273M in the amount of \$32,600.00, Phase 3, Section 4 - bond #PB03016800240M in the amount of \$22,000.00, and Phase 3 "Roadway Extension" - bond #PB03016800210 in the amount of \$30,350.00.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extensions from DNT Construction until April 25, 2024 for: Sunfield subdivision: Phase 2, Section 8 - bond #1060750 in the amount of \$188,961.00, Phase 2, Section 11 - bond #1060751 in the amount of \$231,755.60, Phase 3, Section 2 - bond #PB03016800273M in the amount of \$32,600.00, Phase 3, Section 4 - bond #PB03016800240M in the amount of \$22,000.00, and Phase 3 "Roadway Extension" - bond #PB03016800210 in the amount of \$30,350.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39713 Discussion and possible action to consider the release of the Performance Bond #016239056 in the amount of \$2,847,514.67 for Prairie Lakes Phase 1, Section 1.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to release the Performance Bond #016239056 in the amount of \$2,847,514.67 for Prairie Lakes Phase 1, Section 1.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39714 Discussion and possible action to consider the release of the Performance Bond #016239057 in the amount of \$1,354,884.61 for Prairie Lakes Phase 1, Section 2.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to release the Performance Bond #016239057 in the amount of \$1,354,884.61 for Prairie Lakes Phase 1, Section 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39715 Discussion and possible action to consider the acceptance of vegetative coverage and release of the revegetation bond #PB03016800925 in the amount of \$16,695.34 for 6 Creeks subdivision, Phase 1, Section 13A.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept vegetative coverage and release the revegetation bond #PB03016800925 in the amount of \$16,695.34 for 6 Creeks subdivision, Phase 1, Section 13A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39716 PLN-2325-PC; Call for a Public Hearing on December 5, 2023, followed by discussion and possible action regarding the Studio Estates Subdivision, Section 2B, Block D, Lot 38, Replat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a Public Hearing on December 5, 2023, followed by discussion and possible action regarding the Studio Estates Subdivision, Section 2B, Block D, Lot 38, Replat (PLN-2325-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39717 Discussion and possible action to authorize the Hays County Mental Health Court to purchase consumables, decor and personalized coins for the Mental Health Court participants' Commencement Ceremony to be held December 11, 2023.

Kaimi Mattila, Mental Health Court Administrator, spoke about the ceremony and those that will be celebrated for their graduation from the Hays County Mental Health Court. The court thanked Mattila and all others involved for their work.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the Hays County Mental Health Court to purchase consumables, decor and personalized coins for the Mental Health Court participants' Commencement Ceremony to be held December 11, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39718 Discussion and possible action to authorize consumable purchases for monthly Behavioral Advisory Team (BAT) meetings and Opioid Crisis Prevention meetings for Fiscal Year 2024.

Commissioner Smith explained these funds have already been set aside for these meetings and thanked Commissioner Ingalsbe for serving on the BAT. Commissioner Ingalsbe spoke about the work the BAT does and invited others to make financial contributions to the meetings.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize consumable purchases for monthly Behavioral Advisory Team (BAT) meetings and Opioid Crisis Prevention meetings for Fiscal Year 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39719 Discussion and possible action to authorize the County Judge to execute a contract between GT Site Services & Land Clearing, LLC and Hays County for the Cape's Pond Project, not to exceed \$11,800.00 .

Commissioner Ingalsbe stated this is for the contractor to clean up the property.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a contract between GT Site Services & Land Clearing, LLC and Hays County for the Cape's Pond Project, not to exceed \$11,800.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39720 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and the Council for the Indigenous and Tejano Community regarding recovery assistance for direct and indirect impacts of COVID-19.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and the Council for the Indigenous and Tejano Community regarding recovery assistance for direct and indirect impacts of COVID-19.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39721 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Pet Prevent A Litter (PALS) regarding recovery assistance for direct and indirect impacts of COVID-19.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Pet Prevent A Litter (PALS) regarding recovery assistance for direct and indirect impacts of COVID-19.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39722 Discussion and possible action to authorize the execution of a contract between Hays County and Texas Association of Counties pursuant to RFP 2023-P11 Property & Liability Insurance.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a contract between Hays County and Texas Association of Counties pursuant to RFP 2023-P11 Property & Liability Insurance.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39723 Discussion and possible action to authorize the Judge to execute a contract with Lexipol and Hays County for the CordicoShield Law Enforcement Wellness App to be utilized by the Sheriff's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Judge to execute a contract with Lexipol and Hays County for the CordicoShield Law Enforcement Wellness App to be utilized by the Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 10:14 a.m. and resumed back into open court at 11:40 a.m.

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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Vickie Dorsett, Hays County Budget Officer, Shari Miller, Director of Human Resources, Tammy Crumley, Director of Countywide Operations, and Alexandra Thompson, Hays County Natural Resources Coordinator. No action taken.

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of all individual positions within the office of the Hays County Auditor's Office. Possible discussion and/or action may follow in open court.

Those present for Executive Session were the Commissioners Court, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Sherri Tibbe, 453rd Judicial District Judge, Shari Miller, Director of Human Resources, and Vickie Dorsett, Hays County Budget Officer. No action taken.



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 Snap Dragon and Project Lights Out. Possible discussion and/or action may follow in open court.

Those present for Executive Session were the Commissioners Court, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Vickie Dorsett, Hays County Budget Officer, Shari Miller, Director of Human Resources, Mike Kamerlander, Greater San Marcos Partnership (GSMP) President/CEO, Emily Mathes, GSMP Director of Business Development, and Jennifer Luna, GSMP Project Manager. No action taken.

39724 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 Right of Way located at or near Hillside Terrace in Precinct 2. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Vickie Dorsett, Hays County Budget Officer, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the execution of a Purchase Agreement to purchase an approximately 0.415 acre uneconomic remainder of Parcel 8 of the Hillside Terrace project, owned by Rudy and Rachel Flores, as presented in Executive Session and authorize the Civil Division of the Hays County Criminal District Attorney's Office to execute all documents incidental to closing.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the duties of the position of the Hays County Local Health Authority. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Vickie Dorsett, Hays County Budget Officer, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations. No action taken.

Clerk's Note Agenda Item #M-1 RE: Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 570 for the week of November 12, 2023, with a peak of 583 inmates on November 18, 2023. The estimated cost for outsourcing inmates this week was \$175,940. The average number of outsourced males is 272 and females is 3. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 55.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.

Clerk's Note Agenda Item #M-5 RE: Updates of community health assessment by local health department. - WAS PULLED.



Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.

Commissioner Smith explained that due to numerous special sessions being called, legislators have had extra time to introduce bills and complete legislative analysis. He suggested the court look at these bills during the interim because several have possible impacts on county business. No action taken.


Clerk's Note Agenda Item #M-7 RE: Updates on measurable advancement of Judicial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Judicial Services Randy Focken. - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 11:40 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 NOVEMBER 21, 2023.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



DECEMBER 5, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 5th DAY OF DECEMBER A.D., 2023, 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
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
DILLON GERALD	DEPUTY 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 called the meeting to order. Monk Swami Nikhilanand, Radha Madhav Dham Hindu Temple, gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags.

PUBLIC COMMENTS

Dan Lyon made a public comment concerning county contributions to the Indigenous Cultures Institute and the Wimberley Independent School District sports complex from the Parks and Open Space Bond funds. Nancy Heintz made a public comment regarding the 2024 Point-in-Time Count for the Homeless Coalition of Hays County.

39725 Adopt a Proclamation declaring December 8, 2023 as The Pound House Farmstead Day.

Linda Coker, Chair of the Hays County Historical Commission, spoke about the history of the Pound Farm and Hays County. Commissioner Smith spoke about the Pound Foundation and their work.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Proclamation declaring December 8, 2023 as The Pound House Farmstead Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Presentation by the Central Texas Food Bank regarding an upcoming Community Needs Assessment.

Matthew Gonzales, Hays County Health Department Manager, introduced members of the Central Texas Food Bank and spoke about the Community Health Assessment. Dr. Tracy Ayrhart, Vice President of Strategic Insights at the Central Texas Food Bank, gave a presentation on the Food Bank's work and food insecurity in Hays County. She reviewed the Food Bank's strategy to ensure access to food and spoke about how data and their Community Needs Assessment will inform their work. The court thanked the Food Bank representatives for their presentation and all the work they do. Commissioner Cohen spoke about food insecurity in Hays County. Judge Becerra spoke about increased awareness since the COVID-19 Pandemic. Commissioner Ingalsbe spoke about the possible effects of land development on farming. Commissioner Smith spoke about food production and thanked Commissioner Cohen for her involvement with the Food Bank.

39726 Approve payments of County invoices.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve payments of County invoices.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39727 Approve the payment of Juror checks.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39728 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39729 Approve Commissioners Court Minutes of November 21, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve Commissioners Court Minutes of November 21, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39730 Approve the payment of the December 15, 2023 payroll disbursements in an amount not to exceed \$4,100,000.00 effective December 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the payment of the December 15, 2023 payroll disbursements in an amount not to exceed \$4,100,000.00 effective December 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39731 Approve vendors in accordance with Section E of the Hays County Property Use Policy for a monthly market, known as the Vanilla Bean Market, to sell vintage clothing, art, and other vintage goods on the historic courthouse grounds.

Jordan Powell, First Assistant Criminal District Attorney - Civil Division, noted that this is regarding Section E in Article I of the Hays County Property Use Policy.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve vendors in accordance with Section E of the Hays County Property Use Policy for a monthly market, known as the Vanilla Bean Market, to sell vintage clothing, art, and other vintage goods on the historic courthouse grounds.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39732 Approve vendors in accordance with Section E of the Hays County Property Use Policy for the Martin Luther King Jr. Event on January 15, 2024, to be held on the historic courthouse grounds and organized by the Dunbar Heritage Association.

Jordan Powell, First Assistant Criminal District Attorney - Civil Division, noted that this is regarding Section E in Article I of the Hays County Property Use Policy.



A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve vendors in accordance with Section E of the Hays County Property Use Policy for the Martin Luther King Jr. Event on January 15, 2024, to be held on the historic courthouse grounds and organized by the Dunbar Heritage Association.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39733 Approve the December 2022, January 2023, February 2023 and March 2023 Treasurer and Investment Reports.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the December 2022, January 2023, February 2023 and March 2023 Treasurer and Investment Reports.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39734 Approve the reappointment of Cristina Nelson and Darrell Debish to the Emergency Services District (ESD) No. 1 Board of Emergency Services Commissioners, a two-year term ending December 31, 2025.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the reappointment of Cristina Nelson and Darrell Debish to the Emergency Services District (ESD) No. 1 Board of Emergency Services Commissioners, a two-year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39735 Approve the reappointment of Samantha Wylie, Jodi Steen and Ashley Martinez to the board of the Hays County Child Protective Board, three-year terms ending December 31, 2026.

Judge Becerra noted that Jodi Steen is not needing to be reappointed at this time.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the reappointment of Samantha Wylie and Ashley Martinez to the board of the Hays County Child Protective Board, three-year terms ending December 31, 2026.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39736 Authorize the execution of an amendment to the DSHS COVID-19 Detection and Mitigation in Confinement grant contract and accept additional funds in the amount of \$89,465.00 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the execution of an amendment to the DSHS COVID-19 Detection and Mitigation in Confinement grant contract and accept additional funds in the amount of \$89,465.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39737 Approve specifications for IFB 2024-B02 Lawn and Landscape Services and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve specifications for IFB 2024-B02 Lawn and Landscape Services and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39738 Approve the rejection of the bid received related to IFB 2024-B01 TXCDBG - Water Oaks Mesa WSC - Water Improvements.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the rejection of the bid received related to IFB 2024-B01 TXCDBG - Water Oaks Mesa WSC - Water Improvements.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39739 Approve specifications for IFB 2024-B04 TXCDBG - Cedar Oaks Mesa WSC - Water Improvements and authorize Purchasing to advertise and solicit for bids.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve specifications for IFB 2024-B04 TXCDBG - Cedar Oaks Mesa WSC - Water Improvements and authorize Purchasing to advertise and solicit for bids.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39740 Authorize the execution of an order form with Clearview AI used by the Sheriff's Office for investigative purposes and amend the budget accordingly, and authorize a waiver to the purchasing policy to obtain three quotes.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the execution of an order form with Clearview AI used by the Sheriff's Office for investigative purposes and amend the budget accordingly, and authorize a waiver to the purchasing policy to obtain three quotes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39741 Authorize the execution of a service agreement for the Sheriff's Office with The Amlon Group for the disposal of controlled substances valued at \$1,127.00, and authorize a purchasing waiver to obtain three (3) quotes.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the execution of a service agreement for the Sheriff's Office with The Amlon Group for the disposal of controlled substances valued at \$1,127.00, and authorize a purchasing waiver to obtain three (3) quotes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39742 Approve renewal of IFB 2023-B04 Road Building Materials - Hot Mix with Brauntex Materials Inc., Colorado Materials, Ltd., Lone Star paving, and Texas Materials Group for one (1) additional year.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve renewal of IFB 2023-B04 Road Building Materials - Hot Mix with Brauntex Materials Inc., Colorado Materials, Ltd., Lone Star paving, and Texas Materials Group for one (1) additional year.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39743 Authorize the Hays County Sheriff's Office to send a letter of termination to Microception, Inc. regarding MetaInterview software services, effective January 8, 2024.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the Hays County Sheriff's Office to send a letter of termination to Microception, Inc. regarding MetaInterview software services, effective January 8, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39744 Approve renewal of IFB 2023-B05 Road Building Materials - Cold Mix with Brauntex Materials, Inc., Texas Materials Group, and Colorado Materials, Ltd. for one additional year.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve renewal of IFB 2023-B05 Road Building Materials - Cold Mix with Brauntex Materials, Inc., Texas Materials Group, and Colorado Materials, Ltd. for one additional year.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39745 Approve renewal of IFB 2023-B08 Emulsion Oils with Ergon Asphalt and Emulsions, Inc. for one (1) additional year.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve renewal of IFB 2023-B08 Emulsion Oils with Ergon Asphalt and Emulsions, Inc. for one (1) additional year.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39746 Approve Overnight Lodging for Records Division Supervisors With Hays County Clerk's Office to Attend the 69th Annual Vitals Statistics Conference in Austin, Texas.

Dan Lyon made a public comment against the item. Commissioner Shell asked that more information be included in the item summary.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve Overnight Lodging for Records Division Supervisors With Hays County Clerk's Office to Attend the 69th Annual Vitals Statistics Conference in Austin, Texas.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39747 Approve the renewal of IFB 2021-B12 Countywide Dumpsters with Waste Connections Lone Star Inc. for one (1) additional year.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve the renewal of IFB 2021-B12 Countywide Dumpsters with Waste Connections Lone Star Inc. for one (1) additional year.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39748 Authorize Building Maintenance to purchase and install two Simplex Locks at the Elections IT Building in the amount of \$1,246.98 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize Building Maintenance to purchase and install two Simplex Locks at the Elections IT Building in the amount of \$1,246.98 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39749 Approve specifications for RFP 2024-B06 HVAC - Preventative Maintenance and Repair Services, Countywide and authorize Purchasing to advertise and solicit for bids.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve specifications for RFP 2024-B06 HVAC - Preventative Maintenance and Repair Services, Countywide and authorize Purchasing to advertise and solicit for bids.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39750 Authorize the County Judge's Office to purchase one (1) replacement Dell Latitude 5540 Laptop valued at \$1,419.00 for the Community Program Manager and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the County Judge's Office to purchase one (1) replacement Dell Latitude 5540 Laptop valued at \$1,419.00 for the Community Program Manager and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39751 Authorize the Justice of the Peace, Precinct 4 Office to purchase one (1) replacement HP Laserjet Printer not to exceed \$620.00 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the Justice of the Peace, Precinct 4 Office to purchase one (1) replacement HP Laserjet Printer not to exceed \$620.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39752 Accept delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code Chapter 114.023 and 114.025 for July and August 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to accept delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code Chapter 114.023 and 114.025 for July and August 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39753 Accept delivery of the Auditor's Office Quarterly Internal Examination Reports.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to accept delivery of the Auditor's Office Quarterly Internal Examination Reports.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39754 Authorize the County Judge to execute the First Amendment to the Hays County Social Service Funding Agreement with Blanco River Regional Recovery Team (BR3T) regarding use of American Rescue Plan Act (ARPA) funds for a Rental/Utility Assistance Program for Hays County citizens which was approved on or about November 7, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the County Judge to execute the First Amendment to the Hays County Social Service Funding Agreement with Blanco River Regional Recovery Team (BR3T) regarding use of American Rescue Plan Act (ARPA) funds for a Rental/Utility Assistance Program for Hays County citizens which was approved on or about November 7, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39755 Authorize payment to Ban-Koe Systems, Inc. where no purchase order was requested as required per the Hays County Purchasing Policy.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize payment to Ban-Koe Systems, Inc. where no purchase order was requested as required per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39756 Authorize payment to Texas Prima in the amount of \$900.00 for conference registration for Human Resources where no purchase order was issued as required per the Hays County Purchasing Policy.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize payment to Texas Prima in the amount of \$900.00 for conference registration for Human Resources where no purchase order was issued as required per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39757 Approve Utility Permits.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39758 Authorize the Constable Pct. 2 Office to purchase one (1) Rapidprint AR-E Time and Date Stamp, authorize pre-payment to ID Badges Unlimited, Inc. and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the Constable Pct. 2 Office to purchase one (1) Rapidprint AR-E Time and Date Stamp, authorize pre-payment to ID Badges Unlimited, Inc. and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39759 Discussion and possible action to authorize the County Judge to sign a supplemental work authorization to the Professional Services Agreement between Hays County and Binkley & Barfield, Inc. for the design of a roundabout for the Windy Hill Road/Shadow Creek Blvd. intersection.

Dan Lyon made a public comment against the cost of the project. Commissioner Ingalsbe stated this is a safety and mobility project and public involvement with surrounding property owners will be included.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to sign a supplemental work authorization to the Professional Services Agreement between Hays County and Binkley & Barfield, Inc. for the design of a roundabout for the Windy Hill Road/Shadow Creek Blvd. intersection.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39760 Discussion and possible action to authorize the execution of Change Order No. 7 in the amount of \$194,731.50 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB 2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1.

Dan Lyon made a public comment against the change order. Commissioner Cohen explained there have been issues with utilities on Dacy Lane which have delayed the project. Jerry Borchering, Director of Transportation, further explained some utilities were missed, which have caused additional delays and costs. Commissioner Smith noted that many projects in areas of the county that have not been worked on recently have unidentified utilities.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the execution of Change Order No. 7 in the amount of \$194,731.50 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB 2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39761 Discussion and possible action to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and K Friese + Associates, LLC to provide post construction drainage report & documents for the Lime Kiln Road project in Precinct 3 and amend the budget accordingly.

Commissioner Shell stated FEMA is requiring the revisions in this contract amendment. Dan Lyon made a public comment against the cost of this item. Commissioner Shell explained how engineers determine their rates.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and K Friese + Associates, LLC to provide post construction drainage report & documents for the Lime Kiln Road project in Precinct 3 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39762 Discussion and possible action to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Kimley Horn & Associates, Inc. for the FM 2001 East (Graef Road to Southeast of SH 21) project as well as extending the limits of the project to include FM 2001 Gap Section (West of Graef Road to North of Satterwhite Road) in Precinct 1, as part of the 2016 Road Bond Program and amend the budget accordingly.

Commissioner Ingalsbe stated this is for survey work and condemnation. Dan Lyon made a public comment against the cost of this item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Kimley Horn & Associates, Inc. for the FM 2001 East (Graef Road to Southeast of SH 21) project as well as extending the limits of the project to include FM 2001 Gap Section (West of Graef Road to North of Satterwhite Road) in Precinct 1, as part of the 2016 Road Bond Program and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39763 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,017,737.50 for the Driftwood Golf & Ranch Club, Ph 4, Final Plat (Site Improvement Performance Bond No. 800169803).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$2,017,737.50 for the Driftwood Golf & Ranch Club, Ph 4, Final Plat (Site Improvement Performance Bond No. 800169803).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39764 Hold a public hearing with possible action to establish a No Dumping zone on Marsh Lane.

Judge Becerra opened the Public Hearing at 11:18 a.m. No comments were made. Judge Becerra closed the Public Hearing at 11:18 a.m.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to establish a No Dumping zone on Marsh Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39765 PLN-2325-PC; Hold a Public Hearing; followed by discussion and possible action regarding Studio Estates Subdivision, Sec 2B, Blk D, Lot 38, Replat.



Judge Becerra opened the Public Hearing at 10:45 a.m. David Cuddy, Studio Estates Developer, stated he is available for any questions. Judge Becerra closed the Public Hearing at 10:46 a.m. Colby Machacek, Hays County Development Services Planning Department, gave background on the property and stated it has full staff recommendation for approval.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Studio Estates Subdivision, Sec 2B, Blk D, Lot 38, Replat (PLN-2325-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-1 RE: *Discussion and possible action to authorize the County Judge to execute a renewal agreement with Wellpath, LLC. for the Adult and Juvenile Facilities Healthcare Program pursuant to RFP 2021-P04. - WAS PULLED.*

39766 Discussion and possible action to award RFP 2023-P02 Bank Depository to Sage Capital Bank and authorize staff and District Attorney - Civil Division to negotiate a contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to award RFP 2023-P02 Bank Depository to Sage Capital Bank and authorize staff and District Attorney - Civil Division to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39767 Discussion and possible action to approve changes to the Hays County Investment Policy and Authorized Investments for 2024.

Daphne Tenorio, Hays County Treasurer, explained there are no substantial changes to the policy and spoke about investments.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve changes to the Hays County Investment Policy and Authorized Investments for 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Discussion and possible action to consider salary increases for the County Court at Law Court Reporters and amend the budget accordingly.

Dillon Gerald, Deputy County Clerk, read emailed public comments from J.D. Sanford and Jeff Kaufmann in favor of salary increases for the County Court at Law Court Reporters. Chevo Pastrano made a public comment in favor of salary increases and spoke about the many roles court reporters have. Judge Chris Johnson, Hays County Court at Law 2, spoke in favor of salary increases and explained this item's urgency due to better-paying job openings in surrounding counties. Judge Jimmy Hall, Hays County Court at Law 1, spoke about the strenuous education and training required for court reporters and the value of their jobs. He stated a placement in Step 7 of the new salary plan is acceptable. Elaine Cardenas, Hays County Clerk, spoke in favor of salary increases and about the importance of court reporters. Kelly Higgins, Hays County Criminal District Attorney, spoke in favor of salary increases and the progress made on clearing the court case backlog. Shari Miller, Director of Human Resources, stated the Compensation Committee has requested that the court reporters be placed in the step plan in February based on the number of years they have been certified. Commissioner Smith suggested the court reporters may have higher salaries if they wait for the February step plan implementation. Commissioner Smith and Judge Becerra discussed repairing courtroom equipment with Judge Johnson. The court had a lengthy discussion on if and how salary increases for court reporters should be implemented. Commissioner Shell spoke about determining the market pay and placement in the step plan. Commissioner Cohen and Commissioner Ingalsbe expressed concerns about how these salary increases could affect all other county employees.

A motion was made by Judge Becerra to place the County Court at Law Court Reporters in Step 7 of the salary step plan on February 1, 2024. Motion failed due to a lack of a second. No action taken.



39768 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and HDR Architecture Inc. for a needs assessment for Precinct 1 and Precinct 2.

Commissioner Cohen explained this is for an office that will be located east of I-35. Commissioner Ingalsbe spoke about what this needs assessment will identify. Judge Becerra spoke about future plans for county offices. Commissioner Smith spoke about the Precinct 4 needs assessment and the value of the process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a Professional Services Agreement between Hays County and HDR Architecture Inc. for a needs assessment for Precinct 1 and Precinct 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39769 Discussion and possible action to amend the Fee Schedule for the Development Services Dept., the Fire Marshal's Office, and the Transportation Dept.

Judge Becerra stated the Directors of Development Services and Emergency Services would like the Development Services Fee Schedule to be removed from this item. It will be brought back at a later date after further consideration.

A motion was made by Commissioner Smith, seconded by Judge Becerra to amend the Fee Schedule for the Fire Marshal's Office and the Transportation Dept.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-7 RE: *Discussion and possible action to authorize the District Clerk's Office to hire one (1) temporary Deputy Clerk grade 114 effectively immediately through December 29, 2023. - WAS PULLED.*

39770 Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the San Marcos Texas Community Radio Association, KZSM.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the San Marcos Texas Community Radio Association, KZSM.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39771 Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Southside Community Center.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Southside Community Center.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39772 Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Greater San Marcos Youth Council.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Greater San Marcos Youth Council.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39773 Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Hays-Caldwell Women's Center.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Hays-Caldwell Women's Center.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39774 Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the CASA of Central Texas, Inc.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the CASA of Central Texas, Inc.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:22 a.m. and resumed back into open court at 1:26 p.m.

39775 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, and Vickie Dorsett, Hays County Budget Officer. Commissioner Shell stated this is contingent upon an award from NRCS and the county's contribution would be up to \$100,000 if successfully awarded the project, which would likely happen next year.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Civil Division of the Hays County Criminal District Attorney's Office to draft an Offer Letter from Hays County to the landowners of Presa Grande, Phase Two, in relation to the acquisition of a conservation easement over approximately 218 acres located in Hays County Precinct 3, as presented and discussed in Executive Session and to authorize the Hays County Judge to sign documents related to the grant application for said conservation easement to NRCS.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Smith stated this transaction will consist of the Purchase and Sale Agreement and a Conservation Easement, the property is located near Driftwood and is made up of two tracts, and the Conservation Easement will be in perpetuity. The total cost of the easement is \$7,090,930, of which \$1 million will be paid by Hays County and the rest by Travis County.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Purchase and Sale Agreement, which includes \$1 million funded from the General Fund reserves, between Hays County and Frank W. Zimmerman, Jr., and Janice Zimmerman, Trustees, Lazy Z Ranch Revocable Trust, dated April 24, 2023, and the City of Austin related to the acquisition of a conservation easement estate on approximately 490.716 acres located in Precinct 4, as presented and discussed in Executive Session and to authorize the Civil Division of the Hays County Criminal District Attorney's Office to execute all documents incidental to closing this transaction.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



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 Hot Pursuit and Project Midtown. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Vickie Dorsett, Hays County Budget Officer, Victoria Vargas, Director of Economic Development for the City of Kyle, Will Atkinson, Director of Planning for the City of Kyle, Stephanie Leibe, City of Kyle Bond Counsel, and Mike Kamerlander, Greater San Marcos Partnership President/CEO. No action taken.

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.2737 acre out of that certain 81.25 acre property owned by HC Alexander Place, LLC a North Carolina limited liability company and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 28). Possible action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Marisol Villarreal-Alonzo, Hays County Auditor, Vickie Dorsett, Hays County Budget Officer, Janice Jones, Legal Support Services Specialist, Chase Young, Assistant Criminal District Attorney - Civil Division, and Betsy Johnson, Spencer Nealy, and Hayat Nassour with Davidson Troilo Ream & Garza. No action taken.

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.3463 acres out of that certain 140 acres HC Alexander Place, LLC and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 29). Possible action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Marisol Villarreal-Alonzo, Hays County Auditor, Vickie Dorsett, Hays County Budget Officer, Janice Jones, Legal Support Services Specialist, Chase Young, Assistant Criminal District Attorney - Civil Division, and Betsy Johnson, Spencer Nealy, and Hayat Nassour with Davidson Troilo Ream & Garza. No action taken.

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 580 for the week of November 26, 2023, with a peak of 585 inmates on November 27, 2023 and November 28, 2023. The estimated cost for outsourcing inmates this week was \$183,000. The average number of outsourced males is 281 and females is 6. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 54.

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*



Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.*
- WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Judicial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Judicial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:30 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 DECEMBER 5, 2023.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



DECEMBER 19, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19th DAY OF DECEMBER A.D., 2023, 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
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
BRIANA RAMIREZ-VARGAS	DEPUTY 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 called the meeting to order. Pastor Darius Todd, Hays County Chaplain, gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags.

PUBLIC COMMENTS

Dan Lyon made a public comment concerning Hays County leadership. Rodrigo Amaya made a public comment concerning the Sheriff's Office and election campaigns.

Presentation of Hays County Employee Service and Retirement Awards.

Shari Miller, Director of Human Resources, presented employees with service milestone and retirement awards. The Court, Mike Jones, Director of the Office of Emergency Services, Sheriff Gary Cutler, and Steve Meyer, Chair of Hays County Crime Stoppers, thanked Dennis Gutierrez, Hays County Sheriff's Office retiree, for his 35 years of service to the community.

Presentation by the Homeless Coalition of Hays County regarding the results of the 2023 Point in Time and the upcoming 2024 Point in Time.

Rev. Joshua Sutherlun, Co-Chair of the Hays County Homeless Coalition (HCHC), spoke about the HCHC's work and how they collaborate with the Texas Homeless Network. Nancy Heintz, Point-in-Time Coordinator, spoke about how the survey is conducted and what can be learned from it, and reviewed recent Hays County numbers. Kaimi Mattila, HCHC Board Member, spoke about the correlation between mental health issues and homelessness and how the community is addressing these through the Behavioral Advisory Team. Heintz spoke about how the Commissioners Court can assist with the Point-in-Time Count. Judge Becerra spoke about the importance of the count and incentivizing participation. Commissioner Smith spoke about ways the county is starting to address these issues and how having data from the count earlier could contribute to these efforts. Commissioner Shell thanked the HCHC for all their work. Commissioner Cohen discussed with Heintz the information the HCHC is needing from the commissioners and also requested earlier data from the next count. Commissioner Ingalsbe thanked the HCHC for their work. Tammy Crumley, Director of Countywide Operations, stated the Health Department assists with the count and provides COVID tests.

Presentation by Austin Pets Alive! to share an overview of community engagement efforts, including results from the Community Needs & Values Survey.

Lee Ann Shenefiel, Austin Pets Alive! Executive Advisor, presented the results of the Community Needs & Values Survey, including accessibility to pet resources throughout the county, and spoke about what to focus on in the future. Commissioner Ingalsbe spoke about barriers to services and improving transportation for residents, as well as potential locations for a new Pet Resource Center. Commissioner Cohen spoke about involving organizations that work with specific groups of people, such as the elderly.



Commissioner Shell thanked Austin Pets Alive! for their dedication to outreach. Commissioner Smith spoke about the need for resources in the outer portions of the county and suggested providing education on the responsibilities of pet ownership.

39776 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39777 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39778 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.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39779 Approve Commissioners Court Minutes of December 5, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of December 5, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39780 Approve the payment of the December 31, 2023 payroll disbursements in an amount not to exceed \$4,925,000.00 effective December 29, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of the December 31, 2023 payroll disbursements in an amount not to exceed \$4,925,000.00 effective December 29, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39781 Approve and confirm the appointment of Able Garza as a Deputy Constable and Victor Byrd as a Reserve Deputy Constable in the Hays County Constable Precinct 1 Office.

Rodrigo Amaya made a public comment against the item. David Peterson, Constable Precinct 1, introduced the appointed deputies and spoke about their backgrounds and achievements.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve and confirm the appointment of Able Garza as a Deputy Constable and Victor Byrd as a Reserve Deputy Constable in the Hays County Constable Precinct 1 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39782 Receive the Hays County Sexual Assault Response Team 2023 SART Biennial Report.

Commissioner Smith spoke about the findings and thanked all members of the SART.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to receive the Hays County Sexual Assault Response Team 2023 SART Biennial Report.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39783 Adopt a resolution approving the Joint Election Agreement between Hays County and the Republican and Democratic Parties for the 2024 Primary election.

Jennifer Doinoff, Hays County Elections Administrator, thanked the political parties for their cooperation with each other.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a resolution approving the Joint Election Agreement between Hays County and the Republican and Democratic Parties for the 2024 Primary election.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39784 Approve the reappointment of Commissioner Lon Shell to the Tax Increment Reinvestment Zone (TIRZ) Number 4 (Kissing Tree Development) Board of Directors for a two-year term expiring on December 31, 2025.

Rodrigo Amaya made a public comment against appointing a commissioner with only one year left in their term to a two-year position. Commissioner Shell explained the court may replace him at any time.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Commissioner Lon Shell to the Tax Increment Reinvestment Zone (TIRZ) Number 4 (Kissing Tree Development) Board of Directors for a two-year term expiring on December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39785 Approve the appointment of Judge Ruben Becerra to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors, to replace Commissioner Lon Shell and complete the remainder of the two-year term expiring on December 31, 2024.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the appointment of Judge Ruben Becerra to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors, to replace Commissioner Lon Shell and complete the remainder of the two-year term expiring on December 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39786 Approve the reappointment of Commissioner Debbie Ingalsbe to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors for a two-year term expiring on December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Commissioner Debbie Ingalsbe to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors for a two-year term expiring on December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39787 Approve the re-appointments of Joe Pendleton and Chuck Ware to Emergency Service District (ESD) #4 for two-year terms ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the re-appointments of Joe Pendleton and Chuck Ware to Emergency Service District (ESD) #4 for two-year terms ending December 31, 2025.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39788 Approve the re-appointments of Andrew Cable, John Anderson, and Scott Brown to the Emergency Service District (ESD) #7 Board for two-year terms ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the re-appointments of Andrew Cable, John Anderson, and Scott Brown to the Emergency Service District (ESD) #7 Board for two-year terms ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39789 Approve the reappointment of Staci Dement to the Board of Emergency Services District (ESD) #1, a two-year term ending December 31, 2025.

Commissioner Smith thanked all individuals being reappointed to ESDs and TIRZs for their service.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Staci Dement to the Board of Emergency Services District (ESD) #1, a two-year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39790 Approve the reappointment of Bert Bronaugh and Haley Ortiz to the Board of Emergency Services District (ESD) #2, a two-year term ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Bert Bronaugh and Haley Ortiz to the Board of Emergency Services District (ESD) #2, a two-year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39791 Approve the reappointment of Beth Smith to the Board of Emergency Services District (ESD) #5, a two-year term ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Beth Smith to the Board of Emergency Services District (ESD) #5, a two-year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39792 Approve the reappointment of Jim Hollis and Carol Greaves to the Board of Emergency Services District (ESD) #8, a two-year term ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Jim Hollis and Carol Greaves to the Board of Emergency Services District (ESD) #8, a two-year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-18 RE: *Approve the reappointment of Chris Baker to the Board of Emergency Services District (ESD) #9, a two-year term ending December 31, 2025. - WAS PULLED.*

39793 Approve the reappointment of Susan Kimball to the board of directors for the Dripping Springs Tax Incremental Reinvestment Zones No. 1 and No. 2, two year term ending December 31, 2025.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Susan Kimball to the board of directors for the Dripping Springs Tax Incremental Reinvestment Zones No. 1 and No. 2, two year term ending December 31, 2025.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39794 Authorize the County Judge to execute a renewal agreement and First Amendment with Wellpath, LLC. for the Adult and Juvenile Facilities Healthcare Program pursuant to RFP 2021-P04.

Judge Becerra spoke about recent discussions and efforts to modify the program.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a renewal agreement and First Amendment with Wellpath, LLC. for the Adult and Juvenile Facilities Healthcare Program pursuant to RFP 2021-P04.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39795 Authorize Building Maintenance to replace a two ton mini-split located in the Yarrington server room with a new two ton Mitsubishi mini-split in the amount of \$6,638.72 and amend the budget accordingly.

Dan Lyon made a public comment against the item and its cost. Commissioner Shell spoke about the price of the item and stated the lowest bid was chosen. Commissioner Ingalsbe stated this is a failing system that needs to be replaced.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize Building Maintenance to replace a two ton mini-split located in the Yarrington server room with a new two ton Mitsubishi mini-split in the amount of \$6,638.72 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39796 Authorize the County Judge to execute Change Order #7 to the Professional Services Agreement between Hays County and Garver, LLC to extend the agreement for design of low water crossings in Pcts. 1&2 until Dec. 31, 2024.

Dan Lyon made a public comment against change orders and the item. Rodrigo Amaya made a public comment against change orders and requested road improvements in the eastern portions of Hays County. Commissioner Shell explained these projects can take longer if they involve private property and the company is not necessarily being paid more for the time extension. Commissioner Cohen clarified this is a time extension for design purposes and there is no additional funding required.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Change Order #7 to the Professional Services Agreement between Hays County and Garver, LLC to extend the agreement for design of low water crossings in Pcts. 1&2 until Dec. 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39797 Authorize the County Judge to execute a Work Order with CureMD for the Izenda Ad-Hoc Reporting feature in the amount of \$699.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Work Order with CureMD for the Izenda Ad-Hoc Reporting feature in the amount of \$699.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39798 Approve the modification of a Letter of Credit in favor of the Texas Commission on Environmental Quality (TCEQ) regarding the operation of a waste material transfer station at 1691 Carney Lane, Wimberley, Texas; and authorize the County Judge to execute documents related to the Letter of Credit.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the modification of a Letter of Credit in favor of the Texas Commission on Environmental Quality (TCEQ) regarding the operation of a waste material transfer station at 1691 Carney Lane, Wimberley, Texas; and authorize the County Judge to execute documents related to the Letter of Credit.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39799 Authorize the submission of a renewal grant application to the Department of State Health Services (DSHS), FY25 Immunizations/Locals Grant Program in the amount of \$192,341.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a renewal grant application to the Department of State Health Services (DSHS), FY25 Immunizations/Locals Grant Program in the amount of \$192,341.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39800 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39801 Authorize the execution of an Engagement Letter with Milliman, Inc. for services related to the required GASB 75 valuation of other post-employment benefits for the County's annual financial statements, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4).

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of an Engagement Letter with Milliman, Inc. for services related to the required GASB 75 valuation of other post-employment benefits for the County's annual financial statements, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39802 Authorize the County Judge to execute the Phasing Agreement and License Agreement for the Prairie Lakes (Diecieseis Tract) Subdivision between Hays County and Diecieseis, LLC.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Phasing Agreement and License Agreement for the Prairie Lakes (Diecieseis Tract) Subdivision between Hays County and Diecieseis, LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39803 Accept delivery of the Auditor's Office Quarterly Internal Examination Reports.

Rodrigo Amaya made a public comment concerning the Hays County Auditor. Commissioner Shell asked for any complaints to be filed with the District Judges.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept delivery of the Auditor's Office Quarterly Internal Examination Reports.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39804 Approve the April 2023, May 2023, June 2023, July 2023, August 2023 and September 2023 Treasurer and Investment Reports.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the April 2023, May 2023, June 2023, July 2023, August 2023 and September 2023 Treasurer and Investment Reports.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39805 Ratify the acceptance of a \$300.00 donation to the Sheriff's Office and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to ratify the acceptance of a \$300.00 donation to the Sheriff's Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39806 Authorize the Sheriff's Office to purchase a replacement shredder valued at \$696.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Sheriff's Office to purchase a replacement shredder valued at \$696.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39807 Approve specifications for IFB 2024-B03 Winters Mill Parkway Roadway Improvements, Lighting and Pavement Markings and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for IFB 2024-B03 Winters Mill Parkway Roadway Improvements, Lighting and Pavement Markings and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39808 Ratify the submission of a grant application to the Capital Area of Government, Solid Waste Grant Program in the amount of \$21,419.20.

Tammy Crumley, Director of Countywide Operations, stated the match will no longer be in-kind, it will be \$1,804.80 for the western event and \$1,829.80 for the eastern event.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to ratify the submission of a grant application to the Capital Area of Government, Solid Waste Grant Program in the amount of \$21,419.20, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39809 Authorize the County Judge to execute a Tetra Vertical Solutions work order in the amount of \$2,500.00 for repairs to the Skyfold Vertical Wall located at the Public Safety Building.

Rodrigo Amaya made a public comment concerning the quality of the building and warranties. Commissioner Shell stated items under warranty are covered and spoke about improving county building in the future.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Tetra Vertical Solutions work order in the amount of \$2,500.00 for repairs to the Skyfold Vertical Wall located at the Public Safety Building.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39810 Approve specifications for RFP 2024-P07 Employee Benefits Financial Consulting Services and authorize Purchasing to solicit for proposals and advertise.

Rodrigo Amaya made a public comment against the item.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for RFP 2024-P07 Employee Benefits Financial Consulting Services and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39811 Approve renewal of IFB 2022-B01 Duty & Training Ammunition with Parabellum Research and BION Sol, LLC.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve renewal of IFB 2022-B01 Duty & Training Ammunition with Parabellum Research and BION Sol, LLC.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39812 Approve payment in the amount of \$521.64 to ODP Business Solutions, LLC related to office supplies for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payment in the amount of \$521.64 to ODP Business Solutions, LLC related to office supplies for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39813 Approve payment in the amount of \$700.00 to Texas Association of Counties related to Continuing Education for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payment in the amount of \$700.00 to Texas Association of Counties related to Continuing Education for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39814 Discussion and possible action to approve an Advance Funding Agreement Amendment #1 For Preventative Maintenance and Rehabilitation Program On-System Project (RM 967) and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County and amend the budget accordingly.

Commissioner Smith spoke about the progression of this project and thanked the Texas Department of Transportation for their timely work.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve an Advance Funding Agreement Amendment #1 For Preventative Maintenance and Rehabilitation Program On-System Project (RM 967) and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County and amend the budget accordingly.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39815 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, acceptance of the 2-year maintenance bond #355371M in the amount of \$192,527.03 for Waterstone Phase 1A.

Commissioner Ingalsbe stated this has staff recommendation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, accept the 2-year maintenance bond #355371M in the amount of \$192,527.03 for Waterstone Phase 1A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39816 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$902,317.55 for the Crosswinds, Phase 6B, Final (Performance Bond No. CMS354712).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$902,317.55 for the Crosswinds, Phase 6B, Final (Performance Bond No. CMS354712).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39817 PLN-2173-PC; Discussion and possible action regarding Shadow Creek, Ph 12, Sec 1, Lot 1, Replat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated it has full staff recommendation for approval.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to approve Shadow Creek, Ph 12, Sec 1, Lot 1, Replat (PLN-2173-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39818 PLN-2364-PC; Call for a Public Hearing on January 2nd, 2024, followed by discussion and possible action regarding the Studio Estates Subdivision, Section 2B, Block C, Lot 11, Replat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a Public Hearing on January 2nd, 2024, followed by discussion and possible action regarding the Studio Estates Subdivision, Section 2B, Block C, Lot 11, Replat (PLN-2364-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39819 Discussion and possible action authorizing the Sheriff's Office to execute a Memorandum of Understanding with Homeland Security Investigations for the reimbursement of joint operations expenses.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to execute a Memorandum of Understanding with Homeland Security Investigations for the reimbursement of joint operations expenses.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39820 Discussion and possible action authorizing the County Judge to execute an Agreement between Axon Enterprise Inc. and Hays County, effective July 1, 2024, to utilize Sourcewell Contract #010720-AXN.



Commissioner Ingalsbe stated this will be for upgrades to technology in 11 interview rooms which will streamline the interview process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Agreement between Axon Enterprise Inc. and Hays County, effective July 1, 2024, to utilize Sourcewell Contract #010720-AXN.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39821 Discussion and possible approval of the Property Liability policy from Texas Association of Counties, and authorize a discretionary exemption pursuant to Texas Local Government Center 262.024 (a)(4).

Shari Miller, Director of Human Resources, explained the county has been covered since July, but the payment was postponed until now.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the Property Liability policy from Texas Association of Counties, and authorize a discretionary exemption pursuant to Texas Local Government Center 262.024 (a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39822 Discussion and possible action to approve the formation of a Purchasing Policy Committee to include the County Judge, Treasurer, Purchasing Agent, District Attorney - Civil Division, and Directors (or their designee) of Transportation Department, Countywide Department, IT Department, and Sheriff's Department to review and update the Hays County Purchasing Policy and bring recommendations to Commissioners Court.

Rodrigo Amaya made a public comment against the creation of additional committees. Judge Becerra spoke about the intended purpose of this committee and how it should streamline purchasing processes. Stephanie Hunt, Hays County Purchasing Agent, recommended Vickie Dorsett, Hays County Budget Officer, and Commissioner Cohen be added to the committee. Commissioner Shell suggested including a member of the Auditor's Office. Commissioner Smith asked for Hunt to lead the committee and provide direction as someone who is very knowledgeable on county purchasing policies.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the formation of a Purchasing Policy Committee to include the County Judge, Commissioner Cohen, Treasurer, Purchasing Agent, District Attorney - Civil Division, Budget Officer, and Directors (or their designee) of Transportation Department, Countywide Department, IT Department, and Sheriff's Department to review and update the Hays County Purchasing Policy and bring recommendations to Commissioners Court.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39823 Discussion and possible action authorizing the execution of a Product Schedule, Order Agreement and Equipment Removal/Buyout Authorization with Ricoh USA, Inc. to replace the copier for the District Attorney, Civil Division copier, total monthly amount \$269.94.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a Product Schedule, Order Agreement and Equipment Removal/Buyout Authorization with Ricoh USA, Inc. to replace the copier for the District Attorney, Civil Division copier, total monthly amount \$269.94.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39824 Discussion and possible action to authorize the County Judge to execute an Agreement between Hays County and the City of Dripping Springs for use of the Dripping Springs Ranch Park.

Commissioner Smith explained the issue with the original agreement and stated this agreement will be more beneficial to the county and allow for more use of the facility.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an Agreement between Hays County and the City of Dripping Springs for use of the Dripping Springs Ranch Park.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39825 Discussion and possible action authorizing the County Judge to execute a License Agreement between Hays County and Hays County Crime Stoppers for use of the two upstairs office spaces located at 120 Stagecoach Trail, San Marcos, TX.

Rodrigo Amaya made a public comment asking for clarification on the location of these offices. Jennifer Doinoff, Hays County Elections Administrator, explained that since there is no security at the new Elections building, having a non-public facing entity such as Hays County Crime Stoppers occupy the space is a good fit.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a License Agreement between Hays County and Hays County Crime Stoppers for use of the two upstairs office spaces located at 120 Stagecoach Trail, San Marcos, TX.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 10:58 a.m. and resumed back into open court at 11:05 a.m.

39826 Discussion and possible action to authorize a First Amendment to the Hays County American Rescue Plan Recovery Grant Agreement with the Hays Consolidated Independent School District and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize a First Amendment to the Hays County American Rescue Plan Recovery Grant Agreement with the Hays Consolidated Independent School District and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39827 Discussion and possible action to authorize the County Judge to execute a Funding Agreement with the City of San Marcos related to the Courthouse Renovation project and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Funding Agreement with the City of San Marcos related to the Courthouse Renovation project and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39828 Discussion and possible action to authorize the Constable Pct. 1 Office to utilize Lower Colorado River Authority (LCRA) for vehicle equipment removal and installation services and amend the budget accordingly.

Rodrigo Amaya made a public comment against the item. David Peterson, Constable Precinct 1, spoke about the justification for this item and issues experienced with the supply chain and hiring. Commissioner Ingalsbe explained this work is usually done in-house but due to staff shortages it needs to be outsourced.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Constable Pct. 1 Office to utilize Lower Colorado River Authority (LCRA) for vehicle equipment removal and installation services and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39829 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement regarding the City of Kyle Tax Increment Reinvestment Zone (TIRZ) #5.

Jordan Powell, First Assistant Criminal District Attorney - Civil Division, spoke about the proposed TIRZ and the county's contribution to it. She suggested the Road and Bridge tax be excluded. Commissioner Ingalsbe stated she and Commissioner Cohen will monitor how the money is spent as the county's representatives on the board. Commissioner Shell asked for changes to back up documents regarding the county's tax rates. Commissioner Smith expressed concern over purchasing right-of-way through the facility and asked municipalities not to wait until the end of the year to bring forward proposals. Judge Becerra clarified how the county will contribute to the development of this area.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an Interlocal Agreement regarding the City of Kyle Tax Increment Reinvestment Zone (TIRZ) #5.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39830 Discussion and possible action to appoint Commissioner Debbie Ingalsbe and Commissioner Michelle Cohen to the Board of Directors for the City of Kyle Tax Increment Reinvestment Zone (TIRZ) Number 5 for a two-year term.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to appoint Commissioner Debbie Ingalsbe and Commissioner Michelle Cohen to the Board of Directors for the City of Kyle Tax Increment Reinvestment Zone (TIRZ) Number 5 for a two-year term.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:16 p.m and resumed back into open court at 2:26 p.m.

39831 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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations. Commissioner Shell stated this contract and related assignment of interest in conservation easement will be funded from the 2021 park bond funds.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Unimproved Property Contract and Assignment of Interest in Conservation Easement between Hays County and the San Marcos River Foundation, related to a conservation easement on approximately 75 acres located in San Marcos, Texas, Precinct 3, as presented and discussed in Executive Session, authorize the Civil Division of the Hays County Criminal District Attorney's Office to execute all documents incidental to closing this transaction, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39832 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 Hot Pursuit, Project Midtown and Project Lights Out. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Stephanie Leibe, Norton Rose Fulbright, Will Atkinson, City of Kyle Planning Director, Victoria Vargas, City of Kyle Economic Development Director, Jennifer Luna, Greater San Marcos Partnership (GSMP) Project Manager, and Mike Kamerlander, GSMP President/CEO.



Commissioner Cohen stated the incentive will consist of 50% of the County's sales taxes collected above the Sales Tax Base (which is currently \$0) and received by the County on the commercial properties located on the property for the calendar year; sales tax rebates will be based on annual performance and certifications thereof; and performance is based on construction thresholds including construction, Certificates of Occupancy, and site development permits.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Hays County and NewQuest Equity L.C., as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

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 Marco. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations. No action taken.

39833 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.2737 acre out of that certain 81.25 acre property owned by HC Alexander Place, LLC a North Carolina limited liability company and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 28). Possible action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Resolution, as presented in Executive Session, determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.2737 acre out of that certain 81.25 acre property owned by HC Alexander Place, LLC a North Carolina limited liability company and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 28).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39834 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.3463 acres out of that certain 140 acres HC Alexander Place, LLC and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 29). Possible action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Resolution, as presented in Executive Session, determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.3463 acre out of that certain 140 acre property owned by HC Alexander Place, LLC a North Carolina limited liability company and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 29).



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the employment and duties of the position of the Hays County Judicial Services Director. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Ben Moore, Criminal Associate Judge - Magistrate's Court. No action taken.

39835 Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the employment and duties of the position of the Hays County Local Health Authority. Possible discussion and/or action may follow in open court.

Judge Becerra clarified he should be listed as the sponsor of this item on the agenda, not Commissioner Cohen. Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations. Judge Becerra thanked Tammy Crumley for her work on this.

A motion was made by Judge Becerra, seconded by Commissioner Shell to approve the Director of Hays County Health Department's appointment Dr. John Charles Turner, Jr. as the Hays County Local Health Authority, effective December 21, 2023 and authorize the County Judge to execute a Professional Services Agreement in relation to such appointment.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - WAS PULLED.*

Clerk's Note Agenda Item #M-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs. - WAS PULLED.*

Clerk's Note Agenda Item #M-3 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 #M-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Judicial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Judicial Services Randy Focken. - WAS PULLED.*


ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 2:30 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 DECEMBER 19, 2023.





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

