

**Commissioners Court May 11, 2021  
NOTICE OF A MEETING OF THE  
COMMISSIONERS COURT OF HAYS COUNTY, TEXAS**



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNON'S TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at **9:00 A.M.** on the **11<sup>th</sup> day of May 2021**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

**CALL TO ORDER**

**INVOCATION**

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

**ROLL CALL**

**PUBLIC COMMENTS**

At this time **3-MINUTE** comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/ Witness Form to the County Clerk. Please Complete the Public Participation/ Witness Form in its Entirety.  
NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS.

**PRESENTATIONS & PROCLAMATIONS**

|   |   |  |
|---|---|--|
| 1 | 3 | Update from the County Judge and staff regarding the Local Disaster Declaration and COVID-19. Possible discussion and action may follow. <b>BECERRA/MILLER</b> |
|---|---|--|

**CONSENT ITEMS**

The following may be acted upon in one motion.  
A Commissioner, the County Judge, or a Citizen may request items be pulled for separate discussion and/or action.

|   |       |  |
|---|-------|--|
| 2 | 4     | Approve payments of County invoices. <b>VILLARREAL-ALONZO</b>  |
| 3 | 5     | Approve the payment of United Healthcare claims. <b>VILLARREAL-ALONZO</b>  |
| 4 | 6     | Approve the payment of the May 15, 2021 payroll disbursements in an amount not to exceed \$3,100,000.00 effective May 14, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. <b>BECERRA/RICHEY</b> |
| 5 | 7     | Authorize the Jail to utilize savings within the Office of the Governor, Preparedness & Prevention COVID-19 Grant to purchase janitorial supplies and amend the budget accordingly. <b>INGALSBE/CUTLER</b>   |
| 6 | 8-13  | Approve Utility Permits. <b>INGALSBE/BORCHERDING</b>   |
| 7 | 14-20 | Authorize the execution of Amendment No. 2 of the FY22 Tuberculous State (TB-State) with the Department of State Health Services (DSHS). <b>BECERRA</b>  |
| 8 | 21    | Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2021 mid-year financial reporting. <b>INGALSBE/VILLARREAL-ALONZO</b>  |
| 9 | 22-30 | Authorize the execution of Amendment No. 4 to the General Land Office (GLO) Contract No. 18-421-000-B130 Community Development Block Grant Disaster Recovery Program Housing Projects Non-Research & Development 2015 Flood Allocation. <b>BECERRA/T.CRUMLEY</b> |

**ACTION ITEMS**

**ROADS**

|    |       |  |
|----|-------|--|
| 10 | 31-32 | Discussion and possible action to authorize the County Judge to execute Change Order No. 1, time extension, to the Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. for Right-of-Way services on the RM 967 Safety Improvements project in Precinct 2 as part of the Road Bond Program. <b>JONES/BORCHERDING</b>               |
| 11 | 33-34 | Discussion and possible action to authorize the County Judge to execute Change Order No. 1, time extension, to the Professional Services Agreement between Hays County and 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. <b>SHELL/BORCHERDING</b> |

## MISCELLANEOUS

|    |       |  |
|----|-------|--|
| 12 | 35-52 | Discussion and possible action to authorize the County Judge to execute the Third Amendment to the Interlocal Agreement Between Hays County and the City of San Marcos Related to San Marcos Texas Tax Increment Reinvestment Zone No.5. <b>INGALSBE/SHELL</b>   |
| 13 | 53-55 | Discussion and possible action to authorize the Elections Administration Office to upgrade the Hart Verity Voting System and purchase the Hart Verity Duo Go for curbside voting utilizing the Center for Tech and Civic Life (CTCL) grant funds and amend the budget accordingly. <b>JONES/ANDERSON</b> |

## EXECUTIVE SESSIONS

The Commissioners Court will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The Commissioners Court may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

|    |    |   |
|----|----|---|
| 14 | 56 | 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 Pacific Blue and Project Outlook. Possible discussion and/or action may follow in open Court. <b>BECERRA</b>  |
| 15 | 57 | Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code deliberation regarding employment and duties of all individual positions within the Hays County Transportation Department. Possible discussion and/or action may follow in open court. <b>JONES</b>   |
| 16 | 58 | 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 the POSAC-recommended 2020 Parks and Open Space Bond Projects. Possible discussion and/or action may follow in open court. <b>SHELL</b> |

## STANDING AGENDA ITEMS

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

|    |   |
|----|---|
| 17 | Discussion and possible action related to the burn ban and/or disaster declaration. <b>BECERRA</b>  |
| 18 | Discussion related to the Hays County inmate population, to include current population counts and costs. <b>BECERRA</b>   |
| 19 | 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. <b>INGALSBE/CUTLER</b>   |
| 20 | 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. <b>SMITH</b> |

## ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 7<sup>th</sup> day of May, 2021

**COMMISSIONERS COURT, HAYS COUNTY, TEXAS**

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**CLERK OF THE COURT**

Hays County encourages compliance with the Americans with Disabilities Act (ADA) in the conduct of all public meetings. To that end, persons with disabilities who plan to attend this meeting and who may need auxiliary aids such as an interpreter for a person who is hearing impaired are requested to contact the Hays County Judge's Office at (512) 393-2205 as soon as the meeting is posted (72 hours before the meeting) or as soon as practical so that appropriate arrangements can be made. While it would be helpful to receive as much advance notice as possible, Hays County will make every reasonable effort to accommodate any valid request regardless of when it is received. Braille is not available.

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Update from the County Judge and staff regarding the Local Disaster Declaration and COVID-19. Possible discussion and action may follow.

#### ITEM TYPE

PROCLAMATIONS/PRESENTATIONS

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

#### REQUESTED BY

#### SPONSOR

#### CO-SPONSOR

BECERRA

N/A

#### SUMMARY

Information will be presented during Court.

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Approve payment of County invoices.

#### ITEM TYPE

CONSENT

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A

AUDITOR APPROVAL: N/A

#### REQUESTED BY

Auditor's Office

#### SPONSOR

VILLARREAL-  
ALONZO

#### CO-SPONSOR

N/A

#### SUMMARY

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Approve the payment of United Healthcare claims.

#### ITEM TYPE

CONSENT

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A

AUDITOR APPROVAL: N/A

#### REQUESTED BY

Auditor's Office

#### SPONSOR

VILLARREAL-  
ALONZO

#### CO-SPONSOR

N/A

#### SUMMARY

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Approve the payment of the May 15, 2021 payroll disbursements in an amount not to exceed \$3,100,000.00 effective May 14, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

| ITEM TYPE | MEETING DATE | AMOUNT REQUIRED |
|-----------|--------------|-----------------|
| CONSENT   | May 11, 2021 | N/A             |

#### LINE ITEM NUMBER

N/A

#### AUDITOR USE ONLY

##### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A      AUDITOR REVIEW: N/A

| REQUESTED BY                          | SPONSOR | CO-SPONSOR |
|---------------------------------------|---------|------------|
| Britney Richey, Hays County Treasurer | BECERRA | N/A        |

#### SUMMARY

Approve the May mid month payroll disbursements not to exceed \$3,100,000.00.

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Authorize the Jail to utilize savings within the Office of the Governor, Preparedness & Prevention COVID-19 Grant to purchase janitorial supplies and amend the budget accordingly.

| ITEM TYPE | MEETING DATE | AMOUNT REQUIRED |
|-----------|--------------|-----------------|
| CONSENT   | May 11, 2021 | \$5,601         |

#### LINE ITEM NUMBER

001-618-99-141]

#### AUDITOR USE ONLY

##### AUDITOR COMMENTS:

**PURCHASING GUIDELINES FOLLOWED:** N/A      **AUDITOR REVIEW:** MARISOL VILLARREAL-ALONZO

| REQUESTED BY        | SPONSOR  | CO-SPONSOR |
|---------------------|----------|------------|
| Sheriff Gary Cutler | INGALSBE | N/A        |

#### SUMMARY

In September 2020, court accepted grant funding from the Office of the Governor Criminal Justice Division for funding of projects that seek to prevent, prepare for and respond to coronavirus. At this time, the jail is requesting to utilize savings to purchase cleaner and disinfectant.

##### Budget Amendment

Decrease 001-618-99-141.5201 General Supplies - (\$506)

Decrease 001-618-99-141.5225 PPE Supplies - (\$83)

Decrease 001-618-99-141.5231 Medical & Safety Supplies - (\$824)

Decrease 001-618-99-141.5719\_400 Miscellaneous Equipment Operating Expense - (\$4,188))

Increase 001-618-99-141.5208 Janitorial Supplies - \$5,601

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Approve Utility Permits.

#### ITEM TYPE

CONSENT

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

#### REQUESTED BY

Jerry Borcharding

#### SPONSOR

INGALSBE

#### CO-SPONSOR

N/A

#### SUMMARY

##### Permit #:

TRN-2021-4292-UTL

TRN-2021-4293-UTL

##### Road Name:

Heidenreich Lane (Overhead)

Windy Hill Road (Bore)

##### Utility Company:

PEC (Electric)

Grande (Fiber Optic)





## Hays County Transportation Department

2171 Yarrington Rd, Suite 200, Kyle Texas 78640

(P) 512-393-7385 (Web) [www.hayscountytexas.com](http://www.hayscountytexas.com)

### UTILITY PERMIT APPROVAL LETTER

**\*\* Notification must be given IN WRITING at least 24 hours before work begins and proper traffic control must be implemented throughout the work zone. \*\***

The utility company or any of its representatives, engineers, contractors, or authorized agents agree to use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation AND will insure that traffic control measures complying with applicable portions of the Texas Manual of Uniform Traffic Control Devices will be installed and maintained during installation.

#### General Special Provisions:

1. Construction of this line will begin on or after 6/1/2021 .

#### Utility Company Information:

Name: Pedernales Electric Cooperative

Address: 1810 RM 150 Kyle TX

Phone:

Contact Name: Allen Kristof

#### Engineer / Contractor Information:

Name: Schneider Engineering LTD

Address: 191 Menger Springs Parkway Boerne 78006

Phone: 2103559859

Contact Name: Mark Evans

#### Hays County Information:

Utility Permit Number: TRN-2021-4292-UTL

Type of Utility Service: Primary Voltage Overhead

Project Description:

Road Name(s): Heidenreich Lane between Grist Mill and 1600 Heidenreich, Grist Mill, , , , , ,

Subdivision:

Commissioner Precinct:

What type of cut(s) will you be using ? ☐ Boring ☐ Trenching ☐ Overhead ☒ N/A

Authorization by Hays County Transportation Department

The above-mentioned permit was approved in Hays County Commissioners Court on .

A handwritten signature in black ink, appearing to read "Mark Evans".

Engineering Technician

05/04/2021

Signature

Title

Date

THIS DRAWING IS CERTIFIED TO BE CORRECT FOR  
THE PEC ELECTRICAL FACILITIES SHOWN ONLY.  
INFORMATION CONCERNING OTHER FACILITIES  
PROVIDED BY OTHERS HAS NOT BEEN VERIFIED.



|     |      |          |  |  |    |       |       |     |      |          |     |  |                                |                         |       |  |  |
|-----|------|----------|--|--|----|-------|-------|-----|------|----------|-----|--|--------------------------------|-------------------------|-------|--|--|
| E   |      |          |  |  | K  |       |       |     |      | DRAWN    | CAH | <br>PEDERNALES ELECTRIC COOPERATIVE, INC.<br>JOHNSON CITY, TEXAS<br>Kyle GF10 to GF120 Tie, WO 104839 & WO 104840 | PLAN VIEW<br><br>COUNTY PERMIT | DATE<br>04-16-21        |       |  |  |
| D   |      |          |  |  | J  |       |       |     |      | CHECKED  | MEE |  |                                | SCALE<br>1" = 100'      |       |  |  |
| C   |      |          |  |  | H  |       |       |     |      |          |     |  |                                |                         |       |  |  |
| B   |      |          |  |  | G  |       |       |     |      |          |     |  |                                |                         |       |  |  |
| A   |      |          |  |  | F  |       |       |     |      | APPROVED | MEE |  |                                | DWG. NO.<br>PAGE 1 OF 1 |       |  |  |
| Mr. | Date | Revision |  |  | By | Chkd. | Appd. | Mr. | Date | Revision |     |  | By                             | Chkd.                   | Appd. |  |  |



## Hays County Transportation Department

2171 Yarrington Rd, Suite 200, Kyle Texas 78640

(P) 512-393-7385 (Web) [www.hayscountytexas.com](http://www.hayscountytexas.com)

### UTILITY PERMIT APPROVAL LETTER

**\*\* Notification must be given IN WRITING at least 24 hours before work begins and proper traffic control must be implemented throughout the work zone. \*\***

The utility company or any of its representatives, engineers, contractors, or authorized agents agree to use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation AND will insure that traffic control measures complying with applicable portions of the Texas Manual of Uniform Traffic Control Devices will be installed and maintained during installation.

#### General Special Provisions:

1. Construction of this line will begin on or after upon approval .

#### Utility Company Information:

Name: Grande Communications  
Address: 13505 Burnet Rd Austin TX  
Phone: 5128449264  
Contact Name: Luis Mata

#### Engineer / Contractor Information:

Name: Grande Communications  
Address: 13505 Burnet Road Austin TX 78727  
Phone: 5128449264  
Contact Name: Luis Mata

#### Hays County Information:

Utility Permit Number: TRN-2021-4293-UTL  
Type of Utility Service: Fiber Optic  
Project Description:  
Road Name(s): Windy Hill Road, Branch View Dr, Parks Dr, , , , ,  
Subdivision:  
Commissioner Precinct:

What type of cut(s) will you be using ? ☒ Boring ☐ Trenching ☐ Overhead ☐ N/A

Authorization by Hays County Transportation Department

The above-mentioned permit was approved in Hays County Commissioners Court on .

A handwritten signature in black ink, appearing to read "Mark B. Bell".

Engineering Technician

05/04/2021

Signature

Title

Date



## WINDY HILL RD & PURPLE MARTIN AVE FIBER OPTIC CABLE INSTALL

### PROJECT INFORMATION:

**OWNER:**  
GRANDE COMMUNICATIONS

**CONTACT:**  
CHARLIE JOHNSON  
ENGINEERING & CONSTRUCTION MANAGER  
401 CARLSON CIRCLE  
SAN MARCOS, TX 78666  
(512) 220-3310 (OFFICE)  
(512) 590-9658 (CELL)  
CHARLIE.JOHNSON@MYGRANDE.COM

**SUBMITTAL PREPARED BY:**

**ENEngineering**

11211 TAYLOR DRAPER LN SUITE 310  
AUSTIN, TX 78759  
TEL 630-353-4000  
FAX 630-353-7777  
WWW.ENENGINEERING.COM  
TX BOARD FIRM # - 11507

**CONTACT:**  
JUSTIN ORTIZ, PROJECT ENGINEER  
**PHONE:**  
(210) 728-3156 (OFFICE)



**LOCATION MAP N.T.S.**  
KYLE, TX

| SHEET INDEX  |  |
|--------------|--|
| SHEET NUMBER | SHEET TITLE  |
| 1            | COVER SHEET AND GENERAL NOTES  |
| 2            | SYMBOLOLOGY  |
| 3            | SITE PLAN  |
| 4            | WINDY HILL RD & PURPLE MARTIN AVE (STA 0+00--STA 6+00)                 |
| 5            | WINDY HILL RD & PARK DR (STA 6+00--STA 16+00) & (STA 29+00--STA 32+50) |
| 6            | WINDY HILL RD (STA 16+00--STA 24+50)                                   |
| 7            | WINDY HILL RD & DACY LN (STA 24+50--STA 28+50)                         |
| 8            | GENERAL CONSTRUCTION NOTES   |
| 9            | TRAFFIC CONTROL STANDARD DETAILS                                       |

| TOTAL WORK ORDER QUANTITIES |        |
|-----------------------------|--------|
| TOTAL INSTALLATION          | QTY    |
| 1-2" CONDUIT                | 2,203' |
| 3" HDPE                     | 532'   |
| VAULT                       | 1      |

NOTE: CONTRACTOR MUST VERIFY QUANTITIES



UTILITY LOCATIONS SHOWN ON PLAN ARE BASED ON FIELD AND DOCUMENT RESEARCH AND MAY BE NEITHER ACCURATE NOR COMPLETE. CONTRACTOR IS FULLY RESPONSIBLE FOR PHYSICALLY LOCATING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES IN THE CONSTRUCTION VICINITY PRIOR TO ANY WORK.

CITY OF KYLE PERMIT



|                  |  |             |                     |                    |                        |  |  |  |               |  |  |  |                  |  |
|------------------|--|-------------|---------------------|--------------------|------------------------|--|--|--|---------------|--|--|--|------------------|--|
|                  | <b>PROJECT</b>                               |             |                     |                    | <b>MEADOWS OF KYLE</b> |  |  |  | <b>LEGEND</b> |  |  |  | <b>REVISIONS</b> |  |
|                  | <b>LOCATION</b>                              |             |                     |                    |                        |  |  |  |               |  |  |  | <b>DATE</b>      |  |
|                  | <b>WINDY HILL RD &amp; PURPLE MARTIN AVE</b> |             |                     |                    |                        |  |  |  |               |  |  |  |                  |  |
|                  | <b>DRAWN BY:</b>                             | <b>DATE</b> | <b>SCALE</b>        | <b>APPLICATION</b> |                        |  |  |  |               |  |  |  |                  |  |
|                  | TXUE   | 1/15/2021   | NTS                 | POLE PERMIT        |                        |  |  |  |               |  |  |  |                  |  |
| <b>PROJECT #</b> | <b>CITY</b>                                  | <b>PAGE</b> | <b>APPROVED BY:</b> |                    |                        |  |  |  |               |  |  |  |                  |  |
| 50534-R          | KYLE   | 1 OF 1      | KARI MCNELLY        |                    |                        |  |  |  |               |  |  |  |                  |  |

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Authorize the execution of Amendment No. 2 of the FY22 Tuberculous State (TB-State) with the Department of State Health Services (DSHS).

| ITEM TYPE | MEETING DATE | AMOUNT REQUIRED  |
|-----------|--------------|------------------|
| CONSENT   | May 11, 2021 | FY22: \$5,619.00 |

#### LINE ITEM NUMBER

120-675-99-022]

#### AUDITOR USE ONLY

##### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A

AUDITOR REVIEW: MARISOL VILLARREAL-ALONZO

| REQUESTED BY | SPONSOR | CO-SPONSOR |
|--------------|---------|------------|
|              | BECERRA | N/A        |

#### SUMMARY

On February 23, 2021, the court authorized the acceptance of a renewal award for the FY22 TB-State. The amendment reflects a revised termination date of August 31, 2022 and an addition of \$28,094.00 in DSHS funding with the county providing \$5,619.00 for a combined total of \$33,713.00 for FY22.

Contract Number: HHS000486300001

Grant Period: September 1, 2021 - August 31, 2022.

**DEPARTMENT OF STATE HEALTH SERVICES  
CONTRACT NO. HHS000486300001  
AMENDMENT NO. 2**

The Department of State Health Services (“DSHS”) and Hays County Local Health Department ("Grantee") collectively the "Parties," to that certain grant Contract effective September 1, 2019 and denominated DSHS Contract No. HHS000486300001, now want to amend the Contract.

Whereas, DSHS wants to exercise its option to renew the Contract term for a one-year term; and

Whereas, the Parties want to revise the Scope of Work and add funds to the Budget for Fiscal Year 2022; and

Whereas, the Parties want to revise the signature document to change the DSHS Contract Representative’s name;

The Parties therefore amend the Contract as follows:

1. Article IV of the Signature Document, Duration, is hereby amended to reflect a revised termination date of August 31, 2022.
2. Article V of the Signature Document, Payments for Services Performed, is hereby amended to add **\$28,094.00** in DSHS funding with the Grantee providing **\$5,619.00** in matching funds for a combined total of **\$33,713.00** for the fiscal year 2022. The total Contract will not exceed **\$104,811.00**. All expenditures under the Contract will be in accordance with Attachment B-2, FY2022 Budget.
3. Article VI of the Signature Document is hereby amended to replace the DSHS Contract Representative’s name from Samantha Lavoie, CTCM to Lacy Alexander.
4. Article IV of Attachment A, Programmatic Reporting Requirements, is hereby amended to include the following FY2022 table below:

| <b>Report Name</b>  | <b>Frequency</b> | <b>Period Begin</b> | <b>Period End</b> | <b>Due Date</b>  |
|---|------------------|---------------------|-------------------|------------------|
| FY22 Narrative Report                                       | Annually         | Sept. 1, 2021       | August 31, 2022   | April 1, 2022    |
| FSR & Match Reimbursement/Certification Form (“Form B-13A”) | Quarterly        | Sept. 1, 2021       | Nov. 30, 2022     | Dec. 31, 2022    |
| FSR & Form B-13A  | Quarterly        | Dec. 1, 2021        | Feb. 29, 2022     | March 31, 2022   |
| FSR & Form B-13A  | Quarterly        | March 1, 2022       | May 31, 2022      | June 30, 2022    |
| FSR & Form B-13A  | Quarterly        | June 1, 2022        | August 31, 2022   | October 17, 2022 |

5. Attachment B, Payment for Services Provided, is hereby supplemented with Attachment B-2, which is attached and incorporated into the Contract by reference.
6. This Amendment shall be effective on September 1, 2021.
7. Except as modified by this Amendment, all terms and conditions of the Contract, as amended, shall remain in full effect.
8. Any further revisions to the Contract shall be by written agreement of the Parties.

**SIGNATURE PAGE FOLLOWS**



**SIGNATURE PAGE FOR AMENDMENT NO. 2  
DEPARTMENT OF STATE HEALTH SERVICES  
CONTRACT NO. HHS000486300001**

**DEPARTMENT OF STATE HEALTH SERVICES**

**HAYS COUNTY LOCAL HEALTH  
DEPARTMENT**

By: \_\_\_\_\_

By: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

**THE FOLLOWING ATTACHMENT IS ATTACHED AND ITS TERMS INCORPORATED INTO THE  
CONTRACT BY REFERENCE:**

**ATTACHMENT B-2-FY2022 BUDGET**

**ATTACHMENT B-2  
FY2022 BUDGET**

**(September 1, 2021– August 31, 2022)**

| <b>Budget Categories</b> | <b>DSHS Funds</b>  | <b>Cash Match</b> | <b>Category Total</b> |
|--------------------------|--------------------|-------------------|-----------------------|
| Personnel                | \$16,521.00        | \$0.00            | \$16,521.00           |
| Fringe Benefits          | \$9,278.00         | \$0.00            | \$9,278.00            |
| Travel                   | \$0.00             | \$0.00            | \$0.00                |
| Equipment                | \$0.00             | \$0.00            | \$0.00                |
| Supplies                 | \$600.00           | \$444.00          | \$1,044.00            |
| Contractual              | \$1,500.00         | \$5,175.00        | \$6,675.00            |
| Other                    | \$195.00           | \$0               | \$195.00              |
| Total Direct Costs       | \$28,094.00        | \$5,619.00        | \$33,713.00           |
| Indirect Costs           | \$0.00             | \$0               | \$0.00                |
| <b>Totals</b>            | <b>\$28,094.00</b> | <b>\$5,619.00</b> | <b>\$33,713.00</b>    |

**(Remainder of the page intentionally left blank)**

## Certificate Of Completion

|  |  |
|--|--|
| Envelope Id: B598A8E73026493AAF55F1FD24EEEE0FD   | Status: Sent                               |
| Subject: Amending \$172,237; HHS000486300001; Hays County Local Health Department A-2; DSHS/LIDS/TB/PC-State |  |
| Source Envelope:   |  |
| Document Pages: 15   | Signatures: 0                              |
| Certificate Pages: 2   | Initials: 0                                |
| AutoNav: Enabled   | Envelope Originator:                       |
| Envelopeld Stamping: Enabled   | Texas Health and Human Services Commission |
| Time Zone: (UTC-06:00) Central Time (US & Canada)  | 1100 W. 49th St.                           |
|  | Austin, TX 78756                           |
|  | PCS_DocuSign@hhsc.state.tx.us              |
|  | IP Address: 167.137.1.18                   |

## Record Tracking

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| Status: Original    | Holder: Texas Health and Human Services | Location: DocuSign |
| 5/3/2021 5:29:16 PM | Commission                              |                    |
|                     | PCS_DocuSign@hhsc.state.tx.us           |                    |

## Signer Events

| Signature  | Timestamp                 |
|--|---------------------------|
| Ruben Becerra  | Sent: 5/4/2021 2:39:21 AM |
| judge.becerra@co.hays.tx.us                          |                           |
| Hays County Judge                                    |                           |
| Hays County  |                           |
| Security Level: Email, Account Authentication (None) |                           |

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

Jennifer Sims  
jennifer.sims@dshs.texas.gov  
Security Level: Email, Account Authentication (None)

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

## In Person Signer Events

| Signature | Timestamp |
|-----------|-----------|
|-----------|-----------|

## Editor Delivery Events

| Status | Timestamp |
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## Agent Delivery Events

| Status | Timestamp |
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## Intermediary Delivery Events

| Status | Timestamp |
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## Certified Delivery Events

| Status | Timestamp |
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## Carbon Copy Events

|  |   |                           |
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| CMS Inbox  | <div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold;">COPIED</div> | Sent: 5/4/2021 2:39:21 AM |
| cmucontracts@dshs.texas.gov  |   |                           |
| Security Level: Email, Account Authentication (None)                           |   |                           |
| <b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign |   |                           |

|  |   |                           |
|--|---|---------------------------|
| Lacy Alexander   | <div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold;">COPIED</div> | Sent: 5/4/2021 2:39:21 AM |
| lacy.alexander@dshs.texas.gov  |   |                           |
| Security Level: Email, Account Authentication (None)                           |   |                           |
| <b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign |   |                           |

| Carbon Copy Events   | Status        | Timestamp  |
|--|---------------|--|
| Lindsay McClune<br>lindsay.mcclune@co.hays.tx.us<br>Security Level: Email, Account Authentication (None) | <b>COPIED</b> | Sent: 5/4/2021 2:39:22 AM<br>Viewed: 5/4/2021 8:30:38 AM |
| <b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign                           |               |  |

| Witness Events | Signature | Timestamp |
|----------------|-----------|-----------|
|----------------|-----------|-----------|

| Notary Events | Signature | Timestamp |
|---------------|-----------|-----------|
|---------------|-----------|-----------|

| Envelope Summary Events | Status | Timestamps |
|-------------------------|--------|------------|
|-------------------------|--------|------------|

|               |                  |                     |
|---------------|------------------|---------------------|
| Envelope Sent | Hashed/Encrypted | 5/4/2021 2:39:21 AM |
|---------------|------------------|---------------------|

| Payment Events | Status | Timestamps |
|----------------|--------|------------|
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## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2021 mid-year financial reporting.

#### ITEM TYPE

CONSENT

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

N/A

#### LINE ITEM NUMBER

Various

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A

AUDITOR REVIEW: MARISOL VILLARREAL-ALONZO

#### REQUESTED BY

Marisol Villarreal-Alonzo

#### SPONSOR

INGALSBE

#### CO-SPONSOR

N/A

#### SUMMARY

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Authorize the execution of Amendment No. 4 to the General Land Office (GLO) Contract No. 18-421-000-B130 Community Development Block Grant Disaster Recovery Program Housing Projects Non-Research & Development 2015 Flood Allocation.

#### ITEM TYPE

CONSENT

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

N/A

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

#### REQUESTED BY

T. Crumley

#### SPONSOR

BECERRA

#### CO-SPONSOR

N/A

#### SUMMARY

Amendment No. 4 to the GLO Contract No. 18-421-000-B130, mainly addresses revisions to the performance statement, budget, and benchmarks for housing projects.

This contract includes a revised termination date of October 31, 2021.



## **AMENDMENT NO. 4 TO GLO CONTRACT NO. 18-421-000-B130**

THE GENERAL LAND OFFICE (the “GLO”) and HAYS COUNTY (“Subrecipient”), each a “Party” and collectively “the Parties” to GLO Contract No. 18-421-000-B130 (the “Contract”), desire to amend the Contract.

WHEREAS, the Parties desire to extend the term of the Contract; and

WHEREAS, the Parties desire to revise or replace certain language in the Contract to correct certain administrative errors and add or update required language; and

WHEREAS, these revisions will result in no additional encumbrance of Contract funds;

NOW, THEREFORE, the Parties hereby agree as follows:

1. SECTION 3.01 of the Contract is deleted in its entirety and replaced with the following:

### **“3.01 DURATION OF CONTRACT AND EXTENSION OF TERM**

This Contract shall be effective as of July 11, 2018, and shall terminate on October 31, 2021, (“Contract Period”) or upon the completion of all Benchmarks listed in Attachment A-2 and required closeout procedures, whichever occurs first. **Subrecipient must meet all Project Benchmarks in Attachment A-2. Subrecipient’s failure to meet any Benchmark may result in suspension of payment or termination under SECTIONS 3.02, 3.03, or 3.04, below.**

Upon receipt of a written request and acceptable justification from Subrecipient, the GLO may amend this Contract to extend the Contract Period. **ANY REQUEST FOR EXTENSION MUST BE RECEIVED BY THE GLO AT LEAST SIXTY (60) DAYS BEFORE THE ORIGINAL TERMINATION DATE OF THIS CONTRACT AND, IF APPROVED, SUCH EXTENSION SHALL BE BY WRITTEN AMENDMENT.”**

2. SECTION 4.03 of the Contract is deleted in its entirety and replaced with the following:

### **“4.03 HUD CONTRACT REPORTING REQUIREMENT**

HUD requires the GLO to maintain a public website that accounts for the use and administration of all GLO-administered CDBG-DR grant funds. To assist the GLO in

meeting this requirement, Subrecipient must prepare and submit monthly to the GLO a written summary of all contracts procured by Subrecipient using grant funds awarded under this Contract. Reports shall be submitted to [cdsubsreporting@recovery.texas.gov](mailto:cdsubsreporting@recovery.texas.gov), unless otherwise specified in a Technical Guidance Letter issued under this Contract. Subrecipient shall only report contracts as defined in 2 CFR § 200.1. Subrecipient must use a template developed by HUD to prepare the monthly reports, attached hereto as **Attachment H** and accessible online at <https://www.hudexchange.info/resource/3898/public-law-113-2-contract-reporting-template/>. Additional information about this reporting requirement is available in Federal Register publications governing the 2015 CDBG-DR funding allocation.”

3. **SECTION 8.25** of the Contract is deleted in its entirety and replaced with the following

**“8.25 PROCUREMENT OF RECOVERED MATERIALS**

- (a) To the extent applicable, the Provider shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired—
    - i. Competitively within a timeframe providing for compliance with the Contract performance schedule;
    - ii. Meeting contract performance requirements; or
    - iii. At a reasonable price.
  - (b) To ensure maximum use of recovered/recycled materials pursuant to 2 C.F.R. § 200.323, information about this requirement, along with the list of EPA-designated items, is available at the EPA’s Comprehensive Procurement Guideline Program website, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.
4. This Amendment shall be effective upon the earlier of the date of the last signature or April 30, 2021.
5. The terms and conditions of the Contract not amended herein shall remain in force and effect.

**SIGNATURE PAGE FOLLOWS**



**SIGNATURE PAGE FOR AMENDMENT NO. 4 TO  
GLO CONTRACT NO. 18-421-000-B130**

**GENERAL LAND OFFICE**

**HAYS COUNTY**

\_\_\_\_\_  
Mark A. Havens, Chief Clerk/


Deputy Land Commissioner

Date of execution: \_\_\_\_\_


\_\_\_\_\_  
Name: Ruben Becerra


Title: County Judge


Date of execution: \_\_\_\_\_

OGC  \_\_\_\_\_

PM  \_\_\_\_\_

SDD  \_\_\_\_\_

DGC  \_\_\_\_\_

GC  \_\_\_\_\_

## Certificate Of Completion

Envelope Id: 94B483AA724B424A8965A22E49276C81

Status: Sent

Subject: RUSH: \$0 Amendment No. 4:18-421-000-B130 - Hays County (Texas GLO)

Source Envelope:

Document Pages: 24

Signatures: 0

Envelope Originator:

Certificate Pages: 5

Initials: 5

Adrianna Segura

AutoNav: Enabled

1700 Congress Ave

Envelopeld Stamping: Enabled

Austin, TX 78701

Time Zone: (UTC-06:00) Central Time (US & Canada)

adrianna.segura@glo.texas.gov

IP Address: 165.225.34.61

## Record Tracking

Status: Original

Holder: Adrianna Segura

Location: DocuSign

4/30/2021 3:42:55 PM

adrianna.segura@glo.texas.gov

## Signer Events

Ginger Mills

ginger.mills@glo.texas.gov

Attorney

Texas General Land Office, Office of General Counsel

Security Level: Email, Account Authentication (None)

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

## Signature



Signature Adoption: Pre-selected Style  
Using IP Address: 165.225.34.86

## Timestamp

Sent: 5/3/2021 6:56:39 AM

Viewed: 5/3/2021 3:45:39 PM

Signed: 5/3/2021 3:47:57 PM

Joshua Jackson

Joshua.Jackson.glo@recovery.TEXAS.GOV

Senior Project/Grant Mgr

Texas General Land Office

Security Level: Email, Account Authentication (None)

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign



Signature Adoption: Pre-selected Style  
Using IP Address: 72.178.205.135

Sent: 5/3/2021 3:48:00 PM

Viewed: 5/3/2021 3:49:27 PM

Signed: 5/3/2021 3:49:59 PM

Heather Lagrone

heather.lagrone.glo@recovery.texas.gov

Sr Dep Director

Security Level: Email, Account Authentication (None)

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign



Signature Adoption: Pre-selected Style  
Using IP Address: 104.54.227.24

Sent: 5/3/2021 3:50:02 PM

Viewed: 5/3/2021 3:50:41 PM

Signed: 5/3/2021 3:50:47 PM

Marc Barenblat

marc.barenblat@glo.texas.gov

Deputy General Counsel

Texas General Land Office

Security Level: Email, Account Authentication (None)

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign




Signature Adoption: Pre-selected Style  
Using IP Address: 165.225.34.69

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Viewed: 5/3/2021 4:06:44 PM

Signed: 5/6/2021 5:06:43 PM

| Signer Events  | Signature  | Timestamp   |
|--|--|---|
| Jeff Gordon<br>jeff.gordon@glo.texas.gov<br>General Counsel<br>Texas General Land Office<br>Security Level: Email, Account Authentication (None) | <br>Signature Adoption: Pre-selected Style<br>Using IP Address: 165.225.34.84 | Sent: 5/6/2021 5:06:47 PM<br>Viewed: 5/6/2021 5:13:20 PM<br>Signed: 5/6/2021 5:13:26 PM |

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

|   |  |
|---|--|
| Ruben Becerra<br>judge.becerra@co.hays.tx.us<br>County Judge<br>Hays County<br>Security Level: Email, Account Authentication (None) | Sent: 5/6/2021 5:13:29 PM<br>Viewed: 5/7/2021 8:46:45 AM |
|---|--|

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

Mark A. Havens  
 Mark.Havens@GLO.TEXAS.GOV  
 Security Level: Email, Account Authentication (None)

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

| In Person Signer Events | Signature | Timestamp |
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| Agent Delivery Events | Status | Timestamp |
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| Certified Delivery Events | Status | Timestamp |
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| Carbon Copy Events | Status | Timestamp |
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|   |   |                            |
|---|---|----------------------------|
| BSO Team<br>bsorequests@recovery.texas.gov<br>Texas General Land Office<br>Security Level: Email, Account Authentication (None) | <div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold;">COPIED</div> | Sent: 4/30/2021 4:29:41 PM |
|---|---|----------------------------|

|  |   |                            |
|--|---|----------------------------|
| Drafting Requests<br>draftingrequests@GLO.TEXAS.GOV<br>Texas General Land Office<br>Security Level: Email, Account Authentication (None) | <div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold;">COPIED</div> | Sent: 4/30/2021 4:29:41 PM |
|--|---|----------------------------|

|  |   |                            |
|--|---|----------------------------|
| Kelly McBride<br>kelly.mcbride@glo.texas.gov<br>Director of CMD<br>Texas General Land Office<br>Security Level: Email, Account Authentication (None) | <div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold;">COPIED</div> | Sent: 4/30/2021 4:29:41 PM |
|--|---|----------------------------|

**Electronic Record and Signature Disclosure:**

| Carbon Copy Events   | Status | Timestamp   |
|--|--------|---|
| Not Offered via DocuSign   |        |   |
| <p>Joseph Cardona<br/>joseph.cardona@glo.texas.gov<br/>Team Lead/Contract Manager<br/>Texas General Land Office<br/>Security Level: Email, Account Authentication (None)<br/><b>Electronic Record and Signature Disclosure:</b><br/>Not Offered via DocuSign</p>       | COPIED | <p>Sent: 4/30/2021 4:29:42 PM<br/>Resent: 5/3/2021 6:56:38 AM</p> |
| <p>Adrianna Segura<br/>adrianna.segura@glo.texas.gov<br/>Texas General Land Office<br/>Security Level: Email, Account Authentication (None)<br/><b>Electronic Record and Signature Disclosure:</b><br/>Not Offered via DocuSign</p>                                    | COPIED | <p>Sent: 4/30/2021 4:29:42 PM</p>                                 |
| <p>Vonda White<br/>Vonda.White@glo.texas.gov<br/>Disaster Recovery Procurement Director<br/>Texas General Land Office<br/>Security Level: Email, Account Authentication (None)<br/><b>Electronic Record and Signature Disclosure:</b><br/>Not Offered via DocuSign</p> | COPIED | <p>Sent: 4/30/2021 4:29:42 PM</p>                                 |
| <p>Matthew Anderson<br/>matthew.anderson.glo@recovery.texas.gov<br/>Security Level: Email, Account Authentication (None)<br/><b>Electronic Record and Signature Disclosure:</b><br/>Not Offered via DocuSign</p>   | COPIED | <p>Sent: 5/3/2021 3:48:00 PM</p>                                  |
| <p>Accounting Team<br/>DR.SystemAccess@glo.texas.gov<br/>Security Level: Email, Account Authentication (None)<br/><b>Electronic Record and Signature Disclosure:</b><br/>Not Offered via DocuSign</p>  | COPIED | <p>Sent: 5/3/2021 3:48:00 PM</p>                                  |
| <p>Cynthia Hudson<br/>cynthia.hudson.glo@recovery.texas.gov<br/>Infrastructure Manager<br/>Texas General Land Office<br/>Security Level: Email, Account Authentication (None)<br/><b>Electronic Record and Signature Disclosure:</b><br/>Not Offered via DocuSign</p>  | COPIED | <p>Sent: 5/3/2021 3:48:00 PM</p>                                  |
| <p>Diane Hill-Smith<br/>diane.hill-smith.glo@recovery.texas.gov<br/>Security Level: Email, Account Authentication (None)<br/><b>Electronic Record and Signature Disclosure:</b><br/>Not Offered via DocuSign</p>   | COPIED | <p>Sent: 5/3/2021 3:50:03 PM</p>                                  |

| Carbon Copy Events   | Status | Timestamp  |
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| Stephanie Crenshaw<br>stephanie.crenshaw@glo.texas.gov<br>Texas General Land Office<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign            | COPIED | Sent: 5/6/2021 5:06:48 PM                                |
| Lindsey McClune<br>lindsay.mcclune@co.hays.tx.us<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign   | COPIED | Sent: 5/6/2021 5:13:29 PM                                |
| Judy Langford<br>judy@lcmsinc.com<br>President<br>Langford Community Management Services, Inc.<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign | COPIED | Sent: 5/6/2021 5:13:29 PM<br>Viewed: 5/6/2021 5:56:08 PM |
| Shirley De La Cruz<br>Shirley.DeLaCruz@glo.texas.gov<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign   |        |  |
| HUB<br>HUB@glo.texas.gov<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign   |        |  |
| Martin Rivera Jr<br>martin.rivera.glo@recovery.texas.gov<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign                                       |        |  |
| Pamela Mathews<br>pamela.mathews.glo@recovery.texas.gov<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign  |        |  |
| Ryne Zmolik<br>ryne.zmolik.glo@recovery.texas.gov<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign  |        |  |

| Carbon Copy Events | Status | Timestamp |
|--------------------|--------|-----------|
|--------------------|--------|-----------|

Denise Hall

denise.hall.glo@recovery.texas.gov

Security Level: Email, Account Authentication  
(None)

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Michelle Esper-Martin

michelle.espermartin.glo@recovery.texas.gov

Security Level: Email, Account Authentication  
(None)

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

| Witness Events | Signature | Timestamp |
|----------------|-----------|-----------|
|----------------|-----------|-----------|

| Notary Events | Signature | Timestamp |
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| Envelope Summary Events | Status | Timestamps |
|-------------------------|--------|------------|
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Envelope Sent

Hashed/Encrypted

4/30/2021 4:29:42 PM

| Payment Events | Status | Timestamps |
|----------------|--------|------------|
|----------------|--------|------------|

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Discussion and possible action to authorize the County Judge to execute Change Order No. 1, time extension, to the Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. for Right-of-Way services on the RM 967 Safety Improvements project in Precinct 2 as part of the Road Bond Program.

| ITEM TYPE    | MEETING DATE | AMOUNT REQUIRED |
|--------------|--------------|-----------------|
| ACTION-ROADS | May 11, 2021 | \$0.00          |

#### LINE ITEM NUMBER

Road Bonds

#### AUDITOR USE ONLY

##### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

| REQUESTED BY                                     | SPONSOR | CO-SPONSOR |
|--|---------|------------|
| Jerry Borcharding, P.E., Transportation Director | JONES   | N/A        |

#### SUMMARY

The requested Change Order will add 100 project calendar days to the Cobb, Fendley & Associates, Inc. Professional Services Agreement to provide Right-of-Way services on the RM 967 Safety Improvements [11-646-034] Road Bond project to allow additional time to clear liens on parcels under contract. No additional funds are required for this Change Order.



Hays County Transportation Department Change Order Request Form

Date: 5/4/21

Contract Performance Date: 9/8/2020

Project Name: RM 967 Safety Improvements from FM 1626 to a point approximately 4-miles to the West

Contract number: 11-646-034

Contractor/Consultant: Cobb Fendley & Associates, Inc.

Change Order Number: 1

Change in Scope Necessitating Change-Order:

Time extension only to clear liens on parcels under contract.

Attach Supporting Documentation for Change Order to this Form

Original Contract Amount: \$78,000.00

Net Amount of Previously Authorized Change Order: \$0

Net Amount for this requested change order: \$0

Total Contract Amount with all change orders: \$78,000.00

Original Contract Performance Length: 205 Days

Net previous schedule change orders: 0 Days

Net Schedule adjustment requested this change order: 100 Days

Total performance days with change orders: 305 Days

Contractor: Cobb Fendley & Associates Sign: Lori Bibe Date: 5/4/21

Hays County: \_\_\_\_\_ Sign: \_\_\_\_\_ Date: \_\_\_\_\_

(Hays County Employee-attach to agenda request form, CO approval contingent on Commissioners Court)

*[Handwritten signature]*  
5/5/2021



## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Discussion and possible action to authorize the County Judge to execute Change Order No. 1, time extension, to the Professional Services Agreement between Hays County and 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.

| ITEM TYPE    | MEETING DATE | AMOUNT REQUIRED |
|--------------|--------------|-----------------|
| ACTION-ROADS | May 11, 2021 | \$0.00          |

#### LINE ITEM NUMBER

Road Bonds

#### AUDITOR USE ONLY

##### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A      AUDITOR REVIEW: N/A

| REQUESTED BY                                     | SPONSOR | CO-SPONSOR |
|--|---------|------------|
| Jerry Borcharding, P.E., Transportation Director | SHELL   | N/A        |

#### SUMMARY

The requested Change Order will add 689 project calendar days to the BGE, Inc. Professional Services Agreement for the RM 12 Safety Improvements near the intersection Mountain Crest and Skyline Drive [26-777-034] Road Bond Project. The BGE design effort to date has entailed the development of multiple options for improvements in the area, reached a consensus on the preferred option and worked jointly with the County in outreach to property owners in the surrounding area. This preliminary phase has extended longer than originally anticipated and has impacted the overall project schedule, resulting in the need for a time extension to the contract. No additional funds are required for this Change Order.



Hays County Transportation Department Change Order Request Form

Date: 4/29/21 Contract Performance Date: 8/6/2019

Project Name: RM 12 safety improvements near the intersection of Mountain Crest and Skyline Drive

Contract number: 26-777-034

Contractor/Consultant: BGE, inc

Change Order Number: 1

Change in Scope Necessitating Change-Order:

Commissioner requested project be put on hold while Right of Entry (ROE) Discussions were occurring. Once ROE could be gained field work could resume. BGE has now been given NTP from Commissioner resulting in the need for an extension in project length to complete work.

Attach Supporting Documentation for Change Order to this Form

Original Contract Amount: \$359,278.00

Net Amount of Previously Authorized Change Order: \$0

Net Amount for this requested change order: \$0

Total Contract Amount with all change orders: \$359,278.00

Original Contract Performance Length: 498 Days

Net previous schedule change orders: 0 Days

Net Schedule adjustment requested this change order: 689 Days

Total performance days with change orders: 1187 Days

Contractor: Erin Gonzales, PE Sign: Erin N. Gonzales Date: 4/29/2021

Hays County: \_\_\_\_\_ Sign: \_\_\_\_\_ Date: \_\_\_\_\_

(Hays County Employee-attach to agenda request form, CO approval contingent on Commissioners Court)

  
4/29/2021

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Discussion and possible action to authorize the County Judge to execute the Third Amendment to the Interlocal Agreement Between Hays County and the City of San Marcos Related to San Marcos Texas Tax Increment Reinvestment Zone No.5.

#### ITEM TYPE

ACTION-MISCELLANEOUS

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

N/A

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

#### REQUESTED BY

#### SPONSOR

#### CO-SPONSOR

INGALSBE

SHELL

#### SUMMARY

This third amendment to the San Marcos TIRZ No.5 ILA reduces the Counties payment to the program from 70% to 25% of the tax increment for tax year 2021 which was also done for tax year 2020.

**AMENDMENT TO INTERLOCAL AGREEMENT  
BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS RELATING TO  
CITY OF SAN MARCOS, TEXAS TAX INCREMENT REINVESTMENT ZONE NO. 5**

This amendment (the "Amendment") is made to be effective as of the 18th day of May, 2021 by and between the City of San Marcos, Texas (the "City"), a home-rule municipality of the State of Texas principally situated in the County of Hays, acting by and through its governing body, the City Council of the City (the "City Council"), pursuant to Ordinance No. 2021-37, passed and approved by the City Council on May 18, 2021 and Hays County (the "County"), a political subdivision of the State of Texas, acting by and through its governing body, the Commissioners Court, pursuant to authority granted by the Hays County Commissioners Court on May 11, 2021. This Amendment is made pursuant to Chapter 791 of the Texas Government Code, as amended, and Chapter 311 of the Texas Tax Code, as amended. The City and the County may be referred to herein singularly as a "Party" or collectively as the "Parties."

**RECITALS**

**WHEREAS**, the City Council adopted Ordinance No. 2011-74, which designated the San Marcos, Texas Reinvestment Zone No. 5 (the "Reinvestment Zone") pursuant to Section 311.005(a) of the Tax Increment Finance Act, Texas Tax Code, Chapter 311, as amended (the "Act"); and

**WHEREAS**, the Board of Directors of the Zone (the "Zone Board") prepared and adopted a Project Plan and Reinvestment Zone Financing Plan (the "Project and Financing Plan") for the Zone pursuant to Section 311.011 of the Act, and

**WHEREAS**, the City Council adopted Resolution No. 2011-145R on November 14, 2011, which gave effect to the Project and Financing Plan pursuant to Section 311.011(d) of the Act, and

**WHEREAS**, the City Council adopted Ordinance No. 2020-46 on June 18, 2020, which amended the Project and Financing Plan to add eligible projects and associated eligible project costs, including the acquisition of property for parking and other public priorities, and approved amending the tax increment participation interlocal agreement with Hays County to reduce the City's and County's contribution rate of the tax increment deposited into the tax increment fund from 70 percent to 25 percent for one year; and

**WHEREAS**, pursuant to Section 311.011 and Ordinance No. 2021-37, the City approved an amended Project and Financing Plan to include continuing the reduced contribution rate of the tax increment attributed to the captured appraised value of the City and the County for one additional year, all as set forth and further described in the amended Project and Financing Plan (the "Amended Project and Financing Plan") attached as Exhibit A; and

**WHEREAS**, on December 7, 2011, the Parties entered into an Interlocal Agreement (the "Agreement") related to the Reinvestment Zone providing for payments from the County to the City of Tax Increments produced from property located in the Reinvestment Zone and deposited into the Tax Increment Fund pursuant to Chapter 311 of the Texas Tax Code; and

**WHEREAS**, the Parties desire to amend the Agreement to continue the reduced amount of tax increment the County agrees to pay to the City for deposit in the Tax Increment Fund for one additional year, as described in the Project and Financing Plan; and

**NOW, THEREFORE**, in consideration of the foregoing, and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

## **SECTION 1. AMENDMENTS.**

1.1.Subsection A of SECTION 2 is amended as follows:

**A. Payments to the City.** The County agrees to make payments to the City during the term of this Agreement, not including Fiscal Years 2021 and 2022, for deposit in the Tax Increment Fund, in the amount of 70% of the tax increment attributed to the captured appraised value of the County in the Reinvestment Zone. For Fiscal Years 2021 and 2022, the County agrees to make payments to the City in the amount of 25% of the tax increment attributed to the captured appraised value of the County in the Reinvestment Zone. The County's obligation to make these payments will accrue only as taxes on the captured appraised value are collected by the County. Payments shall be due on May 1 of each year during the term of this Agreement. No interest or penalty will be charged to the County for any payments made by the County based on collections that occur after this due date; however, the County will pay to the City, for deposit in the Tax Increment Fund, 70% of any penalty or interest received by the County on any delinquent taxes on the captured appraised value of the County. The County may offset against future payments to the Tax Increment Fund any portion of payments to the City under this Agreement that the County subsequently refunds to taxpayers pursuant to the provisions of the Texas Tax Code.

1.2 The Agreement is amended by replacing Exhibit "C" of the Agreement with the attached Exhibit "A" of this Amendment.

**SECTION 2. COUNTERPARTS.** This Amendment may be executed in any number of counterparts, each of such counterparts shall for all purposes be deemed to be an original, and all such counterparts shall together constitute one and the same instrument.

**SECTION 3. CAPTIONS.** The section headings appearing in this Amendment are for convenience of reference only and are not intended, to any extent and for any purpose, to limit or define the text of any section or any subsection hereof.

**SECTION 4. INCORPORATION OF PREAMBLE RECITALS.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Amendment for all purposes and are adopted as a part of the judgment and findings of the Commissioners Court and the City Council.

**SECTION 5. INCONSISTENT PROVISIONS.** The Agreement is amended only to the extent of the changes herein. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Amendment are hereby repealed to the extent of such

conflict, and the provisions of this Amendment shall be and remain controlling as to the matters provided herein.

**SECTION 6. GOVERNING LAW.** This Amendment shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 7. SEVERABILITY.** In the event any term, covenant or condition herein contained shall be held to be invalid by any court of competent jurisdiction, such invalidity shall not affect any other term, covenant or condition herein contained, provided that such invalidity does not materially prejudice the Parties in their respective rights and obligations contained in the valid terms, covenants or conditions hereof.

**SECTION 8. CONSTRUCTION.** Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa. This Amendment and all the terms and provisions hereof shall be construed to effectuate the purposes set forth herein and to sustain the validity of this Amendment.

**SECTION 9. COMPLIANCE WITH TEXAS OPEN MEETINGS ACT.** It is officially found, determined, and declared that the meeting of both the City and the County at which this Amendment is adopted was open to the public and public notice of the time, place and subject matter of the public business was considered at such meeting, including this Amendment, was given, all as required by Chapter 551, as amended, Texas Government Code.

[Signature of Parties on Next Page]

**IN WITNESS HEREOF**, the City and the County have made and executed this Amendment in multiple copies, each of which is an original.

CITY OF SAN MARCOS, TEXAS,  
a home rule municipality

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
City Clerk

(Seal of City)

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
City Attorney

## HAYS COUNTY

County Judge

Date \_\_\_\_\_

ATTEST:

County Clerk

(SEAL)

APPROVED AS TO FORM:

General Counsel



## **EXHIBIT A**

### **Project Overview and Project Costs**

This Table 1 summarizes the currently anticipated Project Costs to be financed within Zone No. 5.

| <b>Tax Year</b>       | <b>Total Valuation</b> | <b>Value Increase From Base Year</b> | <b>Yearly Increase Percentage</b> | <b>70% City Tax</b> | <b>70% County Tax</b> | <b>Total Revenue Available</b> | <b>Cumulative Revenue Available</b> |
|-----------------------|------------------------|--------------------------------------|-----------------------------------|---------------------|-----------------------|--------------------------------|-------------------------------------|
| <b>2012</b>           | <b>\$105,083,437</b>   | \$ 899,281                           | 0.86%                             | \$ 3,338            | \$ 2,671              | \$ 6,008                       | \$ 6,008                            |
| <b>2013</b>           | <b>\$116,524,339</b>   | \$ 12,356,933                        | 10.9%                             | \$ 45,929           | \$ 36,933             | \$ 82,862                      | \$ 88,870                           |
| <b>2014</b>           | <b>\$143,130,508</b>   | \$ 41,268,182                        | 24.7%                             | \$ 145,098          | \$ 116,541            | \$ 257,294                     | \$ 346,164                          |
| <b>2015</b>           | <b>\$145,033,604</b>   | \$ 42,341,838                        | 0.7%                              | \$ 151,841          | \$ 121,198            | \$ 269,342                     | \$ 615,506                          |
| <b>2016</b>           | <b>\$151,017,107</b>   | \$ 48,375,011                        | 4.1%                              | \$ 173,485          | \$ 136,200            | \$ 309,684                     | \$ 925,190                          |
| <b>2017</b>           | <b>\$190,650,978</b>   | \$ 86,366,376                        | 24.9%                             | \$ 371,208          | \$ 242,594            | \$ 613,802                     | \$ 1,538,992                        |
| <b>2018</b>           | <b>\$245,973,144</b>   | \$ 119,056,967                       | 31.3%                             | \$ 606,454          | \$ 310,695            | \$ 917,149                     | \$ 2,456,141                        |
| <b>2019 Actual</b>    | <b>\$268,922,632</b>   | \$ 142,006,455                       | 22.0%                             | \$ 692,450          | \$ 387,578            | \$ 1,080,028                   | \$ 3,536,170                        |
| <b>2020 @ 25%</b>     | <b>\$348,627,389</b>   | \$ 221,711,212                       | 30.0%                             | \$ 362,387          | \$ 217,499            | \$ 579,886                     | \$ 4,116,055                        |
| <b>2021 @ 25%</b>     | <b>\$366,058,758</b>   | \$ 239,142,581                       | 5.0%                              | \$ 354,529          | \$ 234,599            | \$ 589,128                     | \$ 4,705,183                        |
| <b>2022 Estimated</b> | <b>\$384,361,696</b>   | \$ 257,445,519                       | 5.0%                              | \$ 1,068,656        | \$ 707,151            | \$ 1,775,808                   | \$ 6,480,991                        |
| <b>2023 Estimated</b> | <b>\$403,579,781</b>   | \$ 276,663,604                       | 5.0%                              | \$ 1,148,431        | \$ 759,940            | \$ 1,908,370                   | \$ 8,389,361                        |
| <b>2024 Estimated</b> | <b>\$423,758,770</b>   | \$ 296,842,593                       | 5.0%                              | \$ 1,232,194        | \$ 815,367            | \$ 2,047,561                   | \$ 10,436,922                       |
| <b>2025 Estimated</b> | <b>\$444,946,709</b>   | \$ 318,030,532                       | 5.0%                              | \$ 1,320,145        | \$ 873,566            | \$ 2,193,711                   | \$ 12,630,633                       |
| <b>2026 Estimated</b> | <b>\$467,194,044</b>   | \$ 340,277,867                       | 5.0%                              | \$ 1,412,493        | \$ 934,675            | \$ 2,347,169                   | \$ 14,977,802                       |

#### **Assumptions:**

Estimated Years  
City Tax Rate \$0.5930  
County Tax Rate \$0.3924

### **1. Infrastructure supporting cohesive redevelopment**

Zone No. 5 tax increment revenues shall be made available to facilitate investment in infrastructure or other improvements allowed by law that facilitate the following potential projects. This Project and Finance Plan will be amended as may be required by law to accommodate additional uses of the tax increment revenues within Zone No. 5:

- a. Projects that support multi-modal transportation and mobility including sidewalks and downtown shuttle services.
- b. Overall enhancement of the downtown area including but not limited to lighting, safety and other aesthetic features.
- c. Acquisition of property for parking and other public priorities with the amounts allocated to include the required operation and maintenance costs.



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## The TIRZ Concept Generally

A tax increment reinvestment zone (“TIRZ”) is a financing tool created by the State Legislature to assist cities and counties in developing or redeveloping unproductive, underdeveloped or blighted areas.

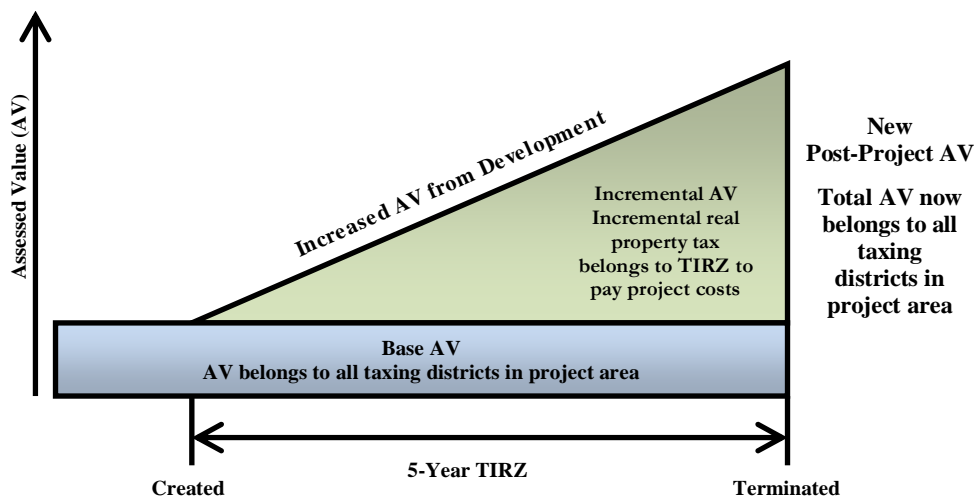
Cities may create a TIRZ where conditions exist that substantially impair an area’s sound growth and where development or enhancements financed by the TIRZ significantly enhance the value of all the taxable real property in a TIRZ and of general benefit to the city or county.

Prior to creation, the statute requires preparation of a preliminary project plan and reinvestment zone financing plan outlining specific projects to address the existing conditions and the method and means to finance those projects.

Upon creation, the total appraised value of real property located in a TIRZ is established for the year in which it was created. This is known as the base value. As new development occurs in a TIRZ, the value of real property increases.

This additional value above the base value is known as the tax increment. Such tax increment is typically set aside to finance improvements within a TIRZ including public infrastructure. Once all projects are complete or after a defined period of time, a TIRZ is dissolved.

During the life of a TIRZ, a city and other participating taxing jurisdictions collect tax revenue on the base value of a TIRZ as well as sales and use tax revenue generated by new development (unless a city or county agrees that sales tax and use revenue are also part of the increment). When a TIRZ is dissolved, a city and other participating taxing jurisdictions collect tax revenue on the tax increment value created by new development as well.



## Executive Summary

The proposed City of San Marcos, Texas (the "City") Tax Increment Reinvestment Zone No. 5 ("Zone No. 5") consists of approximately 244 acres in the downtown core. The City has addressed one challenge, zoning standards that are inconsistent and contrary to creating a downtown environment, with the adoption of the San Marcos SmartCode (the "SmartCode") in 2011, putting in place a zoning that is predictable and focused on preserving downtown character while enabling pedestrian-oriented mixed-use development. In 2018, the City updated the Development Code and relabeled the downtown core as Character District 5 Downtown (CD-5D). Some of the other downtown challenges remain: a shortage of Class A office space, parking and pedestrian mobility, lack of sufficient lighting and downtown amenities and aesthetic features, and the condition of the streetscape and sidewalks in parts of downtown.

One of the financial tools identified in the plan to help address these challenges is the creation of a tax increment reinvestment zone. Under this proposed plan, the City and Hays County (the "County") would participate equally in a tax increment reinvestment zone projected to generate approximately \$15,831,450 over the current life of Zone No. 5. It is currently proposed that Zone No. 5 increment revenues will be allocated for parking, including acquisition of land, multi-modal transportation/mobility, sidewalks, safety considerations, improved lighting, and overall enhancement of downtown as allowed by Section 311.010(h) of the Texas Tax Code.

In order to be eligible for Zone No. 5 tax increment revenues, projects must (a) support multi-modal transportation and mobility including sidewalks and downtown shuttle services (b) provide overall enhancement of the downtown area including but not limited to lighting, safety and other aesthetic features and/or (c) include acquisition of property for parking and other public priorities with the amounts allocated to include the required operation and maintenance costs within Zone No. 5.

The true value of this approach is that it powerfully leverages tax increment revenues for economic development beyond streetscape or maintenance improvements on a given block. The potential increase in tax base can help in supporting possible future job creation through business relocation to the downtown area along with growth of existing businesses which create jobs. This approach also will encourage the engagement of higher education and other potential research partners through the focus on technology and research, ultimately ensuring that the site will be developed to its highest and best use.

## Location

As proposed, Zone No. 5 extends from Texas State University to the North, to IH-35 to the South, CM Allen and McKie on the East and several blocks to the West.

All of the land within proposed Zone No. 5 is part of the Charter District-5 Downtown (CD-5D) and currently includes a number of different types of uses including commercial, retail, restaurants, residential and offices within the boundaries.

As provided in the April 1, 2010 economic analysis prepared for the City by Urban Advisors for the current Downtown Master Plan, the City's goal is to encourage a mix of new uses to accommodate additional housing, office space, retail, transportation, safety and parking facilities. Designation of Zone No. 5 assists the City in implementing the Downtown Master Plan and projects brought forth through future master plans.

## Project Overview and Project Costs

### 1. Infrastructure supporting cohesive redevelopment

Zone No. 5 tax increment revenues shall be made available to facilitate investment in infrastructure or other improvements allowed by law that facilitate the following potential projects. This Project and Finance Plan will be amended as may be required by law to accommodate additional uses of the tax increment revenues within Zone No. 5:

- a. Projects that support multi-modal transportation and mobility including sidewalks and downtown shuttle services.
- b. Overall enhancement of the downtown area including but not limited to lighting, safety and other aesthetic features.
- c. Acquisition of property for parking and other public priorities with the amounts allocated to include the required operation and maintenance costs.

Table 1 – Proposed Project Costs

| ITEM | Proposed Activity  | ESTIMATED<br>ZONE NO. 5<br>PROJECT COSTS |
|------|--|--|
| 1    | Multi-modal transportation/mobility including sidewalks and shuttle services                                 | \$1,350,000                              |
| 2    | Overall enhancement of downtown including lighting, safety, and other aesthetic features                     | \$829,612                                |
| 3    | Acquisition of property for parking and other public priorities and related operations and maintenance costs | \$2,000,000                              |
|      | <b>TOTAL ESTIMATED PROJECT COSTS:</b>  | <b>\$4,179,612</b>                       |

Table 1 summarizes the currently anticipated Project Costs to be financed within Zone No. 5.



## Project and Finance Plan

The purpose of Zone No. 5 is to (a) support multi-modal transportation and mobility including sidewalks and downtown shuttle services (b) provide overall enhancement of the downtown area including but not limited to lighting, safety and other aesthetic features and/or (c) include acquisition of property for parking and other public priorities with the amounts allocated to include the required operation and maintenance costs within Zone. No. 5.

Expenditures associated with the design and construction of Zone No. 5 Projects, as well as other specific project-related costs, will be funded by tax increment revenues derived from increases in property values resulting from the new development in Zone No. 5.

The City may amend this Project and Finance Plan as may be necessary in accordance with law to accommodate the other redevelopment goals and projects outlined under "Project Overview and Project Costs."

TEXAS TAX CODE  
SUBTITLE B. SPECIAL PROPERTY TAX PROVISIONS  
CHAPTER 311. TAX INCREMENT FINANCING ACT  
Sec. 311.011. PROJECT AND FINANCING PLANS

- (a) The board of directors of a reinvestment zone shall prepare and adopt a project plan and a reinvestment zone financing plan for the zone and submit the plans to the governing body of the municipality or county that designated the zone.
- (b) The project plan must include:
  - (1) a description and map showing existing uses and conditions of real property in the zone and a map showing proposed uses of that property;
  - (2) proposed changes of zoning ordinances, the master plan of the municipality, building codes, other municipal ordinances, and subdivision rules and regulations, if any, of the county, if applicable;
  - (3) a list of estimated non-project costs; and
  - (4) a statement of a method of relocating persons to be displaced, if any, as a result of implementing the plan.
- (c) The reinvestment zone financing plan must include:
  - (1) a detailed list describing the estimated project costs of the zone, including administrative expenses;
  - (2) a statement listing the proposed kind, number, and location of all proposed public works or public improvements to be financed by the zone;
  - (3) a finding that the plan is economically feasible and an economic feasibility study;
  - (4) the estimated amount of bonded indebtedness to be incurred;
  - (5) the estimated time when related costs or monetary obligations are to be incurred;
  - (6) a description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit anticipated to contribute tax increment to the zone that levies taxes on real property in the zone;
  - (7) the current total appraised value of taxable real property in the zone;
  - (8) the estimated captured appraised value of the zone during each year of its existence; and
  - (9) the duration of the zone.

## Existing Uses

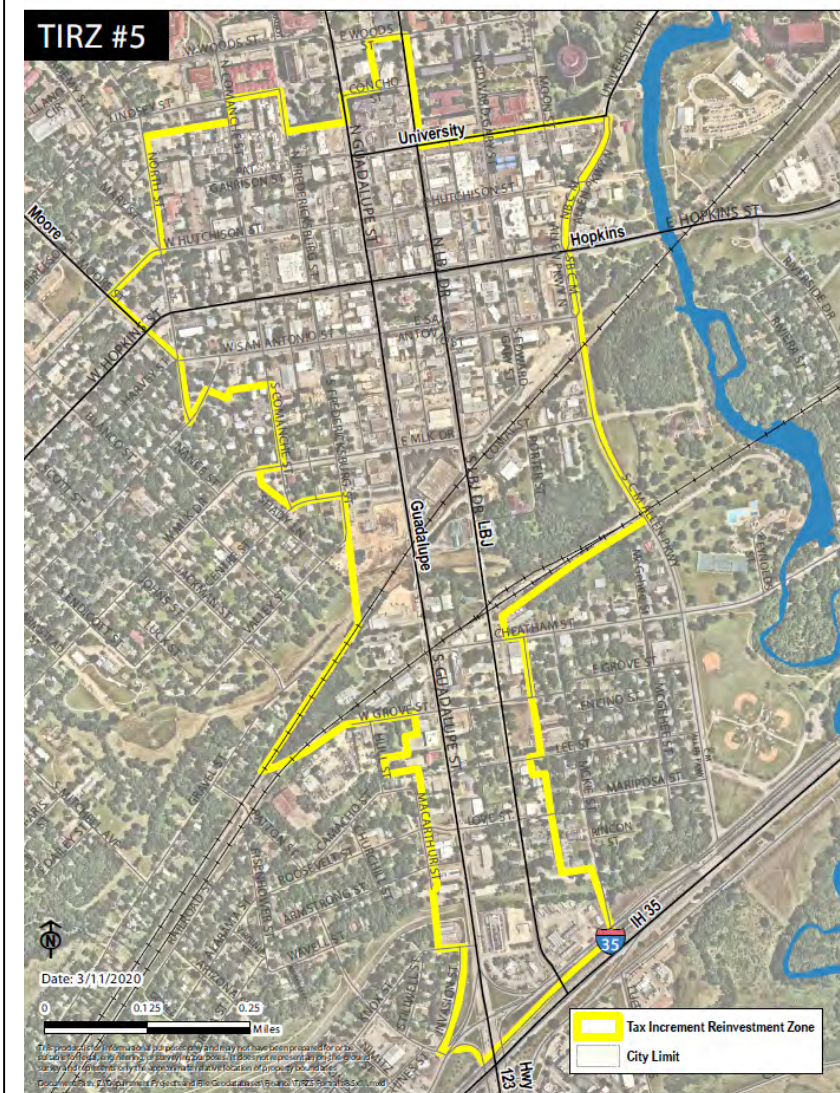
### 1. Map showing existing uses and conditions of real property in Zone No. 5

Zone No. 5 consists of approximately 244 acres of commercial, retail, restaurants, residential and office uses within the City's designated Charter District 5 Downtown (CD-5D).

Development and redevelopment of the property within Zone No. 5's boundaries is necessary because the area is undeveloped or underdeveloped and because of obsolete platting, deterioration of structures or site improvements, or other factors, arrests the sound growth of the City's downtown.

The map on this page illustrates the current condition of the land.

MAP SHOWING EXISTING USES AND CONDITIONS OF REAL PROPERTY IN BOUNDARIES OF ZONE NO. 5





## PROPOSED PROJECTS

### 1. Table showing proposed improvements for the TIRZ area.

Improvements proposed for Zone No. 5 are primarily related to: (a) support multi-modal transportation and mobility including sidewalks and downtown shuttle services (b) provide overall enhancement of the downtown area including but not limited to lighting, safety and other aesthetic features and/or (c) include acquisition of property for parking and other public priorities with the amounts allocated to include the required operation and maintenance costs within Zone. No. 5.

Table 2 – PROPOSED PROJECTS

| Proposed Projects  |
|--|
| Justice Center Streetscape Improvement Project<br>100 Block E. Martin Luther King Drive, San Marcos,<br>TX |
| Alley Redevelopment Phase 1  |
| Cheatham Street Flats Alley Paving   |
| Pedestrian Safety and Comfort  |
| Downtown Reconstruction/Capital Area<br>Metropolitan Planning Organization                                 |
| Downtown Shuttle (One Year Pilot)  |
| Property Acquisition and Maintenance and<br>Operations   |

### Changes to Municipal Ordinances

#### 1. Proposed changes of zoning ordinances, the master plan of the municipality, building codes, other municipal ordinances, and subdivision rules and regulations, if any, of the county, if applicable;

The City does not expect any changes to zoning ordinances, the master plan, building codes or other ordinances as a result of the designation of Zone No. 5.

### Estimated Non-Zone No. 5 Projects

#### 2. A list of estimated Non-Zone No. 5 Projects

The City expects to continue developing projects included in its capital improvement plan ("CIP") that benefit areas within Zone No. 5 from CIP funds.

### Method of Relocation

#### 3. A statement of a method of relocating persons to be displaced as a result of implementing the plan.

Designation of Zone No. 5 is not anticipated to cause relocation of any residents.

## Finance Plan

### List of Estimated Zone No. 5 Project Costs

#### 1. A detailed list describing the estimated Project Costs of Zone No. 5, including administrative expenses

Table 1 itemizes the estimated Zone No. 5 Project Costs. Currently there are no administrative expenses estimated to be incurred over the life of Zone No. 5.

### Statement of Proposed Public Works

#### 2. A statement listing the kind, number, and location of all proposed public works or public improvements in Zone No. 5

The improvements that Zone No. 5 is designed to facilitate will be located throughout Zone No. 5. These improvements will assist with the development and redevelopment of Zone No. 5. The Map of Project Boundaries shown on the cover page hereof illustrates the location of the proposed improvements.

### Economic Feasibility Study/Information

#### 3. An Economic Feasibility Study/Information

In connection with the proposed development of the property within Zone No. 5 the City has previously commissioned studies outlining the goals and feasibility of the redevelopment of Zone No. 5 CD-5D as set forth in Schedule A. This Finance Plan is economically feasible since all Project Costs are paid only from tax increment revenues as they become available.

### Estimated Bonded Indebtedness

#### 4. The estimated bonded indebtedness to be incurred

The City currently anticipates paying Project Costs or reimbursing a developer for qualified Project Costs solely from tax increment revenues on an annual basis. No bond indebtedness will be incurred for Zone No. 5.

### Time when Costs/Obligations Incurred

#### 5. The time when costs or monetary obligations are to be incurred

When payment of costs or reimbursements of costs are to be made is a function of the availability of Zone No. 5 tax increment revenues. Schedule B is a projection of tax increment revenues which are available and expected to be available in the future to pay or reimburse Zone No. 5 Project Costs.

### Financing, Expected Sources of Revenue

#### 6. A description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay Project Costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit that levies taxes on real property in Zone No. 5.

**Methods of Financing.** The Project Costs will be paid directly for site improvements for certain Zone No. 5 Project Costs. Project Costs will be paid solely from tax increment revenues of Zone No. 5 as they are realized by Zone No. 5.

**Sources of Tax Increment Revenue.** The tax increment revenue necessary to pay the Zone No. 5 Project Costs is expected to come from increased property values in Zone No. 5. Schedule B displays the projected assessed valuations resulting from increases in value. These new tax increment revenues will be used to pay for Zone No. 5 Project Costs.

This Plan is based on a contribution rate (and current tax rates which are subject to change) shown from the City and County.

| Table 3<br>Participating Jurisdictions |                |             |
|--|----------------|-------------|
| Taxing Jurisdiction                    | FY2021 (1)     | % Dedicated |
| City of San Marcos                     | \$0.5930/\$100 | 25%         |
| Hays County                            | \$0.3924/\$100 | 25%         |

- (1) 2020 Tax Rate for purposes of illustration only. Tax Rate will be levied from year to year by the City and County, respectively, and will vary.  
 (2) The total tax rate does not include the Road and Bridge rate.

### Current Appraised Value of Property

#### 7. Current Total Appraised Value of Property in Zone No. 5

The total current appraised value within Zone No. 5 as of November, 2020 is \$348,627,389.

### Estimated Captured Value

#### 8. Estimated Captured Value of Zone No. 5 in Each Year of Existence

The estimated captured appraised value of Zone No. 5 during each year of its existence is shown on Schedule B - Projected Assessed Valuation.

### Duration of Zone

#### 9. Duration of Zone

The duration of Zone No. 5 was through December 31, 2027. Zone No. 5 took effect on the date it was created, being December 14, 2011. The City Council established January 1, 2011 as the base year of Zone No. 5. The term of Zone No. 5 has been extended and is currently scheduled to terminate on December 31, 2027.

**Schedule A****Economic Feasibility Study/Information****Schedule B****Projected Assessed Valuations**

| <b>Tax Year</b>       | <b>Total Valuation</b> | <b>Value Increase From Base Year</b> | <b>Yearly Increase Percentage</b> | <b>70% City Tax</b> | <b>70% County Tax</b> | <b>Total Revenue Available</b> | <b>Cumulative Revenue Available</b> |
|-----------------------|------------------------|--------------------------------------|-----------------------------------|---------------------|-----------------------|--------------------------------|-------------------------------------|
| <b>2012</b>           | <b>\$105,083,437</b>   | <b>\$ 899,281</b>                    | <b>0.86%</b>                      | <b>\$ 3,338</b>     | <b>\$ 2,671</b>       | <b>\$ 6,008</b>                | <b>\$ 6,008</b>                     |
| <b>2013</b>           | <b>\$116,524,339</b>   | <b>\$ 12,356,933</b>                 | <b>10.9%</b>                      | <b>\$ 45,929</b>    | <b>\$ 36,933</b>      | <b>\$ 82,862</b>               | <b>\$ 88,870</b>                    |
| <b>2014</b>           | <b>\$143,130,508</b>   | <b>\$ 41,268,182</b>                 | <b>24.7%</b>                      | <b>\$ 145,098</b>   | <b>\$ 116,541</b>     | <b>\$ 257,294</b>              | <b>\$ 346,164</b>                   |
| <b>2015</b>           | <b>\$145,033,604</b>   | <b>\$ 42,341,838</b>                 | <b>0.7%</b>                       | <b>\$ 151,841</b>   | <b>\$ 121,198</b>     | <b>\$ 269,342</b>              | <b>\$ 615,506</b>                   |
| <b>2016</b>           | <b>\$151,017,107</b>   | <b>\$ 48,375,011</b>                 | <b>4.1%</b>                       | <b>\$ 173,485</b>   | <b>\$ 136,200</b>     | <b>\$ 309,684</b>              | <b>\$ 925,190</b>                   |
| <b>2017</b>           | <b>\$190,650,978</b>   | <b>\$ 86,366,376</b>                 | <b>24.9%</b>                      | <b>\$ 371,208</b>   | <b>\$ 242,594</b>     | <b>\$ 613,802</b>              | <b>\$ 1,538,992</b>                 |
| <b>2018</b>           | <b>\$245,973,144</b>   | <b>\$ 119,056,967</b>                | <b>31.3%</b>                      | <b>\$ 606,454</b>   | <b>\$ 310,695</b>     | <b>\$ 917,149</b>              | <b>\$ 2,456,141</b>                 |
| <b>2019 Actual</b>    | <b>\$268,922,632</b>   | <b>\$ 142,006,455</b>                | <b>22.0%</b>                      | <b>\$ 692,450</b>   | <b>\$ 387,578</b>     | <b>\$ 1,080,028</b>            | <b>\$ 3,536,170</b>                 |
| <b>2020 25%</b>       | <b>\$348,627,389</b>   | <b>\$ 221,711,212</b>                | <b>30.0%</b>                      | <b>\$ 362,387</b>   | <b>\$ 217,499</b>     | <b>\$ 579,886</b>              | <b>\$ 4,116,055</b>                 |
| <b>2021 25%</b>       | <b>\$366,058,758</b>   | <b>\$ 239,142,581</b>                | <b>5.0%</b>                       | <b>\$ 354,529</b>   | <b>\$ 234,599</b>     | <b>\$ 589,128</b>              | <b>\$ 4,705,183</b>                 |
| <b>2022 Estimated</b> | <b>\$384,361,696</b>   | <b>\$ 257,445,519</b>                | <b>5.0%</b>                       | <b>\$1,068,656</b>  | <b>\$ 707,151</b>     | <b>\$ 1,775,808</b>            | <b>\$ 6,480,991</b>                 |
| <b>2023 Estimated</b> | <b>\$403,579,781</b>   | <b>\$ 276,663,604</b>                | <b>5.0%</b>                       | <b>\$1,148,431</b>  | <b>\$ 759,940</b>     | <b>\$ 1,908,370</b>            | <b>\$ 8,389,361</b>                 |
| <b>2024 Estimated</b> | <b>\$423,758,770</b>   | <b>\$ 296,842,593</b>                | <b>5.0%</b>                       | <b>\$1,232,194</b>  | <b>\$ 815,367</b>     | <b>\$ 2,047,561</b>            | <b>\$ 10,436,922</b>                |
| <b>2025 Estimated</b> | <b>\$444,946,709</b>   | <b>\$ 318,030,532</b>                | <b>5.0%</b>                       | <b>\$1,320,145</b>  | <b>\$ 873,566</b>     | <b>\$ 2,193,711</b>            | <b>\$ 12,630,633</b>                |
| <b>2026 Estimated</b> | <b>\$467,194,044</b>   | <b>\$ 340,277,867</b>                | <b>5.0%</b>                       | <b>\$1,412,493</b>  | <b>\$ 934,675</b>     | <b>\$ 2,347,169</b>            | <b>\$ 14,977,802</b>                |

**Assumptions:**

Estimated Years

City Tax Rate \$0.5930

County Tax Rate \$0.3924

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Discussion and possible action to authorize the Elections Administration Office to upgrade the Hart Verity Voting System and purchase the Hart Verity Duo Go for curbside voting utilizing the Center for Tech and Civic Life (CTCL) grant funds and amend the budget accordingly.

| ITEM TYPE            | MEETING DATE | AMOUNT REQUIRED |
|----------------------|--------------|-----------------|
| ACTION-MISCELLANEOUS | May 11, 2021 | \$137,794       |

#### LINE ITEM NUMBER

001-655-99-142]

#### AUDITOR USE ONLY

##### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: YES

AUDITOR REVIEW: MARISOL VILLARREAL-ALONZO

| REQUESTED BY      | SPONSOR | CO-SPONSOR |
|-------------------|---------|------------|
| Jennifer Anderson | JONES   | N/A        |

#### SUMMARY

The Elections Administrator has received authorization from CTCL to utilize grant funds to upgrade the voting system and purchase equipment to support curbside voting. The Verity Election System will be upgraded to a Windows 10 Enterprise platform. This is a routine upgrade to ensure the voting system has the most recent software updates with enhanced functionality. Additionally, the Verity Duo Go system is a portable voting device that will allow for curbside and/or any inside or outside polling options to assist Hays County citizens. The software upgrade and curbside voting equipment will be fully funded by the granting agency. No county funds required.

Attachments: Hart Intercivic Quote #00008637  
Hart Intercivic Quote #00008295  
BuyBoard Contract #622-20

##### Budget Amendment:

Decrease Temp Staffing .5021 - (\$137,794)  
Increase Software License .5429 - \$37,545  
Increase Misc. Eqpt-Ops .5719\_400 - \$100,249



Quote Number

00008637

Account Name

Hays County, TX

Grand Total

\$37,545.00

| Item                                      | Unit Price | Quantity | Total Price |
|---|------------|----------|-------------|
| Windows 10 Upgrade - Verity Voting Device | \$68.00    | 540      | \$36,720.00 |
| Windows 10 Upgrade - Verity Workstation   | \$275.00   | 3        | \$825.00    |

Subtotal

\$37,545.00

Grand Total

\$37,545.00

Bill To 712 S Stagecoach Trail, Suite 1012  
San Marcos, TX 78666

Ship To 712 S Stagecoach Trail, Suite 1012  
San Marcos, TX 78666

## Customer Contact

Contact Name Jennifer Anderson

Email janderson@co.hays.tx.us

Phone (512) 393-7307

## General Information

Expiration Date 5/12/2021

Payment Terms Net 30

Instructions Please fax with signature to (512) 252-6923 or  
scan and email to [tcervantes@hartic.com](mailto:tcervantes@hartic.com) to  
order.

## Terms and Conditions

Taxes will be calculated in conjunction with the Customer based on the final approved price list.

## Hart Approval

Prepared By Tony Cervantes

Title Inside Sales Representative

Signature

## Customer Approval

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Customer Approval: \_\_\_\_\_

Date: \_\_\_\_\_



Quote Number

00008295

Account Name

Hays County, TX

Grand Total

\$100,249.00

| Item          | Description  | Unit Price | Quantity | Total Price  |
|---------------|--|------------|----------|--------------|
| Verity Duo Go | Portable carrier with thermal printer to support curbside voting on Verity Duo | \$1,500.00 | 70       | \$105,000.00 |

Subtotal \$105,000.00

Shipping and Handling (Estimated) \$525.00

Solution Price \$105,525.00

Special Discount (\$5,276.00)

Grand Total \$100,249.00

Bill To 712 S Stagecoach Trail, Suite 1012  
San Marcos, TX 78666Ship To 712 S Stagecoach Trail, Suite 1012  
San Marcos, TX 78666

## Customer Contact

Contact Name Jennifer Anderson

Email janderson@co.hays.tx.us

Phone (512) 393-7307

## General Information

Expiration Date 2/22/2021

Instructions Please fax with signature to (512) 252-6921 or  
scan and email to [fliston@hartic.com](mailto:fliston@hartic.com) to order.

Payment Terms Net 30

## Terms and Conditions

Delivery includes removal and salvage of customer's existing voting system at no extra charge.

Pricing subject to inventory availability at time of quote execution and acceptance.

Taxes will be calculated in conjunction with the Customer based on the final approved price list.

## Hart Approval

Prepared By Felice Liston

Title Director of Sales

Signature

## Customer Approval

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Customer Approval: \_\_\_\_\_

Date: \_\_\_\_\_

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

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 Pacific Blue and Project Outlook. Possible discussion and/or action may follow in open Court.

#### ITEM TYPE

EXECUTIVE SESSION

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

#### REQUESTED BY

M. Kennedy

#### SPONSOR

BECERRA

#### CO-SPONSOR

N/A

#### SUMMARY

Summary to be provided in Executive Session.



## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code deliberation regarding employment and duties of all individual positions within the Hays County Transportation Department. Possible discussion and/or action may follow in open court.

#### ITEM TYPE

EXECUTIVE SESSION

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

N/A

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

#### REQUESTED BY

Jerry Borcharding, Transportation Director

#### SPONSOR

JONES

#### CO-SPONSOR

N/A

#### SUMMARY

Summary to be provided in Executive Session

## AGENDA ITEM REQUEST FORM

### Hays County Commissioners Court

Tuesdays at 9:00 AM

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

#### AGENDA ITEM

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 the POSAC-recommended 2020 Parks and Open Space Bond Projects. Possible discussion and/or action may follow in open court.

#### ITEM TYPE

EXECUTIVE SESSION

#### MEETING DATE

May 11, 2021

#### AMOUNT REQUIRED

#### LINE ITEM NUMBER

#### AUDITOR USE ONLY

#### AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: N/A

#### REQUESTED BY

#### SPONSOR

#### CO-SPONSOR

SHELL

N/A

#### SUMMARY

Summary to be provided in Executive Session.