

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 11, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11th DAY OF MAY A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA
DEBBIE GONZALES INGALSBE
MARK JONES
LON A. SHELL
WALT SMITH
ELAINE H. CÁRDENAS

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

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

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PUBLIC COMMENTS

Michael Lee made public comments regarding the criminal justice system and his support of local law enforcement. Dan Lyon made public comments against the Hays County Appraisal District, and against the county budget. Rodrigo Amaya made public comments regarding the Department of Justice, County Court at Law Judge Millie Thompson, and other county staff.

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

Judge Becerra made an announcement regarding vaccinations available for ages 12 years and older. He noted he has been in contact with the Local Health Department and the Emergency Services office awaiting to hear from the State for the next steps to get the vaccinations administered. Mike Jones, Director of Emergency Services, announced additional clinics and the phone number to contact for home-bound citizens. He stated the phone number is 833-521-2766. The hours to call are Tuesday through Thursday from 12:00 pm - 4:00 pm to schedule for vaccinations. Judge Becerra announced the Dunbar Event for vaccinations will be held from 5:00 pm – 10:00 pm this Thursday May 13, 2021. Commissioner Jones asked a question regarding vaccinations at the Hays Admin building. Mike Jones stated at the HCISD old transportation building, Curative will help administer vaccinations Wednesday through Friday this week from 11:00 am – 7:00 pm. Judge Becerra noted that the county is dependent on private partners for assistance with the pandemic. No action was taken.

36396 APPROVE PAYMENTS OF COUNTY INVOICES.

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

36397 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

36398 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.

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

36399 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.

Rodrigo Amaya made a public comment against this item. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to 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. All present voted "Aye." MOTION PASSED.

36400 APPROVE UTILITY PERMITS.

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

36401 AUTHORIZE THE EXECUTION OF AMENDMENT NO. 2 OF THE FY22 TUBERCULOUS STATE (TB-STATE) WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of Amendment No. 2 of the FY22 Tuberculous State (TB-State) with the Department of State Health Services (DSHS). All present voted "Aye." MOTION PASSED.

36402 AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND CAPITAL PROJECT BUDGETS IN PREPARATION FOR FISCAL YEAR 2021 MID-YEAR FINANCIAL REPORTING.

Rodrigo Amaya made a public comment against this item. Marisol Villarreal-Alonzo, Auditor, stated the capital budget is put on a generic line item, and later moved to a specific line for proper budget reporting. Commissioner Ingalsbe stated these items are approved during budget. The only changes made are to include grant funds. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2021 mid-year financial reporting. All present voted "Aye." MOTION PASSED.

36403 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.

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

36404 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.

Dan Lyon made a public comment against this item. Rodrigo Amaya made a public comment against this item. Commissioner Jones stated this project received additional funds from TXDOT for additional work, therefore an extension of time is needed. A motion was made by Commissioner Jones, seconded by Commissioner Shell 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. All present voted "Aye." MOTION PASSED.

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36405 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.

Dan Lyon made a public comment against this item. Rodrigo Amaya made a public comment against this item. Commissioner Shell stated this project is for preliminary engineering for safety improvements to a state road. He explained that these projects can take years to complete, and sometimes the projects are not started. He noted that this project is not costing the citizens anything. Commissioner Jones noted environment issues come from the state, not from the county. **A motion was made by Commissioner Shell, seconded by Commissioner Jones 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. All present voted "Aye." MOTION PASSED.**

36406 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.

Commissioner Ingalsbe stated this action was done last year, and due to the impacts of COVID-19 the board decided to bring this back to court to lower the assessment from 75% to 25%. Commissioner Shell stated that the city has requested that the county consider this action again. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell 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. All present voted "Aye." MOTION PASSED.**

36407 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.

Rodrigo Amaya made a public comment against this item. Jennifer Anderson, Elections Administrator, stated this is a required upgrade. The upgrade is certified through the Federal government and the State government. This upgrade includes moving from Windows 7 to Windows 10 and upgraded security features. She stated the vendor has provided a solution for curbside voting. The previous version of curbside was difficult and challenging. This improvement to curbside equipment should make it a little easier to assist citizens. The funds to cover the curbside equipment can be utilized from the remaining Center for Tech and Civic Life (CTCL) grant funds. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe 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. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 10:03 a.m. and resumed back into open court at 11:30 a.m.

36408 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.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize execution of a Chapter 381 Agreement between Hays County and 320 Barnes 2020, L.P. as discussed and presented in Executive Session.

- Obligates the developer to construct commercial space valued at \$11 million dollars or more.
- Incentive gives them the time they need to negotiate tenants to occupy the space.

All present voted "Aye." MOTION PASSED.

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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.

No action was taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF REAL PROPERTY ASSOCIATED WITH THE POSAC-RECOMMENDED 2020 PARKS AND OPEN SPACE BOND PROJECTS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

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

Judge Becerra announced no burn ban is needed. No action was taken.

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

Judge Becerra read the Sheriff's update of the inmate population. The estimated cost for outsourcing was \$43,905.00 for the week of May 2 - May 8, 2021. The number of outsourced males was 105 inmates and females were 0 inmates. The number of arrests made by agency are as follows; Buda Police Department - 5, Department of Public Safety - 2, Hays County Sheriff's Department - 60, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Constable Precinct 1 - 1, Kyle Police Department - 28, San Marcos Police Department - 35, Texas State Police Department - 2. No action was taken.

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.

Rodrigo Amaya made a public comment against this item. No action was taken.

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.


Rodrigo Amaya made a public comment against Senate Bill 16. No action was taken.

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 1:35 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on May 11, 2021.




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

