

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 21, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21st DAY OF SEPTEMBER A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Mark Jones 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

James Reece made a public comment regarding a document not received for filing. Elida M. Morales made a public comment regarding Silguero family history. Rodrigo Amaya made a public comment regarding lack of accountability. Dan Lyon made a public comment regarding county disbursements and an Appraisal Review Board meeting. Elaine Cardenas, County Clerk, read a public comment emailed by Diane McCabe regarding the redistricting process. Frank Arredondo made a public comment thanking the court for their proclamation regarding recognition of Hispanic Heritage Month.

36800 ADOPT A PROCLAMATION DECLARING OCTOBER 1, 2021 AS NATIONAL MANUFACTURING DAY.

Barbara Thomason, Greater San Marcos Partnership, made a public in favor of this proclamation and recognized members of the committee. Commissioner Smith asked for the proclamation to include all four school districts. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt an Amended Proclamation declaring October 1, 2021 as National Manufacturing Day. All present voted "Aye." MOTION PASSED.

36801 ADOPT A PROCLAMATION DECLARING SEPTEMBER 17-23, 2021 AS CONSTITUTION WEEK.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt a Proclamation declaring September 17-23, 2021 as Constitution Week. All present voted "Aye." MOTION PASSED.

36802 ADOPT A PROCLAMATION DECLARING OCTOBER 2021 AS CAPCOG CYBERSECURITY AWARENESS MONTH.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring October 2021 as CAPCOG Cybersecurity Awareness Month. All present voted "Aye." MOTION PASSED.

36803 ADOPT A PROCLAMATION RECOGNIZING HISPANIC HERITAGE MONTH AND THE CONTRIBUTIONS MADE BY THE INDIGENOUS & TEJANO FIRST FAMILIES.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 21, 2021

Linda Guerrero Gonzales made a public comment on her family's history and contributions to the community. Gina Alba-Rogers, member of the Council of Indigenous and Tejano community, made public comment in support of this proclamation. Anita Collins made a public comment in support of this proclamation. Rogelio Casas spoke on his family's history and contributions to the community. Rosina Valle made a public comment regarding their family's history and contributions to the community. Daniel Gonzales, Woodmen of the World, thanked the court for this proclamation. Jesse Sanchez, Treasurer for American GI Forum Chapter of San Marcos, made a public comment thanking the court for this proclamation and spoke on the history of the local chapter. Gloria Salazar, Program Coordinator and Co-founder of Centro Cultural Hispano de San Marcos, made a public comment thanking the court for this proclamation. **A motion was made by Commissioner Ingalsbe, seconded by Shell to adopt a Proclamation recognizing Hispanic Heritage Month and the contributions made by the Indigenous & Tejano First Families. All present voted "Aye." MOTION PASSED.**

36804 APPROVE PAYMENTS OF COUNTY INVOICES.

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

36805 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

Clerk's Note Agenda Item #7 RE: *APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 17, 2021. – WAS PULLED.*

36806 APPROVE THE PAYMENT OF THE SEPTEMBER 30, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,125,000.00 EFFECTIVE SEPTEMBER 30, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of the September 30, 2021 payroll disbursements in an amount not to exceed \$4,125,000.00 effective September 30, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

36807 APPROVE AND CONFIRM THE APPOINTMENT OF DARRELL PEREZ AS DEPUTY CONSTABLE BAILIFF IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE SEPTEMBER 21, 2021.

Constable David Peterson, Precinct 1, spoke on Darrell Perez's qualifications. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve and confirm the appointment of Darrell Perez as Deputy Constable Bailiff in the Hays County Constable Precinct 1 Office, effective date September 21, 2021. All present voted "Aye." MOTION PASSED.

36808 AUTHORIZE THE COMMISSIONER PCT. 1 OFFICE TO SUPPORT THE CITY OF KYLE PARKS AND RECREATION DEPARTMENT RELATED TO DEVELOPING THE LAND AT 1408 CENTER STREET, KYLE, AN UPCOMING PARK PROJECT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Commissioner Pct. 1 Office to support the City of Kyle Parks and Recreation Department related to developing the land at 1408 Center Street, Kyle, an upcoming park project. All present voted "Aye." MOTION PASSED.

36809 AUTHORIZE THE HAYS COUNTY JUDGE TO EXECUTE AMENDMENTS TO THE HEALTH SERVICES AGREEMENTS BETWEEN HAYS COUNTY AND WELLPATH, LLC TO EXTEND THE CURRENT CONTRACT UNTIL DECEMBER 31, 2021.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 21, 2021

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Hays County Judge to execute Amendments to the Health Services Agreements between Hays County and Wellpath, LLC to extend the current contract until December 31, 2021. All present voted "Aye." MOTION PASSED.

36810 AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND CAPITAL PROJECT BUDGETS IN PREPARATION FOR FISCAL YEAR 2021 THIRD QUARTER FINANCIAL REPORTING.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2021 third quarter financial reporting. All present voted "Aye." MOTION PASSED.

36811 AUTHORIZE PAYMENT TO FEDEX OFFICE FOR EMERGENCY RENTAL ASSISTANCE PROGRAM PRINTING IN THE AMOUNT OF \$749.70 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to FedEx Office for Emergency Rental Assistance Program printing in the amount of \$749.70 in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

36812 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #3 TO A CONTRACT BETWEEN HAYS COUNTY AND PBS OF TEXAS RELATED TO COUNTYWIDE JANITORIAL SERVICES PURSUANT TO RFP 2020-P02.

Dan Lyon made a public comment against the cost of janitorial services. Judge Becerra asked First Assistant Auditor, Vickie Dorsett, if fees were comparable to competing providers for which she confirmed that they were. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to execute Amendment #3 to a Contract between Hays County and PBS of Texas related to Countywide Janitorial Services pursuant to RFP 2020-P02. All present voted "Aye." MOTION PASSED.

36813 APPROVE UTILITY PERMITS.

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

36814 APPROVE EXTENSION OF RFP 2016-P06 BANK DEPOSITORY WITH SAGE CAPITAL BANK, N.A. FOR A PERIOD NOT TO EXCEED 92 DAYS (DECEMBER 31, 2021).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve extension of RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 92 days (December 31, 2021). All present voted "Aye." MOTION PASSED.

36815 AUTHORIZE PAYMENT TO TIMEKEEPING SYSTEMS, INC. FOR \$3,150 FOR PROFESSIONAL SERVICES RELATED TO THE JAIL GUARD 1 TIMEKEEPING SYSTEM AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize payment to TimeKeeping Systems, Inc. for \$3,150 for professional services related to the Jail Guard 1 timekeeping system and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36816 AMEND THE SHERIFF'S OFFICE OPERATING BUDGET FOR NEEDED VEHICLE REPAIRS IN WHICH INSURANCE PROCEEDS OF \$5,837 WERE RECEIVED AND AUTHORIZE PAYMENT TO LESTER'S SHOP FOR REPAIRS OF \$5,273.26 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 21, 2021

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Sheriff's Office operating budget for needed vehicle repairs in which insurance proceeds of \$5,837 were received and authorize payment to Lester's Shop for repairs of \$5,273.26 in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

36817 APPROVE THE APPOINTMENT OF MARIA CRISTINA NELSON TO SERVE ON EMERGENCY SERVICES DISTRICT #1 TO REPLACE GEOFFREY TAHUAHUA, FOR A TERM ENDING DECEMBER 31, 2021.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointment of Maria Cristina Nelson to serve on Emergency Services District #1 to replace Geoffrey Tahuahua, for a term ending December 31, 2021. All present voted "Aye." MOTION PASSED.

36818 APPROVE THE APPOINTMENT OF STACI DEMENT TO SERVE ON EMERGENCY SERVICES DISTRICT #1 TO REPLACE DANIEL O'BRIEN, FOR A TERM ENDING DECEMBER 31, 2021.

Commissioner Smith thanked Nelson and Dement for serving on ESD #1. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointment of Staci Dement to serve on Emergency Services District #1 to replace Daniel O'Brien, for a term ending December 31, 2021. All present voted "Aye." MOTION PASSED.

36819 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION CERTIFYING THAT THE COUNTY HAS APPROVED A \$13,000 GRANT FOR FY 2022 TO COMBINED COMMUNITY ACTION, AN ORGANIZATION THAT PROVIDES HOME DELIVERED MEALS TO HOMEBOUND PERSONS IN THE COUNTY THAT ARE ELDERLY OR HAVE A DISABILITY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a resolution certifying that the County has approved a \$13,000 grant for FY 2022 to Combined Community Action, an organization that provides home delivered meals to homebound persons in the county that are elderly or have a disability. All present voted "Aye." MOTION PASSED.

36820 AUTHORIZE THE COUNTY JUDGE TO USE THE REMAINDER OF HIS COMMUNITY PROGRAM EXPENSE OF \$1,250 FOR TEXAS STATE UNIVERSITY CENTER FOR DIVERSITY AND GENDER STUDIES.

Dan Lyon made a public comment against providing funds to the Center. Commissioner Smith asked what the Center intends to use the funds for. Judge Becerra responded that the funds would be used for outreach and a celebration of Texas State's designation as a Hispanic Serving Institution. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to use the remainder of his Community Program Expense of \$1,250 for Texas State University Center for Diversity and Gender Studies. Commissioner Ingalsbe, Commissioner Shell, and Judge Becerra voted "Aye." Commissioner Jones and Commissioner Smith voted "Nay." MOTION PASSED.

36821 APPROVE EXTENSION OF IFB 2017-B02 COUNTYWIDE DUMPSTERS WITH TEXAS DISPOSAL SYSTEMS FOR AN ADDITIONAL PERIOD NOT TO EXCEED 61 DAYS (NOVEMBER 30, 2021).

A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve extension of IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for an additional period not to exceed 61 days (November 30, 2021). All present voted "Aye." MOTION PASSED.

36822 AMEND THE CONSTABLE PCT. 5 OPERATING BUDGET FOR VEHICLE REPAIRS AND NEW TIRES NEEDED FOR THE LAW ENFORCEMENT FLEET.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to amend the Constable Pct. 5 operating budget for vehicle repairs and new tires needed for the law enforcement fleet. All present voted "Aye." MOTION PASSED.



36823 APPROVE SPECIFICATIONS FOR RFP 2021-P07 PROGRAM MANAGEMENT - AMERICAN RESCUE PLAN ACT (ARPA) FUNDS AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

Commissioner Smith thanked his colleagues who reached out to the Auditor's office on this item. He stated the final RFP is well written and hopes to get some good applicants. Commissioner Shell stated he supports the RFP but that does not mean he supports hiring a contractor for this. Judge Becerra agreed with his statement and stated that this is not a done deal. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve specifications for RFP 2021-P07 Program Management - American Rescue Plan Act (ARPA) Funds and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.**

36824 APPROVE SPECIFICATIONS FOR RFP 2021-P04 MEDICAL SERVICES - JAIL AND JUVENILE DETENTION CENTER AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve specifications for RFP 2021-P04 Medical Services - Jail and Juvenile Detention Center and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

36825 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & DRAINAGE IMPROVEMENTS AND ACCEPT THE 2-YEAR MAINTENANCE BOND #166107N IN THE AMOUNT OF \$154,337.85 FOR THE TRAILS AT WINDY HILL SUBD., PHASE 4 & PHASE 5.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept road construction & drainage improvements and accept the 2-year maintenance bond #166107N in the amount of \$154,337.85 for the Trails at Windy Hill subd., Phase 4 & Phase 5. All present voted "Aye." MOTION PASSED.

36826 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE MAINTENANCE BOND RIDER EXTENSION #PB03016800417M IN THE AMOUNT OF \$90,377.95 UNTIL FEBRUARY 28, 2022 FOR SUNFIELD SUBD., PHASE 2, SECTION 12.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept the maintenance bond rider extension #PB03016800417M in the amount of \$90,377.95 until February 28, 2022 for Sunfield subd., Phase 2, Section 12. All present voted "Aye." MOTION PASSED.

36827 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A 4-WAY STOP AT THE INTERSECTION OF GREEN PASTURES DRIVE AND SKYVIEW TERRACE IN GREEN PASTURES SUBDIVISION.

Judge Becerra opened a public hearing at 10:51 a.m. No comments were made. Judge Becerra closed the public hearing at 10:51 a.m. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 4-way stop at the intersection of Green Pastures Drive and Skyview Terrace in Green Pastures subdivision. All present voted "Aye." MOTION PASSED.**

36828 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE MAINTENANCE BOND #CA2721467 IN THE AMOUNT OF \$57,872.74 AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR WINDY HILL 11AC SUBDIVISION.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith for release of the maintenance bond #CA2721467 in the amount of \$57,872.74 and the acceptance of roads into the county road maintenance system for Windy Hill 11AC subdivision. All present voted "Aye." MOTION PASSED.



SEPTEMBER 21, 2021

- 36829 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE MAINTENANCE BOND #SU1146030 IN THE AMOUNT OF \$315,510.25 AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR REUNION RANCH SUBDIVISION, PHASE 2, SECTION 4.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith for release of the maintenance bond #SU1146030 in the amount of \$315,510.25 and the acceptance of roads into the county road maintenance system for Reunion Ranch subdivision, Phase 2, Section 4. All present voted "Aye." MOTION PASSED.

- 36830 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT FOR SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBG) BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE FM 621 CORRIDOR SAFETY IMPROVEMENTS PROJECT.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute Amendment #1 to the Advance Funding Agreement for Surface Transportation Block Grant Program (STBG) between Hays County and the Texas Department of Transportation (TxDOT) for the FM 621 Corridor Safety Improvements project. All present voted "Aye." MOTION PASSED.

- 36831 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF HALFF ASSOCIATES, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE LOW WATER CROSSING PROJECTS IN PRECINCT 4; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the selection of Halff Associates, Inc. to provide right-of-way acquisition services for the low water crossing projects in Precinct 4; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

- 36832 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF COBB FENDLEY & ASSOCIATES, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR THE LOW WATER CROSSING PROJECTS IN PRECINCT 4; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the selection of Cobb Fendley & Associates, Inc. to provide utility coordination services for the low water crossing projects in Precinct 4; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

- 36833 PLN-1757-PC; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE REPLAT OF LOT 4, LOS RANCHOS SUBDIVISION; HOLD A PUBLIC HEARING.**

Judge Becerra opened a public hearing at 10:44 a.m. Kimberlin Walker spoke in favor of the motion. Judge Becerra closed a public hearing at 10:44 a.m. Colby Machacek, Development Services, stated this project has full staff recommendation. A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the final plat of the Replat of Lot 4, Los Ranchos Subdivision. All present voted "Aye." MOTION PASSED.

- 36834 PLN-1774-PC; CALL FOR A PUBLIC HEARING ON OCTOBER 5, 2021 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 12, LOS RANCHOS SUBDIVISION.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on October 5, 2021 to discuss final plat approval of the replat of lot 12, Los Ranchos Subdivision. All present voted "Aye." MOTION PASSED.



36835 PLN-1735-NP; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE DOGROCK ESTATES SUBDIVISION.

Colby Machacek, Development Services, stated this project has full staff recommendation. Judge Becerra clarified this subdivision is in Precinct 3. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the final plat of the Dogrock Estates Subdivision. All present voted "Aye." MOTION PASSED.**

36836 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN HAYS COUNTY AND DRIFTWOOD GOLF CLUB DEVELOPMENT, INC., RELATED TO THE DEVELOPMENT OF REAL PROPERTY LOCATED IN PRECINCT 4 OF HAYS COUNTY.

Marcus Pacheco, Development Services Director, spoke on the agreement. Mark Kennedy, General Counsel, reminded the court that previous action of court moved the fire code review to the City of Dripping Springs. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Development Agreement between Hays County and Driftwood Golf Club Development, Inc., related to the development of real property located in Precinct 4 of Hays County. All present voted "Aye." MOTION PASSED.**

36837 DISCUSSION AND POSSIBLE ACTION TO APPROVE JOINT ELECTION AGREEMENTS FOR ENTITIES CONTRACTING WITH HAYS COUNTY ELECTIONS FOR THE NOVEMBER 2, 2021 GENERAL ELECTION.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Joint Election Agreements for entities contracting with Hays County Elections for the November 2, 2021 General Elections. All present voted "Aye." MOTION PASSED.

36838 DISCUSSION AND POSSIBLE ACTION TO ADD AND CONTINUE JUDGES PROFESSIONAL LIABILITY INSURANCE POLICIES WITH THE TEXAS LAWYERS INSURANCE EXCHANGE (TLIE) FOR THE COUNTY COURT AT LAW JUDGES EFFECTIVE 8/1/2021 FOR JUDGE O'BRIEN AND 10/1/21 FOR JUDGES JOHNSON AND UPDEGROVE.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to add and continue Judges Professional Liability Insurance policies with the Texas Lawyers Insurance Exchange (TLIE) for the County Court at Law Judges effective 8/1/2021 for Judge O'Brien and 10/1/21 for Judges Johnson and Updegrove. All present voted "Aye." MOTION PASSED.

36839 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF HDR ARCHITECTURE, INC. TO DELIVER SCHEMATIC DESIGNS FOR THE UPGRADES NEEDED TO THE ENTIRE EXISTING ELECTRONIC SECURITY SYSTEMS INCLUDING CAMERAS, CARD READERS, AND INTERCOMS FOR THE HAYS COUNTY GOVERNMENT CENTER, AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Judge Becerra stated the amendment request to include the Historic Courthouse should be included in the motion. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of HDR Architecture, Inc. to deliver schematic designs for the upgrades needed to the entire existing electronic security systems including cameras, card readers, and intercoms for the Hays County Government Center and Historic Courthouse and authorize staff and Counsel to negotiate a contract. All Present Voted "Aye." MOTION PASSED.**

36840 DISCUSSION AND POSSIBLE ACTION TO AWARD THE CONTRACT FOR IFB 2021-B10 FISCHER STORE ROAD @ RM 3235 TO COX COMMERCIAL CONSTRUCTION.

Commissioner Shell stated Cox Commercial was awarded this project because they were the lowest bid. **A motion was made by Commissioner Jones, seconded by Commissioner Smith to award the contract for IFB 2021-B10 Fischer Store Road @ RM 3235 to Cox Commercial Construction. All present voted "Aye." MOTION PASSED.**



36841 DISCUSSION AND POSSIBLE ACTION TO ADOPT THE HAYS COUNTY FY 2022 HOLIDAY CALENDAR.

Commissioner Shell thanked Commissioner Ingalsbe for her work and acknowledged Juneteenth as making its first appearance on the Hays County calendar since approved as a Federal Holiday. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt The Hays County FY 2022 Holiday Calendar. All Present Voted "Aye." MOTION PASSED.**

36842 DISCUSSION AND POSSIBLE ACTION TO APPROVE AN INSTRUCTIONAL POLICY FOR THE COUNTY TREASURER TO IMPLEMENT FUTURE PAY INCREASES.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve an Instructional Policy for the County Treasurer to implement future pay Increases. All Present Voted "Aye." MOTION PASSED.

36843 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE NAMING OF A PRIVATE DRIVEWAY IN PRECINCT 4, WHISPERING OAKS LANE.

Dan Lyon made a public comment against paying for a private drive sign. Transportation Director Jerry Borchering clarified for the Court that the County must provide a sign for addresses that are serviced by 9-1-1. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the naming of a private driveway in Precinct 4, Whispering Oaks Lane. All present voted "Aye." MOTION PASSED.**

36844 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE NAMING OF A PRIVATE DRIVEWAY IN PRECINCT 3, DARK SKY PATH.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the naming of a private driveway in Precinct 3, Dark Sky Path. All present voted "Aye." MOTION PASSED.

Clerk's Note Regarding Resolution #36844: Dan Lyon submitted a public comment form but was not called upon.

Clerk's Note Agenda Item #47 RE: DISCUSSION AND POSSIBLE ACTION TO ABATE, RESCIND, OR OTHERWISE MODIFY ENFORCEMENT OF THE HAYS COUNTY FIRE CODE, ORIGINALLY EFFECTIVE JANUARY 1, 2020. – WAS PULLED.

36845 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE DEVELOPMENT SERVICES DEPARTMENT TO ADMINISTRATIVELY GRANT AUTHORIZATIONS FOR COMMERCIAL ON-SITE SEWAGE FACILITY PERMITS.

Commissioner Shell stated this does not include requests with variances or requests that would be brought to Commissioners Court. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Development Services Department to Administratively Grant Authorizations for Commercial On-Site Sewage Facility Permits. All present voted "Aye." MOTION PASSED.**

36846 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND HALFF ASSOCIATES, INC. TO PERFORM PROFESSIONAL SERVICES RELATED TO FLOOD MITIGATION ASSISTANCE.

Mark Kennedy, General Counsel, stated the court chose Halff Associates two weeks ago and this is the contract that came from that. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement between Hays County and Halff Associates, Inc. to perform professional services related to Flood Mitigation Assistance. All present voted "Aye." MOTION PASSED.**

36847 DISCUSSION AND POSSIBLE ACTION TO ALLOW THE TRANSPORTATION DEPARTMENT TO ACCUMULATE COMP-TIME OVER THE 80 HOUR MAXIMUM UNTIL DECEMBER 31, 2021.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 21, 2021

A motion was made by Commissioner Jones, seconded by Commissioner Smith to allow the Transportation Department to accumulate comp-time over the 80 hour maximum until December 31, 2021. All present voted "Aye." MOTION PASSED.

36848 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT FOR DRAINAGE REPAIR AND MAINTENANCE BETWEEN HAYS COUNTY AND THE CITY OF BUDA IN REGARDS TO STORMWATER DRAINAGE LOCATED UNDER WEST ROBERT S. LIGHT AS IT APPROACHES IH 35.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Agreement for Drainage Repair and Maintenance between Hays County and the City of Buda in regards to stormwater drainage located under West Robert S. Light as it approaches IH 35. All present voted "Aye." MOTION PASSED.

Clerk's Note: Judge Becerra called for a break that began at 10:53 a.m. and resumed back into open court at 11:00 a.m.

36849 11:00 A.M. - PRESENTATION BY ALLISON, BASS, MAGEE, LLP REGARDING THE INITIAL ASSESSMENT OF HAYS COUNTY FOR PURPOSES OF REDISTRICTING EVALUATION; AND DISCUSSION AND POSSIBLE ACTION TO ADOPT FINDINGS OF FACT REGARDING POLITICAL BOUNDARIES OF HAYS COUNTY, TEXAS AND AN ORDER FOR REDISTRICTING OF POLITICAL BOUNDARIES.

Teresa Carbajal Ravet made a public comment in favor of drawing community-informed district lines. Linda Calvert, Redistricting Chair for Hays County League of Women Voters, made a public comment on the redistricting process and demanded transparency. Dr. Mark Trahan, Chair of the Hays County Democratic Party, made a public comment on distrust in governance and the difficulties coordinating meetings. He asked for additional measures to be taken to produce the best results. Susan Raybuck, Wimberley resident, made a public comment regarding the redistricting process and stated she would like to see fair maps. Bob Bass, Firm of Allison, Bass, Magee LLP, gave a presentation on the initial assessment of Hays County for purposes of redistricting.

Clerk's Note: Judge Becerra called for a break that began at 11:32 a.m. and resumed back into open court at 11:51 a.m.

Mark Kennedy advised the court that the committee has been told it can approach GIS & Mapping by way of two-party chairs acting together. Mark Kennedy stated the draft will be updated to reflect keeping section one and removing section two. Bob Parks and Mark Trajan, Chairs of the Hays County Republican Party and Hays County Democratic Party, respectively, spoke as co-chairs of the Redistricting Advisory Committee. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt Findings of Fact Regarding Political Boundaries of Hays County, Texas and an Order for Redistricting of Political Boundaries; keeping section one in and removing section two. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Judge Becerra called for a break that began at 12:52 p.m. and resumed back into open court at 1:00 p.m.

36850 1:00 P.M.- HOLD A FINAL PUBLIC HEARING ON THE FY 2022 HAYS COUNTY PROPOSED BUDGET.

Judge Becerra opened the public hearing. Larry Simone, President of Kyle Area Senior Zone, gave a presentation promoting a county senior center. Commissioner Ingalsbe stated although the facility will be located in Kyle, this center would be used by all of Hays County. Bob Parks made a public comment in favor of increasing Constables' and Sheriffs' salaries. Lee Ikels, President of Hays County Child Protective Board, thanked the Court for their support of the DFPS Rainbow Room. Jude Prather, Veterans Services Office, requested a part-time administrative position within his office be made full-time. Anita Collins gave a presentation on behalf of the County Judge's Office on proposed budget projects. San Marcos Regional Animal Shelter presented with a proposal for a new, centralized animal shelter. Commissioner Shell stated there needs to be an analysis done to potentially have more than one shelter in the County. Commissioner Shell asked what the requested amount is for the proposed projects. Anita Collins stated the request is \$250,000.00 for the planning of the Mental Health hospital, \$100,000.00 for the planning of the Evacuation Center and \$75,000.00 for the Animal Shelter.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 21, 2021

Judge Becerra recapped the Grievance meeting that took place. He stated with a 9-0 vote, it becomes a directive, anything less is a recommendation. Judge Becerra stated the Sheriff's salary increase vote was unanimous which will be accepted; Constables' increase will be taken as a recommendation. John Ellen, Constable for Precinct 5, spoke in support of the Constables' raises, citing the 8-1 vote of the Grievance Committee. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to increase Constables' wages to \$86,000 per year. Commissioner Ingalsbe, Commissioner Smith, and Judge Becerra voted "Aye." Commissioner Jones and Commissioner Shell Voted "Nay." MOTION PASSED.**

Shari Miller, Director of Human Resources, gave her recommendation per Judge Becerra's request on a new policy to review salaries for all Elected Officials going forward. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to implement a new process to direct Human Resources to study, research and present to the court the findings to potentially develop a strategic plan for future salary comparisons of Elected Officials. All present voted "Aye." MOTION PASSED.**

Britney Richey, Hays County Treasurer, asked the Court to approve a standardized process for applying various wage increases to be put in the Hays County Personnel manual. She stated the policy would be standard and could be amended at any time. The court had a lengthy discussion regarding the proposed guidelines for the creation of the policy. Shari Miller, Director of Human Resources, discussed Progression Plans. Gary Cutler, Sheriff, gave thanks to the court and his staff for their help with FY22 budget. Mike Davenport, Chief Deputy, emphasized the importance of achieving internal financial equity within the Law Enforcement department with civilian employees. He asked the court to remove the 2% COLA and add it to the merit to allow flexibility. **A motion was made by Judge Becerra, seconded by Commissioner Shell to change the previously agreed upon 2% Cost of Living Adjustment wage increase and 2% Merit increase to 4% all Merit. All present voted "Aye." MOTION PASSED.**

Mike Davenport, Chief Deputy, asked the court for consideration of a few requests in the Sheriff's Office. Judge Becerra stated he would like to find funds to allow the Veterans Administrative Office to change a part-time administrative position to a full-time position.

Clerk's Note: Judge Becerra called for a break that began at 3:00 p.m. and resumed back into open court at 3:17 p.m.

Don Montague, Precinct 3 Constable, requested the court approve moving a start date for one position from April 1, 2022 to October 1, 2021. Commissioner Shell thanked Marisol Alonzo, Vickie Dorsett and the Auditor's office for all their work, especially on the budget. Vickie Dorsett recapped the requests from the August 24, 2021 Budget workshop. The court discussed use of reserves to fund projects. A lengthy discussion was had regarding additional requests made for review by the court. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to add an additional 1 increase to the 4% merit, totaling 5% merit. All present voted "Aye." MOTION PASSED.**

Judge Becerra closed the public hearing at 4:55 p.m.

36851 DISCUSSION AND POSSIBLE ACTION TO SET THE FY 2022 SALARIES AND ALLOWANCES FOR HAYS COUNTY ELECTED OFFICIALS.

Dan Lyon made a public comment. **A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to set the salaries and allowances for Hays County Elected Officials as presented for Fiscal Year 2022 Budget. All present voted "Aye." MOTION PASSED.**

Clerk's Note Regarding Resolution #36851: Rodrigo Amaya submitted a public comment form but was not called upon.

36852 DISCUSSION AND POSSIBLE ACTION TO ADOPT THE FY 2022 HAYS COUNTY BUDGET AFTER MAKING ANY FINAL CHANGES AS A RESULT OF THE PUBLIC HEARING.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt the Fiscal Year 2022 Hays County Budget to include all changes as presented. All present voted "Aye." MOTION PASSED.

36853 DISCUSSION AND POSSIBLE ACTION TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FY 2022 HAYS COUNTY BUDGET.

Commissioner Jones stated this budget will raise more revenue from property taxes than last year's budget by an amount of \$606,995 or a 0.63% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$4,381,276. Dan Lyon made a public comment. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the property tax increase reflected in the Fiscal Year 2022 Hays County Budget. All present voted "Aye." MOTION PASSED.**



36854 DISCUSSION AND POSSIBLE ACTION TO APPROVE AN ORDER ADOPTING THE TAX RATE FOR FY 2022 AND LEVY THE TAXES.

Dan Lyon made a public comment. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe that the Fiscal Year 2022 property tax rate be set by the adoption of a tax rate of .3867 cents; .2383 cents – General Maintenance & Operations, .1246 cents – General Debt, .0238 cents – Road & Bridge Maintenance & Operations. All present voted “Aye.” MOTION PASSED.

Clerk’s Note: Executive Session began at 4:55 p.m. and resumed back into open court at 5:20 p.m.

36855 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 MAGIC MINT, PROJECT SUFC AND PROJECT PHOENIX. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute a 1st Amendment to the economic Development Agreement between ENF (Kyle) Technology, LLC and Hays County, as presented in Executive Session. All present voted “Aye.” MOTION PASSED.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Plastikon Industries, LLC and Hays County, as presented in Executive Session. All present voted “Aye.” MOTION PASSED.

Clerk’s Note Agenda Item #59 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. – WAS PULLED.

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

Judge Becerra read the Sheriff’s update of the inmate population. The estimated cost for outsourcing was \$75,760.00 for the week of September 12 – September 18, 2021. The number of outsourced males was 172 inmates and females were 11 inmates. The number of arrests made by agency are as follows; Buda Police Department - 1, Department of Public Safety – 2, Hays County Sheriff’s Department – 55 (this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies), Constable Precinct 1 – 2, Kyle Police Department – 27, San Marcos Police Department - 33, Texas State Police Department – 0. No action taken.

Clerk’s Note Agenda Item #61 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.

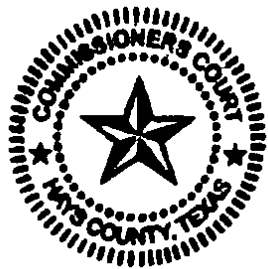
Clerk’s Note Agenda Item #62 RE: UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW. – WAS PULLED.



ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 5:44 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on September 21, 2021.



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

