

HAYS COUNTY COMMISSIONERS' COURT MINUTES



OCTOBER 5, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 5th DAY OF OCTOBER 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:

Commissioner Ingalsbe 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.

Clerks Note: Commissioner Jones arrived in court at 9:05 a.m. for the following proceedings.

PUBLIC COMMENTS

James Reece made a public comment regarding file stamp procedures. Linda Coker made a public comment in favor of decorating the Hays County courthouses for Christmas. Mary Earls made a public comment regarding accountability and fair decisions. Dan Lyon made a public comment regarding taxes and county disbursements. Rodrigo Amaya made a public comment regarding lack of accountability.

36856 ADOPT A PROCLAMATION DECLARING OCTOBER 2021 AS HILL COUNTRY NIGHT SKY MONTH IN HAYS COUNTY.

Greg Webb, Wimberley Valley Dark Sky Committee, thanked the court for the proclamation and their support. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a proclamation declaring October 2021 as Hill Country Night Sky month in Hays County. All present voted "Aye."** MOTION PASSED.

36857 ADOPT A PROCLAMATION BY THE INDIGENOUS CULTURES INSTITUTE AND THE COUNCIL FOR THE INDIGENOUS & TEJANO COMMUNITY RECOGNIZING INDIGENOUS PEOPLES DAY AS A DAY TO HONOR THIS ENDURING COMMUNITY OF CITIZENS IN HAYS COUNTY.

Anita Collins, Office of Hays County Judge, read a letter from Mario Garza, PhD., Indigenous Cultures Institute, thanking the court for recognizing Indigenous Peoples Day annually. Commissioner Smith asked if on the 6th "whereas" in the proclamation, the word "city" should be changed to "county". **A motion was made by Commissioner Ingalsbe, seconded by Commissioner to Shell to adopt a proclamation by the Indigenous Cultures Institute and the Council for the Indigenous & Tejano community recognizing Indigenous Peoples Day as a day to honor this enduring community of citizens in Hays County with Amendment. All present voted "Aye."** MOTION PASSED.

36858 ADOPT A PROCLAMATION DECLARING OCTOBER 2021 AS NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH IN HAYS COUNTY.

Melissa Rodriguez, Executive Director of Hays-Caldwell Women's Center, thanked the court for the recognition and support. She shared updates and upcoming events that the public can participate in. **A motion was made by Commissioner Jones, seconded by Commissioner to Ingalsbe to adopt a proclamation declaring October 2021 as National Domestic Violence Awareness month in Hays County. All present voted "Aye."** MOTION PASSED.



PRESENTATION BY THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES TO INCLUDE A RECAP OF THE 2021 PREPAREDNESS FAIR AND TO ANNOUNCE THE WINNING DEPARTMENT FOR THE BEST OVERALL BASKET IN THE EMPLOYEE RAFFLE BASKET CONTEST.

Michelle Villegas, Emergency Preparedness Coordinator, gave thanks to the departments and awarded a trophy to the Auditor's Office for best overall basket. Mike Jones, Director of Office of Emergency Services, gave thanks to all that participated in the raffle. No action taken.

36859 APPROVE PAYMENTS OF COUNTY INVOICES.

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

36860 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

36861 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 17, 2021.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe approve Commissioners Court Minutes of August 17, 2021. All present voted "Aye." MOTION PASSED.

36862 APPROVE THE PAYMENT OF THE OCTOBER 15, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,350,000.00 EFFECTIVE OCTOBER 15, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of the October 15, 2021 payroll disbursements in an amount not to exceed \$3,350,000.00 effective October 15, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

36863 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL AGREEMENT FOR \$6,112.08 WITH WEST THOMPSON REUTERS FOR LEGAL PRINT RESOURCES IN THE HAYS COUNTY LAW LIBRARY, COUNTY COURTS AT LAW, AND DISTRICT COURTS WITH FUNDS BUDGETED FOR FY2022.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a renewal agreement for \$6,112.08 with West Thompson Reuters for legal print resources in the Hays County Law Library, County Courts at Law, and District Courts with funds budgeted for FY2022. All present voted "Aye." MOTION PASSED.

36864 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUBSCRIPTION AGREEMENT FOR \$18,954.00 FOR THE LEXISNEXIS DIGITAL LIBRARY WITH OVERDRIVE FOR USE BY HAYS COUNTY LAW LIBRARY PATRONS WITH FUNDS BUDGETED FOR FY2022.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a subscription agreement for \$18,954.00 for the LexisNexis Digital Library with Overdrive for use by Hays County Law Library patrons with funds budgeted for FY2022. All present voted "Aye." MOTION PASSED.

36865 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT BETWEEN BUILDING MAINTENANCE AND THE BUG MASTER FOR PEST CONTROL SERVICES FOR HAYS COUNTY BUILDINGS IN THE AMOUNT OF \$845.00 QUARTERLY.

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A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an agreement between Building Maintenance and The Bug Master for pest control services for Hays County Buildings in the amount of \$845.00 quarterly. All present voted "Aye." MOTION PASSED.

36866 AUTHORIZE COUNTYWIDE OPERATIONS TO RENEW THE ANNUAL COMMERCIAL GENERAL LIABILITY AND EXCESS LIABILITY INSURANCE RELATED TO THE GAY RUBY DAHLSTROM NATURE PRESERVE IN THE AMOUNT OF \$7,997.38.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize Countywide Operations to renew the annual Commercial General Liability and Excess Liability Insurance related to the Gay Ruby Dahlstrom Nature Preserve in the amount of \$7,997.38. All present voted "Aye." MOTION PASSED.

36867 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO ACCEPT A DONATION OF PAINTING SERVICES VALUED AT \$1,950.00 FOR THE HAYS COUNTY COMMUNITY EMERGENCY RESPONSE TEAM (CERT), KYLE/BUDA STRIKE TEAM TRAILER FROM DFW MOVERS & ERECTORS.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Office of Emergency Services to accept a donation of painting services valued at \$1,950.00 for the Hays County Community Emergency Response Team (CERT), Kyle/Buda Strike Team trailer from DFW Movers & Erectors. All present voted "Aye." MOTION PASSED.

36868 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADDENDUM TO THE CONTRACT BETWEEN HAYS COUNTY AND SECURUS TECHNOLOGIES, LLC REGARDING THE INMATE TELEPHONE COMMUNICATIONS PHONE RATES.

Judge Becerra stated the rates have been lowered with this item. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Addendum to the Contract between Hays County and Securus Technologies, LLC regarding the inmate telephone communications phone rates. All present voted "Aye." MOTION PASSED.

36869 AUTHORIZE A BUDGET AMENDMENT FOR COUNTYWIDE OPERATIONS FOR CONTINUING EDUCATION AND TRAVEL EXPENSES IN THE AMOUNT OF \$650.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize a budget amendment for Countywide Operations for Continuing Education and Travel expenses in the amount of \$650.00. All present voted "Aye." MOTION PASSED.

36870 RATIFY THE EXECUTION OF AMENDMENT NO. 3 TO THE GENERAL LAND OFFICE (GLO) CONTRACT NO. 18-501-000-B226 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM INFRASTRUCTURE PROJECTS NON-RESEARCH & DEVELOPMENT 2015 FLOOD ALLOCATION.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to ratify the execution of Amendment No. 3 to the General Land Office (GLO) Contract No. 18-501-000-B226 Community Development Block Grant Disaster Recovery Program Infrastructure Projects Non-Research & Development 2015 Flood Allocation. All present voted "Aye." MOTION PASSED.

36871 APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT MIKE MALLOW AND CORRECTIONS OFFICER RON STANLEY TO ATTEND THE NATIONAL CONFERENCE ON LAW ENFORCEMENT WELLNESS AND TRAUMA ON NOVEMBER 12-14, 2021 IN OKLAHOMA CITY, OKLAHOMA.

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A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve out of state travel for Lieutenant Mike Mallow and Corrections Officer Ron Stanley to attend the National Conference on Law Enforcement Wellness and Trauma on November 12-14, 2021 in Oklahoma City, Oklahoma. All present voted "Aye." MOTION PASSED.

36872 AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE ATTORNEY GENERAL TO THE SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION FOR THE INVESTIGATIONS OF INTERNET CRIMES AGAINST CHILDREN (ICAC) AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from The Office of the Attorney General to the Sheriff's Office Criminal Investigation Division for the investigations of Internet Crimes Against Children (ICAC) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36873 RATIFY THE ACCEPTANCE OF A \$100.00 DONATION TO THE SHERIFF'S OFFICE AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Smith stated he would like to recognize Officer Azar for his professionalism and service. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the acceptance of a \$100.00 donation to the Sheriff's Office and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36874 APPROVE THE EXTENSION OF THE CARRY OVER LIMIT OF EMPLOYEE VACATION TIME FOR FY 2021 TO DECEMBER 31, 2021.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the extension of the carry over limit of employee vacation time for FY 2021 to December 31, 2021. All present voted "Aye." MOTION PASSED.

36875 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF RESOLUTION TO THE TEXAS INDIGENT DEFENSE COMMISSION (TIDC) FOR THE FY22 FORMULA GRANT PROGRAM.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the submission of a grant application and execution of resolution to the Texas Indigent Defense Commission (TIDC) for the FY22 Formula Grant Program. All present voted "Aye." MOTION PASSED.

36876 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A GENERAL AND NO LITIGATION CERTIFICATE OF HAYS COUNTY AND CERTIFICATE OF APPROVAL OF ISSUANCE OF TAX-EXEMPT MULTIFAMILY HOUSING REVENUE BONDS FOR BALCONES TRAILS APARTMENTS, LOCATED IN KYLE, HAYS COUNTY, TEXAS.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a General and No Litigation Certificate of Hays County and Certificate of Approval of Issuance of Tax-Exempt Multifamily Housing Revenue Bonds for Balcones Trails Apartments, located in Kyle, Hays County, Texas. All present voted "Aye." MOTION PASSED.

36877 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A GENERAL AND NO LITIGATION CERTIFICATE OF HAYS RELATED TO THE ISSUANCE OF BONDS BY CAPITAL AREA HOUSING FINANCE CORPORATION FOR LOCKHART FARMS APARTMENTS, LOCATED LOCKHART, CALDWELL COUNTY, TEXAS, THE NARROWS APARTMENTS, LOCATED IN HUTTO, WILLIAMSON COUNTY, TEXAS.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Lockhart Farms Apartments, located Lockhart, Caldwell County, Texas, The Narrows Apartments, located in Hutto, Williamson County, Texas. All present voted "Aye." MOTION PASSED.



- 36878 APPROVE SPECIFICATIONS FOR IFB 2022-B01 DUTY & TRAINING AMMUNITION AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for IFB 2022-B01 Duty & Training Ammunition and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

- 36879 ACCEPT A \$10,000 CONTRIBUTION FROM THE ANN V FARR MEMORIAL FOUNDATION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept a \$10,000 contribution from the Ann V Farr Memorial Foundation on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36880 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE PERFORMANCE BOND NO. SUR0070209 IN THE AMOUNT OF \$1,111,890.25 FOR ROAD PAVEMENT IMPROVEMENTS IN THE TRAILS AT WINDY HILL SUBDIVISION, PHASE 6.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Performance Bond No. SUR0070209 in the amount of \$1,111,890.25 for road pavement improvements in the Trails at Windy Hill Subdivision, Phase 6. All present voted "Aye." MOTION PASSED.

- 36881 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE PERFORMANCE BOND NO. SUR0070208 IN THE AMOUNT OF \$572,129.75 FOR ROAD PAVEMENT IMPROVEMENTS IN THE TRAILS AT WINDY HILL SUBDIVISION, PHASE 7.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Performance Bond No. SUR0070208 in the amount of \$572,129.75 for road pavement improvements in the Trails at Windy Hill Subdivision, Phase 7. All present voted "Aye." MOTION PASSED.

- 36882 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 4 FOR A TIME EXTENSION TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LOCKWOOD, ANDREWS & NEWMAN, INC. FOR RIGHT OF WAY SERVICES ON THE FM 110 PROJECT IN HAYS COUNTY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Supplemental Agreement No. 4 for a time extension to the Professional Services Agreement between Hays County and Lockwood, Andrews & Newman, Inc. for Right of Way services on the FM 110 project in Hays County. All present voted "Aye." MOTION PASSED.

- 36883 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION BGE, INC. TO PROVIDE PROFESSIONAL DESIGN SERVICES FOR THE ROBERT S. LIGHT PROJECT IN PRECINCT 2; 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 BGE, Inc. to provide professional design services for the Robert S. Light project in Precinct 2; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

- 36884 DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$630,111.91 FOR DRIFTWOOD PHASE 1, SECTION 3 (BOND # 1001130681).**



A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for the construction of street and drainage improvements in the amount of \$630,111.91 for Driftwood Phase 1, Section 3 (Bond # 1001130681). All present voted "Aye." MOTION PASSED.

36885 DISCUSSION AND POSSIBLE ACTION TO ABANDON A PORTION OF COUNTY ROAD #169 IN PRECINCT 4; AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A QUIT CLAIM DEED RELATED TO SAID ABANDONMENT.

Dan Lyon made a public comment. Commissioner Smith stated the owner previously allowed neighbors to use the road, but the County has never maintained this road. Mark Kennedy stated the second recital can be updated to include "has not been utilized by the public for more than 30 years". A motion was made by Commissioner Smith, seconded by Commissioner Shell to abandon a portion of county road #169 in Precinct 4; and to authorize the County Judge to execute a Quit Claim Deed related to said abandonment. All present voted "Aye." MOTION PASSED.

36886 PLN-1774-PC; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE REPLAT OF LOT 12, LOS RANCHOS SUBDIVISION; HOLD A PUBLIC HEARING.

Judge Becerra opened the public hearing at 10:51 a.m. No comments were made. Judge Becerra closed the public hearing at 10:52 a.m. Colby Machacek, County Planner, stated there is staff recommendation. A motion was made by Commissioner Smith, seconded by Commissioner to approve the final plat of the Replat of Lot 12, Los Ranchos Subdivision. All present voted "Aye." MOTION PASSED.

36887 DISCUSSION AND POSSIBLE ACTION TO EXECUTE A MASTER SERVICES & PURCHASE AGREEMENT WITH MUNISSON, LLC RELATED TO THE HAYS COUNTY WEBSITE REFRESH PROJECT.

Jeff McGill, Director of IT, stated we have an opportunity to migrate to a new content management system and give a more robust website. The additional expenses were added to the budget. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Master Services & Purchase Agreement with Munission, LLC related to the Hays County website refresh project. All present voted "Aye." MOTION PASSED.

36888 DISCUSSION AND POSSIBLE ACTION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE PRE-FILE ACTIVE CASE JUDGE ASSIGNMENT FEATURE.

Jeff McGill, Director of IT, stated this item is the second part of the Pre-file process for Misdemeanors. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute a Professional Services Agreement with Tyler Technologies, Inc. for the Pre-file Active Case Judge Assignment feature. All present voted "Aye." MOTION PASSED.

36889 DISCUSSION AND POSSIBLE ACTION TO EXECUTE A LICENSE AND SERVICES AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE JURY MANAGER SOFTWARE.

Jeff McGill, Director of IT, stated this is an item that they have been looking at for years. The current Jury management package is standalone and not directly integrated with the other Odyssey products. Beverly Crumley, District Clerk, stated the new program will allow more answering options for jurors and help streamline the courtroom process. She stated this product will also save on postage since the system will run an address check prior to the summons being mailed out. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to execute a License and Services Agreement with Tyler Technologies, Inc. for the Jury Manager Software. All present voted "Aye." MOTION PASSED.

36890 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE SULLIVAN CONTRACTING SERVICES TO RENOVATE THE INTERIOR AND EXTERIOR OF THE LBJ MUSEUM IN THE AMOUNT OF \$44,444.81 AND AMEND THE BUDGET ACCORDINGLY.



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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize Sullivan Contracting Services to renovate the interior and exterior of the LBJ Museum in the amount of \$44,444.81 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36891 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF A \$2,000,000 LETTER OF AGREEMENT BETWEEN HAYS COUNTY AND CHRISTUS SANTA ROSA HOSPITAL (CSRSM) AS BUDGETED FOR FY2022 RELATED TO INDIGENT HEALTH CARE COSTS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a \$2,000,000 Letter of Agreement between Hays County and CHRISTUS Santa Rosa Hospital (CSRSM) as budgeted for FY2022 related to indigent health care costs. All present voted "Aye." MOTION PASSED.

36892 DISCUSSION AND POSSIBLE ACTION FOR FUNDING OF A FEASIBILITY STUDY FOR A CENTRALIZED REGIONAL ANIMAL SHELTER.

Sharri Boyett made a public comment in favor of the study. Elaine Cardenas, County Clerk, read a public comment emailed by Lauren Loney and Jennifer Hayes in favor of the study. Judge Becerra stated the RFP is the next step in this process. Commissioner Shell stated multiple regionalized centers may be a better option. Commissioner Ingalsbe stated she agrees to amending her motion to begin an RFQ process. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner to Shell to fund a Feasibility Study for a Centralized Regional Animal Shelter and begin the RFQ process. All present voted "Aye." MOTION PASSED.**

36893 DISCUSSION AND POSSIBLE ACTION TO CONSIDER AN OUTSIDE CONTRACTOR TO INSTALL HOLIDAY LIGHTING AT THE HISTORIC COURTHOUSE GROUNDS AND AMEND THE BUDGET ACCORDINGLY.

Judge Becerra spoke on Sights & Sounds in San Marcos. Anita Collins spoke. Commissioner Shell asked if there was an amount requested. Commissioner Smith stated he would like to hear from the vendors. Vickie Dorsett, First Assistant Auditor, stated the Tobacco fund would be used to set money aside. **An amended motion was made by Judge Becerra, seconded by Commissioner Jones to move up to \$25,000.00 to County Wide Operations for execution of contracts as described and any additional costs within that amount, with the recommendations from Historical Commission. All present voted "Aye." MOTION PASSED.**

36894 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE RENAMING OF A STREET NAME AS ORIGINALLY PLATTED IN HEADWATERS AT BARTON CREEK PHASE 4, SECTION 3 AND HEADWATERS AT BARTON CREEK PHASE 4, SECTION 4.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the renaming of a street name as originally platted in Headwaters at Barton Creek Phase 4, Section 3 and Headwaters at Barton Creek Phase 4, Section 4. All present voted "Aye." MOTION PASSED.

DISCUSSION REGARDING ACTIVITIES RELATED TO THE REDISTRICTING ADVISORY COMMISSION. POSSIBLE ACTION MAY FOLLOW.

Teresa Carbajal Ravet, President of the League of Women Voters of Hays County, spoke on the redistricting process. Dr. Linda Calvert spoke on the redistricting process. Larry Calvert spoke on the redistricting process. Susan Raybuck spoke on the redistricting process. Mark Kennedy, General Counsel, spoke on the next steps for this ongoing process. Commissioner Jones stated no maps have been presented at this time and that no instruction was given to protect incumbency to the committee by the Court as previously commented by Mr. Larry Calvert. No action taken.

36895 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SEVENTH AMENDMENT TO THE HEALTH CARE SERVICES AGREEMENT WITH WELLPATH, LLC FOR THE JAIL DIVISION AT THE SHERIFF'S OFFICE AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH 262.024(A)(4).



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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Seventh Amendment to the Health Care Services Agreement with Wellpath, LLC for the Jail Division at the Sheriff's Office and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch 262.024(a)(4). All present voted "Aye." MOTION PASSED.

36896 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SECOND AMENDMENT TO THE HEALTH CARE SERVICES AGREEMENT WITH WELLPATH, LLC FOR THE JUVENILE DETENTION FACILITY AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH 262.024(A)(4).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner to Shell authorize the County Judge to execute a Second Amendment to the Health Care Services Agreement with Wellpath, LLC for the Juvenile Detention Facility and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch 262.024(a)(4). All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, DIRECTOR OF COUNTYWIDE OPERATIONS AND DEVELOPMENT SERVICES DIRECTOR.

No action taken.

36897 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF RIGHT OF WAY LOCATED AT OR NEAR FM 621 IN PCT. 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize acceptance of landowners' counteroffer for the acquisition of "Parcel" Right of Way along FM 621 in Precinct 1 of Hays County; as presented in Executive Session; and to authorize General Counsel to execute all documents incidental to closing. All present voted "Aye." MOTION PASSED.

36898 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; AND REGARDING POSAC REVIEWING CRITERIA. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner to Smith to authorize adoption of a resolution regarding project proposals before the Parks and Open Space Advisory Commission, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize General Counsel to execute a letter of intent as discussed in Executive Session regarding Hays County's acquisition of at least 117 acres of real property in Precinct 3 from the Wimberly Valley Water Shed Association Project commonly known as Coleman's Canyon. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #47 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.

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Judge Becerra read the Sheriff's update of the inmate population. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 603, with a peak of 607 on September 28, 2021. The estimated cost for outsourcing inmates was \$74,173.00 for the week of September 26 – October 2, 2021. The number of arrests made by agency are as follows; Buda Police Department - 9, Department of Public Safety - 2, Hays County Sheriff's Department – 57 (this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies), Constable Precinct 1 - 3, Kyle Police Department - 22, San Marcos Police Department - 26, Texas State Police Department - 1. No action 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.

Commissioner Smith gave an update to the court regarding House and Senate Bills pertaining to redistricting. No action taken.

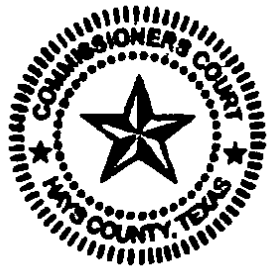
Clerk's Note Agenda Item #50 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEED WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.*

Clerk's Note Agenda Item #51 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 12:45 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on October 5, 2021.



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

