

HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 23, 2021

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 23<sup>RD</sup> DAY OF NOVEMBER 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:**

Rabbi Ahron Heingarten 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**

Ahron Heingarten made a public comment calling for education on diversity and religious freedom throughout the County and invited the community to join in the Menorah lighting December 1<sup>st</sup> on the Courthouse lawn. James Reece made a public comment asking for a written rule concerning the Commissioners Court's receipt of documents. Jim Camp made a public comment congratulating the Buda community for passing Prop B on the November 2021 Ballot and urged the Commissioner's Court to consider supporting the project proposals listed therein. Dan Lyon made a public comment describing a friend's experience with a local corporation and called for the Commissioner's Court to repeal the corporation's Chapter 381 status on grounds of age discrimination. Rodrigo Amaya made a public comment stating that Precinct 1 patrol unit markings are illegal. He also stated that the overtime of a Precinct 2 constable needs to be investigated. He then questioned if the appointment of a constable in Wimberley who he believes to be a real estate agent is a conflict of interest. Eric Martinez made a public comment denouncing increased incarceration and the number of individuals being held pretrial. He spoke in favor of the County investing in a Public Defenders Office, specifically thanking Commissioner Shell, Judge Becerra, and Commissioner Ingalsbe for their leadership on this initiative. Sam Benavidez gave a public comment in favor of a Public Defenders Office and supported Neighborhood Defender Service's bid to bring the concept to life.

**37011 ADOPT A PROCLAMATION RECOGNIZING THE 30TH ANNIVERSARY OF THE SAN MARCOS TOASTMASTERS.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation Recognizing the 30th Anniversary of the San Marcos Toastmasters. All present voted "Aye." MOTION PASSED.

**37012 ADOPT A PROCLAMATION RECOGNIZING THE HISTORICAL AND CULTURAL SIGNIFICANCE OF THE SOUTHSIDE MEXICAN SCHOOL.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing the Historical and Cultural significance of the Southside Mexican School. All present voted "Aye." MOTION PASSED.

**37013 ADOPT A PROCLAMATION DECLARING NOVEMBER 2021 AS NATIVE AMERICAN HERITAGE MONTH AND NOVEMBER 26TH AS NATIVE AMERICAN HERITAGE DAY IN HAYS COUNTY.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring November 2021 as Native American Heritage Month and November 26th as Native American Heritage Day in Hays County. All present voted "Aye." MOTION PASSED.



**PRESENTATION BY HALFF ASSOCIATES AND MEMBER(S) OF THE PARKS AND OPEN SPACE ADVISORY COMMISSION (POSAC) REGARDING POSAC'S ASSESSMENT OF PARKS AND OPEN SPACE PROJECT APPLICATIONS.**

Ray Tilley gave a public comment in favor of parks and open space projects, specifically praising the Roy Creek Canyon project. Tilley stated that these projects are efficient and good use of taxpayer funds that are also very popular. He finally asked that these assessments and projects become a more regular effort. Scott Way, Chair of the Parks and Open Space Advisory Commission, thanked the team for their efforts and opened the floor for Halff Associates. James Hemenes presented on behalf of Halff Associates, giving project recommendations from two rounds of assessment in the following categories: Urban Parks, Open Space and Natural Areas, and Connectivity. Alexandra Thompson, Hays County Natural Resources Coordinator, gave an update on grant pursuits. Commissioners and Judge Becerra discussed how to proceed with project recommendations; with General Counsel commenting that implementing each project will likely take several stages in future meetings. No action taken.

**37014 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.

**37015 APPROVE PAYMENTS OF JUROR CHECKS.**

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

**37016 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.

**37017 APPROVE THE PAYMENT OF THE NOVEMBER 30, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,600,000.00 EFFECTIVE NOVEMBER 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 November 30, 2021 payroll disbursements in an amount not to exceed \$4,600,000.00 effective November 30, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**37018 APPROVE THE RE-APPOINTMENTS OF STEVE JANDA AND MARILYN MILLER TO THE BOARD OF EMERGENCY SERVICE DISTRICT (ESD)#6, TWO YEAR TERMS ENDING DECEMBER 31, 2023.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the re-appointments of Steve Janda and Marilyn Miller to the board of Emergency Service District (ESD) #6, two year terms ending December 31, 2023. All present voted "Aye." MOTION PASSED.

**37019 APPROVE THE REAPPOINTMENTS OF STACI DEMENT, MARIA CRISTINA NELSON AND DARRELL DEBISH FOR THE BOARD OF EMERGENCY SERVICES DISTRICT #1, TWO YEAR TERMS ENDING DECEMBER 31, 2023.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the reappointments of Staci Dement, Maria Cristina Nelson and Darrell Debish for the board of Emergency Services District #1, two year terms ending December 31, 2023. All present voted "Aye." MOTION PASSED.



- 37020      AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO PURCHASE SIX (6) DELL OPTIPLEX ALL IN ONE COMPUTERS AND SIX (6) MICROSOFT OFFICE, HOME AND BUSINESS LICENSES FOR THE JUVENILE COMPUTER LAB UTILIZING FUNDS FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) REGIONAL DIVERSION GRANT AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Juvenile Probation Department to purchase six (6) Dell OptiPlex All in One Computers and six (6) Microsoft Office, Home and Business licenses for the Juvenile Computer lab utilizing funds from the Texas Juvenile Justice Department (TJJD) Regional Diversion Grant and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37021      AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO PURCHASE ONE (1) DELL OPTIPLEX COMPUTER FOR THE GED PROGRAM UTILIZING FUNDS FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) STATE AID GRANT AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Juvenile Probation Department to purchase one (1) Dell OptiPlex Computer for the GED Program utilizing funds from the Texas Juvenile Justice Department (TJJD) State Aid Grant and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37022      APPROVE THE REAPPOINTMENT OF KYLE MYLIUS TO SERVE ON THE TAX INCREMENT REINVESTMENT ZONE (TIRZ) NUMBER 5 (DOWNTOWN) BOARD OF DIRECTORS FOR A TWO-YEAR TERM EXPIRING ON DECEMBER 31, 2023.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the reappointment of Kyle Mylius to serve on the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors for a two-year term expiring on December 31, 2023. All present voted "Aye." MOTION PASSED.

- 37023      AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE FY 2022 INTERLOCAL CONTRACT FOR THE NEXT GENERATION 9-1-1 DATABASE PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) FOR EMERGENCY COMMUNICATIONS GEOGRAPHIC INFORMATION SYSTEMS (GIS).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute the FY 2022 Interlocal Contract for the Next Generation 9-1-1 Database Program with the Capital Area Emergency Communications District (CAECD) for emergency communications Geographic Information Systems (GIS). All present voted "Aye." MOTION PASSED.

- 37024      AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO HOST THE ANNUAL LOCAL EMERGENCY PLANNING COMMITTEE LUNCHEON AND UTILIZE UP TO BUT NOT EXCEEDING \$800.00 TO PROVIDE LUNCH TO ATTENDEES.**

Dan Lyon made a public comment against the luncheon expense. Rodrigo Amaya made a public comment expressing concerns with the luncheon expense. Mike Jones, Emergency Services Director, was called upon to speak and explained the cost is due to the boxed lunches costing between \$8-\$10. Judge Becerra spoke in support of ESD drills and multi-organizational efforts nurtured by the luncheon. Commissioner Shell suggested that in the future, corporate sponsors are found to cover and/or share the cost of hosting. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services to host the annual Local Emergency Planning Committee Luncheon and utilize up to but not exceeding \$800.00 to provide lunch to attendees. All present voted "Aye." MOTION PASSED.**

- 37025      APPROVE SPECIFICATIONS FOR IFB 2022-B05 COUNTYWIDE PORTABLE TOILETS AND HANDWASHING STATIONS RENTAL SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

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A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve specifications for IFB 2022-B05 Countywide Portable Toilets and Handwashing Stations Rental Services and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

**37026        APPROVE THE REAPPOINTMENT OF COUNTY JUDGE RUBEN BECERRA TO THE CARTS BOARD OF DIRECTORS, A TWO-YEAR TERM ENDING DECEMBER 31, 2023.**

Dan Lyon made a public comment in favor of Judge Becerra's reappointment and suggested that the CARTs office should make their routing less confusing for riders. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the reappointment of County Judge Ruben Becerra to the CARTS Board of Directors, a two-year term ending December 31, 2023. All present voted "Aye." MOTION PASSED.

**37027        AUTHORIZE PAYMENT OF \$517.90 TO SHERWIN-WILLIAMS WHERE NO PURCHASE ORDER WAS IN PLACE AS PER THE PURCHASING POLICY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment of \$517.90 to Sherwin-Williams where no purchase order was in place as per the purchasing policy. All present voted "Aye." MOTION PASSED.

**37028        APPROVE AND EXECUTE THE SHERIFF'S OFFICE EQUITABLE SHARING AND AGREEMENT CERTIFICATION IN ACCORDANCE WITH THE STATUTES AND GUIDELINES THAT GOVERN THE FEDERAL EQUITABLE SHARING PROGRAM.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve and execute the Sheriff's Office Equitable Sharing and Agreement Certification in accordance with the statutes and guidelines that govern the Federal Equitable Sharing Program. All present voted "Aye." MOTION PASSED.

**37029        AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH TRAVIS COUNTY FOR THE FY 2022 SHERIFF'S COMBINED AUTO THEFT TASK FORCE (SCATTF) GRANT AWARD.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of an Interlocal Agreement with Travis County for the FY 2022 Sheriff's Combined Auto Theft Task Force (SCATTF) grant award. All present voted "Aye." MOTION PASSED.

**37030        APPROVE UTILITY PERMITS.**

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

**37031        AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE FIFTH AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN MARCOS, HAYS COUNTY, AND LAZY OAKS RANCH, LP IN CONNECTION WITH THE LA CIMA DEVELOPMENT FOR THE ADDITION OF FILM AND TELEVISION PRODUCTION FACILITIES AS A PERMITTED USE AND ESTABLISHING ASSOCIATED DEVELOPMENT STANDARDS.**

Anita Collins, Office of the Hays County Judge, spoke in favor of the agreement and encouraged residents to register their homes and/or businesses at the Texas Film Commission's website if they'd like it to be considered as a filming location. Collins also encouraged municipalities to pass film guidelines. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute the Fifth Amended and Restated Development Agreement between the City of San Marcos, Hays County, and Lazy Oaks Ranch, LP in connection with the La Cima development for the addition of Film and Television Production Facilities as a permitted use and establishing associated development standard. All present voted "Aye." MOTION PASSED.



- 37032      AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE FIRST AMENDMENT TO AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND COMAL COUNTY REGARDING A RATE CHANGE FOR THE HOUSING AND CARE OF HAYS COUNTY INMATES FROM \$65.00 PER INMATE PER DAY TO \$85.00 PER INMATE PER DAY, EFFECTIVE JANUARY 1, 2022.**

Commissioner Jones asked if we expect more rate changes soon. Chief Davenport said he does not expect any more increases. A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute the first amendment to an Interlocal Cooperation Agreement between Hays County and Comal County regarding a rate change for the housing and care of Hays County inmates from \$65.00 per inmate per day to \$85.00 per inmate per day, effective January 1, 2022. All present voted "Aye." MOTION PASSED.

- 37033      APPROVE SPECIFICATIONS FOR IFB 2022-B06 ROAD BUILDING MATERIALS - LIMESTONE ROCK ASPHALT, COLD MIX AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve specifications for IFB 2022-B06 Road Building Materials - Limestone Rock Asphalt, Cold Mix and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

- 37034      APPROVE SPECIFICATIONS FOR IFB 2022-B07 ROAD BUILDING MATERIALS - HOT MIX THIN OVERLAY AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve specifications for IFB 2022-B07 Road Building Materials - Hot Mix Thin Overlay and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

- 37035      AUTHORIZE THE DISTRICT COURT TO PURCHASE ONE REPLACEMENT DELL LATITUDE 5420 LAPTOP WITH ACCESSORIES FOR THE 428<sup>TH</sup> JUDICIAL DISTRICT JUDGE AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the District Court to purchase one replacement Dell Latitude 5420 Laptop with accessories for the 428<sup>th</sup> Judicial District Judge and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37036      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY AND TEXAS A&M AGRILIFE EXTENSION SERVICE REGARDING A PARTNERSHIP BETWEEN THE TWO IN REPRESENTING THE CITIZENS OF HAYS COUNTY WITH A COUNTY EXTENSION PROGRAM.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute a Cooperative Agreement between Hays County and Texas A&M AgriLife Extension Service regarding a partnership between the two in representing the citizens of Hays County with a County Extension Program. All present voted "Aye." MOTION PASSED.

- 37037      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT TERMINATION NOTICE WITH KONE, INC. RELATED TO THE ELEVATOR PREVENTATIVE MAINTENANCE AGREEMENT.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute a Contract Termination Notice with Kone, Inc. related to the Elevator Preventative Maintenance Agreement. All present voted "Aye." MOTION PASSED.

- 37038      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT WITH OTIS ELEVATOR COMPANY RELATED TO ELEVATOR MAINTENANCE AND REPAIR SERVICES PURSUANT TO RFP 2021-P01.**





A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute a Contract Amendment with OTIS Elevator Company related to Elevator Maintenance and Repair Services pursuant to RFP 2021-P01. All present voted "Aye." MOTION PASSED.

**37039      APPROVE EXTENSION OF IFB 2017-B02 COUNTYWIDE DUMPSTERS WITH TEXAS DISPOSAL SYSTEMS FOR AN ADDITIONAL PERIOD NOT TO EXCEED 62 DAYS (JANUARY 31, 2022).**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve extension of IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for an additional period not to exceed 62 days (January 31, 2022). All present voted "Aye." MOTION PASSED.

**37040      AUTHORIZE PAYMENT TO GRUENE HARLEY DAVIDSON IN THE AMOUNT OF \$932.50 FOR THE CONSTABLE PCT. 5 OFFICE RELATED TO REPAIRS TO THE 2020 HARLEY DAVIDSON MOTORCYCLE WHERE NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.**

Rodrigo Amaya made a public comment against the spending for this item. A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize payment to Gruene Harley Davidson in the amount of \$932.50 for the Constable Pct. 5 Office related to repairs to the 2020 Harley Davidson Motorcycle where no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

**37041      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT WITH WATER AND EARTH TECHNOLOGIES, INC. RELATED TO THE PROFESSIONAL SERVICES AGREEMENT FOR ANNUAL FIELD MAINTENANCE, EFFECTIVE OCTOBER 1, 2021 AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH. 262.024(A)(7)(D).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Contract Amendment with Water and Earth Technologies, Inc. related to the Professional Services Agreement for Annual Field Maintenance, effective October 1, 2021 and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D). All present voted "Aye." MOTION PASSED.

**37042      APPROVE SPECIFICATIONS FOR RFP 2022-P03 HAYS COUNTY MENTAL HEALTH NEEDS ASSESSMENT AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

Marisol Villarreal-Alonzo, County Auditor, asked for specifications on who would serve on the assessment committee. Commissioner Smith and Judge Becerra each volunteered to serve on the committee. A lengthy discussion was had proposing other appropriate committee members. Commissioner Shell suggested recruiting an expert advisor from Hill Country Mental Health. The Court agreed to continue pursuing appropriate members. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for RFP 2022-P03 Hays County Mental Health Needs Assessment and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

**37043      APPROVE SPECIFICATIONS FOR RFP 2022-P04 PUBLIC DEFENDER'S OFFICE AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for RFP 2022-P04 Public Defender's Office and authorize Purchasing to solicit for bids and advertise). All present voted "Aye." MOTION PASSED.

**37044      HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO REDUCE THE CURRENT SPEED LIMIT OF 35 MPH TO 30 MPH ON CROSSWINDS PARKWAY IN CROSSWINDS SUBDIVISION FROM WINDY HILL ROAD TO NAUTICAL LOOP, PER A RECENT TRAFFIC STUDY.**

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Judge Becerra opened the public hearing at 10:42 a.m. No comments were made. Judge Becerra closed the public hearing at 10:42 a.m. Commissioner Ingalsbe gave background on the public input leading to the agenda item. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to reduce the current speed limit of 35 MPH to 30 MPH on Crosswinds Parkway in Crosswinds subdivision from Windy Hill Road to Nautical Loop, per a recent traffic study. All present voted "Aye." MOTION PASSED.**

**37045 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A 3-WAY STOP LOCATION ON CAMPO DEL SOL PARKWAY AT THE INTERSECTION OF SATSUMA DRIVE IN SUNFIELD SUBDIVISION.**

Judge Becerra opened the public hearing at 10:43 a.m. No comments were made. Judge Becerra closed the public hearing at 10:43 a.m. Commissioner Jones gave background on the need for a stop sign. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a 3-way stop location on Campo Del Sol Parkway at the intersection of Satsuma Drive in Sunfield subdivision. All present voted "Aye." MOTION PASSED.**

**37046 DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON DECEMBER 7, 2021 TO ESTABLISH A "YIELD" SIGN ON BOTH SIDES OF THE LOW-WATER CROSSING ON TRAUTWEIN ROAD FOR SAFETY.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on December 7, 2021 to establish a "Yield" sign on both sides of the low-water crossing on Trautwein Road for safety. All present voted "Aye." MOTION PASSED.

**37047 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE MAINTENANCE BOND #1060749 IN THE AMOUNT OF \$156,832.00, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SUNFIELD SUBDIVISION, PHASE 2, SECTION 9.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to release the maintenance bond #1060749 in the amount of \$156,832.00, and to accept roads into the county road maintenance system for Sunfield subdivision, Phase 2, Section 9. All present voted "Aye." MOTION PASSED.

**37048 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE MAINTENANCE BOND #1045316 IN THE AMOUNT OF \$1,117,247.50, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SUNFIELD SUBDIVISION, PHASE 2, SECTION 6.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to release the maintenance bond #1045316 in the amount of \$1,117,247.50, and accept roads into the county road maintenance system for Sunfield subdivision, Phase 2, Section 6. All present voted "Aye." MOTION PASSED.

**37049 DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON DECEMBER 7, 2021 TO ESTABLISH A "NO THRU TRUCK TRAFFIC" ZONE ON YORK CREEK ROAD, A SEGMENT OF FRANCIS HARRIS LANE, AND A SEGMENT OF SOECHTING LANE.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to call for a public hearing on December 7, 2021 to establish a "No Thru Truck Traffic" zone on York Creek Road, a segment of Francis Harris Lane, and a segment of Soechting Lane. All present voted "Aye." MOTION PASSED.

**37050 DISCUSSION AND POSSIBLE ACTION TO APPROVE AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE RM 12 AT WINTERS MILL PARKWAY AND RM 3237 AT WINTERS MILL PARKWAY INTERSECTION IMPROVEMENTS AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ADVANCE FUNDING AGREEMENT AMENDMENT #1 ON BEHALF OF HAYS COUNTY.**

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A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Amendment #1 to the Advance Funding Agreement between Hays County and the Texas Department of Transportation (TxDOT) for the RM 12 at Winters Mill Parkway and RM 3237 at Winters Mill Parkway Intersection Improvements and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County. All present voted "Aye." MOTION PASSED.

**PLN-1756-PC; HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE DOUGLAS ESTATES SUBDIVISION, LOT D-40, REPLAT.**

Judge Becerra opened the public hearing at 10:46 a.m. No comments were made. Judge Becerra closed the public hearing at 10:46 a.m. Colby Machacek, County Planner, provided background for this agenda item. No motion or second made. No action taken.

**37051 PLN-1798-PC; HOLD A PUBLIC HEARING HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE HURLBUT RANCH WEST, LOT 17A, REPLAT.**

Judge Becerra opened the public hearing at 10:48 a.m. No comments were made. Judge Becerra closed the public hearing at 10:48 a.m. Colby Machacek, County Planner, provided background for this agenda item. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat of the Hurlbut Ranch West, Lot 17A, Replat. All present voted "Aye." MOTION PASSED.

**37052 PLN-1802-PC; CALL FOR A PUBLIC HEARING ON DECEMBER 7, 2021 TO DISCUSS POSSIBLE ACTION REGARDING THE BELL SPRINGS RANCHES SUBDIVISION, SECTION 1, LOT 2, REPLAT.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a Public Hearing on December 7, 2021 to discuss possible action regarding the Bell Springs Ranches Subdivision, Section 1, Lot 2, Replat. All present voted "Aye." MOTION PASSED.

**37053 PLN-1846; CALL FOR A PUBLIC HEARING ON DECEMBER 21, 2021 REGARDING THE DISCUSSION AND POSSIBLE ACTION TO CANCEL LOT 2-A IN THE HENDERSON SUBDIVISION.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a Public Hearing on December 21, 2021 regarding the discussion and possible action to Cancel Lot 2-A in the Henderson Subdivision. All present voted "Aye." MOTION PASSED.

**37054 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE ADDITION OF FOUR AUTEL ROBOTICS UNMANNED AIRCRAFT TO THE HAYS COUNTY GENERAL AND LAW ENFORCEMENT LIABILITY COVERAGE WITH AN ANNUAL PREMIUM OF \$2,500.00.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize addition of four Autel Robotics unmanned aircraft to the Hays County General and Law Enforcement liability coverage with an annual premium of \$2,500.00. All present voted "Aye." MOTION PASSED.

**37055 DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND MAVERICK COUNTY REGARDING HOUSING OF HAYS COUNTY INMATES AT THE MAVERICK COUNTY JAIL FOR THE HOUSING AND CARE OF HAYS COUNTY INMATES.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County and Maverick County regarding housing of Hays County inmates at the Maverick County Jail for the housing and care of Hays County inmates. All present voted "Aye." MOTION PASSED.





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- 37056 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND VISTA PLANNING & DESIGN RELATED TO THE CONTINUATION OF THE SENTINEL PEAK PRESERVE PHASE ONE CONCEPTUAL MASTER PLAN AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO LOCAL GOVERNMENT CODE, CHAPTER 262.024(A)(4).**

Commissioner Shell gave background on this agenda item. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement (PSA) between Hays County and Vista Planning & Design related to the continuation of the Sentinel Peak Preserve Phase One Conceptual Master Plan and authorize a discretionary exemption pursuant to Local Government Code, Chapter 262.024(a)(4). All present voted "Aye." MOTION PASSED.

- 37057 DISCUSSION AND POSSIBLE ACTION TO AMEND THE DEVELOPMENT SERVICES FEE SCHEDULE.**

Marcus Pacheco, Director of Development Services, explained changes to the fee schedule, citing comparable counties' fees, the department's efforts to simplify their fee 'types,' and the last year the fees were changed (2007). A motion was made by Commissioner Shell, seconded by Commissioner Smith to amend the Development Services Fee Schedule. All present voted "Aye." MOTION PASSED.

- 37058 DISCUSSION AND POSSIBLE ACTION TO AMEND THE TRANSPORTATION FEE SCHEDULE.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to amend the Transportation Fee Schedule. All present voted "Aye." MOTION PASSED.

- 37059 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE CORE4 PARTNERSHIP LOGO TO BE USED BY COMMUNITY ACTION, INC.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve the Core4 Partnership logo to be used by Community Action, Inc. All present voted "Aye." MOTION PASSED.

- 37060 DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION AGAINST ANTISEMITISM.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve a Resolution against antisemitism. All present voted "Aye." MOTION PASSED.

- 37061 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE DEVELOPMENT SERVICES DEPARTMENT TO HIRE THE GIS SPECIALIST, SLOT 0232-002 AT THE 50TH PERCENTILE EFFECTIVE DECEMBER 13, 2021.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Development Services Department to hire the GIS Specialist, slot 0232-002 at the 50th percentile effective December 13, 2021. All present voted "Aye." MOTION PASSED.

**Clerk's Note:** Judge Becerra opened Executive Session at 11:15 AM and resumed court at 12:34 PM.

- 37062 EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute documents related to the acceptance of the Janssen opioid settlement, including the Janssen settlement agreement, as presented in Executive Session. All present voted "Aye." MOTION PASSED.



NOVEMBER 23, 2021

**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 taken.

**37063 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE POSITIONS OF THE HAYS COUNTY FIRE MARSHAL AND THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES DIRECTOR; AND REGARDING STATE STATUTES ON FIRE CODE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to regrade the Hays County Fire Marshal position slot 0980-001 from a grade 115 to a grade 116, effective immediately. All present voted "Aye." MOTION PASSED.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF REAL PROPERTY LOCATED ON OR NEAR STAGECOACH TRAIL IN SAN MARCOS, TEXAS AND WITHIN PRECINCT 3. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**Clerk's Note - Agenda Item #58 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT DEEP GOLDEN, PROJECT JUST PEACHY, PROJECT PHOENIX AND PROJECT WILD STRAWBERRY. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT. - WAS PULLED.**

**37064 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Partial Settlement and Condemnation Agreement between Hays County and FM158 Land LTD Yarrington Road Materials LP related to the acquisition of right-of-way to construct the FM110 Project in Precinct 1 of Hays County. All present voted "Aye." MOTION PASSED.

**Clerk's Note - Agenda Item #60 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average on November 18<sup>th</sup> for the week of November 14<sup>th</sup>, 2021, was 612, with a peak of 620 on November 14<sup>th</sup>, 2021. The estimated cost for outsourcing inmates this week was \$75,063.00. The average number of outsourced males is 162 and females is 22. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Guadalupe, and Red River. No action taken.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 23, 2021

**Clerk's Note - Agenda Item #62 RE:** *DISCUSSION AND POSSIBLE ACTION RELATED TO PROPOSED BILLS IN THE 87<sup>TH</sup> SPECIAL SESSION OF THE TEXAS LEGISLATURE AND TO CONSIDER ADOPTION OF RESOLUTION(S) REGARDING PROPOSED BILLS. THE COURT MAY OPT TO WITHDRAW TO EXECUTIVE SESSION DURING THIS ITEM TO CONSULT WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071. - WAS PULLED.*

**Clerk's Note - Agenda Item #63 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 #64 RE:** *DISCUSSION AND POSSIBLE ACTION REGARDING FUNDING RECEIVED OR TO BE RECEIVED BY HAYS COUNTY UNDER THE AMERICAN RESCUE PLAN ACT (ARPA). - WAS PULLED.*

## ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 12:55 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on November 23, 2021.



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

