

HAYS COUNTY COMMISSIONERS' COURT MINUTES



December 7, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 7th DAY OF DECEMBER 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
ROXANNE RODRIGUEZ	DEPUTY COUNTY CLERK

Clerk's Note: Commissioner Smith joined the meeting via TEAMS during Executive Session.

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.

PUBLIC COMMENTS

Dan Lyon made a public comment concerning high property taxes and the Greater San Marcos Partnership. Rodrigo Amaya made a public comment concerning General Counsel and ethics. Kate Johnson, Chair of the Hays County Historical Commission, made a public comment about the Christmas event at the Kyle Railroad Depot and Heritage Center on Saturday, December 11th.

37065 ADOPT A PROCLAMATION DECLARING DECEMBER 5TH - 11TH, 2021 AS NATIONAL INFLUENZA VACCINATION WEEK.

Commissioner Ingalsbe thanked the Hays County Local Health Department. Tammy Crumley, Director of Countywide Operations, introduced the new epidemiologist, Juli Barksdale. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring December 5th - 11th, 2021 as National Influenza Vaccination Week. All present voted "Aye." MOTION PASSED.**

UPDATE ON THE DRIPPING SPRINGS TAX INCREMENT ZONE NO. 1 AND ZONE NO. 2 BY DAVID EDWARDS AND KEENAN SMITH.

David Edwards, Chair of the Board of the Tax Increment Reinvestment Zones 1 and 2 (TIRZ), and Keenan Smith, TIRZ Project Manager, gave a presentation on the progress of the TIRZ and the priority projects in Dripping Springs. Commissioner Smith thanked the presenters and notified the court that projects would be expanding in fiscal quarters 1 and 2 of 2022. Judge Becerra explained that money paid in taxes is reinvested in the same area. No action taken.

37066 APPROVE PAYMENTS OF COUNTY INVOICES.

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

37067 APPROVE PAYMENTS OF JUROR CHECKS.

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

**37068 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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

37069 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 7, 2021, SEPTEMBER 13, 2021 AND SEPTEMBER 20, 2021.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of September 7, 2021, September 13, 2021 and September 20, 2021. All present voted "Aye." MOTION PASSED.

37070 APPROVE THE PAYMENT OF THE DECEMBER 15, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,160,000.00 EFFECTIVE DECEMBER 15, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the payment of the December 15, 2021 payroll disbursements in an amount not to exceed \$3,160,000.00 effective December 15, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

37071 APPROVE THE APPOINTMENTS OF JOHN NETT, CITY OF BUDA ENGINEER AND FLOODPLAIN ADMINISTRATOR AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND CHAD GILPIN, CITY OF DRIPPING SPRINGS ENGINEER, AS THE ALTERNATE VOTING MEMBER.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the appointments of John Nett, City of Buda Engineer and Floodplain Administrator as the primary voting member on the Technical Advisory Committee of CAMPO, and Chad Gilpin, City of Dripping Springs Engineer, as the alternate voting member. All present voted "Aye." MOTION PASSED.

37072 APPROVE THE REAPPOINTMENTS OF JERRY BORCHERDING, DIRECTOR OF TRANSPORTATION, AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND WINTON PORTERFIELD, HAYS COUNTY PLANNER, AS THE ALTERNATE VOTING MEMBER.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the reappointments of Jerry Borcharding, Director of Transportation, as the primary voting member on the Technical Advisory Committee of CAMPO, and Winton Porterfield, Hays County Planner, as the alternate voting member. All present voted "Aye." MOTION PASSED.

37073 APPROVE THE REAPPOINTMENTS OF JIM HOLLIS AND CAROL GREAVES TO SERVE ON THE BOARD OF EMERGENCY SERVICES DISTRICT #8, TWO YEAR TERMS ENDING ON DECEMBER 31, 2023.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the reappointments of Jim Hollis and Carol Greaves to serve on the board of Emergency Services District #8, two year terms ending on December 31, 2023. All present voted "Aye." MOTION PASSED.

37074 APPROVE THE REAPPOINTMENTS OF HALLEY ORTIZ, BERT BRONAUGH, AND JB KOLODZEY TO SERVE ON THE BOARD OF EMERGENCY SERVICES DISTRICT #2, TWO YEAR TERMS ENDING DECEMBER 31, 2023.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the reappointments of Halley Ortiz, Bert Bronaugh, and JB Kolodzey to serve on the board of Emergency Services District #2, two year terms ending December 31, 2023. All present voted "Aye." MOTION PASSED.



- 37075 APPROVE THE REAPPOINTMENT OF PAUL TERRY TO SERVE ON THE BOARD OF EMERGENCY SERVICES DISTRICT #5, A TWO-YEAR TERM ENDING DECEMBER 31, 2023.**

Commissioner Jones gave thanks to the volunteers for the ESDs and committees. and A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the reappointment of Paul Terry to serve on the board of Emergency Services District #5, a two-year term ending December 31, 2023. All present voted "Aye." MOTION PASSED.

- 37076 APPROVE UTILITY PERMITS.**

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

- 37077 AUTHORIZE PRE-PAYMENT TO PEDERNALES ELECTRIC COOPERATIVE (PEC) TO INSTALL ELECTRICAL LINES AND POLES TO ENERGIZE THE HAYS COUNTY PROPERTY AT 125 CAMINO DE RANCHO.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize pre-payment to Pedernales Electric Cooperative (PEC) to install electrical lines and poles to energize the Hays County property at 125 Camino De Rancho. All present voted "Aye." MOTION PASSED.

- 37078 AUTHORIZE THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES TO USE AMERICAN RESCUE PLAN FUNDS IN THE AMOUNT OF \$2,669,000.00 TO INSTALL RADIO EQUIPMENT ON EXISTING STRUCTURES AND USE \$2,929,300.00 TO TRADE-IN/REPLACE EXISTING RADIOS COUNTYWIDE.**

Judge Becerra explained that this item will improve communication and eliminate "dead spots" in the county. Commissioner Ingalsbe asked about countywide funding left from ARPA. Vickie Dorsett, First Assistant Auditor, stated there is about \$4.2 million left. Marisol Alonzo, County Auditor, clarified that the expenditure category has not yet been determined. Commissioner Smith asked to add the amendment to use the remainder of the countywide funds and split the remainder. Commissioner Shell added to make this contingent upon approval by the Auditor's office. A motion was made by Commissioner Shell, seconded by Judge Becerra to use American Rescue Plan funds in the amount of \$2,669,000 to install radio equipment on existing structures and \$2,929,300 to trade in/replace existing radios countywide upon determination by the Auditor's office that ARPA can be used for this and to allocate the difference between what is remaining in the countywide portion of the ARPA Funds; \$500,000 from Precinct 3 bucket, then evenly split the remainder of that amongst Precinct 1, Precinct 2 and Precinct 4. All present voted "Aye." MOTION PASSED.

- 37079 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 Shell, seconded by Commissioner Jones 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.

- 37080 AUTHORIZE PAYMENT TO BECKWITH ELECTRONICS SYSTEMS, LLC IN THE AMOUNT OF \$630.00 FOR THE COUNTY COURT AT LAW OFFICES RELATED TO REPAIRS TO THE CCL #2 COURTROOM MICROPHONE SYSTEM WHERE NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.**

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Rodrigo Amaya made a public comment asking for clarification on the purchasing process. Marisol Alonzo, County Auditor, Judge Becerra, and Commissioner Shell described the purchasing process. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize payment to Beckwith Electronics Systems, LLC in the amount of \$630.00 for the County Court at Law Offices related to repairs to the CCL #2 courtroom microphone system where no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.**

AUTHORIZE PAYMENT TO APPLIED CONCEPTS, INC. IN THE AMOUNT OF \$781.06 FOR THE DEPARTMENT OF PUBLIC SAFETY HAYS COUNTY DIVISION RELATED TO INCREASED CONTRACT COSTS FOR THE TROOPER'S RADAR SYSTEMS.

Rodrigo Amaya made a public comment concerning a discrepancy between the agenda item and the information in the backup. Commissioner Ingalsbe stated the wrong invoice was attached to the agenda item. Jordan Powell, Assistant General Counsel, recommended that the item be tabled since the contract is incorrect. Commissioner Shell commented on the County purchasing for the Department of Public Safety, a state agency. No action taken.

37081 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO ACCEPT A DONATION OF \$733.05 FROM NATURAL DEVELOPMENT AUSTIN, LLC TO PAY FOR THE LOCAL EMERGENCY PLANNING COMMITTEE LUNCHEON AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe thanked La Cima for providing the meals for the luncheons. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services to accept a donation of \$733.05 from Natural Development Austin, LLC to pay for the Local Emergency Planning Committee Luncheon and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

37082 AUTHORIZE THE OFFICE OF GENERAL COUNSEL TO PROVIDE A NOTICE OF TERMINATION TO DRIPPING SPRINGS FOR ITS 1445 AGREEMENT WITH HAYS COUNTY.

Commissioner Smith spoke on the moratorium on development and the ability to renegotiate the agreement with the City of Dripping Springs. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of General Counsel to provide a notice of termination to Dripping Springs for its 1445 Agreement with Hays County. All present voted "Aye." MOTION PASSED.**

37083 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE MAINTENANCE BOND RIDER EXTENSION FROM DNT CONSTRUCTION UNTIL JUNE 12, 2022, FOR THE TURNERSVILLE ROAD & CAMPO DEL SOL PARKWAY EXTENSION PROJECT, MAINTENANCE BOND #PB03016800230M IN THE AMOUNT OF \$121,243.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extension from DNT Construction until June 12, 2022, for the Turnersville Road & Campo Del Sol Parkway Extension project, Maintenance bond #PB03016800230M in the amount of \$121,243.00. All present voted "Aye." MOTION PASSED.

37084 DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON DECEMBER 21, 2021 TO ESTABLISH A "NO PARKING" ZONE ALONG BOTH SIDES OF BLISS SPILLAR ROAD BETWEEN SEPTEMBER SONG DRIVE AND THE END OF BLISS SPILLAR ROAD.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on December 21, 2021 to establish a "No Parking" zone along both sides of Bliss Spillar Road between September Song Drive and the end of Bliss Spillar Road. All present voted "Aye." MOTION PASSED.

37085 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A "NO THRU TRUCK TRAFFIC" ZONE ON YORK CREEK ROAD, A SEGMENT OF FRANCIS HARRIS LANE, AND A SEGMENT OF SOECHTING LANE.

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Judge Becerra opened the public hearing at 10:16 a.m. Abigail Lindsey made a public comment in support of the agenda item and presented a petition of support to the court. Judge Becerra closed the public hearing at 10:18 a.m. Commissioner Ingalsbe stated there is too much thru traffic from trucks taking shortcuts. Commissioner Shell asked about the County's authority to pass this item. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones 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. No motion or second made. No action taken.**

37086 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A "YIELD" SIGN ON BOTH SIDES OF THE LOW-WATER CROSSING ON TRAUTWEIN ROAD FOR SAFETY.

Judge Becerra opened the public hearing at 10:23 a.m. No comments were made. Judge Becerra closed the public hearing at 10:23 a.m. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to establish a "Yield" sign on both sides of the low-water crossing on Trautwein Road for safety. All present voted "Aye." MOTION PASSED.**

37087 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF PAPE-DAWSON ENGINEERS, INC. TO PERFORM CONSTRUCTION ENGINEERING AND INSPECTION (CE&I) SERVICES FOR THE OLD BASTROP RECONSTRUCTION AND SAFETY IMPROVEMENTS PROJECT IN PRECINCT 1; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A WORK AUTHORIZATION UNDER THEIR ON-CALL CE&I CONTRACT.

Commissioner Ingalsbe stated the negotiated contract will come back to court for approval. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of Pape-Dawson Engineers, Inc. to perform Construction Engineering and Inspection (CE&I) services for the Old Bastrop Reconstruction and Safety Improvements project in Precinct 1; and to authorize staff and counsel to negotiate a Work Authorization under their On-Call CE&I contract. All present voted "Aye." MOTION PASSED.**

37088 DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$1,516,062.79 FOR CROSSWINDS, PHASE 5 SUBDIVISION (BOND #K40280649).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept fiscal surety for the construction of street and drainage improvements in the amount of \$1,516,062.79 for Crosswinds, Phase 5 Subdivision (Bond # K40280649). All present voted "Aye." MOTION PASSED.

37089 DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY FOR PAVING, DRAINAGE, AND EROSION SEDIMENTATION CONTROL IMPROVEMENTS IN THE AMOUNT OF \$2,372,341.50 FOR DRIFTWOOD GOLF AND RANCH, PHASE 3 (BOND # 1001136082).

A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept fiscal surety for Paving, Drainage, and Erosion Sedimentation control improvements in the amount of \$2,372,341.50 for Driftwood Golf and Ranch, Phase 3 (Bond # 1001136082). All present voted "Aye." MOTION PASSED.

37090 PLN-1802-PC; HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE BELL SPRINGS RANCHES SUBDIVISION, SECTION 1, LOT 2, REPLAT.

Judge Becerra opened the public hearing at 10:26 a.m. No comments were made. Judge Becerra closed the public hearing at 10:26 a.m. Colby Machacek, County Planner, explained the item. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the Bell Springs Ranches Subdivision, Section 1, Lot 2, Replat. All present voted "Aye." MOTION PASSED.**



- 37091 PLN-1873-PC; DRIPPING SPRINGS RANCH, PHASE 2, LOTS 1C-1 AND 1C-2, AMENDED (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO CONSIDER GRANTING A VARIANCE TO CHAPTER 715 § 3.01(C) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS.**

Colby Machacek, County Planner, and Commissioner Smith explained the item. A motion was made by Commissioner Smith, seconded by Commissioner Jones to grant a variance to Chapter 715 § 3.01(C) of the Hays County Development Regulations. All present voted "Aye." MOTION PASSED.

- 37092 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE NOMINATION OF COMMISSIONER WALT SMITH TO THE URBAN COUNTIES POLICY COMMITTEE FOR THE 2022-2033 TERM.**

Commissioner Smith clarified this item only puts his name on the ballot. Judge Becerra corrected the item to be for the 2022-2023 term. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the nomination of Commissioner Walt Smith to the Urban Counties Policy Committee for the 2022-2023 term. All present voted "Aye." MOTION PASSED.

- 37093 DISCUSSION AND POSSIBLE ACTION TO ALLOCATE FUNDS IN THE AMOUNT OF \$21,000.00 FOR ADDITIONAL FIELD VALIDATION IN RELATION TO BROADBAND MAPPING.**

Simone Corprew, Grant Writer for Hays County, clarified that the company applied for the grant, not the County. Vickie Dorsett, First Assistant Auditor, stated that where funding is pulled from will be determined once a contract is brought back to court. A motion was made by Commissioner Shell, seconded by Commissioner Jones to allocate funds in the amount of \$21,000.00 for additional field validation in relation to broadband mapping. All present voted "Aye." MOTION PASSED.

- 37094 DISCUSSION AND POSSIBLE ACTION TO CONSIDER GRANTING A VARIANCE TO SECTION 10.W.1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND ALLOW ISSUANCE OF DEVELOPMENT PERMITS TO THE OWNER OF 2000 S.**

Commissioner Ingalsbe corrected the address in the item to 2000 S. Hwy 21, as stated in the backup. Colby Machacek, County Planner, and Marcus Pacheco, Director of Development Services, explained the item. Jordan Powell, Assistant General Counsel, stated given the scrivener errors in the agenda item itself, it was ok to move forward with this item because it was sufficiently detailed in the backup. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to grant a variance to Section 10.W.1 of the Hays County Rules for On-Site Sewage Facilities and allow issuance of development permits to the owner of 2000 S. Hwy 21. All present voted "Aye." MOTION PASSED.

- 37095 DISCUSSION AND POSSIBLE ACTION TO ADOPT NEW ELECTION PRECINCTS RESULTING FROM REDISTRICTING CHANGES.**

Shannon Fitzpatrick made a public comment against the outcome of the redistricting process and breaking up voting blocks. Jennifer Anderson, Hays County Elections Administrator, spoke about the number of voters and voting precincts. Steve Floyd, Hays County GIS Program Manager, further described the voting precincts. A motion was made by Commissioner Jones, seconded by Judge Becerra to adopt new election precincts resulting from redistricting changes. All present voted "Aye." MOTION PASSED.

- 37096 DISCUSSION AND POSSIBLE ACTION TO AWARD A CONTRACT FOR IFB 2021-B12 COUNTYWIDE DUMPSTER WITH WASTE CONNECTIONS LONE STAR, INC.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to award a contract for IFB 2021-B12 Countywide Dumpster with Waste Connections Lone Star, Inc. All present voted "Aye." MOTION PASSED.

- 37097 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN HAYS COUNTY AND THE OVERLOOK AT THE PRESERVE, LTD., RELATED TO THE DEVELOPMENT OF REAL PROPERTY LOCATED IN PRECINCT 4 OF HAYS COUNTY.**

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Marcus Pacheco, Director of Development Services, stated there are minor changes requested. Jordan Powell, Assistant General Counsel, detailed the changes being made. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Development Agreement between Hays County and The Overlook at the Preserve, Ltd., related to the development of real property located in Precinct 4 of Hays County. All present voted "Aye." MOTION PASSED.**

37098 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE GENESIS EBONDS LICENSING AND SERVICE PROVIDER AGREEMENT RELATED TO ELECTRONIC BAIL BONDS FOR THE HAYS COUNTY JAIL.

Julissa Villalpando, Captain of the Corrections Bureau, explained that this will result in shorter processing times, save money, and improve accuracy and efficiency. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Genesis eBonds Licensing and Service Provider Agreement related to electronic bail bonds for the Hays County Jail. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 10:45 a.m. and resumed back into open court at 12:33 p.m.

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.

Roxanne Rodriguez, Chief Deputy Clerk, read emailed public comment from Mario Garza, PhD in support of the POSAC recommendation for project funding for the Indigenous Cultures Institute. Judge Becerra acknowledged the receipt of emailed public comments from Ruben A. Arellano, Ph.D., and Andrew Aaron Valdez, which were not read. No action taken.

37099 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.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Office of General Counsel to renegotiate or terminate the Purchase and Sale Agreement between Hays County and Morline Properties, Ltd., should the County's appraisal of 120 Stagecoach Trail be returned at a value less than the contract amount. 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 THE AUDITOR'S OFFICE REGARDING THE EMERGENCY RENTAL ASSISTANCE PROGRAM AND THE EMPLOYMENT AND INDIVIDUAL DUTIES OF ALL POSITIONS CREATED IN RELATION TO THE PROGRAM. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

37100 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 PHOENIX, PROJECT DARK MONDAY AND PROJECT WILD STRAWBERRY. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

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Commissioner Jones described the facility and the jobs it will bring. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Chapter 381 Economic Development Incentives Agreement between Hays County and Redbird Flight Simulations, Inc. related to the establishment of a flight simulation manufacturing business in Kyle, Hays County, Texas. All present voted "Aye." MOTION PASSED.

Clerk's Note - Agenda Item #41 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 number of "paper-ready" inmates who are now wardens of the state is 21. It is costing Hays County \$1,470 per day, \$10,290 per week, and \$44,100 per month to house these inmates. No action taken.

Clerk's Note - Agenda Item #43 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO PROPOSED BILLS IN THE 87TH 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.

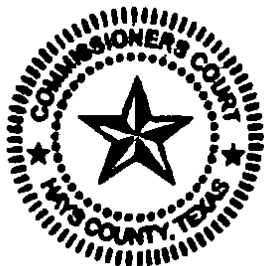
Clerk's Note - Agenda Item #44 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. - WAS PULLED.

Clerk's Note - Agenda Item #45 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 12:39 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 December 7, 2021.



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

