

HAYS COUNTY COMMISSIONERS' COURT MINUTES



DECEMBER 21, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21st 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
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:

Judge Becerra recognized the passing of a lifelong community member, Adam Saucedo. Commissioner Jones gave the invocation, asking for comfort for the Saucedo family. 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

Harvey Jenkins made a public comment in support of Mark Jones's candidacy for County Judge, asked that leadership create a winter storm contingency plan, and raised concerns about alleged misappropriation of funds. Rodrigo Amaya made a public comment on what is unethical in the legal profession, noted the County's Lost Pines water deal and raised concerns about price gouging in the County's towing industry. Dan Lyon made a public comment asking where to receive his bounty for feral hog tails and spoke against the County's taxing policies, especially during COVID-19.

37101 ADOPT A PROCLAMATION TO RECOGNIZE THE CONTRIBUTIONS OF THE LIPAN APACHE TRIBE TO HAYS COUNTY.

Commissioner Jones amended the Proclamation to replace the word "recognize" with "acknowledge" due to the County not having the authority to recognize the tribe. Bernard Barcena, Tribal Chairman of the Lipan Apache Tribe, spoke on the area's rich tribal history and thanked the Court for the Proclamation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a Proclamation to acknowledge the contributions of the Lipan Apache Tribe to Hays County All present voted "Aye." MOTION PASSED.**

37102 APPROVE PAYMENTS OF COUNTY INVOICES.

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

37103 APPROVE PAYMENTS OF JUROR CHECKS.

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

37104 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 21, 2021, OCTOBER 5, 2021 AND OCTOBER 12, 2021, OCTOBER 15, 2021, OCTOBER 19, 2021 AND NOVEMBER 2, 2021.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of September 21, 2021, October 5, 2021 and October 12, 2021, October 15, 2021, October 19, 2021 and November 2, 2021. All present voted "Aye." MOTION PASSED.



37105 APPROVE THE PAYMENT OF THE DECEMBER 31, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,000,000.00 EFFECTIVE DECEMBER 31, 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 Jones to approve the payment of the December 31, 2021 payroll disbursements in an amount not to exceed \$4,000,000.00 effective December 31, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #6 RE: AUTHORIZE COUNTYWIDE OPERATIONS | PERSONAL HEALTH TO PURCHASE TWO (2) DELL LATITUDE 5520 WITH DOCKING, TWO (2) MONITORS, AND TWO (2) ADOBE LICENSES FOR THE TWO NEWLY HIRED POSITIONS WORKING UNDER THE PUBLIC HEALTH WORKFORCE GRANT. – WAS PULLED.

37106 APPROVE AND CONFIRM THE APPOINTMENT OF LEIA BOGGS AS DEPUTY CONSTABLE BAILIFF IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE DECEMBER 21, 2021.

Constable Peterson reintroduced Leia Boggs to the Court and stated she is advancing from a Reserve Deputy Constable to Deputy Constable. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve and confirm the appointment of Leia Boggs as Deputy Constable Bailiff in the Hays County Constable Precinct 1 Office, effective date December 21, 2021. All present voted "Aye." MOTION PASSED.

37107 AUTHORIZE THE SUBMISSION OF A COMMITMENT OF FUNDS LETTER TO THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT, HAZARD MITIGATION GRANT PROGRAM, FOR THE HAYS COUNTY HAZARD MITIGATION PLAN UPDATE PROJECT.

Rodrigo Amaya made a public comment raising concerns about Emergency Services and asked where residents can go to see what has been done in preparation for possible severe winter weather. Judge Becerra noted outreach that has taken place, including Spanish media interviews he has done outlining the emergency plan, the plan being published in the Daily Record, and the plan being available on the County website. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the submission of a commitment of funds letter to the Texas Department of Emergency Management, Hazard Mitigation Grant Program, for the Hays County Hazard Mitigation Plan Update Project. All present voted "Aye." MOTION PASSED.

37108 AUTHORIZE THE EXECUTION OF THE FY 2022 GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDETF), OPERATION CARRERA DE TORTUGAS, AND AMEND THE BUDGET ACCORDINGLY.

Rodrigo Amaya made a public comment concerning the Sheriff's Office and what it is doing to seize drugs. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the FY 2022 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF), Operation Carrera de Tortugas, and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37109 AUTHORIZE THE EXECUTION OF THE FY 2022 GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDETF), OPERATION CATRACHO PIJIN, AND AMEND THE BUDGET ACCORDINGLY.

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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of the FY 2022 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF), Operation Catracho Pijin, and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37110 AUTHORIZE THE SHERIFF'S OFFICE TO USE SALARY SAVINGS FOR PROFESSIONAL WELLNESS SERVICES WITH TANIA GLENN & ASSOCIATES, PA AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Sheriff's Office to use salary savings for professional wellness services with Tania Glenn & Associates, PA and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37111 AMEND THE JAIL'S OPERATING BUDGET FOR HVAC REPAIRS IN WHICH INSURANCE PROCEEDS WERE RECEIVED.

Rodrigo Amaya made a public comment asking for justification of the expense. Commissioner Shell commented that the expense was incurred due to lightning damage. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Amend the Jail's Operating budget for HVAC repairs in which insurance proceeds were received. All present voted "Aye." MOTION PASSED.

37112 APPROVE EXTENSION OF RFP 2016-P06 BANK DEPOSITORY WITH SAGE CAPITAL BANK, N.A. FOR A PERIOD NOT TO EXCEED 90 DAYS (MARCH 31, 2022) AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve extension of RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 90 days (March 31, 2022) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37113 APPROVE THE REAPPOINTMENT OF CHRIS BAKER TO THE BOARD OF EMERGENCY SERVICES DISTRICT (ESD) #9, TWO YEAR TERM ENDING DECEMBER 31, 2023.

Commissioner Smith thanked Chris Baker for his service to the ESD. He also thanked Sarah Hall for her work with Child Protective Services Board. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the reappointment of Chris Baker to the board of Emergency Services District (ESD) #9, two year term ending December 31, 2023. All present voted "Aye." MOTION PASSED.

37114 APPROVE THE REAPPOINTMENT OF BETH SMITH TO THE BOARD OF EMERGENCY SERVICES DISTRICT (ESD) #5, TWO YEAR TERM ENDING DECEMBER 31, 2023.

Commissioner Smith thanked Beth Smith for her service to the ESD. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the reappointment of Beth Smith to the board of Emergency Services District (ESD) #5, two year term ending December 31, 2023. All present voted "Aye." MOTION PASSED.

37115 APPROVE UTILITY PERMITS.

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

37116 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A FIRST AMENDED AND RESTATED INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY, THE WIMBERLEY INDEPENDENT SCHOOL DISTRICT, AND THE HAYS COUNTY CONSTABLE, PRECINCT 3 RELATED TO TRAFFIC-RELATED LAW ENFORCEMENT SERVICES.

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Don Montague, Precinct 3 Constable, gave background on the agreement per Judge Becerra's request. Commissioner Shell thanked Constable Montague for his work with the school districts. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a First Amended and Restated Interlocal Cooperative Agreement between Hays County, the Wimberley Independent School District, and the Hays County Constable, Precinct 3 related to traffic-related law enforcement services. All present voted "Aye." MOTION PASSED.**

37117 AUTHORIZE A BUDGET AMENDMENT TO THE ST. DAVID'S COVID-19 VACCINE DISTRIBUTION AND ADMINISTRATION SUPPORT GRANT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a budget amendment to the St. David's COVID-19 Vaccine Distribution and Administration Support Grant. All present voted "Aye." MOTION PASSED.

37118 APPROVE THE APPOINTMENTS OF BETTY BRITTAIN CLEM CANTU, ALEXANDRA MYLIUS AND MONETA RIOS TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERMS ENDING 12/31/24.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointments of Betty Brittain Clem Cantu, Alexandra Mylius and Moneta Rios to the Hays County Child Protective Board, 3 year terms ending 12/31/24. All present voted "Aye." MOTION PASSED.

37119 APPROVE THE REAPPOINTMENTS OF LEE IKELS, JUNE HANKINS, MARY CAUBLE AND ESPERANZA OROSCO TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERMS ENDING 12/31/24.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the reappointments of Lee Ikels, June Hankins, Mary Cauble and Esperanza Orosco to the Hays County Child Protective Board, 3 year terms ending 12/31/24. All present voted "Aye." MOTION PASSED.

37120 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT NO. 1 TO THE FUNDING AGREEMENT WITH THE HAYS-CALDWELL WOMEN'S CENTER (HCWC) RELATED TO TRANSITIONAL HOUSING.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Amendment No. 1 to the Funding Agreement with the Hays-Caldwell Women's Center (HCWC) related to transitional housing. All present voted "Aye." MOTION PASSED.

37121 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 raising concerns about the length of the contract, fees, and other issues. Amaya noted that the contract listed in the agenda's backup is for another county. Judge Becerra asked General Counsel for remarks. Mark Kennedy, General Counsel, responded that the contract listed in backup is not ours and that the only relevant piece is the invoice. County Auditor Marisol Villarreal-Alonzo added that the Auditor's Office included the contract in backup per the Court's previous request. Commissioner Ingalsbe remarked that DPS provides a needed service. DPS representative Corporal Larry Harrison spoke on the item, adding that the contract is renewed every 4 years. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to 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. All present voted "Aye." MOTION PASSED.**

37122 AUTHORIZE THE HAYS COUNTY CRIMINAL DISTRICT ATTORNEY TO PURCHASE 50 NET MOTION SOFTWARE LICENSES UTILIZING SALARY SAVINGS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Hays County Criminal District Attorney to purchase 50 Net Motion software licenses utilizing salary savings and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



- 37123 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE LICENSE AND SERVICES AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE JURY MANAGER SOFTWARE.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an Amendment to the License and Services Agreement with Tyler Technologies, Inc. for the Jury Manager Software. All present voted "Aye." MOTION PASSED.

- 37124 FINALIZE VEHICLE LEASES FOR VARIOUS DEPARTMENTS WITH ENTERPRISE FLEET MANAGEMENT AS OUTLINED IN THE FY 2022 BUDGET PROCESS AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Smith noted these leases capture the equity for new vehicles. A motion was made by Commissioner Smith, seconded by Commissioner Shell to finalize vehicle leases for various departments with Enterprise Fleet Management as outlined in the FY 2022 budget process and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37125 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #4 BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Change Order #4 between Hays County and Turner Construction for work related to the Hays County Public Safety Bond Project. All present voted "Aye." MOTION PASSED.

- 37126 APPROVE SPECIFICATIONS FOR IFB 2022-B08 DARDEN HILL AT SAWYER RANCH ROUNDABOUT AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

Commissioner Smith stated he hopes to have this roundabout completed by the beginning of the school year in August. A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for IFB 2022-B08 Darden Hill at Sawyer Ranch Roundabout and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

- 37127 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #3 TO THE ADVANCE FUNDING AGREEMENT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE RM 12 AND RM 3237 INTERSECTION IMPROVEMENT PROJECT.**

Commissioner Shell gave background information on the project. Commissioner Jones added that this is one of six projects approved for the County. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute Amendment #3 to the Advance Funding Agreement between Hays County and the Texas Department of Transportation (TxDOT) for the RM 12 and RM 3237 Intersection Improvement project. All present voted "Aye." MOTION PASSED.

- 37128 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE LETTER OF CREDIT #20214330 IN THE AMOUNT OF \$362,008.18 FOR 6 CREEKS SUBD., PHASE 1, SECTION 4A.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to release the Letter of Credit #20214330 in the amount of \$362,008.18 for 6 Creeks subd., Phase 1, Section 4a. All present voted "Aye." MOTION PASSED.

- 37129 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A "NO PARKING" ZONE ALONG BOTH SIDES OF BLISS SPILLAR ROAD BETWEEN SEPTEMBER SONG DRIVE AND THE END OF BLISS SPILLAR ROAD.**

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Judge Becerra opened the public hearing at 10:50 a.m. No comments were made. Judge Becerra closed the public hearing at 10:50 a.m. Commissioner Jones gave background information on the agenda item. **A motion was made by Commissioner Smith, seconded by Commissioner Jones 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.**

37130 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$8,370.00 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND WSB & ASSOCIATES, INC. FOR THE RM 967 (WEST OF OAK FOREST DRIVE) SAFETY IMPROVEMENTS PROJECT AS PART OF THE HAYS COUNTY ROAD BOND PROGRAM.

Commissioner Smith gave background information on the agenda item. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$8,370.00 to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the RM 967 (West of Oak Forest Drive) Safety Improvements project as part of the Hays County Road Bond Program. All present voted "Aye." MOTION PASSED.**

37131 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 2 IN THE AMOUNT OF \$50,000.00 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND BGE, INC. TO PROVIDE CONSTRUCTION ENGINEERING, INSPECTION & TESTING (CE&I) SERVICES AS PART OF THE ON-CALL CE&I CONTRACT AND RELATED TO THE 2016 ROAD BOND PROGRAM US 290 WEST AT HENLY LOOP PROJECT.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract and related to the 2016 Road Bond Program US 290 West at Henly Loop project. All present voted "Aye." **MOTION PASSED.**

37132 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & SURFACE DRAINAGE IMPROVEMENTS AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #800131704 IN THE AMOUNT OF \$159,343.74 FOR HEADWATERS AT BARTON CREEK SUBD., PHASE 4-SECTION 2, PHASE 4-SECTION 4, AND PHASE 5-SECTION 1.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the acceptance of road construction & surface drainage improvements and acceptance of the 2-year maintenance bond #800131704 in the amount of \$159,343.74 for Headwaters at Barton Creek subd., Phase 4-Section 2, Phase 4-Section 4, and Phase 5-Section 1. All present voted "Aye." **MOTION PASSED.**

37133 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & SURFACE DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #PH3010406555 IN THE AMOUNT OF \$843,062.00, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #800131703 IN THE AMOUNT OF \$75,763.60 FOR HEADWATERS AT BARTON CREEK SUBD., PHASE 4-SECTION 5.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to accept road construction & surface drainage improvements, release of the construction bond #PH3010406555 in the amount of \$843,062.00, and to accept the 2-year maintenance bond #800131703 in the amount of \$75,763.60 for Headwaters at Barton Creek subd., Phase 4-Section 5. All present voted "Aye." **MOTION PASSED.**



- 37134 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & SURFACE DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #PB3010406556 IN THE AMOUNT OF \$1,175,523.65, AND ACCEPTANCE OF THE 5-YEAR MAINTENANCE BOND #800131707 IN THE AMOUNT OF \$21,617.40 FOR HEADWATERS AT BARTON CREEK SUBD., PHASE 4-SECTION 6.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept construction & surface drainage improvements, release of the construction bond #PB3010406556 in the amount of \$1,175,523.65, and to accept the 5-year maintenance bond #800131707 in the amount of \$21,617.40 for Headwaters at Barton Creek subd., Phase 4-Section 6. All present voted "Aye." MOTION PASSED.

- 37135 DISCUSSION AND POSSIBLE ACTION AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #1 TO AN AGREEMENT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT ON FM 2770, EXECUTED ON SEPTEMBER 6, 2019.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment #1 to an Agreement between Hays County and the Texas Department of Transportation for a Local On-System Improvement Project on FM 2770, executed on September 6, 2019. All present voted "Aye." MOTION PASSED.

- 37136 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 3 IN THE AMOUNT OF \$2,150,000.00 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND AMERICAN STRUCTUREPOINT, INC FOR THE RM 3237 SAFETY IMPROVEMENTS FROM RM 150 TO RM 12 PROJECT IN PRECINCT 3, AS PART OF THE 2016 ROAD BOND PROGRAM UTILIZING A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(4).**

Commissioner Shell provided background information on the project. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$2,150,000.00 to the Professional Services Agreement between Hays County and American Structurepoint, Inc for the RM 3237 Safety Improvements from RM 150 to RM 12 project in Precinct 3, as part of the 2016 Road Bond Program utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.

- 37137 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF LJA ENGINEERING, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE RM 150 WEST ALIGNMENT IN PRECINCT 3; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.**

Commissioner Shell provided background information on the project. Commissioner Smith clarified that "150 West" refers to west of I-35, ending at 150 outside of Kyle at the Arroyo Ranches subdivision. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the selection of LJA Engineering, Inc. to provide right-of-way acquisition services for the RM 150 West Alignment in Precinct 3; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

- 37138 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 2, TIME EXTENSION, TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND RPS INFRASTRUCTURE, INC. FOR DESIGN SERVICES ON THE RM 12 AT RM 3237 INTERSECTION IMPROVEMENTS PROJECT IN PRECINCT 3 AS PART OF THE ROAD BOND PROGRAM.**

Dan Lyon made a public comment stating that the County has a problem projecting time and costs needed to complete projects. Commissioner Shell provided background information on the project and the County's partnership with the state. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Change Order No. 2, time extension, to the Professional Services Agreement between Hays County and RPS Infrastructure, Inc. for design services on the RM 12 at RM 3237 Intersection Improvements project in Precinct 3 as part of the Road Bond Program. All present voted "Aye." MOTION PASSED.



- 37139 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$25,000.00 AND TO ADD NEW RATE CATEGORIES TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN RPS INFRASTRUCTURE, INC. FOR THE RM 12 AT RM 3237 INTERSECTION PROJECT IN PRECINCT 3, AS PART OF THE 2016 ROAD BOND PROGRAM.**

Commissioner Shell provided background information on this agenda item. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$25,000.00 and to add new rate categories to the Professional Services Agreement between RPS Infrastructure, Inc. for the RM 12 at RM 3237 intersection project in Precinct 3, as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

- 37140 DISCUSSION AND POSSIBLE ACTION TO APPROVE LICENSE AGREEMENT BETWEEN HAYS COUNTY, THE CITY OF SAN MARCOS AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), BY AND THROUGH HAYS COUNTY, FOR THE FM 110 NORTH PROJECT AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE LICENSE AGREEMENT ON BEHALF OF HAYS COUNTY.**

Commissioner Ingalsbe noted that this license allows TXDOT to work on County-owned property. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve License Agreement between Hays County, the City of San Marcos and the Texas Department of Transportation (TxDOT), by and through Hays County, for the FM 110 North project and authorize the County Judge to execute License Agreement on behalf of Hays County. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #42 RE: *DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A QUIT CLAIM DEED FOR PROPERTY LOCATED ALONG FITZHUGH ROAD IN PRECINCT 4, THE STATUS OF WHICH AS COUNTY RIGHT OF WAY HAS BEEN CALLED TO QUESTION. – WAS PULLED.*

Clerk's Note: Judge Becerra allowed for public comments as the item was listed on the agenda. Dan Lyon made a public comment against change orders and time extensions.

- 37141 PLN-1816-NP; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT FOR THE STRAUSS SUBDIVISION.**

Property owners Whitnie Strauss and Steve Strauss made public comments on their plans to develop a single-family residence on the plat. Colby Machacek, County Planner, provided background information for this agenda item. Commissioner Smith asked that in future plat-related agenda items, submitters include the nearest city for clarity (e.g., "Near the City of Dripping Springs"). A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the final plat for the Strauss Subdivision. All present voted "Aye." MOTION PASSED.

- 37142 PLN-1846; HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE CANCELLATION OF LOT 2-A IN THE HENDERSON SUBDIVISION.**

Judge Becerra opened the public hearing at 11:09 a.m. No comments were made. Judge Becerra closed the public hearing at 11:09 a.m. Colby Machacek, County Planner, stated that all property owners involved have requested to cancel lot 2A and revert it back to raw land. A cancellation document will be executed soon. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the cancellation of Lot 2-A in the Henderson Subdivision. All present voted "Aye." MOTION PASSED.

- 37143 PLN-1739-NP; BLUFF SPRINGS ESTATES, PRELIMINARY PLAN. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY PLAN.**

Colby Machacek, County Planner, provided background information for this agenda item. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the preliminary plan. All present voted "Aye." MOTION PASSED.



37144 PLN-1820-NP; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT FOR RAINBOW RANCH, LOTS 77B AND 78B.

Colby Machacek, Development Services, provided background information for this agenda item. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the final plat for Rainbow Ranch, Lots 77B and 78B. All present voted "Aye." MOTION PASSED.

37145 PLN-1836-NP; HAWK RIDGE, PHASE 1 SUBDIVISION (30 LOTS). DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE PERFORMANCE BOND NO. 4448662 IN THE AMOUNT OF \$424,061.00 FOR STREET, EROSION, AND DRAINAGE IMPROVEMENTS AND GRANT APPROVAL OF THE FINAL PLAT.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the Performance Bond No. 4448662 in the amount of \$424,061.00 for street, erosion, and drainage improvements and grant approval of the final plat. All present voted "Aye." MOTION PASSED.

37146 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF THE FY22 TEXAS INDIGENT DEFENSE COMMISSION (TIDC) GRANT AWARD FOR THE HAYS COUNTY INDIGENT DEFENSE COORDINATOR PROGRAM IN THE AMOUNT OF \$79,804.

Rodrigo Amaya made a public comment concerning the Indigent Defense Commission. Commissioner Shell voiced appreciation for the Grants Administration Department's work and the partnership with TIDC. Commissioner Ingalsbe also voiced appreciation for TIDC's work. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the FY22 Texas Indigent Defense Commission (TIDC) grant award for the Hays County Indigent Defense Coordinator Program in the amount of \$79,804. All present voted "Aye." MOTION PASSED.

37147 DISCUSSION AND POSSIBLE ACTION TO AWARD THE CONTRACT FOR IFB 2021-B09 US 290 W - HENLY LOOP TO LONE STAR SITEWORK, LLC.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to award the contract for IFB 2021-B09 US 290 W - Henly Loop to Lone Star Sitework, LLC. All present voted "Aye." MOTION PASSED.

37148 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY TO BE PERFORMED BY THE MEADOWS CENTER FOR WATER AND THE ENVIRONMENT RELATED TO THE FY22 HAYS COUNTY FERAL HOG ABATEMENT PROGRAM.

Dan Lyon made a public comment voicing difficulty obtaining the \$5.00 bounty for feral hog tails. A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the execution of an Interlocal Cooperation Agreement between Hays County and Texas State University to be performed by the Meadows Center for Water and the Environment related to the FY22 Hays County Feral Hog Abatement Program. All present voted "Aye." MOTION PASSED.

37149 DISCUSSION AND POSSIBLE ACTION TO APPROVE TEXAS A&M AGRILIFE EXTENSION SERVICE'S HIRING OF AARON MCCOY AS THE AGRICULTURE AND NATURAL RESOURCES (ANR) EXTENSION AGENT FOR HAYS COUNTY.

Michael Haynes, District 10 Extension Administrator, presented Aaron McCoy as the new Extension Agent for the County. McCoy introduced himself and spoke of his love for 4H and agriculture and addressed his plans. Commissioner Smith encouraged McCoy to prioritize community outreach to maintain the youth 4H program and offered his assistance as needed. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Texas A&M AgriLife Extension Service's hiring of Aaron McCoy as the Agriculture and Natural Resources (ANR) Extension Agent for Hays County. All present voted "Aye." MOTION PASSED.



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- 37150 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN EIGHTH 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).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute an Eighth 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.

- 37151 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A THIRD 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 Jones to execute a Third 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.

- 37152 DISCUSSION AND POSSIBLE ACTION TO GRANT A VARIANCE FROM THE HAYS COUNTY DEVELOPMENT REGULATIONS CHAPTER 705 § 3.01(C).**

Commissioner Shell and Marcus Pacheco, Development Services Director, provided background on the item. Judge Becerra confirmed with Pacheco that the variance causes no concerns with Emergency Services. A motion was made by Commissioner Shell, seconded by Commissioner Smith to grant a variance from the Hays County Development Regulations Chapter 705 § 3.01(C). All present voted "Aye." MOTION PASSED.

- 37153 DISCUSSION AND POSSIBLE ACTION TO APPROVE AMENDMENT #1 TO THE TEXAS GENERAL LAND OFFICE (GLO) CDBG-MIT GRANT ADMINISTRATION CONTRACT WITH LANGFORD COMMUNITY MANAGEMENT SERVICES, INC. RELATED TO UPDATING THE COUNTY'S HAZARD MITIGATION PLAN.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Amendment #1 to the Texas General Land Office (GLO) CDBG-MIT Grant Administration Contract with Langford Community Management Services, Inc. related to updating the County's Hazard Mitigation Plan. All present voted "Aye." MOTION PASSED.

- 37154 HOLD A PUBLIC HEARING IN ACCORDANCE WITH SECTION 293.101 OF THE TEXAS HEALTH AND SAFETY CODE TO HEAR PUBLIC COMMENTS AND CONSIDER ACTION CONCERNING THE AMOUNT OF THE MANDATORY PAYMENTS REQUIRED OF ALL LOCAL HOSPITALS IN FISCAL YEAR (FY) 2022 PURSUANT TO THE COUNTY HEALTH CARE PROVIDER PARTICIPATION PROGRAM AND HOW THE REVENUE DERIVED FROM THOSE PAYMENTS IS TO BE SPENT.**

Judge Becerra opened the public hearing at 10:03 a.m. Robin Daniel, representative of Adelanto Healthcare Ventures, spoke on their work helping hospitals access federal funds to treat uninsured patients. Commissioner Shell provided a brief history of the program. Commissioner Ingalsbe thanked Daniel for the program. Tammy Crumley, Director of Countywide Operations, stated she will work with Daniel to get the invoices prepared. Geronimo Rodriguez, Chief Advocacy Officer for Ascension Texas, spoke in favor of the rate. Rodrigo Amaya made public comment to ask for an independent committee to review the 5.15% rate. Judge Becerra closed the public hearing at 10:09 a.m. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to set the rate for fiscal year (FY) 2022 at 5.15% for the Hays County Local Provider Participation Fund (LPPF). All present voted "Aye." MOTION PASSED.



- 37155 DISCUSSION AND POSSIBLE ACTION TO ACCEPT A PROPOSAL FROM BECKWITH ELECTRONIC SYSTEMS, LLC TO REPLACE THE EPSON PROJECTOR AND CONTROL SYSTEM FOR COUNTY COURT AT LAW COURTROOM #2; ALLOW A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7)(D) AND AMEND THE BUDGET ACCORDINGLY.**

Rodrigo Amaya made a public comment concerning county spending. Commissioner Ingalsbe confirmed that the projector and control system is a necessary item for the courtroom to function. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a proposal from Beckwith Electronic Systems, LLC to replace the Epson Projector and Control System for County Court at Law Courtroom #2; allow a discretionary exemption pursuant to Texas Local Government Code 262.024A (7)(D) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

DISCUSSION AND POSSIBLE ACTION TO DIRECT THE INFORMATION TECHNOLOGY DEPARTMENT TO IDENTIFY AND EXPLORE SOLUTIONS TO TECHNOLOGICAL ISSUES ASSOCIATED WITH THE COMMISSIONERS COURT AUDIO VISUALS PROVIDED BY SWAGIT AND VISIONALITY.

Jeff McGill, IT Director, spoke on his work to streamline audio and visuals in conjunction with County Clerk Elaine Cardenas, working with vendors for solutions, and incorporating the countywide phone system. Judge Becerra, Commissioner Smith, and Elaine Cardenas, County Clerk, discussed the issues at hand and complications with remote workers during Executive Session. McGill emphasized solutions are forthcoming. No action taken.

- 37156 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE RELEASE OF PAYMENT BOND #929637539, IN THE AMOUNT OF SEVEN HUNDRED AND FIFTEEN THOUSAND DOLLARS (\$715,000.00 USD), RELATED TO THE PURCHASE OF HABITAT MITIGATION CREDITS BY CARMA PASO ROBLES, LLC FOR THE KISSING TREE DEVELOPMENT.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize release of Payment Bond #929637539, in the amount of seven hundred and fifteen thousand dollars (\$715,000.00 USD), related to the purchase of habitat mitigation credits by Carma Paso Robles, LLC for the Kissing Tree development. All present voted "Aye." MOTION PASSED.

- 37157 DISCUSSION AND POSSIBLE ACTION TO AWARD A CONTRACT FOR IFB 2022-B03 COTTON GIN ROAD - LOW WATER CROSSING WITH SB CONTRACTORS, LLC IN THE AMOUNT OF \$838,515.87.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to award a contract for IFB 2022-B03 Cotton Gin Road - Low Water Crossing with SB Contractors, LLC in the amount of \$838,515.87. All present voted "Aye." MOTION PASSED.

- 37158 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT WITH TYLER TECHNOLOGIES, INC. FOR THE SOCRATA SAAS PLATFORM RELATED TO THE HAYS COUNTY CAD/RMS DASHBOARDS.**

Jeff McGill, IT Director, gave background information on the agenda item. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Contract Amendment with Tyler Technologies, Inc. for the Socrata SaaS Platform related to the Hays County CAD/RMS Dashboards. All present voted "Aye." MOTION PASSED.

- 37159 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE ADDITION OF TWO DJI MAVIC 2 ENTERPRISE ADVANCED UNMANNED AIRCRAFT TO THE HAYS COUNTY GENERAL AND LAW ENFORCEMENT LIABILITY COVERAGE WITH AN ANNUAL PREMIUM OF \$2,494.00.**

Rodrigo Amaya made a public comment concerning county spending. Judge Becerra clarified this is giving insurance coverage to equipment. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize addition of two DJI Mavic 2 Enterprise Advanced unmanned aircraft to the Hays County General and Law Enforcement liability coverage with an annual premium of \$2,494.00. All present voted "Aye." MOTION PASSED.



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37160 DISCUSSION AND POSSIBLE ACTION TO AWARD A CONTRACT FOR IFB 2022-B01 DUTY & TRAINING AMMUNITION WITH PARABELLUM RESEARCH AND BION SOL LLC.

Dan Lyon made a public comment concerning ammunition price and county spending. Harvey Jenkins made a public comment concerning training ammunition size. Marisol Alonzo-Villarreal, County Auditor, confirmed the lowest bid was chosen. Captain Shane Smith, Jail Operations, clarified that the sheriff's department trains with the same caliber of weapons that they carry. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to award a contract for IFB 2022-B01 Duty & Training Ammunition with Parabellum Research and BION SOL LLC. All present voted "Aye." MOTION PASSED.**

37161 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LAW ENFORCEMENT AGREEMENT AND ORDER NUMBER 1 WITH LEXIS NEXIS COPLOGIC SOLUTIONS, INC. RELATED TO THE DESK OFFICE REPORTING SYSTEM (DORS) FOR THE SHERIFF'S OFFICE.

Commissioner Ingalsbe stated this will improve efficiency and minimize the spread of COVID. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Law Enforcement Agreement and Order Number 1 with Lexis Nexis Coplogic Solutions, Inc. related to the Desk Office Reporting System (DORS) for the Sheriff's Office. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Judge Becerra called for a recess that began at 10:35 a.m. and resumed back into open court at 10:45 a.m.

Clerk's Note: Executive Session began at 11:21 a.m. and resumed back into open court at 3:01 p.m.

37162 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 landowner's counteroffer and execution of purchase and sale documents for the acquisition of parcel No. 4, tracts 1 and 2, from the Estate of Mary Jacqueline Alexander for the FM 621 Improvement Project, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

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 WILD STRAWBERRY. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

37163 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.

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Commissioner Smith commented that projects which the staff/consultant team feels cannot be negotiated pursuant to the Court's recommendation should be brought back to Executive Session for further consideration, there is a goal to distribute some Parks and Open Space Bond monies during the first quarter of 2022, not all projects have been fully discussed by the Commissioners Court, so the staff/consultant team will continue to receive guidance from the Commissioners Court on a regular basis, and day-to-day questions regarding any individual project should be presented to the Commissioner of the precinct in which the project is located, and broader questions or concerns can be brought back to Commissioners Court at a later date. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to instruct Halff Associates to commence work, in collaboration with the Office of General Counsel, as the County's program manager on the 2020 Parks and Open Space Bond projects, negotiating contracts to ensure prudent use of certain POSAC-recommended projects, as discussed and prioritized in Executive Session; and to request that staff bring those negotiated arrangements back for Commissioners Court consideration on a project-by-project basis. All present voted "Aye." MOTION PASSED.**

37164 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.

Commissioner Shell commented that the County's contractors are currently working up the costs of repairs to HVAC, the owner/seller is working on some isolated roofing issues, and that the Hays County Elections Department and the Department of Information Technology plan to utilize space, which will help fulfill some important programmatic needs at the Hays County Government Center, utilizing the space those departments have vacated. Judge Becerra commented that the county will benefit from the centralizing of supplies. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize General Counsel to negotiate terms for repair of HVAC and roofing at 120 Stagecoach Trail prior to closing the County's purchase of that property on or about January 5, 2022; and to request that the Auditor's Office and the Treasurer's Office collaborate with the Office of General Counsel to timely fund the closing of that transaction on or about January 5, 2022. All present voted "Aye." MOTION PASSED.**

37165 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 Ingalsbe, seconded by Commissioner Jones to authorize General Counsel to execute an Engagement Letter between Hays County and Winstead PC for representation related to claims associated with the Public Safety Bond Project(s), as discussed in Executive Session. 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.

37166 EXECUTIVE SESSION PURSUANT TO SECTION 551.071 AND 551.076 OF THE TEXAS GOVERNMENT CODE: DELIBERATION REGARDING SECURITY DEVICES ASSOCIATED WITH THE HAYS COUNTY PUBLIC SAFETY BUILDING LOCATED AT 810 S. STAGECOACH TRAIL IN SAN MARCOS, TEXAS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the purchase of 11 Dell Precision 3650 computers and 11 monitors for the Public Safety Building, utilizing the Public Safety Bond funds as discussed in Executive Session, and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

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Clerk's Note Agenda Item #72 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 was 605, with a peak of 618 on December 17, 2021. The estimated cost for outsourcing inmates was \$89,081.00. The average number of outsourced males is 194, females is 17. This week's inmates were housed in the following counties: Atascosa, Blanco, Comal, Fort Bend, Guadalupe, Maverick, and Red River. The number of "paper-ready" inmates who are now wardens of the state has increased from 21 to 31. The number of arrests made by agency are as follows; Buda Police Department - 5, Department of Public Safety - 2, Hays County Sheriff's Department - 70, Constable Precinct 1 - 2, Kyle Police Department - 22, San Marcos Police Department - 33, Texas State Police Department - 1. No action taken.

Clerk's Note Agenda Item #74 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 #75 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.*

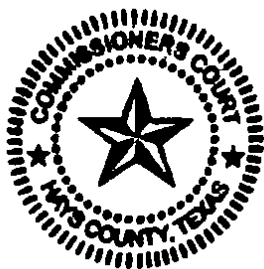
DISCUSSION AND POSSIBLE ACTION REGARDING FUNDING RECEIVED OR TO BE RECEIVED BY HAYS COUNTY UNDER THE AMERICAN RESCUE PLAN ACT (ARPA).

Dan Lyon made a public comment concerning county spending. Judge Becerra clarified that the Department of Treasury governs how ARPA money is used, and the Auditor's office interprets those rules. No action taken.

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 03:05 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 21st, 2021.



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

