

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARUY 18, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 18TH DAY OF JANUARY A.D., 2022, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

Clerk's Note: Commissioner Shell joined the meeting via TEAMS

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

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

Clerks Note: Commissioner Jones arrived in court at 9:03 a.m. for the following proceedings.

PUBLIC COMMENTS

Rodrigo Amaya made a public comment regarding lack of accountability. Dan Lyon made a public comment concerning Craddock Ave. and the hog tail program. Christopher Calkivs, AmVets First Vice, made a public comment on all the events the program has participated in. He ended with asking for the courts continued support. Michael Orlovski made a public comment in support of continuing to fund the Emergency Rental Assistance Program. Jody Linder made a public comment in support of continuing to fund the Emergency Rental Assistance Program. Griselda Vasquez made a public comment against the Emergency Rental Assistance Program. Megan Barbour made a public comment in support of continuing to fund the Emergency Rental Assistance Program.

37194 ADOPT A PROCLAMATION DECLARING JANUARY 2022 AS NATIONAL CRIME STOPPERS MONTH.

Rodrigo Amaya made a public comment regarding community safety. Commissioner Smith thanked the community for their help to law enforcement with this program. Sargent Jeff Jordan, Hays County Sheriff's Office, spoke on the program. He stated Hays County is the 7th county in Texas to establish the program. He introduced the chairman of the Hays County Crimestoppers program, Stuart Hoyt, who stated the community is safe. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to adopt a proclamation declaring January 2022 and National Crime Stoppers Month. All present voted "Aye." MOTION PASSED.**

PRESENTATION RECOGNIZING THE COUNTY CLERK'S OFFICE FOR RECEIVING THE FIVE STAR EXEMPLARY AWARD FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES - VITAL STATISTICS SECTION.

Elaine H. Cardenas, County Clerk, reviewed the criteria the office has met to receive this award and thanked her staff. Roxanne Rodriguez, Chief Deputy, thanked the staff for their work and noted this is the 4th 5 Star Exemplary Award received in the last 5 years. No action taken.

37195 APPROVE PAYMENTS OF COUNTY INVOICES.

Upon reopening this item, Marisol Alonzo, Auditor, asked for two checks to be added for payment to be dated today. The first is for \$450,116.00 and is related to the Purchase and Use Agreement that was just approved. The second is for \$209,397.00 also related to the Purchase and Use Agreement, dated today, made to Braun & Gresham, PLLC. **An amended motion was made by Judge Becerra, seconded by Commissioner Smith to approve payments of county invoices with 2 additional checks to be added per request of Auditors office. All present voted "Aye." MOTION PASSED.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARUY 18, 2022

Clerk's Note: Resolution #37195 was reopened at 1:23 p.m.

37196 APPROVE PAYMENTS OF JUROR CHECKS.

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

37197 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

37198 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 7, 2021 AND DECEMBER 21, 2021.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve Commissioners Court minutes of December 7, 2021 and December 21, 2021. All present voted "Aye." MOTION PASSED.

37199 APPROVE THE PAYMENT OF THE JANUARY 31, 2022 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,200,000.00 EFFECTIVE JANUARY 31, 2022 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the payment of the January 31, 2022 payroll disbursements in an amount not to exceed \$4,200,000.00 effective January 31, 2022 and post totals for wages, withholdings, deductions and benefits on the hays county website once finalized. All present voted "Aye." MOTION PASSED.

37200 AUTHORIZE THE COUNTY JUDGE TO USE HIS COMMUNITY PROGRAM EXPENSE FOR THE DUNBAR HERITAGE ASSOCIATION IN THE AMOUNT OF \$500.00.

Dan Lyon made a public comment against this item and gave alternative methods to give the association money. A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to use his community program expense for the Dunbar Heritage Association in the amount of \$500.00. All present voted "Aye." MOTION PASSED.

37201 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ANNUAL RENEWAL CONTRACT BETWEEN HAYS COUNTY AND AMERICAN AEROBIC MANAGEMENT SYSTEMS (AAMS) IN THE AMOUNT OF \$2,985.00 FOR THE ANNUAL MAINTENANCE AND INSPECTIONS OF ALL HAYS COUNTY SEPTIC SYSTEMS.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the annual renewal contract between hays county and American Aerobic Management Systems (AAMS) in the amount of \$2,985.00 for the annual maintenance and inspections of all Hays County septic systems. All present voted "Aye." MOTION PASSED.

37202 AUTHORIZE THE EXECUTION OF RESOLUTION AND SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM FOR THE HAYS COUNTY VICTIM ASSISTANCE FOR THE FAMILY JUSTICE CENTER IN THE AMOUNT OF \$49,860.97.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the execution of resolution and submission of a grant application to the Office of the Governor, Criminal Justice Division, General Victim Assistance Program for the Hays County Victim assistance for the family justice center in the amount of \$49,860.97. All present voted "Aye." MOTION PASSED.



37203 APPROVE SPECIFICATIONS FOR RFQ 2022-Q01 ONION CREEK WATERSHED HYDRAULIC STUDY AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

Marcus Pacheco, Director of Development Services, gave clarification on this item. A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for RFQ 2022-Q01 Onion Creek Watershed Hydraulic Study and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

37204 AUTHORIZE THE EXECUTION OF RESOLUTION AND GRANT APPLICATION SUBMITTAL TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE PROJECT IN THE AMOUNT OF \$10,000.00.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the execution of Resolution and grant application submittal to the Office of the Governor, Homeland Security Grants Division for the Hays County HazMat Team Monitor Maintenance project in the amount of \$10,000.00. All present voted "Aye." MOTION PASSED.

37205 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SIXTH 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, PROVIDING ADDITIONAL STANDARDS FOR THE FIRST PHASE OF MULTIFAMILY DEVELOPMENT.

Rodrigo Amaya made a public comment. Commissioner Shell stated this is part of the process between the developer and the city. Jordan Powell, Assistant General Counsel, gave clarification on this item. A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Sixth 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, providing additional standards for the first phase of multifamily development. All present voted "Aye." MOTION PASSED.

37206 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT BETWEEN HAYS COUNTY AND THE BUG MASTER FOR PEST CONTROL SERVICES FOR THE PUBLIC SAFETY BUILDING (PSB) AND THE UHLAND ROAD JAIL COMPLEX.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Agreement between Hays County and The Bug Master for pest control services for the Public Safety Building (PSB) and the Uhlend Road Jail Complex. All present voted "Aye." MOTION PASSED.

37207 APPROVE RENEWAL OF IFB 2020-B04 CONCRETE WITH BRAUNTEX MATERIALS AND LAUREN CONCRETE.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve renewal of IFB 2020-B04 Concrete with Brauntex Materials and Lauren Concrete. All present voted "Aye." MOTION PASSED.

37208 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT WITH WASTE CONNECTIONS LONE STAR, INC. PURSUANT TO IFB 2021-B12 COUNTYWIDE DUMPSTERS.

Dan Lyon made a public comment. Mark Kennedy, General Counsel, gave clarification on the selection process. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Contract Amendment with Waste Connections Lone Star, Inc. pursuant to IFB 2021-B12 Countywide Dumpsters. All present voted "Aye." MOTION PASSED.



37209 ACCEPT CONTRIBUTIONS TOTALING \$13,175.00 ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe thanked several individuals, families, and organizations for their contributions to the organization. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept contributions totaling \$13,175.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37210 ACCEPT A REVISED FEE SCHEDULE FOR THE JUVENILE DETENTION CENTER RELATED TO GED TESTING FEES FOR JUVENILES IN THE PLACEMENT FACILITY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept a Revised Fee Schedule for the Juvenile Detention Center related to GED Testing Fees for juveniles in the placement facility. All present voted "Aye." MOTION PASSED.

37211 AUTHORIZE THE EXECUTION OF RESOLUTION AND SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUSTICE ASSISTANCE GRANT PROGRAM FOR THE CONTINUATION OF THE HAYS COUNTY FOR THE MENTAL HEALTH CRISIS INTERVENTION PROGRAM IN THE AMOUNT OF \$58,405.90.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the execution of Resolution and submission of a grant application to the Office of the Governor, Criminal Justice Division, Justice Assistance Grant Program for the continuation of the Hays County for the Mental health Crisis Intervention program in the amount of \$58,405.90. All present voted "Aye." MOTION PASSED.

37212 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SERVICE AGREEMENT WITH CORNERSTONE DETENTION PRODUCTS INC. FOR THE SECURITY SYSTEM LOCATED AT THE JAIL.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a service agreement with Cornerstone Detention Products Inc. for the security system located at the Jail. All present voted "Aye." MOTION PASSED.

37213 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT TERMINATION NOTICE WITH CLIFFORD POWER SYSTEMS, INC. RELATED TO THE GENERATOR MAINTENANCE AGREEMENT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a Contract Termination Notice with Clifford Power Systems, Inc. related to the Generator Maintenance Agreement. All present voted "Aye." MOTION PASSED.

37214 AUTHORIZE THE ELECTIONS ADMINISTRATION OFFICE TO PURCHASE VIDEO STREAMING EQUIPMENT FOR ELECTIONS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Elections Administration Office to purchase video streaming equipment for elections and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37215 APPROVE SPECIFICATIONS FOR RFP 2022-P06 EMERGENCY RENTAL ASSISTANCE PROGRAM – PROGRAM MANAGER AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARUY 18, 2022

Commissioner Ingalsbe stated she is happy that the court is moving forward with the solicitation to bring on a program manager to help more efficiently. Commissioner Smith stated he is excited to move forward and that he wants to see the money get to those who need it countywide. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve specifications for RFP 2022-P06 Emergency Rental Assistance Program – Program Manager and authorize Purchasing to solicit for bids and advertise. All present voted “Aye.” MOTION PASSED.**

37216 APPROVE RENEWAL OF IFB 2021-B04 LAWN & LANDSCAPE SERVICES WITH TEXAN LANDSCAPE, LLC.

Rodrigo Amaya made a public comment. Dan Lyon made a public comment. Mark Kennedy, General Counsel, stated the Sheriff's Office qualifies inmates to work as trustees. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve renewal of IFB 2021-B04 Lawn & Landscape Services with Texan Landscape, LLC. All present voted “Aye.” MOTION PASSED.**

AUTHORIZE THE COUNTY JUDGE TO EXECUTE INSTALLATION PROPOSALS WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) FOR P25 SITE ADDITIONS AND RE-PROGRAMMING EXISTING INFRASTRUCTURE AS WELL AS P25 700 MHZ RADIO MIGRATION AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH. 262.024(A)(7)(D).

Marisol Alonzo, Auditor, stated this item is not ready to move forward. Judge Becerra stated this item will be tabled. No action taken.

37217 DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT FOR IFB 2022-B06 ROAD BUILDING MATERIALS-LIMESTONE ROCK ASPHALT, COLD MIX TO VULCAN CONSTRUCTION MATERIALS, LLC.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to award contract for IFB 2022-B06 Road Building Materials-Limestone Rock Asphalt, Cold Mix to Vulcan Construction Materials, LLC. All present voted “Aye.” MOTION PASSED.

37218 DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT FOR IFB 2022-B07 ROAD BUILDING MATERIALS – HOT MIX THIN OVERLAY TO COLORADO MATERIALS, LTD. (PRIMARY VENDOR) AND ASPHALT INC. LLC, DBA LONE STAR PAVING COMPANY (SECONDARY VENDOR).

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to award contract for IFB 2022-B07 Road Building Materials – Hot Mix Thin Overlay to Colorado Materials, Ltd. (primary vendor) and Asphalt Inc. LLC, dba Lone Star Paving Company (secondary vendor). All present voted “Aye.” MOTION PASSED.

37219 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & SURFACE DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #CMS0344771 IN THE AMOUNT OF \$743,641.94, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #PB03016800715M IN THE AMOUNT OF \$732,254.05, AND ACCEPTANCE OF THE 1-YEAR REVEGETATION BOND #PB03016800715M IN THE AMOUNT OF \$31,129.80 FOR 6 CREEKS SUBD., PHASE 1, SECTION 8A.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept road construction & surface drainage improvements, release of the construction bond #CMS0344771 in the amount of \$743,641.94, acceptance of the 2-year maintenance bond #PB03016800715M in the amount of \$732,254.05, and acceptance of the 1-year revegetation bond #PB03016800715M in the amount of \$31,129.80 for 6 Creeks subd., Phase 1, Section 8A. All present voted “Aye.” MOTION PASSED.



- 37220 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & SURFACE DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #0797172 IN THE AMOUNT OF \$1,197,784.00, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #EACX4020543 IN THE AMOUNT OF \$162,339.05, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #EACX4020546 IN THE AMOUNT OF \$6,518.00 FOR SUNSET OAKS SUBD., SECTION 4, PHASE 1B.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept road construction & surface drainage improvements, release of the construction bond #0797172 in the amount of \$1,197,784.00, acceptance of the 2-year maintenance bond #EACX4020543 in the amount of \$162,339.05, and acceptance of the 2-year revegetation bond #EACX4020546 in the amount of \$6,518.00 for Sunset Oaks subd., Section 4, Phase 1B. All present voted "Aye." MOTION PASSED.

- 37221 PLN-1834-NP; WHISPERING OAKS RANCH SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT.**

Marcus Pacheco, Director of Development Services, stated this has full staff recommendation. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the final plat. All present voted "Aye." MOTION PASSED.

- 37222 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE RENAMING OF A STREET NAME AS ORIGINALLY PLATTED IN SUNSET CANYON, SECTION II-C SUBDIVISION.**

Commissioner Smith gave clarification on this item. A motion was made by Commissioner Smith, seconded by Commissioner Jones to accept the renaming of a street name as originally platted in Sunset Canyon, Section II-C Subdivision. All present voted "Aye." MOTION PASSED.

- 37223 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE JOINT ELECTION RESOLUTION FOR THE CONDUCT OF THE JOINT PRIMARY ELECTION BEING HELD BY THE REPUBLICAN PARTY AND DEMOCRATIC PARTY ON MARCH 1, 2022.**

Elaine H. Cardenas, County Clerk, read the resolution in open court. Jennifer Anderson, Elections Administrator, stated this is a standard resolution. Judge Becerra gave the recommendation of not having anyone tied to candidates working on elections efforts. Jennifer Anderson stated that rule is in statute. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve the joint election resolution for the conduct of the joint primary election being held by the Republican party and Democratic party on March 1, 2022. All present voted "Aye." MOTION PASSED.

- 37224 DISCUSSION AND POSSIBLE ACTION TO AWARD RFP 2021-P04 MEDICAL SERVICES: JAIL & JUVENILE DETENTION CENTER TO WELLPATH, LLC.; AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to award RFP 2021-P04 Medical Services: Jail & Juvenile Detention Center to Wellpath, LLC.; and authorize staff and general counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

- 37225 DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT FOR IFB 2022-B05 COUNTYWIDE PORTABLE TOILETS AND HANDWASHING STATIONS RENTAL SERVICES TO UNITED SITE SERVICES OF TEXAS, INC.**

Rodrigo Amaya made a public comment regarding the backup attached. Marisol Alonzo, Auditor, provided clarification on the backup. A motion was made by Commissioner Jones, seconded by Commissioner Smith to award contract for IFB 2022-B05 Countywide Portable Toilets and Handwashing Stations Rental Services to United Site Services of Texas, Inc. All present voted "Aye." MOTION PASSED.



37226 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A HEALTH CARE SERVICES AGREEMENT BETWEEN HAYS COUNTY AND ASCENSION SETON DBA ASCENSION SETON HAYS REGARDING PARTICIPATION IN THE DRUG DISCOUNT PROGRAM KNOWN AS THE 340B PROGRAM.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Health Care Services Agreement between Hays County and Ascension Seton dba Ascension Seton Hays regarding participation in the drug discount program known as the 340B Program. All present voted "Aye." MOTION PASSED.

37227 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SERVICE ORDER AGREEMENT WITH GRANDE COMMUNICATIONS NETWORKS, LLC RELATED TO DATA, PHONE AND SECURITY SERVICES AT THE NEW FACILITY LOCATED AT 120 STAGECOACH TRAIL IN SAN MARCOS.

Jeff McGill, Director of I.T., stated there is a 90 day build out for construction which is why they wanted on the agenda as soon as possible. He stated this is the same circuit at all the buildings and that it is just extending the network to that address. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a Service Order Agreement with Grande Communications Networks, LLC related to data, phone and security services at the new facility located at 120 Stagecoach Trail in San Marcos. All present voted "Aye." MOTION PASSED.

37228 DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN ADVANCE FUNDING AGREEMENT (AFA) WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR A TRANSPORTATION ALTERNATIVE SET-ASIDE (TASA) PROJECT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Resolution authorizing the execution of an Advance Funding Agreement (AFA) with Texas Department of Transportation for a Transportation Alternative Set-Aside (TASA) project. All present voted "Aye." MOTION PASSED.

DISCUSSION AND POSSIBLE ACTION TO CREATE AN RFQ TO BRING BROADBAND TO RURAL PARTS OF HAYS COUNTY USING AMERICAN RESCUE PLAN ACT, STATE, AND/OR BUILD BACK BETTER FUNDS.

Judge Becerra asked Marisol Alonzo, Auditor, how the court can best guide them to get the ball rolling. Judge Becerra stated he will reach out to I.T. to shape an RFQ. No action taken.

37229 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE TEXAS WATER TRADE (TWT) TO COMPLETE AND SUBMIT AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD (TWDB) ON BEHALF OF HAYS COUNTY FOR USE OF THE CLEAN WATER STATE REVOLVING FUND FOR FINANCING OF UP TO \$25,000,000 FOR WATER QUALITY PROTECTION LANDS AND AMEND THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TWT TO EXTEND THE PROJECT COMPLETION DATE TO DECEMBER 31, 2022.

Mark Kennedy, General Counsel, stated because of program limitations, the cap is \$17,500,000.00, not \$25,000,000. It is an extension of time and an addition of \$4,400.00 to the compensation cap which was \$38,000.00 and is now \$42,400.00. Commissioner Shell gave clarification on this item. A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Texas Water Trade (TWT) to complete and submit an application to the Texas Water Development Board (TWDB) on behalf of Hays County for use of the Clean Water State Revolving Fund for financing of up to the cap for water quality protection lands and amend the Professional Services Agreement between Hays County and TWT to extend the project completion date to December 31, 2022. All present voted "Aye." MOTION PASSED.

Clerk's Note: Executive Session began at 11:12 AM and resumed back into open court at 1:24 PM.



37230 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 DARDEN HILL ROAD IN PCT. 4. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Possession and Use Agreement between Hays County and John Deangelo and Sharon Burba as presented in Executive Session and related to the acquisition of right-of way along Darden Hill Road, in Precinct 4. All present voted "Aye." MOTION PASSED.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Possession and Use agreement between Hays County and O.C. Ranch Ltd, a Texas Limited Partnership, as presented in Executive Session and related to the acquisition of right-of way along Darden Hill Road, in Precinct 4. All present voted "Aye." MOTION PASSED.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a right-of-way agreement between Hays County and Dripping Springs I.S.D. related to acquisition of right-of way along Darden Hill Road, (CR 162), in Precinct 4, as finalized by the Office of General Counsel. 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 ASSOCIATED WITH THE POSAC-RECOMMENDED 2020 PARKS AND OPEN SPACE BOND PROJECTS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT. BECERRA

No action taken.

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 AND PROJECT SHAMROCK. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT. JONES

No action taken.

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 OWNED BY HAYS COUNTY LOCATED ALONG VETERANS DRIVE, KYLE IN PCT. 2 & 3. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

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.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF ALL POSITIONS WITHIN THE HAYS COUNTY TRANSPORTATION DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.



- 37231 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 OWNED BY HAYS COUNTY LOCATED ALONG 712 S. STAGECOACH TRAIL, SAN MARCOS IN PCT. 3. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

Commissioner Ingalsbe asked that the producer, Office of General Counsel and Countywide Operations coordinate with Courts to find a space. It's estimated 3-4 hours of filming for the series True Convictions. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Location Agreement and Release between Hays County and Weinberger Media/Discovery Communications LLC, related to the use of Hays County Government Center, located at 712 S. Stagecoach Trail in San Marcos, Texas for filming. All present voted "Aye." MOTION PASSED.**

- 37232 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE APPROXIMATELY 0.0646 ACRES IN FEE SIMPLE FROM PROPERTY LOCATED ALONG CR266 (CENTERPOINT TO RATTLER), OWNED BY MARY ANN NATAL, AND WHICH IS REQUIRED FOR IMPROVING COUNTY ROAD 266 AS PART OF THE HAYS COUNTY ROAD BOND PROGRAM, AND TAKE OTHER APPROPRIATE ACTION (PARCEL 13). POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize adoption and execution of a Resolution of the County of Hays, Texas, declaring the public necessity for acquiring by condemnation the fee simple title to certain described property; that being 0.0646 acres of land which is part of 4.153 acres as recorded in Volume 225, Page 309 of the Official Public Records of Hay County for the purpose of improving CR 266 as part of the Hays County Road Bond program and offering the condemnation of said property to proceed. All present voted "Aye." MOTION PASSED.

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Mike Jones, Director of the Office of Emergency Services, provided the court an update on COVID testing and vaccinations. Judge Becerra stated there is currently still no burn ban. No action taken.

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

Rodrigo Amaya made a public comment concerning Red River County as a jail that is used for housing inmates which is listed as non-compliant since October 2021 on the State Jail Commission website. Judge Becerra asked the Auditor's office what can be done if the jail we are outsourcing to is non-compliant. Marisol Alonzo, Auditor, explained the process of issuing payments for service provided and the nonpayment to these facilities if the jail is not in compliance. Commissioner Ingalsbe stated she contacted Chief Davenport, Hays County Sheriff's Office, for further explanation. The violation has been corrected but has not been updated. 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 actual capacity to 368 inmates. The jail's daily average was 619, with a peak of 629 on January 12, 2022. The estimated cost for outsourcing inmates this week was \$94,460.00. The average number of outsourced males is 188 and females is 13. 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 is 20. No action taken.

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

Clerk's Note Agenda Item #51 RE: DISCUSSION AND POSSIBLE ACTION REGARDING FUNDING RECEIVED OR TO BE RECEIVED BY HAYS COUNTY UNDER THE AMERICAN RESCUE PLAN ACT (ARPA). – WAS PULLED.



JANUARUY 18, 2022

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 1:24 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 January 18, 2022.



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

