

# HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 13, 2022

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 13th DAY OF SEPTEMBER A.D., 2022, 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:

Pastor Darius Todd, Abundant Life Christian Church, 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

*Jeff Kaufmann made a public comment concerning Commissioner Smith. Debbie Adams made a public comment concerning election integrity. Julie Taylor made a public comment concerning sequentially numbered ballots. Virginia Parker made a public comment regarding the La Cima Public Improvement Districts and development density. Dan Lyon made a public comment concerning Commissioner Smith. Joe Krohn made a public comment concerning the election process. Karen Munoz made a public comment concerning the incarceration of Cyrus Gray III and Devonte Amerson. Pat Chisholm made a public comment concerning the process of removing deceased voters from electoral rolls. Elle Cross made a public comment concerning the trials of Cyrus Gray III and Devonte Amerson. Amy Kamp made a public comment concerning the trial of Cyrus Gray III. Sam Benavides made a public comment against pre-trial inmate outsourcing. Cyrus Gray II made a public comment concerning the trial of Cyrus Gray III. Casey Cutler made a public comment regarding previous public endorsement of roundabout construction. Elaine Cardenas, County Clerk, read an emailed public comment from Ari Axelrod concerning Commissioner Smith.*

**37992** Adopt a Proclamation declaring the month September 2022 as Hunger Action Month in Hays County.

*Jamie Lee Case, Hays County Food Bank President, thanked the court for the Proclamation.*

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring the month September 2022 as Hunger Action Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**37993** Adopt a Proclamation recognizing the inaugural Hispanic Heritage Exhibition Walk.

*Frank Arredondo made a public comment in favor of the Proclamation and Hispanic heritage.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring the month September 2022 as Hunger Action Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

Update by Staff from the Office of General Counsel on the Hays County Animal Control Ordinance.

*Mark Kennedy, General Counsel, stated there will likely be an item to vote on in November or December. Sharri Boyett made a public comment updating the court on the City of San Marcos ordinance and asked for a policy update for community cats. Commissioner Jones asked about action taken by other municipalities. Commissioner Shell spoke about the agreement with the City of San Marcos for use of the San Marcos Animal Shelter. Jordan Powell, Assistant General Counsel, spoke about revisions being made by the City of San Marcos to their ordinance. No action taken.*

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Hays County Emergency Services District #5.

*A presentation was given by Ardurra on a proposed fire station renovation in Emergency Services District #5. Commissioner Jones spoke about the value of this project and the possibility of more voting locations. Commissioner Ingalsbe spoke about the improvement this would have on response times. Judge Becerra expressed support for this project. Commissioner Smith spoke about the rapid population growth in these districts. Chief Huckaby, Emergency Services District #8, spoke about the positive impact this would have on the districts. No action taken.*

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Hays County Emergency Services District #8.

*A presentation was given by Ardurra on a proposed fire station construction in Emergency Services District #8. Commissioner Jones spoke about the value of this project and the possibility of more voting locations. Commissioner Ingalsbe spoke about the improvement this would have on response times. Judge Becerra expressed support for this project. Commissioner Smith spoke about the rapid population growth in these districts. Chief Huckaby, Emergency Services District #8, spoke about the positive impact this would have on the districts. No action taken.*

Presentation by the Hays County Development Services Department on the new Hays County GIS Data Portal.

*Marcus Pacheco, Director of Development Services, introduced and provided background on the Data Portal. Kellsey Schilly, Development Services GIS Specialist, gave a presentation on the Data Portal. The court thanked Development Services for their work on this. No action taken.*

**37994** Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**37995** Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**37996** Approve the payment of United Healthcare claims.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**37997** Approve the payment of the September 15, 2022 payroll disbursements in an amount not to exceed \$3,155,000.00 effective September 15, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of the September 15, 2022 payroll disbursements in an amount not to exceed \$3,155,000.00 effective September 15, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**37998** Approve Commissioners Court Minutes of August 2, 2022 and August 9, 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of August 2, 2022 and August 9, 2022.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**37999** Approve the Joint Election Agreements for political subdivisions that will run jointly with the General Election on November 8, 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the Joint Election Agreements for political subdivisions that will run jointly with the General Election on November 8, 2022.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38000** Accept the Fiscal Year 2021 Hays County Emergency Services District #7 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2021 Hays County Emergency Services District #7 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38001** Authorize the Mental Health Specialty Court to purchase consumable items for the Sequential Intercept Model (SIM) Mapping Workshop in collaboration with Texas Health and Human Services.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Mental Health Specialty Court to purchase consumable items for the Sequential Intercept Model (SIM) Mapping Workshop in collaboration with Texas Health and Human Services.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38002** Authorize the Commissioner Pct. 1 Office to support the Texas Department of Public Safety related to purchasing safety equipment and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Commissioner Pct. 1 Office to support the Texas Department of Public Safety related to purchasing safety equipment and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38003** Approve an increase of \$300.00 in the Tax Office change fund as recommended by the County Auditor pursuant to Texas Local Government Code Chapter 130.902 (d).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve an increase of \$300.00 in the Tax Office change fund as recommended by the County Auditor pursuant to Texas Local Government Code Chapter 130.902 (d).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38004** Approve Utility Permits.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38005** Authorize the submission of a grant application to the Office of the Governor, Bullet Resistant Shield Grant Program in the amount of \$167,102.80.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the submission of a grant application to the Office of the Governor, Bullet Resistant Shield Grant Program in the amount of \$167,102.80.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38006** Authorize the submission of a grant application to the Texas Department of Emergency Management in the amount of \$307,733.80. The low water crossings are located at 1 - Pursley Road at Onion Creek 2 - 190 at Pioneer Bank Creek 3 - Fitzhugh Road at unnamed creek 4 - Sycamore Creek Drive at Sycamore Creek.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the submission of a grant application to the Texas Department of Emergency Management in the amount of \$307,733.80. The low water crossings are located at 1 - Pursley Road at Onion Creek 2 - 190 at Pioneer Bank Creek 3 - Fitzhugh Road at unnamed creek 4 - Sycamore Creek Drive at Sycamore Creek.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38007** Authorize the submission of a grant application to the Texas Department of Emergency Management, Hazard Mitigation Grant Program in the amount of \$307,733.80. The low water crossings are located at 1 - Creek Road at Onion Creek 2 - Purgatory Road at Purgatory Creek 3 - Darden Hill Road at Jackson Branch 4 - Darden Hill Road at Pier Branch.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the submission of a grant application to the Texas Department of Emergency Management, Hazard Mitigation Grant Program in the amount of \$307,733.80. The low water crossings are located at 1 - Creek Road at Onion Creek 2 - Purgatory Road at Purgatory Creek 3 - Darden Hill Road at Jackson Branch 4 - Darden Hill Road at Pier Branch.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38008** Approve renewal of RFP 2020-P08 Election Form Printing Services with AMG Printing, effective September 8, 2022.

*The court clarified this item is not for ballots.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve renewal of RFP 2020-P08 Election Form Printing Services with AMG Printing, effective September 8, 2022.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38009** Authorize the County Judge to execute a Contract Amendment with Texas Disposal Systems related to Hauling Solid Waste pursuant to IFB 2020-B02, adding a \$360.10 per haul rate for paper and newspaper recycling services.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Contract Amendment with Texas Disposal Systems related to Hauling Solid Waste pursuant to IFB 2020-B02, adding a \$360.10 per haul rate for paper and newspaper recycling services.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38010** Authorize the execution of an interlocal agreement with Travis County for the FY 2023 Sheriff's Combined Auto Theft Task Force (SCATTF) grant award in the amount of \$91,707.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of an interlocal agreement with Travis County for the FY 2023 Sheriff's Combined Auto Theft Task Force (SCATTF) grant award in the amount of \$91,707.00.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38011** Approve a replacement lease vehicle and equipment fees for the Sheriff's Office Animal Control Division through the Enterprise Master Equity Lease Agreement and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve a replacement lease vehicle and equipment fees for the Sheriff's Office Animal Control Division through the Enterprise Master Equity Lease Agreement and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38012** Authorize the County Judge to execute a Contract Amendment with Kyle Landscaping Services related to Cemetery Maintenance pursuant to IFB 2022-B04, adding Phillips Cemetery (\$1,500.00 per visit, on a quarterly basis).

*Commissioner Smith thanked the Transportation Department and spoke about the need for volunteers to maintain historic cemeteries.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Contract Amendment with Kyle Landscaping Services related to Cemetery Maintenance pursuant to IFB 2022-B04, adding Phillips Cemetery (\$1,500.00 per visit, on a quarterly basis).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38013** Authorize a transfer of funds from Commissioner Precinct budgets to the Office of Emergency Services related to the purchase of five (5) pet chip scanners and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize a transfer of funds from Commissioner Precinct budgets to the Office of Emergency Services related to the purchase of five (5) pet chip scanners and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38014** Authorize additional funding for the 2022 Motorcycle approved for the Constable Pct. 5 Office and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize additional funding for the 2022 Motorcycle approved for the Constable Pct. 5 Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38015** Hold a public hearing with possible action to establish a 4-way stop location on Windy Hill Road at the intersection with Shadow Creek Blvd and Crosswinds Parkway.

*Judge Becerra opened the public hearing at 1:29 p.m. No comments were made. Judge Becerra closed the public hearing at 1:29 p.m. Commissioner Jones stated the 4-way stop is already in place and asked that a traffic light be fast tracked due to increased traffic in the intersection.*

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a 4-way stop location on Windy Hill Road at the intersection with Shadow Creek Blvd and Crosswinds Parkway.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38016** Hold a public hearing with possible action to establish a 3-way stop location on Mathias Lane at the intersection with Foster Place.

*Judge Becerra opened the public hearing at 1:30 p.m. No comments were made. Judge Becerra closed the public hearing at 1:31 p.m. Commissioner Ingalsbe stated this is due to safety issues.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish a 3-way stop location on Mathias Lane at the intersection with Foster Place.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38017** Hold a public hearing with possible action to reduce the current speed limit of 35 MPH to 25 MPH on Nature View Loop in Rutherford West subdivision.

*Judge Becerra opened the public hearing at 1:32 p.m. No comments were made. Judge Becerra closed the public hearing at 1:32 p.m.*

A motion was made by Commissioner Smith, seconded by Commissioner Jones to reduce the current speed limit of 35 MPH to 25 MPH on Nature View Loop in Rutherford West subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38018** Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$73,855.00 to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the US 290 West at Trautwein Road Intersection project in Precinct 4, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

*Commissioner Smith provided additional information on this project.*

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$73,855.00 to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the US 290 West at Trautwein Road Intersection project in Precinct 4, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38019** Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 6 in the amount of \$100,000.00 to the Professional Services Agreement between Hays County and LJA Engineering, Inc. for professional design services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

*Commissioner Ingalsbe spoke about the progress of this project and drainage concerns.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 6 in the amount of \$100,000.00 to the Professional Services Agreement between Hays County and LJA Engineering, Inc. for professional design services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38020** PLN-2001-PC; Discussion and possible action to call for a Public Hearing on September 27, 2022 regarding Stagecoach Ranch, Section 1, Lot 37, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a Public Hearing on September 27, 2022 regarding Stagecoach Ranch, Section 1, Lot 37, Replat.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38021** PLN-1941-PC; Hold a Public Hearing with possible action to approve the Rainbow Ranch Subdivision, Lot 18, Replat.

*Judge Becerra opened the public hearing at 1:36 p.m. No comments were made. Judge Becerra closed the public hearing at 1:36 p.m. Colby Machacek, County Planner with Development Services, provided background on the item and the property's history. He stated this has full staff recommendation.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Rainbow Ranch Subdivision, Lot 18, Replat.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

10:00am - Conduct a public hearing regarding an order levying assessments on property located with neighborhood improvement area #3 of the La Cima Public Improvement District.

*Judge Becerra opened the public hearing at 12:27 p.m. Dan Lyon made a public comment concerning aquifer pollution and asked the court to table the item. Xandria Quichocho made a public comment regarding the origins of the land and asked the court to collaborate with indigenous groups. Eric Willis, La Cima Representative, spoke about the meeting held with residents to address their concerns. Judge Becerra closed the public hearing at 12:42 p.m. Commissioner Shell spoke about the meeting with residents and addressing their concerns.*

**38022** Discussion and possible action to adopt an Order of the Commissioners Court of Hays County, Texas accepting and approving an amended and restated service and assessment plan, an updated major improvement area assessment roll, neighborhood improvement area #1 assessment roll and neighborhood improvement area #2 assessment roll and a neighborhood improvement area #3 assessment roll for La Cima Public Improvement District; making a finding of special benefit to the property in neighborhood improvement area #3 of the district; levying special assessments against property within neighborhood improvement area #3 and establishing a lien on such property; providing for the method of assessment and the payment of the neighborhood improvement area #3 assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date.

*Jordan Powell, Assistant General Counsel, explained the item. Julie Houston, Bond Counsel with Orrick, provided additional information on the item. The court spoke about addressing residents' concerns about the development.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt an Order of the Commissioners Court of Hays County, Texas accepting and approving an amended and restated service and assessment plan, an updated major improvement area assessment roll, neighborhood improvement area #1 assessment roll and neighborhood improvement area #2 assessment roll and a neighborhood improvement area #3 assessment roll for La Cima Public Improvement District; making a finding of special benefit to the property in neighborhood improvement area #3 of the district; levying special assessments against property within neighborhood improvement area #3 and establishing a lien on such property; providing for the method of assessment and the payment of the neighborhood improvement area #3 assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38023** Discussion and possible action to adopt a Resolution approving the forms of the La Cima Public Improvement District Reimbursement Agreement Neighborhood Improvement Area #3 -- Phase 3, the La Cima Public Improvement District Reimbursement Agreement Neighborhood Improvement Area #3 -- Phase 4, the La Cima Public Improvement District Reimbursement Agreement Neighborhood Improvement Area #3 -- Phase 5, the Neighborhood Improvement Area #3 -- Phase 3 Landowner Agreement and Notice of Special Assessments, the Neighborhood Improvement Area #3 -- Phase 4 Landowner Agreement and Notice of Special Assessments and the Neighborhood Improvement Area #3 -- Phase 5 Landowner Agreement and Notice of Special Assessments; authorizing the execution and delivery of such agreements; and approving any additional actions necessary in connection therewith.

*Jordan Powell, Assistant General Counsel, explained the item. Julie Houston, Bond Counsel with Orrick, provided additional information on the item. The court spoke about addressing residents' concerns about the development.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution approving the forms of the La Cima Public Improvement District Reimbursement Agreement Neighborhood Improvement Area #3 -- Phase 3, the La Cima Public Improvement District Reimbursement Agreement Neighborhood Improvement Area #3 -- Phase 4, the La Cima Public Improvement District Reimbursement Agreement Neighborhood Improvement Area #3 -- Phase 5, the Neighborhood Improvement Area #3 -- Phase 3 Landowner Agreement and Notice of Special Assessments, the Neighborhood Improvement Area #3 -- Phase 4 Landowner Agreement and Notice of Special Assessments and the Neighborhood Improvement Area #3 -- Phase 5 Landowner Agreement and Notice of Special Assessments; authorizing the execution and delivery of such agreements; and approving any additional actions necessary in connection therewith.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38024** Discussion and possible action to adopt a Resolution of Hays County, Texas authorizing and creating the La Cima North Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

*Commissioner Shell explained the item. Judge Becerra spoke about the need to stay engaged with the community's needs. Dan Lyon made a public comment concerning pollution in the aquifer.*

A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a Resolution of Hays County, Texas authorizing and creating the La Cima North Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38025** Discussion and possible action to adopt an Order by the Commissioners Court of Hays County, Texas authorizing the issuance of "Hays County, Texas Limited Tax Bonds"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds; delegating authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the bonds; authorizing the execution of a paying agent/registrar agreement; and providing an effective date.

*Dan Wegmiller, Financial Advisor with Specialized Public Finance, explained the item.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt an Order by the Commissioners Court of Hays County, Texas authorizing the issuance of "Hays County, Texas Limited Tax Bonds"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds; delegating authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the bonds; authorizing the execution of a paying agent/registrar agreement; and providing an effective date.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38026** Discussion and possible action to retain services of ABIP, PC related to the Hays County annual financial audit pursuant to RFQ 2022-Q05 Auditing Services.

*Marisol Villarreal-Alonzo, Hays County Auditor, explained the item.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to retain services of ABIP, PC related to the Hays County annual financial audit pursuant to RFQ 2022-Q05 Auditing Services.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38027** Discussion and possible action to authorize the Hays County Health Department to provide flu vaccines to county employees and their eligible dependents enrolled in the county health plan.

*Shari Miller, Human Resources Director, provided background on the item. The court discussed opportunities to provide vaccines to more people. Mike Jones, Director of Emergency Services, explained leftover vaccines are usually offered to Emergency Service Districts before the public.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Hays County Health Department to provide flu vaccines to county employees and their eligible dependents enrolled in the county health plan.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38028** Discussion and possible action to approve the appointment of Ray Whisenant to the board of Driftwood Economic Development Municipal Management District to replace Don Curry, a four-year term ending June 30, 2025.

*Commissioner Smith spoke about the history of the District and the County's appointment.*



A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the appointment of Ray Whisenant to the board of Driftwood Economic Development Municipal Management District to replace Don Curry, a four-year term ending June 30, 2025.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38029** Discussion and possible action to authorize a renewal for Hays County Property and Mobile Equipment liability coverage with the Texas Association of Counties for plan year 2022-2023 at a premium renewal rate of \$263,830.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize a renewal for Hays County Property and Mobile Equipment liability coverage with the Texas Association of Counties for plan year 2022-2023 at a premium renewal rate of \$263,830.00.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38030** Discussion and possible action to authorize the execution of a \$2,000,000.00 Letter of Agreement between Hays County and CHRISTUS Santa Rosa Hospital (CSRSM) as budgeted for FY2023 related to Indigent health care costs.

*Commissioner Shell explained the item and thanked CSRSM. Commissioner Ingalsbe thanked CSRSM. Commissioner Jones thanked Commissioner Shell and Commissioner Ingalsbe for their work.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a \$2,000,000.00 Letter of Agreement between Hays County and CHRISTUS Santa Rosa Hospital (CSRSM) as budgeted for FY2023 related to Indigent health care costs.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38031** Discussion and possible action to approve the 2023 Sheriff and Constable Fees.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the 2023 Sheriff and Constable Fees.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38032** Discussion and possible action to award a contract for IFB 2022-B15 Francis Harris Lane - Low Water Crossing with C3 Environmental Specialties in the amount of \$691,901.95.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to award a contract for IFB 2022-B15 Francis Harris Lane - Low Water Crossing with C3 Environmental Specialties in the amount of \$691,901.95.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38033** Discussion and possible action to award contract for RFP 2022-P10 County Clerk Auto-Indexing System to Just Appraised, Inc. and authorize staff and General Counsel to negotiate a contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to award contract for RFP 2022-P10 County Clerk Auto-Indexing System to Just Appraised, Inc. and authorize staff and General Counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38034** Discussion and possible action to execute a Lease Agreement with TLC Office Systems for the Law Library copier services, with a monthly fee of \$333.70.

*Commissioner Smith spoke about future use of the Law Library. Elaine Cardenas, County Clerk, clarified the Law Library is required by statute and is used for pro bono work.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Lease Agreement with TLC Office Systems for the Law Library copier services, with a monthly fee of \$333.70.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**38035** Discussion and possible action to terminate all County involvement and/or funding for the Ranch Road 12 and 150 intersection.

*Erik Howard made a public comment regarding the history of the property and the impact this could have on residents. Susan Cook made a public comment against more road construction in the area. Hunter Stewart made a public comment against the project and eminent domain. Linda Kaye Rogers made a public comment regarding possible impact on wells and her neutral stance on the project. Jackson Wade Howard made a public comment against the project and eminent domain. Brian Wellin made a public comment asking the court to compromise and represent constituent interests. Elaine Cardenas, County Clerk, read emailed public comments against the project from the following individuals: Kate Tart, Kathy and Keith Hamon, Christine Geseking, David and Debbie Guthmiller, Jessica Laperouse, Dan Myane, Marci Myane, Matthew and Emily Ingles, Brad Dixon, John McClaferty Jr., Robert and Linda Garton, Ashlee McCord, Bonnie and Mitch Lewandowski, Jennifer Stoklosa, Jennifer Schaeffer, Dianne Wassenich, Jame Fowler, Drinda Pennini, Bettina Mathis, Lori Botel, Logan Lepper, Suzanne Peterson, Don Watson, Steve and Cheryl Wooster, Ryann Hanes-Sloan, Eric Reed Fowler, Erica McClaferty, Martin McConahay, Mary Beth Alsdorf, Glenn Matthys, Cynthia Jan Wesson, Mark Watson, Carly Harber, Tracy and Robert Harber, Janet and Chris Culver, and Lori and Ben Broughton. Additional public comments against the project were submitted by Diana McClaferty and Brooke Swindle. The court discussed Commissioner Smith's recusal, the need to consult with Right of Way Counsel, and the County's involvement with the project. Landowner Erik Howard spoke about the need for more communication from the court. The court discussed their options moving forward and the project's timeline.*

**Clerk's Note:** Judge Becerra called for a recess that began at 12:10 p.m. and resumed back into open court at 12:24 p.m.

**Clerk's Note:** Item K-15 was reopened during Executive Session.

*Commissioner Shell stated additional analysis regarding one of the 3 parcels is needed, and this reset will also give court members an opportunity to consider the timeline for the project as a whole.*

A motion was made by Commissioner Shell, seconded by Commissioner Jones to request that Right of Way Counsel reset the hearing dates for the parcels associated with the FM150/RR12 project, and to request that additional analysis be performed regarding the public necessity of the Right of Way being considered.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Judge Becerra  
**4 - 0 Passed**

**Clerk's Note:** Executive Session began at 1:40 p.m. and resumed back into open court at 2:58 p.m.

**38036** 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 Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

*Commissioner Shell stated as the County leads into its conservation of the Old Glory and John Knox projects, the NRCS portion of funding requires the execution of certain documents related to the application for federal funding that will help close the transaction. These documents include Parcel Cost-Share Contracts and accompanying documents.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to grant General Counsel authority to execute any and all documents presented by the National Resource Conservation Service, related to Hays County's status as prospective co-holder of conservation easements, along with Hill Country Conservancy, on the John Knox and Old Glory Parks and Open Space projects, in Precinct 3 of Hays County.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

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 Thin Mint. Possible discussion and/or action may follow in open Court.

No action taken.

Discussion and possible action related to the burn ban.

Mark Wobus, Hays County Fire Marshal, stated this is the final day of the burn ban extension and recommended letting it expire. He updated the court on drought conditions and explained the process of obtaining a burn permit. Commissioner Smith clarified burn permits are free and help the Emergency Service Districts prepare for potential issues. No action taken.

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 643 for the week of September 4, 2022 with a peak of 651 inmates on September 7, 2022. The estimated cost for outsourcing inmates this week was \$113,508. The average number of outsourced males is 186 and females is 22. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, Lee, Maverick, and Red River. The number of "paper-ready" inmates who are now wardens of the state is 37. No action taken.

**Clerk's Note Agenda Item #M-3 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 #M-4 RE:** Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - **WAS PULLED.**

#### ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 3:01 p.m.

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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 September 13, 2022.



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

A decorative flourish or signature line consisting of a series of loops and curves.