

HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 15, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 15th DAY OF November 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 Danielle Knapp, First United Methodist Church San Marcos, 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

Laura Nunn made a public comment concerning election transparency. Dan Lyon made a public comment concerning County bonds. Enrique Espina made a public comment concerning election integrity. Elaine Cardenas, County Clerk, read an emailed public comment from Sam Brannon concerning election integrity.

38213 Adopt a Proclamation declaring November 15, 2022 as GIS Day.

Marcus Pacheco, Director of Development Services, spoke about the Hays County GIS team and thanked the Court for the recognition. Steve Floyd and Kellsey Schilly, Development Services GIS Division, thanked the Court and spoke about upcoming GIS events.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring November 15, 2022 as GIS Day.

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

Presentation by the Meadows Mental Health Policy Institute on the mental health needs assessment conducted in Hays County.

Melissa Rowan, Chief Operating Officer of the Meadows Mental Health Policy Institute, presented findings of the mental health needs assessment. Topics included having a broad-based planning group, increased access to community-based services, an intensive case management team, and facility options. The Court discussed with Rowan the need for community input and collaboration across the region, and state involvement in funding mental health services. The final report will be submitted on November 30th.

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

Jordan Powell, Assistant General Counsel, spoke about the ordinance the City of San Marcos is drafting and keeping the County's ordinance consistent with it. Judge Becerra spoke about the necessity of urgent action due to shelter overcrowding.

38214 Approve payments of County invoices.

A motion was made by Commissioner Jones, 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

38215 Approve the payment of Juror checks.

A motion was made by Commissioner Jones, 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

38216 Approve the payment of United Healthcare claims.

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

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

38217 Approve Commissioners Court Minutes of November 1, 2022.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of November 1, 2022.

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

38218 Approve payment of the \$100.00 application fee to the Texas Historical Commission for the replacement historical marker at Bunton Ranch Bridge in Kyle, TX.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve payment of the \$100.00 application fee to the Texas Historical Commission for the replacement historical marker at Bunton Ranch Bridge in Kyle, TX.

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

38219 Amend the Constable Pct. 3 operating budget for additional vehicle maintenance & repair needs for law enforcement fleet.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Constable Pct. 3 operating budget for additional vehicle maintenance & repair needs for law enforcement fleet.

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

Clerk's Note Agenda Item #G-7 RE: *Authorize the County Judge to execute an agreement with The Move Team for services in the amount of \$12,323.70 related to moving the Elections Administration office from the Government Center to 120 Stagecoach Trail and amend the budget accordingly.* - **WAS PULLED.**

38220 Authorize Building Maintenance to purchase a 5 gallon Graco Airless Line Striper in the amount of \$4,385.00 and amend the budget accordingly.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Building Maintenance to purchase a 5 gallon Graco Airless Line Striper in the amount of \$4,385.00 and amend the budget accordingly.

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

38221 Approve the reappointment of Robert Avera to the Board of Emergency Services District #6, a two year term ending December 31, 2024.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the reappointment of Robert Avera to the Board of Emergency Services District #6, a two year term ending December 31, 2024.

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

38222 Authorize Building Maintenance to replace the 10 ton HVAC rooftop unit #5 (RTU-5) at the Hays County Courthouse in the amount of \$24,812.95 and amend the budget accordingly.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Building Maintenance to replace the 10 ton HVAC rooftop unit #5 (RTU-5) at the Hays County Courthouse in the amount of \$24,812.95 and amend the budget accordingly.

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

38223 Authorize the County Judge to execute a renewal of the Interlocal Cooperation Agreement between Hays County and Blanco County for Jail Services effective November 1, 2022.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a renewal of the Interlocal Cooperation Agreement between Hays County and Blanco County for Jail Services effective November 1, 2022.

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

38224 Authorize the County Judge to execute a Service Support Plan with Conference Technologies, Inc. for the audio/visual system located at the Jail and Training Center.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Service Support Plan with Conference Technologies, Inc. for the audio/visual system located at the Jail and Training Center.

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

38225 Authorize the acceptance of a grant award from the Department of Justice, Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP) in the amount of \$118,252.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Department of Justice, Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP) in the amount of \$118,252.00.

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

38226 Authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division, Justice Assistance Grant Program for the continuation of the Hays County Mental Health Crisis Intervention program in the amount of \$58,405.90.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division, Justice Assistance Grant Program for the continuation of the Hays County Mental Health Crisis Intervention program in the amount of \$58,405.90.

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

38227 Authorize Building Maintenance to pour a new concrete dumpster pad at the Wimberley Recycling and Solid Waste Facility in the amount of \$12,500.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Building Maintenance to pour a new concrete dumpster pad at the Wimberley Recycling and Solid Waste Facility in the amount of \$12,500.00.

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

38228 Ratify the submission of a grant application to State Farm Good Neighbor Citizenship Grant Program in the amount of \$10,000.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the submission of a grant application to State Farm Good Neighbor Citizenship Grant Program in the amount of \$10,000.00.

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

38229 Authorize the acceptance of a grant award from the Office of the Governor, FY23 Victim Assistance, First Responder Mental Health Program in the amount of \$10,081.25 and amend the budget accordingly.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Office of the Governor, FY23 Victim Assistance, First Responder Mental Health Program in the amount of \$10,081.25 and amend the budget accordingly.

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

38230 Authorize the County Judge to execute a First Amendment for a time extension to a Professional Services Agreement between Hays County and Lockwood, Andrews and Newman, Inc. related to the Right of Way services for FM 1626 A (South), from RM 967 to FM 2770, safety expansion project.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a First Amendment for a time extension to a Professional Services Agreement between Hays County and Lockwood, Andrews and Newman, Inc. related to the Right of Way services for FM 1626 A (South), from RM 967 to FM 2770, safety expansion project.

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

38231 Approve specifications for RFP 2023-P03 Countywide Plumbing Services and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for RFP 2023-P03 Countywide Plumbing Services and authorize Purchasing to solicit for proposals and advertise.

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

38232 Authorize the County Judge to execute Amendment #1 for a time extension to Task Order #3 as part of the Master Interlocal Agreement between Hays County and Texas State University executed on or about August 18, 2020.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment #1 for a time extension to Task Order #3 as part of the Master Interlocal Agreement between Hays County and Texas State University executed on or about August 18, 2020.

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

38233 Authorize the execution of the FY 2023 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) and amend the budget accordingly.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of the FY 2023 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) and amend the budget accordingly.

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

38234 Authorize the Sheriff's Office to accept a \$100.00 donation from Wesley B. Alexander and amend the budget accordingly.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to accept a \$100.00 donation from Wesley B. Alexander and amend the budget accordingly.

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

38235 Authorize a waiver to the purchasing policy and pre-payment to vendor for the Sheriff's Office to use Ethos Survival Inc. to purchase Narcan holsters.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize a waiver to the purchasing policy and pre-payment to vendor for the Sheriff's Office to use Ethos Survival Inc. to purchase Narcan holsters.

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

38236 Authorize the County Judge to execute a renewal agreement for \$20,321.00 for the Lexis Digital Law Library for use by Hays County Law Library patrons and authorize a discretionary exemption pursuant to Texas Local Government Code, 262.024 (a)(7)(B).

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a renewal agreement for \$20,321.00 for the Lexis Digital Law Library for use by Hays County Law Library patrons and authorize a discretionary exemption pursuant to Texas Local Government Code, 262.024 (a)(7) (B).

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

38237 Authorize a purchasing wavier for the Justice of the Peace, Pct. 3 Office to add security camera's and equipment to the Precinct 3 Building utilizing the Justice Court Building Security Fund and amend the budget accordingly.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize a purchasing wavier for the Justice of the Peace, Pct. 3 Office to add security camera's and equipment to the Precinct 3 Building utilizing the Justice Court Building Security Fund and amend the budget accordingly.

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

38238 Authorize the execution of a Business Associate Agreement between the Hays County Local Health Department and Jotform related to the Subscription Agreement that was approved and executed on October 25, 2022.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Business Associate Agreement between the Hays County Local Health Department and Jotform related to the Subscription Agreement that was approved and executed on October 25, 2022.

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

38239 Approve Utility Permits.

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

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

38240 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. to provide utility coordination services for the RM 12 safety improvements near the intersection of Skyline Drive and Mountain Crest Drive in Precinct 3.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. to provide utility coordination services for the RM 12 safety improvements near the intersection of Skyline Drive and Mountain Crest Drive in Precinct 3.

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

38241 Discussion and possible action to authorize the execution of Change Order No.15 in the amount of \$175,962.26 to the Construction Contract with Cox Commercial Construction for the RM 3237 at RM 150 Roundabout (IFB-2021-B06) project as part of the Hays County Road Bond Program in Precinct 3 and amend the budget accordingly.

Dan Lyon made a public comment concerning costs and time delays. Commissioner Shell spoke about the safety issues and often unforeseen problems that arise and lead to change orders.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of Change Order No.15 in the amount of \$175,962.26 to the Construction Contract with Cox Commercial Construction for the RM 3237 at RM 150 Roundabout (IFB-2021-B06) project as part of the Hays County Road Bond Program in Precinct 3 and amend the budget accordingly.

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

38242 Discussion and possible action to approve a resolution in support of TXDOT designing and constructing signal lights on FM 110 at the intersections of Redwood Road and FM 621.

Commissioner Ingalsbe spoke about safety issues at these intersections and identifying funding for improvements.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve a resolution in support of TXDOT designing and constructing signal lights on FM 110 at the intersections of Redwood Road and FM 621.

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

38243 Discussion and possible action to consider the release of the subdivision bond #ES00007788 in the amount of \$350,046.72 for Headwaters at Barton Creek subd., Phase 5, Section 1.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to release the subdivision bond #ES00007788 in the amount of \$350,046.72 for Headwaters at Barton Creek subd., Phase 5, Section 1.

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

38244 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Kyle relating to the County's Kohlers Crossing/Union Pacific Railroad grade-separation project and amend the budget accordingly.

Commissioner Jones explained the City of Kyle will fund their portion of the project.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Kyle relating to the County's Kohlers Crossing/Union Pacific Railroad grade-separation project and amend the budget accordingly.

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

38245 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$110,000.00 to the Professional Services Agreement between Hays County and HDR Engineering, Inc. for engineering design services for Kohlers Crossing grade separation at Union Pacific Railroad in Pct. 2, and amend the budget accordingly.

Dan Lyon made a public comment asking for clarification on this project's funding. Commissioner Jones explained the City of Kyle pays HDR through the County.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$110,000.00 to the Professional Services Agreement between Hays County and HDR Engineering, Inc. for engineering design services for Kohlers Crossing grade separation at Union Pacific Railroad in Pct. 2, and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #I-7 RE: *Discussion and possible action to approve the selection of Raba-Kistner, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call basis related to road improvement projects in Hays County; and authorize staff and counsel to negotiate a contract, as well as a Work Authorization #1 for CE&I services on the FM 110 South Grading project as part of the TxDOT/Hays County Partnership Program. - WAS PULLED.*

38246 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$40,000.00 to the Professional Services Agreement between Hays County and K Friese & Associates, Inc. to provide post construction drainage report and documents for the Lime Kiln Road project in Precinct 3 and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Dan Lyon made a public comment concerning cost increases. Commissioner Shell explained why the FEMA Letter of Map Revision (LOMR) was added to the contract.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$40,000.00 to the Professional Services Agreement between Hays County and K Friese & Associates, Inc. to provide post construction drainage report and documents for the Lime Kiln Road project in Precinct 3 and authorize 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

38247 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, and release of the Letter of Credit #20224122 in the amount of \$424,008.25 for 6 Creeks subd., Phase 1, Section 6A.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction & surface drainage improvements, and release the Letter of Credit #20224122 in the amount of \$424,008.25 for 6 Creeks subd., Phase 1, Section 6A.

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

5 - 0 Passed - Unanimously

38248 PLN-2026-NP; Anthem, Phase 4A Subdivision (108 Lots). Discussion and possible action to approve final plat and accept fiscal surety for street and drainage improvements.

Colby Machacek, County Planner with Development Services, provided background on the property and stated it has full staff recommendation.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the final plat of PLN-2026-NP; Anthem, Phase 4A Subdivision (108 Lots) and accept fiscal surety for street and drainage improvements.

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

5 - 0 Passed - Unanimously

38249 PLN-1954-PC; Call for a Public Hearing on December 6th 2022, followed by discussion and possible action regarding the Burnett Ranch, Sec 3, Lot 55, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a Public Hearing on December 6th 2022, followed by discussion and possible action regarding the Burnett Ranch, Sec 3, Lot 55, Replat (PLN-1954-PC).

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

5 - 0 Passed - Unanimously

38250 PLN-1864-NP; The Vineyard, Phase 2, Final (Vineyard Reserve, Sec A); Discussion and possible action to approve final plat.

Colby Machacek, County Planner with Development Services, provided background on the property and stated it has full staff recommendation.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the final plat of PLN-1864-NP; The Vineyard, Phase 2, Final (Vineyard Reserve, Sec A).

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

38251 PLN-2068-NP; Bunk Road Subdivision; Discussion and possible action to approve the final plat.

Colby Machacek, County Planner with Development Services, provided background on the property and stated it has full staff recommendation.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the final plat of PLN-2068-NP; Bunk Road Subdivision.

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

38252 PLN-2055-PC; Hold a Public Hearing with possible action to conditionally approve Indian Hills Ranch, Lot 9, Replat.

Judge Becerra opened the Public Hearing at 11:24 a.m. No comments were made. Judge Becerra closed the Public Hearing at 11:25 a.m. Colby Machacek, County Planner with Development Services, provided background on the property and stated staff recommends approval once the deficiencies identified in the back-up are remedied. Marcus Pacheco, Director of Development Services, explained conditional approval. Commissioner Smith gave support for low-density developments like this.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve Indian Hills Ranch, Lot 9, Replat (PLN-2055-PC).

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

Clerk's Note: Judge Becerra called for a recess that began at 11:30 a.m. and resumed back into open court at 11:40 a.m.

38253 Discussion and possible action to authorize the County Judge to execute a Memorandum of Understanding (MOU) between Hays County and Southern Methodist University on behalf of the Deason Criminal Justice Reform Center at the Dedman School of Law regarding the collection of information and data necessary to analyze the County's indigent defense services.

Commissioner Shell stated the university will analyze those in the misdemeanor court that represent themselves versus those that have representation.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Memorandum of Understanding (MOU) between Hays County and Southern Methodist University on behalf of the Deason Criminal Justice Reform Center at the Dedman School of Law regarding the collection of information and data necessary to analyze the County's indigent defense services.

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

38254 Discussion and possible action to authorize a salary exception at the 25th percentile for the TB Program Medical Assistant, slot 1130-001 at the Hays County Local Health Department effective on the date of hire.

Tammy Crumley, Director of Countywide Operations, stated this position has been vacant for 16 months and the County will lose its grant if it is not filled.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize a salary exception at the 25th percentile for the TB Program Medical Assistant, slot 1130-001 at the Hays County Local Health Department effective on the date of hire.

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

38255 Discussion and possible action to authorize the County Judge to execute an Agreement to Provide Joint Funding in the amount of \$20,000.00 for the Provision of Youth Services, between Hays County, Texas State University, San Marcos CISD, and the City of San Marcos, related to the joint funding of a youth services director for the education of local youth.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Agreement to Provide Joint Funding in the amount of \$20,000.00 for the Provision of Youth Services, between Hays County, Texas State University, San Marcos CISD, and the City of San Marcos, related to the joint funding of a youth services director for the education of local youth.

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

Clerk's Note Agenda Item #K-4 RE: *Discussion and possible action to authorize the County Judge to execute a Service Agreement between Hays County and Text My Gov, Inc. in the amount of \$15,000 for text messaging services for the public to communicate with the County Clerk's office and amend the budget accordingly. - WAS PULLED.*

38256 Discussion and possible action related to a Notice from Travis County Fire Rescue to Adopt and Enforce its own Fire Code within Hays County (Caldwell / Hays Co. Emergency Service District #1).

Mike Jones, Director of Emergency Services, clarified the item should read that Travis County Fire Rescue will adopt and enforce the current Hays County Fire Code within Hays County.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to have Travis County Fire Rescue Adopt and Enforce the Hays County Fire Code within Hays County (Caldwell / Hays Co. Emergency Service District #1).

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

38257 Discussion and possible action to award a contract for IFB 2022-B19 Metal Beam Guard Fence (MBGF) Materials to Texas Corrugators for materials used primarily by the Transportation Department.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to award a contract for IFB 2022-B19 Metal Beam Guard Fence (MBGF) Materials to Texas Corrugators for materials used primarily by the Transportation Department.

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

38258 Discussion and possible action to execute a Co-Terminus Accessory Addition Amendment with Ricoh USA, Inc. to add fax service to the Hays County Tax Office Copier for an additional \$28.50 per month.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Co-Terminus Accessory Addition Amendment with Ricoh USA, Inc. to add fax service to the Hays County Tax Office Copier for an additional \$28.50 per month.

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

38259 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Gunner Thames Memorial Foundation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Smith spoke about Gunner Thames and the foundation's losses due to COVID-19, and clarified that ARPA funds will go to this foundation. Commissioner Jones spoke about the scholarships this foundation provides.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Gunner Thames Memorial Foundation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

Discussion and possible action on a recommended interim community cat management policy to move toward the recommendations of the completed feasibility study conducted by national experts, Team Shelter USA.

Nicola Ladkin made a public comment in favor of a countywide Trap, Neuter, Return (TNR) program. Sharri Boyett made a public comment in favor of a TNR policy. The Court discussed with Boyett what action can be taken today and the need for a new ordinance. Jordan Powell, Assistant General Counsel, spoke about confusion that might result from adopting an interim ordinance, and a possible timeline of action. Judge Becerra explained the Sheriff's Office is currently picking up cats and bringing them to the San Marcos Regional Animal Shelter, and there are volunteers willing to return them. Commissioner Shell explained the legal conflict with the County's current ordinance. Commissioner Smith spoke about including areas outside of San Marcos and gave support for a new policy. Mark Kennedy, General Counsel, spoke about County authority and made suggestions for changing the ordinance. Judge Becerra stated he will bring this item back next week. No action taken.

38260 Discussion and possible action to provide matching funds to the PAWS on the Ground Hays non-profit organization related to a trap/neuter/return (TNR) program for unowned community cats within the San Marcos area and amend the budget accordingly.

Commissioner Ingalsbe stated this can be matched from the Tobacco Settlement Fund. Commissioner Shell gave support for this item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to provide matching funds to the PAWS on the Ground Hays non-profit organization related to a trap/neuter/return (TNR) program for unowned community cats within the San Marcos area and amend the budget accordingly.

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

38261 Discussion and possible action to canvass the November 8, 2022 General Election results.

Jennifer Doinoff, Elections Administrator, stated the election results must be canvassed before a recount can be filed and clarified concerns from public comments. Judge Becerra spoke about his confidence in the election and thanked Doinoff. Doinoff stated poll watchers were satisfied with the election process. Judge Becerra spoke about the importance of transparency. Commissioner Shell stated the canvass is on the County website. The Court and Doinoff explained various public concerns, including under-votes, over-votes, and limited ballots.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to canvass the November 8, 2022 General Election results.

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

Clerk's Note: Executive Session began at 11:56 a.m. and resumed back into open court at 1:48 p.m.

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of real property associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

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 located at 101 Thermon Drive, San Marcos. Possible discussion and/or action may follow in open court.

No action taken.

Executive Session pursuant to Section 551.071 of the Texas Government Code: consultation with counsel related to public financing of the La Cima Public Improvement District, Neighborhood Improvement Area #3. Possible discussion and action may follow in open court.

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 located at 2400 N IH 35, San Marcos. Possible discussion and/or action may follow in open court.

No action taken.

Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding the County's Reinvestment Zone Policy; and regarding Tax Increment Reinvestment Zone (TIRZ) #2 in Kyle. Possible action may follow in open court.

No action taken.

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban.* - **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 635 for the week of November 6, 2022 with a peak of 639 inmates on November 9, 2022. The estimated cost for outsourcing inmates this week was \$155,528. The average number of outsourced males is 248 and females is 22. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, and Maverick. During the month of October 2022, the county jail trustees worked a total of 5,238.55 hours at a rate of \$12 per hour, for a savings of \$62,862.60. The jobs performed by the trustees range from kitchen, laundry, cleaning within the facility, and special project assignments. The number of "paper-ready" inmates who are now wardens of the state is 22.

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 Shell, seconded by Judge Becerra to adjourn court at 1:48 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on NOVEMBER 15, 2022.



Elaine H. Cardenas

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

