

**Commissioners Court -- FEBRUARY 10, 2023
NOTICE OF A SPECIAL MEETING OF THE
COMMISSIONERS COURT OF HAYS COUNTY, TEXAS**



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNONS TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at 1:00 P.M. on FEBRUARY 10, 2023, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENTS

At this time 3-MINUTE comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/ Witness Form to the County Clerk. Please Complete the Public Participation/ Witness Form in its Entirety.

NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS .

D. CONSENT ITEMS

The following may be acted upon in one motion.

A Commissioner, the County Judge, or a Citizen may request items be pulled for separate discussion and/or action.

1. Authorize execution of a Letter Amendment to the Professional Services Agreement between Hays County and Management Advisory Group International, Inc. **INGALSBE**
2. Authorize and/or Ratify Execution of a Third Amendment to the Countywide Dumpster Contract (IFB 2021-B12), in relation to debris removal under the Declaration of Local Disaster, as authorized by Section 262.031(a) of the Texas Local Government Code. **BECERRA**

E. ACTION ITEMS

F. MISCELLANEOUS

1. Discussion and possible action to consent to the extension of a Declaration of Local Disaster originally made by the County Judge on February 3, 2023. **BECERRA**
2. Discussion and possible action related to the salary survey and report for Hays County, provided by Management Advisory Group International, Inc. **INGALSBE**

G. EXECUTIVE SESSIONS

The Commissioners Court will announce that it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation and personnel matters as specifically listed on this agenda. The Commissioners Court may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

H. ADJOURNMENT

Posted by 1:00 o'clock P.M. on the 7th day of February, 2023
COMMISSIONERS COURT, HAYS COUNTY, TEXAS

CLERK OF THE COURT

Hays County encourages compliance with the Americans with Disabilities Act (ADA) in the conduct of all public meetings. To that end, persons with disabilities who plan to attend this meeting and who may need auxiliary aids such as an interpreter for a person who is hearing impaired are requested to contact the Hays County Judge's Office at (512) 393-2205 as soon as the meeting is posted (72 hours before the meeting) or as soon as practical so that appropriate arrangements can be made. While it would be helpful to receive as much advance notice as possible, Hays County will make every reasonable effort to accommodate any valid request regardless of when it is received. Braille is not available.



AGENDA ITEM REQUEST FORM: D. 1.

Hays County Commissioners Court

Date: 02/10/2023

Requested By:

Sponsor: Commissioner Ingalsbe

Agenda Item

Authorize execution of a Letter Amendment to the Professional Services Agreement between Hays County and Management Advisory Group International, Inc. **INGALSBE**

Summary

The contract, originally executed in June of 2022, cited a duration of 150 days. That is being extended to 300 days to allow time for conclusion of the services.

Attachments

Letter Amendment

FIRST AMENDMENT TO THE CONTRACT
BETWEEN HAYS COUNTY
AND MANAGEMENT ADVISORY GROUP INTERNATIONAL, INC.

This 1ST Amendment to the Contract executed on or about June 7, 2022 between Hays County, a political subdivision of the State of Texas (herein referred to as "County"), and Management Advisory Group International, Inc. (herein referred to as "Contractor") is hereby effective February 10, 2023. The above-cited parties are collectively referred to as "the parties to this Agreement" or "the parties."

4. DURATION The parties agree that the Work shall commence within ten (10) calendar days upon notification to proceed and shall be completed within three hundred (300) calendar days. Any desired extension shall be requested by the Contractor, in writing, no less than thirty (30) days prior to the expiration of the 300-day duration.

EXCEPT FOR THE ABOVE MODIFICATION, ALL OTHER TERMS AND CONDITIONS OF THE AGREEMENT SHALL REMAIN UNCHANGED, UNLESS PROPERLY MODIFIED BY SUBSEQUENT AMENDMENT UNDER THE TERMS OF THE AGREEMENT.

This 1st Amendment to the Contract is hereby effective February 10, 2023, as is evidenced by the authorized signatures of the Parties, below.

CONTRACTOR

COUNTY

MANAGEMENT GROUP INTERNATIONAL, INC.
By: _DONALD C. LONG
Title: _PRESIDENT

HAYS COUNTY, TEXAS
RUBEN BECERRA
HAYS COUNTY JUDGE

ATTEST: _____
ELAINE H. CARDENAS MBA PhD
HAYS COUNTY CLERK



Hays County Commissioners Court

Date: 02/10/2023

Requested By:

Sponsor:

Judge Becerra

Agenda Item:

Authorize and/or Ratify Execution of a Third Amendment to the Countywide Dumpster Contract (IFB 2021-B12), in relation to debris removal under the Declaration of Local Disaster, as authorized by Section 262.031(a) of the Texas Local Government Code. **BECERRA**

Summary:

The Amendment provides for the addition of Tub Grinders, Excavators, and Boom Trucks, all of which are needed for local emergency response under the Declaration of Local Disaster.

Fiscal Impact:

Amount Requested:

Line Item Number:

Budget Office:

Source of Funds:

Budget Amendment Required Y/N?:

Comments:

Auditor's Office:

Purchasing Guidelines Followed Y/N?:

G/L Account Validated Y/N?:

New Revenue Y/N?:

Comments:

Attachments

Third Amendment

Third Amendment to the Countywide Dumpster Contract (IFB 2021-B12 Countywide Dumpsters)

1. This Third Amendment to the Countywide Dumpster Contract (the "Third Amendment"), attached as *Exhibit "A"* and executed December 7, 2021 (the "Agreement"), is made this 10th day of February 2023, by and between **Hays County, Texas ("Client")** and **Waste Connections Lone Star, Inc. ("Contractor")**. The above-cited parties are collectively referred to as "the parties to this Agreement" or "the parties."

2. The following services shall be added as additional services related to debris removal:

a. Tub Grinder and Excavator:

- \$5,600.00 per day
- \$3,300.00 per Mobilization
- \$2,400.00 per day of non-use

b. Boom Truck:

- \$2,600.00 per day, no haul limit per day

3. Except for the above modifications set forth in this First Amendment, all other terms and conditions of the Agreement shall remain unaffected and shall continue in full force and effect in accordance with its terms.

HAYS COUNTY, TEXAS

By: _____

Printed Name: _____

Title: _____

Dated: _____

WASTE CONNECTIONS LONE STAR, INC.

By: _____

Printed Name: _____

Title: _____

Dated: _____

ATTEST: _____
Elaine Cardenas, Hays County Clerk



AGENDA ITEM REQUEST FORM: **F. 1.**

Hays County Commissioners Court

Date: 02/10/2023

Requested By:

Sponsor:

Judge Becerra

Agenda Item

Discussion and possible action to consent to the extension of a Declaration of Local Disaster originally made by the County Judge on February 3, 2023. **BECERRA**

Summary

See the Attached Declaration and accompanying Letter

Attachments

Declaration

Letter to Governor



LOCAL DISASTER DECLARATION
FOR HAYS COUNTY
RELATED TO WINTER WEATHER CONDITIONS

WHEREAS, Hays County has experienced Winter Storm Warnings, Winter Weather Advisories and cold, wet, icy conditions over the last three days; and

WHEREAS, temperatures have dropped below freezing, causing the wet conditions to turn to ice on roadways and in other public areas, and fallen tree limbs due to ice accumulation have caused significant damage; and

WHEREAS, Hays County resources have been mobilized to deal with dangerous conditions created by this weather event; and

WHEREAS, the Hays County Judge, on advice from Mike Jones, Emergency Services Director, and Alex Villalobos, Chief of Staff, has determined that weather-related conditions pose a significant threat to Hays County citizens and their property; and that measures must be taken to prevent threats and maintain the health and safety of our community.

NOW THEREFORE BE IT PROCLAIMED:

- 1) That a local state of disaster is hereby declared for Hays County, Texas, pursuant to §418.108(a) of the Texas Government Code; and
- 2) That, pursuant to §418.108(b) of the Texas Government Code, this local state of disaster shall continue for a period of not more than seven (7) days from the date cited below, unless this local state of disaster is continued by Resolution of the Hays County Commissioners Court; and
- 3) That, pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the Hays County Clerk; and
- 4) That, pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Hays County Emergency Management Plan; and
- 5) That this Declaration shall take effect immediately upon its execution by the Hays County Judge, as is evidenced by his duly authorized signature, below, and remain in effect until it expires, or until winter weather conditions no longer exist.

DECLARED AND ORDERED this the 3rd day of February, 2023.

Ruben Becerra
Hays County Judge



Accepted and Filed:

Elaine Cardenas, MBA, PhD
Hays County Clerk



County Judge Ruben Becerra
DIRECTOR

4 February 2023

The Honorable Greg Abbott
Governor of Texas
c/o Chief Texas Division of Emergency Management
P. O. Box 4087
Austin, Texas 78773-0001

Dear Governor,

Hays County, Texas is facing significant threats to life, health, and property due to the recent winter weather and icing event.

The potential impact of this threat is several hundred-thousands of dollars of debris clean up and prolonged power outages which have affected thousands of Hays County residents.

I have determined that this incident is of such severity and magnitude that an effective response is beyond the capability of the local jurisdiction to control. Pursuant to §433.001 of the Texas Government Code, I am requesting that you declare a state of emergency for the state of Texas and issue appropriate directives to deal with the emergency; including debris clean-up and power restoration.

Furthermore, I am asking that successive proclamations be issued and remain in effect until the threat of loss of life, injury, or damage to property is contained.

A timely response to this request would be appreciated.

Respectfully,

A handwritten signature in blue ink, appearing to be "Ruben Becerra".

Ruben Becerra, Hays County Judge



Hays County Commissioners Court

Date: 02/10/2023

Requested By:

Shari Miller

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Discussion and possible action related to the salary survey and report for Hays County, provided by Management Advisory Group International, Inc. **INGALSBE**

Summary:

A MAG representative will be present to deliver information related to the salary survey, after which the Court may seek clarification and deliberate regarding next steps.

Fiscal Impact:

Amount Requested:

Line Item Number:

Budget Office:

Source of Funds:

Budget Amendment Required Y/N?:

Comments:

Auditor's Office:

Purchasing Guidelines Followed Y/N?:

G/L Account Validated Y/N?:

New Revenue Y/N?:

Comments:
