

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JUNE 6, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6th DAY OF JUNE A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	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:

Jim Davis, Grace Bible Church of 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

Dan Lyon made a public comment concerning court video issues and construction around the Courthouse. Clay Huckaby made a public comment thanking the court for granting \$200,000 of American Rescue Plan Act funds to Hays County ESD 2 and updated the court on the progress of the Shadow Creek neighborhood fire station. Sam Brannon made a public comment concerning the last special meeting and action taken regarding the Treasurer's Office. Elaine Cardenas, County Clerk, read an emailed public comment from Jimmy Navarro concerning vehicle traffic and requesting a status update on the Hillside Terrace Improvement Project.

39010 Adopt a Proclamation recognizing June 2023 as Elder Abuse Prevention Month.

Veronica Flores, Adult Protective Services, spoke about the importance of preventing elder abuse and ways for the public to report abuse. The Court thanked the representatives from APS for their work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing June 2023 as Elder Abuse Prevention Month.

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

5 - 0 Passed - Unanimously

39011 Adopt a Proclamation recognizing the 17th anniversary of the death of U.S. Army Private First Class Kristian Menchaca, a student of the Gary Job Corps Center.

Randolph Goodman and others from Gary Job Corps Center thanked the Court for their support and spoke about their time with Kristian. The Court recognized Gary Job Corps for all they do for the community. Dan Lyon made a public comment thanking the Court for the proclamation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing the 17th anniversary of the death of U.S. Army Private First Class Kristian Menchaca, a student of the Gary Job Corps Center.

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

5 - 0 Passed - Unanimously



39012 Adopt a Proclamation recognizing June 13-19, 2023 as National Flag Week.

The Court spoke about their appreciation for the country and its flag. Commissioner Shell thanked the Captain Thomas Moore Chapter of the Daughters of the American Revolution (DAR) for sponsoring this item. Representatives from the DAR thanked the Court and spoke about the importance of the American flag.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing June 13-19, 2023 as National Flag Week.

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

5 - 0 Passed - Unanimously

39013 Adopt a Proclamation declaring June 2023 as Hays County Month Long Celebration of Juneteenth.

Constable Peterson, Precinct 1, spoke about the importance of Juneteenth and recognized several individuals from the community for their mentorship. Pastor Derrick Benn, representative for the Juneteenth Foundation, spoke about the history of the holiday and invited the public to various Juneteenth events.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring June 2023 as Hays County Month Long Celebration of Juneteenth.

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

5 - 0 Passed - Unanimously

39014 Approve payments of County invoices.

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

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

5 - 0 Passed - Unanimously

39015 Approve the payment of Juror checks.

Marisol Villarreal-Alonzo, County Auditor, added 36 juror checks totaling \$450 from the County Court at Law.

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

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

5 - 0 Passed - Unanimously

39016 Approve the payment of United Healthcare claims.

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

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

5 - 0 Passed - Unanimously

39017 Approve Commissioners Court minutes for May 23, 2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve Commissioners Court minutes for May 23, 2023.

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

5 - 0 Passed - Unanimously

39018 Approve the payment of the June 15, 2023 payroll disbursements in an amount not to exceed \$3,650,000.00 effective June 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the payment of the June 15, 2023 payroll disbursements in an amount not to exceed \$3,650,000.00 effective June 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

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

5 - 0 Passed - Unanimously

39019 Authorize the County Judge to execute an agreement between the Hays County Local Health Department and Go Sharps Medical Waste Experts LLC for the disposal of Health Department medical waste.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an agreement between the Hays County Local Health Department and Go Sharps Medical Waste Experts LLC for the disposal of Health Department medical waste.

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

5 - 0 Passed - Unanimously

39020 Ratify the submission of a grant application to the Texas Indigent Defense Commission, FY24 Improvement Grant Program in the amount of \$77,391.00 and authorize the execution of the associated resolution.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to ratify the submission of a grant application to the Texas Indigent Defense Commission, FY24 Improvement Grant Program in the amount of \$77,391.00 and authorize the execution of the associated resolution.

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

5 - 0 Passed - Unanimously

39021 Authorize the execution of a Memorandum of Understanding (MOU) with the City of San Marcos related to the Local Health Department's Community Outreach Activities.

Mark Kennedy, General Counsel, noted the Indemnity Clause in the back-up needs to be modified.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a Memorandum of Understanding (MOU) with the City of San Marcos related to the Local Health Department's Community Outreach Activities.

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

5 - 0 Passed - Unanimously

39022 Approve specifications for RFP 2023-P08 Pre-Trial Services Case Management Software and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve specifications for RFP 2023-P08 Pre-Trial Services Case Management Software and authorize Purchasing to solicit for proposals and advertise.

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

5 - 0 Passed - Unanimously

39023 Authorize Building Maintenance to remodel and convert two office spaces into three medical exam rooms located at the Local Health Department on Thermon Drive in the amount of \$63,806.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to remodel and convert two office spaces into three medical exam rooms located at the Local Health Department on Thermon Drive in the amount of \$63,806.00 and amend the budget accordingly.



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

5 - 0 Passed - Unanimously

39024 Authorize the County Judge to execute the Texas Historical Commission Antiquities Permit Application Form for Archeology as part of the Sentinel Peak Park Project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Texas Historical Commission Antiquities Permit Application Form for Archeology as part of the Sentinel Peak Park Project.

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

5 - 0 Passed - Unanimously

39025 Authorize Building Maintenance to have Security One install an alarm security system at the Local Health Department Thermon location and authorize the County Judge to execute the Alarm System Monitoring Agreement authorizing a waiver to the purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize Building Maintenance to have Security One install an alarm security system at the Local Health Department Thermon location and authorize the County Judge to execute the Alarm System Monitoring Agreement authorizing a waiver to the purchasing policy.

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

5 - 0 Passed - Unanimously

39026 Receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with the Indigenous Cultures Institute and amend the budget accordingly.

Dan Lyon made a public comment concerning the Funding Agreement and the possible environmental impact of construction. Commissioner Ingalsbe clarified this agreement did go through the Parks and Open Space Advisory Commission. Mark Kennedy, General Counsel, noted the agreement was previously approved by the Court out of Executive Session.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with the Indigenous Cultures Institute and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39027 Authorize the Office of Emergency Services Community Emergency Response Team (CERT) division to accept a donation from the Buda Lions Club in the amount of \$500.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services Community Emergency Response Team (CERT) division to accept a donation from the Buda Lions Club in the amount of \$500.00 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39028 Authorize the County Judge to execute Letter Amendment #1 for an updated Exhibit B for Rate Schedule to the Master Service Agreement between Hays County and Half Associates, Inc. regarding the Park Bond Management Program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Letter Amendment #1 for an updated Exhibit B for Rate Schedule to the Master Service Agreement between Hays County and Half Associates, Inc. regarding the Park Bond Management Program.

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

5 - 0 Passed - Unanimously



39029 Authorize the County Judge to execute Correction Donation Deeds and Drainage Easements between Hays County and Walton Texas, L.P. for Right of Way Parcels 82 & 86 of the FM 2001 road improvement project; and authorize staff to file the same.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Correction Donation Deeds and Drainage Easements between Hays County and Walton Texas, L.P. for Right of Way Parcels 82 & 86 of the FM 2001 road improvement project; and authorize staff to file the same.

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

5 - 0 Passed - Unanimously

39030 Authorize the County Judge to execute an amended Interlocal Cooperation Agreement between Hays County and Burnet County for Jail Services related to the outsourcing of Hays County inmates.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an amended Interlocal Cooperation Agreement between Hays County and Burnet County for Jail Services related to the outsourcing of Hays County inmates.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra

4 - 1 Passed

39031 Authorize Building Maintenance to have JM Engineering install a new 1.5 ton Mitsubishi mini-split AC system for the electrical room, in the amount of \$9,158.60 and provide additional ductwork, fire smoke dampers, grills, insulation, and supply tap in the amount of \$35,208.00 at the IT-Elections Building, and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to have JM Engineering install a new 1.5 ton Mitsubishi mini-split AC system for the electrical room, in the amount of \$9,158.60 and provide additional ductwork, fire smoke dampers, grills, insulation, and supply tap in the amount of \$35,208.00 at the IT-Elections Building, and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39032 Accept the donation of property from Posey Road Direct Holding, LLC of a 0.029 acres tract of land located near the intersection of Posey Road and Old Bastrop Road in Precinct 1; and authorize staff to file a Special Warranty Deed reflecting the same and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the donation of property from Posey Road Direct Holding, LLC of a 0.029 acres tract of land located near the intersection of Posey Road and Old Bastrop Road in Precinct 1; and authorize staff to file a Special Warranty Deed reflecting the same and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39033 Authorize the Office of Emergency Services to use existing funds to purchase ArcGIS Indoors Maps for ArcGIS Online Annual Subscription in the amount of \$11,000.00; authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services to use existing funds to purchase ArcGIS Indoors Maps for ArcGIS Online Annual Subscription in the amount of \$11,000.00; authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D).

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

5 - 0 Passed - Unanimously



39034 Authorize the County Judge to execute a First Amendment for a time extension to the Professional Services Agreement between Hays County and Halff Associates, Inc. regarding the Willow Springs Flood Mitigation Project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a First Amendment for a time extension to the Professional Services Agreement between Hays County and Halff Associates, Inc. regarding the Willow Springs Flood Mitigation Project.

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

5 - 0 Passed - Unanimously

39035 Authorize the acceptance of a grant award from the Department of State Health Services (DSHS), Infectious Disease Prevention Section/Surveillance (IDPS/SUR) Grant Program in the amount of \$165,000.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Department of State Health Services (DSHS), Infectious Disease Prevention Section/Surveillance (IDPS/SUR) Grant Program in the amount of \$165,000.00.

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

5 - 0 Passed - Unanimously

39036 Authorize the Sheriff's Office to use existing operating funds of \$2,629.00 to fund a price difference of grant-funded bullet-resistant shields.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to use existing operating funds of \$2,629.00 to fund a price difference of grant-funded bullet-resistant shields.

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

5 - 0 Passed - Unanimously

39037 Amend the Sheriff's Office Drug Forfeiture Fund in the amount of \$543.00 for additional travel expenses related to Honor Guard attendance at the National Police Week event.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Sheriff's Office Drug Forfeiture Fund in the amount of \$543.00 for additional travel expenses related to Honor Guard attendance at the National Police Week event.

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

5 - 0 Passed - Unanimously

39038 Amend the Sheriff's Office operating budget in the amount of \$10,000.00 for additional Continuing Education needs for the remainder of the fiscal year.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Sheriff's Office operating budget in the amount of \$10,000.00 for additional Continuing Education needs for the remainder of the fiscal year.

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

5 - 0 Passed - Unanimously

39039 Authorize the Juvenile Detention Center to accept a proposal from Cornerstone Detention related to three (3) door repairs pursuant to GSA Contract GA-07F-269AA, and authorize a purchasing wavier for all open market items and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Juvenile Detention Center to accept a proposal from Cornerstone Detention related to three (3) door repairs pursuant to GSA Contract GA-07F-269AA, and authorize a purchasing wavier for all open market items and amend the budget accordingly.

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

5 - 0 Passed - Unanimously



39040 Accept delivery of the Quarterly Audit Report for the Parks Department for the audit period October 2022 through December 2022.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept delivery of the Quarterly Audit Report for the Parks Department for the audit period October 2022 through December 2022.

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

5 - 0 Passed - Unanimously

39041 Authorize the County Judge to execute a Contract Amendment with Texan Landscape LLC. pursuant to IFB 2021-B04 Lawn and Landscape Services.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment with Texan Landscape LLC. pursuant to IFB 2021-B04 Lawn and Landscape Services.

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

5 - 0 Passed - Unanimously

39042 Authorize the Election's Administration Office to purchase an annual software subscription service through Vista Solutions Group, LP for a Campaign Finance Portal; authorize a waiver to the Purchasing Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Election's Administration Office to purchase an annual software subscription service through Vista Solutions Group, LP for a Campaign Finance Portal; authorize a waiver to the Purchasing Policy.

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

5 - 0 Passed - Unanimously

39043 Approve the Elections and IT Departments to authorize Firetrol Protection Systems to perform work on the Fire Alarm System pursuant to Buyboard contract 654-21, total amount \$38,389.04 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the Elections and IT Departments to authorize Firetrol Protection Systems to perform work on the Fire Alarm System pursuant to Buyboard contract 654-21, total amount \$38,389.04 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39044 Authorize the County Clerk, District Clerk, Justice of the Peace Pct. 1.1, Pct. 1.2, Pct. 2, Pct. 3, Pct. 4 and Pct. 5 Offices to obtain one mail permit related to the new Tyler Technologies Jury Module in the amount of \$290.00, and authorize the departments to maintain a three-month escrow balance. Authorize the IT Department to purchase two signature chips from Troy Group, Inc. for the District Clerk's Office and two signature chips for the County Clerk's Office in the amount of \$1,300.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Clerk, District Clerk, Justice of the Peace Pct. 1.1, Pct. 1.2, Pct. 2, Pct. 3, Pct. 4 and Pct. 5 Offices to obtain one mail permit related to the new Tyler Technologies Jury Module in the amount of \$290.00, and authorize the departments to maintain a three-month escrow balance. Authorize the IT Department to purchase two signature chips from Troy Group, Inc. for the District Clerk's Office and two signature chips for the County Clerk's Office in the amount of \$1,300.00.

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

5 - 0 Passed - Unanimously



39045 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Pape-Dawson Engineers, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Winters Mill at RM 3237 project and amend the budget accordingly.

Commissioner Shell stated the project took an additional 45 days to complete.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Pape-Dawson Engineers, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract related to the 2016 Road Bond Program Winters Mill at RM 3237 project and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39046 Discussion and possible action to authorize the execution of Change Order No. 6 in the amount of \$197,283.05 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1.

Commissioner Cohen and Commissioner Ingalsbe explained this is for utilities and electrical services.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the execution of Change Order No. 6 in the amount of \$197,283.05 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1.

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

5 - 0 Passed - Unanimously

39047 Discussion and possible action to call for a public hearing on June 20, 2023 to establish a No Parking zone on along River Road and Edgewater Drive in Wimberley, Texas.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a public hearing on June 20, 2023 to establish a No Parking zone on along River Road and Edgewater Drive in Wimberley, Texas.

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

5 - 0 Passed - Unanimously

39048 Hold a public hearing with possible action to establish a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

Judge Becerra opened the Public Hearing at 10:06 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:06 a.m. Commissioner Ingalsbe stated staff has recommended the speed limit be lowered due to speeding in the area.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to establish a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

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

5 - 0 Passed - Unanimously

39049 Hold a public hearing with possible action to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.

Judge Becerra opened the Public Hearing at 10:07 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:07 a.m. Commissioner Smith stated this was recommended by both residents and the Transportation Department to improve safety.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.



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

39050 Hold a public hearing with possible action to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

Judge Becerra opened the Public Hearing at 10:08 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:08 a.m. Commissioner Cohen stated this was recommended by the residents of Sunfield to improve safety.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

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

39051 PLN-2204-PC; Call for a Public Hearing on June 20th, 2023 regarding the Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on June 20th, 2023 regarding the Oakridge Park, Section 5, Part of Lot 5 and Lot 6, Replat (PLN-2204-PC).

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

39052 Discussion and possible action to authorize the County Judge to execute a Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P.

William Wagner Jr. made a public comment regarding comments made by the developer and thanked the Court for their attention to residents' concerns. Bob Hardister made a public comment requesting a unit-by-unit approach to land clearing to prevent dust and erosion. Commissioner Smith and Mark Kennedy, General Counsel, clarified lot 5 will fall under the development rules of the Village of Bear Creek. Jon Thompson, consultant for the developer, stated land will be cleared on a house-by-house basis and each house will have its own septic system. Commissioner Smith thanked Hays County staff for their work on this Development Agreement. The Court discussed with Thompson the water plans for the development.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P.

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

39053 PLN-2163-NP; Discussion and possible action regarding Centre on 12, Final.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Centre on 12, Final (PLN-2163-NP).

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

39054 Discussion and possible action to adopt changes to election precinct boundary lines pursuant to Sec. 42.005 & 42.006 of the Texas Election Code.

Jennifer Doinoff, Elections Administrator, explained these changes are due to various district lines running through current precincts. Steve Floyd, Development Services GIS Division, reviewed the changes made. Commissioner Smith and Commissioner Shell clarified Commissioner, Justice of the Peace, and Constable districts are not changing.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt changes to election precinct boundary lines pursuant to Sec. 42.005 & 42.006 of the Texas Election Code.

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

5 - 0 Passed - Unanimously

39055 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Emergency Services District #1 (ESD #1) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Doug Fowler, Executive Director of ESD #1, spoke about the ESD's expansion and thanked the Court for the contribution.

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 Emergency Services District #1 (ESD #1) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39056 Discussion and possible action to approve the Resolution admitting Hays County, Texas as a member of the Texas Housing Foundation, a Texas Regional Housing Authority which is authorized to provide affordable housing to lower income residents.

Commissioner Smith spoke about the County's need for affordable housing. Mark Mayfield, Texas Housing Foundation CEO, spoke about the evolution of the organization and its mission. He described their Community Resource Centers and the services they provide to local non-profits. The Court discussed with Mayfield the role the County would have in this partnership and the potential of a Community Resource Center in Hays County.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Resolution admitting Hays County, Texas as a member of the Texas Housing Foundation, a Texas Regional Housing Authority which is authorized to provide affordable housing to lower income residents.

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

5 - 0 Passed - Unanimously

39057 Discussion and possible action to authorize the County Judge to execute a contract between Hays County and Half Associates in the amount of \$3,000.00 for the completion of the Hydrologic and Hydraulic (H&H) Evaluation Form (TCEQ Form 20346) for five dams which is a requirement for finalizing the Emergency Action Plan (EAP).

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract between Hays County and Half Associates in the amount of \$3,000.00 for the completion of the Hydrologic and Hydraulic (H&H) Evaluation Form (TCEQ Form 20346) for five dams which is a requirement for finalizing the Emergency Action Plan (EAP).

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

5 - 0 Passed - Unanimously

39058 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Wimberley regarding floodplain administration and environmental health services for a period not to exceed 12 months.

Commissioner Shell stated the City of Wimberley pays Hays County for its services.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Wimberley regarding floodplain administration and environmental health services for a period not to exceed 12 months.



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

5 - 0 Passed - Unanimously

39059 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hill Country Womens Health Collective regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hill Country Womens Health Collective regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39060 Discussion and possible action to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Local Health Department Public Health Outreach regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

Commissioner Cohen stated this is additional funding for the Hays County Local Health Department's outreach programs.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize use of funding from the Hays County American Rescue Plan Recovery Grant for the Hays County Local Health Department Public Health Outreach regarding recovery assistance for direct or indirect impacts of COVID-19; and to amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39061 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement related to Sentinel Peak Project between Hays County and Atlas Technical Consultants LLC.

Commissioner Shell stated this testing will be used for the construction of the park access road.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement related to Sentinel Peak Project between Hays County and Atlas Technical Consultants LLC.

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

5 - 0 Passed - Unanimously

39062 Discussion and possible action to authorize the Countywide Operations Department to hire Texan Landscaping to remove two trees located on the Courthouse grounds, pursuant to IFB 2021-B04 Lawn and Landscape Services, in the amount of \$9,200.00.

Judge Becerra explained the process of deciding to remove the trees and involving the Hays County Historical Commission and the Texas Historical Commission in the decision. Commissioner Ingalsbe clarified the trees were assessed and deemed a hazard. Judge Becerra stated the trees will be replaced.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Countywide Operations Department to hire Texan Landscaping to remove two trees located on the Courthouse grounds, pursuant to IFB 2021-B04 Lawn and Landscape Services, in the amount of \$9,200.00.

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

5 - 0 Passed - Unanimously



39063 Discussion and possible action to authorize the County Judge to execute a mental health services contract with Deblin Health Concepts & Associates, LLC for the County Court at Law Mental Health Specialty program.

Kaimi Mattila, Mental Health Court Administrator, explained the benefits that a partnership with this company will bring, including community treatment for vulnerable individuals, an increase in staff, and an expedited referral process. Judge Becerra stated this will help lower inmate outsourcing costs. Commissioner Cohen asked for an update on the services provided before automatic renewal of the contract. Commissioner Smith cautioned against evaluating the contract too soon and suggested allowing the Mental Health Court time to implement the services. Mattila spoke about the company's commitment to working with Hays County.

A motion was made by Commissioner Cohen, seconded by Commissioner Smith to authorize the County Judge to execute a mental health services contract with Deblin Health Concepts & Associates, LLC for the County Court at Law Mental Health Specialty program.

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

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:27 a.m. and resumed back into open court at 12:50 p.m.

39064 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of Right of Way located at or near FM 110 in Pct. 1. Possible discussion and/or action may follow in open court.

Commissioner Ingalsbe stated this is approximately 17.599 acres, the purchase price will be reconciled against prior obligations of the landowner, and since the landowner is no longer intending to operate the business on the property, the industrial conveyor belt intended to support operations will be gifted to Hays County so it may auction the property.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a Purchase Agreement for Parcel 2N of the FM 110 Project, owned by F.M. 158 Land, LTD, a Texas Limited Partnership; and to authorize acceptance of a conditional gift bill of sale of certain personal property related to this transaction, as presented in Executive Session, and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39065 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 the Purchase Agreement dictates that closing will be contingent on the support of an appraisal that meets or exceeds the purchase price for the property.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Purchase Agreement between Hays County and Hill Country Land Reserve, LLC, related to the Fee Simple Acquisition of approximately 102.8 acres of land for parks and open space purposes, as presented in Executive Session; to authorize the D.A.'s Office - Civil Division to execute any and all documents incidental to closing; and to amend the budget accordingly.

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

5 - 0 Passed - Unanimously

Commissioner Shell stated numerous projects might require updated appraisals, and some, like the Elsik Tract, require original appraisals.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the D.A.'s Office - Civil Division to select and engage appraisal services for 2020 Parks and Open Space Bond projects, as needed, to be paid out of General Counsel - Legal.

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



5 - 0 Passed - Unanimously

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Diligence Funding Agreement between Hays County, Wimberley Independent School District, and Wimberley Youth Sports Association for the performance of due diligence on a prospective property to establish and build youth sporting fields and common areas, as presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, 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 Lion King and Project Radiata. Possible discussion and/or action may follow in open Court.

No action taken.

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the duties of the Hays County District Clerk. Possible discussion and/or action may follow in open court.

No action taken.

39066 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of Right of Way located at or near FM 2001 in Pct. 1. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept landowner's counteroffer and authorize execution of a Purchase Agreement for Parcel 76/76E of the FM 2001 Project, owned by Triple Ewald Farms, LLC, a Texas Limited Liability Company, as presented in Executive Session, and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39067 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: Consultation with counsel and deliberation related to lease and use of space within the Hays County Government Center located at 712 South Stagecoach Trail, San Marcos, Texas, 78666. Possible action may follow.

Commissioner Shell stated this is for filming within the Government Center on a weekend day for a commercial, and the Constable's Office will coordinate and provide security.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Location Contract between Hays County and Breaklight Productions, LLC, as presented in Executive Session, and to amend the budget accordingly.

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

5 - 0 Passed - Unanimously

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 562 for the week of May 28, 2023, with a peak of 567 inmates on May 30, 2023. The estimated cost for outsourcing inmates this week was \$138,510. The average number of outsourced males is 217 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 31.



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.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*

Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - WAS PULLED.*

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 12:54 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 JUNE 6, 2023.



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

