

**Commissioners Court – DECEMBER 5, 2023**  
**NOTICE OF A 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 **9:00 A.M.** on **DECEMBER 5, 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. **INVOCATION**

C. **PLEDGE OF ALLEGIANCE - Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag**

D. **ROLL CALL**

E. 

<b>PUBLIC COMMENTS</b>
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 .

F. 

<b>PRESENTATIONS &amp; PROCLAMATIONS</b>
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1. Adopt a Proclamation declaring December 8, 2023 as The Pound House Farmstead Day. **SMITH/COKER**

2. Presentation by the Central Texas Food Bank regarding an upcoming Community Needs Assessment. **COHEN**

G. 

<b>CONSENT ITEMS</b>
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. Approve payments of County invoices. **VILLARREAL-ALONZO**

2. Approve the payment of Juror checks. **TENORIO**

3. Approve the payment of United Healthcare claims. **VILLARREAL-ALONZO**

4. Approve Commissioners Court Minutes of November 21, 2023. **BECERRA/CARDENAS**

5. Approve the payment of the December 15, 2023 payroll disbursements in an amount not to exceed \$4,100,000.00 effective December 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. **BECERRA/DORSETT**

6. Approve vendors in accordance with Section E of the Hays County Property Use Policy for a monthly market, known as the Vanilla Bean Market, to sell vintage clothing, art, and other vintage goods on the historic courthouse grounds. **BECERRA**
7. Approve vendors in accordance with Section E of the Hays County Property Use Policy for the Martin Luther King Jr. Event on January 15, 2024, to be held on the historic courthouse grounds and organized by the Dunbar Heritage Association. **BECERRA**
8. Approve the December 2022, January 2023, February 2023 and March 2023 Treasurer and Investment Reports. **BECERRA/TENORIO**
9. Approve the reappointment of Cristina Nelson and Darrell Debish to the Emergency Services District (ESD) No. 1 Board of Emergency Services Commissioners, a two-year term ending December 31, 2025. **SMITH**
10. Approve the reappointment of Samantha Wylie, Jodi Steen and Ashley Martinez to the board of the Hays County Child Protective Board, three-year terms ending December 31, 2026. **BECERRA**
11. Authorize the execution of an amendment to the DSHS COVID-19 Detection and Mitigation in Confinement grant contract and accept additional funds in the amount of \$89,465.00 and amend the budget accordingly. **INGALSBE/T.CRUMLEY**
12. Approve specifications for IFB 2024-B02 Lawn and Landscape Services and authorize Purchasing to solicit for bids and advertise. **BECERRA/HUNT**
13. Approve the rejection of the bid received related to IFB 2024-B01 TXCDBG - Water Oaks Mesa WSC - Water Improvements. **SHELL/HUNT**
14. Approve specifications for IFB 2024-B04 TXCDBG - Cedar Oaks Mesa WSC - Water Improvements and authorize Purchasing to advertise and solicit for bids. **SHELL/HUNT**
15. Authorize the execution of an order form with Clearview AI used by the Sheriff's Office for investigative purposes and amend the budget accordingly, and authorize a waiver to the purchasing policy to obtain three quotes. **INGALSBE/CUTLER**
16. Authorize the execution of a service agreement for the Sheriff's Office with The Amlon Group for the disposal of controlled substances valued at \$1,127.00, and authorize a purchasing waiver to obtain three (3) quotes. **INGALSBE/CUTLER**
17. Approve renewal of IFB 2023-B04 Road Building Materials - Hot Mix with Brauntex Materials Inc., Colorado Materials, Ltd., Lone Star paving, and Texas Materials Group for one (1) additional year. **BECERRA/BORCHERDING**
18. Authorize the Hays County Sheriff's Office to send a letter of termination to Microception, Inc. regarding MetalInterview software services, effective January 8, 2024. **INGALSBE/CUTLER**
19. Approve renewal of IFB 2023-B05 Road Building Materials - Cold Mix with Brauntex Materials, Inc., Texas Materials Group, and Colorado Materials, Ltd. for one additional year. **BECERRA/BORCHERDING**
20. Approve renewal of IFB 2023-B08 Emulsion Oils with Ergon Asphalt and Emulsions, Inc. for one (1) additional year. **BECERRA/BORCHERDING**
21. Approve Overnight Lodging for Records Division Supervisors With Hays County Clerk's Office to Attend the 69th Annual Vitals Statistics Conference in Austin, Texas. **BECERRA/CARDENAS**
22. Approve the renewal of IFB 2021-B12 Countywide Dumpsters with Waste Connections Lone Star Inc. for one (1) additional year. **BECERRA/T.CRUMLEY**
23. Authorize Building Maintenance to purchase and install two Simplex Locks at the Elections IT Building in the amount of \$1,246.98 and amend the budget accordingly. **SHELL/T.CRUMLEY**

24. Approve specifications for RFP 2024-B06 HVAC - Preventative Maintenance and Repair Services, Countywide and authorize Purchasing to advertise and solicit for bids. **BECERRA/T.CRUMLEY**
25. Authorize the County Judge's Office to purchase one (1) replacement Dell Latitude 5540 Laptop valued at \$1,419.00 for the Community Program Manager and amend the budget accordingly. **BECERRA**
26. Authorize the Justice of the Peace, Precinct 4 Office to purchase one (1) replacement HP Laserjet Printer not to exceed \$620.00 and amend the budget accordingly. **SMITH/BURNS**

27. Accept delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code Chapter 114.023 and 114.025 for July and August 2023. **VILLARREAL-ALONZO**
28. Accept delivery of the Auditor's Office Quarterly Internal Examination Reports. **VILLARREAL-ALONZO**
29. Authorize the County Judge to execute the First Amendment to the Hays County Social Service Funding Agreement with Blanco River Regional Recovery Team (BR3T) regarding use of American Rescue Plan Act (ARPA) funds for a Rental/Utility Assistance Program for Hays County citizens which was approved on or about November 7, 2023. **INGALSBE**
30. Authorize payment to Ban-Koe Systems, Inc. where no purchase order was requested as required per the Hays County Purchasing Policy. **INGALSBE/MILLER**
31. Authorize payment to Texas Prima in the amount of \$900.00 for conference registration for Human Resources where no purchase order was issued as required per the Hays County Purchasing Policy. **INGALSBE/MILLER**
32. Approve Utility Permits. **SHELL/INGALSBE/BORCHERDING**
33. Authorize the Constable Pct. 2 Office to purchase one (1) Rapidprint AR-E Time and Date Stamp, authorize pre-payment to ID Badges Unlimited, Inc. and amend the budget accordingly. **COHEN/TORRES**

H.

<b>ACTION ITEMS</b>
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I.

<b>ROADS</b>
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1. Discussion and possible action to authorize the County Judge to sign a supplemental work authorization to the Professional Services Agreement between Hays County and Binkley & Barfield, Inc. for the design of a roundabout for the Windy Hill Road/Shadow Creek Blvd. intersection. **INGALSBE/BORCHERDING**
2. Discussion and possible action to authorize the execution of Change Order No. 7 in the amount of \$194,731.50 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB 2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1. **COHEN/INGALSBE/BORCHERDING**
3. Discussion and possible action to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and K Friese + Associates, LLC to provide post construction drainage report & documents for the Lime Kiln Road project in Precinct 3 and amend the budget accordingly. **SHELL/BORCHERDING**
4. Discussion and possible action to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Kimley Horn & Associates, Inc. for the FM 2001 East (Graef Road to Southeast of SH 21) project as well as extending the limits of the project to include FM 2001 Gap Section (West of Graef Road to North of Satterwhite Road) in Precinct 1, as part of the 2016 Road Bond Program and amend the budget accordingly. **INGALSBE/BORCHERDING**
5. Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,017,737.50 for the Driftwood Golf & Ranch Club, Ph 4, Final Plat (Site Improvement Performance Bond No. 800169803). **SMITH/BORCHERDING**
6. Hold a public hearing with possible action to establish a No Dumping zone on Marsh Lane. **COHEN/BORCHERDING**

J.

<b>SUBDIVISIONS</b>
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1. PLN-2325-PC; Hold a Public Hearing; followed by discussion and possible action regarding Studio Estates Subdivision, Sec 2B, Blk D, Lot 38, Replat. **INGALSBE/MACHACEK**

K.

#### MISCELLANEOUS

1. Discussion and possible action to authorize the County Judge to execute a renewal agreement with Wellpath, LLC. for the Adult and Juvenile Facilities Healthcare Program pursuant to RFP 2021-P04. **SHELL/INGALSBE**
2. Discussion and possible action to award RFP 2023-P02 Bank Depository to Sage Capital Bank and authorize staff and District Attorney - Civil Division to negotiate a contract. **BECERRA/TENORIO**
3. Discussion and possible action to approve changes to the Hays County Investment Policy and Authorized Investments for 2024. **BECERRA/TENORIO**
4. Discussion and possible action to consider salary increases for the County Court at Law Court Reporters and amend the budget accordingly. **BECERRA/SMITH/JOHNSON/BROWN/HALL**
5. Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and HDR Architecture Inc. for a needs assessment for Precinct 1 and Precinct 2. **INGALSBE/COHEN**
6. Discussion and possible action to amend the Fee Schedule for the Development Services Dept., the Fire Marshal's Office, and the Transportation Dept. **BECERRA/PACHECO/JONES/BORCHERDING**
7. Discussion and possible action to authorize the District Clerk's Office to hire one (1) temporary Deputy Clerk grade 114 effectively immediately through December 29, 2023. **BECERRA/ANDERSON**
8. Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the San Marcos Texas Community Radio Association, KZSM. **INGALSBE**
9. Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Southside Community Center. **INGALSBE/SHELL/COHEN**
10. Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Greater San Marcos Youth Council. **SHELL**
11. Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Hays-Caldwell Women's Center. **SHELL**
12. Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the CASA of Central Texas, Inc. **SHELL**

L.

#### 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.

1. 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. **BECERRA**
2. 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 Hot Pursuit and Project Midtown. Possible discussion and/or action may follow in open court. **BECERRA**

3. Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.2737 acre out of that certain 81.25 acre property owned by HC Alexander Place, LLC a North Carolina limited liability company and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 28). Possible action may follow in open court. **INGALSBE**
4. Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.3463 acres out of that certain 140 acres HC Alexander Place, LLC and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 29). Possible action may follow in open court. **INGALSBE**

M.

**STANDING AGENDA ITEMS**

The Commissioners Court utilizes Standing Agenda Items to address issues that are frequently or periodically discussed in court. This section allows the Court to open the item when a need for discussion arises.

1. Discussion and possible action related to the burn ban. **BECERRA**
2. Discussion related to the Hays County inmate population, to include current population counts and costs. **BECERRA**
3. 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. **INGALSBE/CUTLER**
4. 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). **BECERRA**
5. Updates of community health assessment by local health department. **BECERRA**
6. 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. **SMITH**
7. Updates on measurable advancement of Judicial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Judicial Services Randy Focken. **BECERRA**

N. **ADJOURNMENT**

**Posted by 5:00 o'clock P.M. on the 1st day of December, 2023  
COMMISSIONERS COURT, HAYS COUNTY, TEXAS**

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**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: **F.1.**

## **Hays County Commissioners Court**

**Date:** 12/05/2023

**Requested By:**

Linda Coker, Historical Commission

**Sponsor:**

Commissioner Smith

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### **Agenda Item**

Adopt a Proclamation declaring December 8, 2023 as The Pound House Farmstead Day. **SMITH/COKER**

### **Summary**

See attached proclamation.

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### **Attachments**

Proclamation - Pound House Farmstead Day

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AGENDA ITEM REQUEST FORM: **F.2.**

## **Hays County Commissioners Court**

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Commissioner Cohen

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### **Agenda Item**

Presentation by the Central Texas Food Bank regarding an upcoming Community Needs Assessment. **COHEN**

### **Summary**

Tracy Ayrhard, Ph.D, Vice President of Strategic Insights, and Bella Kirchner, Director of Research, of the Central Texas Food Bank will provide a presentation about an upcoming Community Needs Assessment. The CNA will be used to improve the food system of Hays County.

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AGENDA ITEM REQUEST FORM: **G.4.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Elaine H. Cardenas

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve Commissioners Court Minutes of November 21, 2023. **BECERRA/CARDENAS**

### Summary

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### Attachments

11/21/2023 Minutes

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AGENDA ITEM REQUEST FORM: **G.5.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Vickie Dorsett, Budget Officer

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve the payment of the December 15, 2023 payroll disbursements in an amount not to exceed \$4,100,000.00 effective December 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. **BECERRA/DORSETT**

### Summary

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AGENDA ITEM REQUEST FORM: **G.6.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve vendors in accordance with Section E of the Hays County Property Use Policy for a monthly market, known as the Vanilla Bean Market, to sell vintage clothing, art, and other vintage goods on the historic courthouse grounds. **BECERRA**

### Summary

David Ixtabalan has held successful street vending events in Kissing Alley. He now looks to move the "Vanilla Bean Market" selling vintage goods on to the courthouse grounds. This will be very similar to the month Art Squared events now being held, with approximately 50 vendors. The Hays County Property Use Policy section E.12 states that "Commercial soliciting, vending, and displaying or distributing commercial advertising on Property is prohibited, except when in conjunction with an event approved by the Commissioners Court." Security has been secured with the Precinct One Constables Office.

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AGENDA ITEM REQUEST FORM: **G.7.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve vendors in accordance with Section E of the Hays County Property Use Policy for the Martin Luther King Jr. Event on January 15, 2024, to be held on the historic courthouse grounds and organized by the Dunbar Heritage Association. **BECERRA**

### Summary

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AGENDA ITEM REQUEST FORM: **G.8.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Daphne Tenorio, Hays County Treasurer

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve the December 2022, January 2023, February 2023 and March 2023 Treasurer and Investment Reports. **BECERRA/TENORIO**

### Summary

See attached reports.

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### Attachments

December 2022 Reports

January 2023 Reports

February 2023 Reports

March 2023 Reports

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AGENDA ITEM REQUEST FORM: **G.9.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Commissioner Smith

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### Agenda Item

Approve the reappointment of Cristina Nelson and Darrell Debish to the Emergency Services District (ESD) No. 1 Board of Emergency Services Commissioners, a two-year term ending December 31, 2025. **SMITH**

### Summary

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AGENDA ITEM REQUEST FORM: **G.10.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve the reappointment of Samantha Wylie, Jodi Steen and Ashley Martinez to the board of the Hays County Child Protective Board, three-year terms ending December 31, 2026. **BECERRA**

### Summary

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### Attachments

Letter - HCCPB

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

T. CRUMLEY

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Authorize the execution of an amendment to the DSHS COVID-19 Detection and Mitigation in Confinement grant contract and accept additional funds in the amount of \$89,465.00 and amend the budget accordingly. **INGALSBE/T.CRUMLEY**

### Summary:

DSHS has increased the grant contract by \$89,465.00 to bring the total grant award to \$274,725.00 to allow for the installation of an Arrowclean Smart Cleaning and Disinfection system at the Hays County jail. This award was originally accepted on December 20, 2022. This amendment increases the grant budget, but does not change the grant period and the amendment will become effective upon signature.

Grant number HHS001193700009

Grant period 1/4/2023 - 7/31/2024

### Fiscal Impact:

Amount Requested: None

Line Item Number: 001-618-99-176]

### Budget Office:

Source of Funds: Department of State Health Services

Budget Amendment Required Y/N?: Yes

Comments: Amend for additional grant award.

(\$87,430) - Increase Intergovernmental Revenue\_Capital 001-618-99-176.4304

(\$2,035) - Increase Intergovernmental Revenue 001-618-99-176.4301

\$87,430 - Increase Misc. Equipment\_Capital 001-618-99-176.5719\_700

\$2,035 - Increase Medical and Safety Supplies 001-618-99-176.5231

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$89,465 in Intergovernmental Revenues

Comments:

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### Attachments

Amendment 1

FY 24 Confinement Budget Template

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AGENDA ITEM REQUEST FORM: **G.12.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Stephanie Hunt

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve specifications for IFB 2024-B02 Lawn and Landscape Services and authorize Purchasing to solicit for bids and advertise. **BECERRA/HUNT**

### Summary

Hays County (County) is soliciting for a vendor to perform lawn & landscape services for multiple locations within Hays County. The vendor shall perform grounds maintenance services to include mowing, edging, trimming, shrub & ground cover trimming, weed control, plant debris/litter patrol, fertilization, and irrigation.

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### Attachments

IFB 2024-B02 Solicitation

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AGENDA ITEM REQUEST FORM: **G.13.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Stephanie Hunt

**Sponsor:**

Commissioner Shell

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### Agenda Item

Approve the rejection of the bid received related to IFB 2024-B01 TXCDBG - Water Oaks Mesa WSC - Water Improvements. **SHELL/HUNT**

### Summary

Purchasing received one bid for solicitation IFB 2024-B01 TXCDBG - Water Oaks Mesa WSC - Water Improvements. After review of the bid received, it is the recommendation of the committee to reject the bid due to it exceeding the funding amount received for this project.

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AGENDA ITEM REQUEST FORM: **G.14.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Stephanie Hunt

**Sponsor:**

Commissioner Shell

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### Agenda Item

Approve specifications for IFB 2024-B04 TXCDBG - Cedar Oaks Mesa WSC - Water Improvements and authorize Purchasing to advertise and solicit for bids. **SHELL/HUNT**

### Summary

The proposed project will include 1,560 linear feet of 6" waterline, 3 fire hydrants and all necessary supportive work and appurtenances.

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### Attachments

IFB 2024-B04 Project Manual

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Sheriff Gary Cutler

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Authorize the execution of an order form with Clearview AI used by the Sheriff's Office for investigative purposes and amend the budget accordingly, and authorize a waiver to the purchasing policy to obtain three quotes. **INGALSBE/CUTLER**

### Summary:

In the FY 2024 budget, the S.O. is approved to purchase software licenses through Clearview AI. The software is a facial recognition software that will provide law enforcement with greater insight and lead generation through the use of its investigative platform. The term for this purchase is over a three-year period, with \$6,495 due each year, totaling \$19,485. Funding for year one is available in the Sheriff's Office Software Capital general ledger. A purchasing waiver to obtain three quotes is required because Clearview AI holds a patent for the facial recognition software and these services cannot be obtained from another vendor.

### Fiscal Impact:

Amount Requested: \$6,495

Line Item Number: 001-618-00.5429

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: Budgeted funds need to be moved to the appropriate general ledger line item.

\$6,495 - Increase Software Maintenance 001-618-00.5429

(\$6,495) - Decrease Software\_Capital 001-618-00.5718\_700

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: No

Comments: Purchasing Wavier required

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

Clearview AI Order Form

Patent

Terms of Service

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AGENDA ITEM REQUEST FORM: **G.16.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Sheriff Gary Cutler

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Authorize the execution of a service agreement for the Sheriff's Office with The Amlon Group for the disposal of controlled substances valued at \$1,127.00, and authorize a purchasing waiver to obtain three (3) quotes. **INGALSBE/CUTLER**

### Summary:

The Sheriff's Office is requesting the use of The Amlon Group for the disposal of controlled substances and a waiver to the purchasing policy to obtain three (3) quotes. The quote and customer service agreement are attached.

### Fiscal Impact:

Amount Requested: \$1,127

Line Item Number: 001-618-00.5362

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: No

Comments: authorize a purchasing waiver to obtain three (3) quotes

### Auditor's Office

G/L Account Validated Y/N?: Yes, Criminal Investigation Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

The Amion Group Quote

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding

**Sponsor:**

Judge Becerra

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### Agenda Item:

Approve renewal of IFB 2023-B04 Road Building Materials - Hot Mix with Brauntex Materials Inc., Colorado Materials, Ltd., Lone Star paving, and Texas Materials Group for one (1) additional year. **BECERRA/BORCHERDING**

### Summary:

IFB 2023-B04 Road Building Materials - Hot Mix is scheduled to expire on December 5, 2023. Brauntex Materials Inc., Colorado Materials, Ltd., Lone Star Paving and Texas Materials Group would like to renew their contract for one (1) additional year. The Transportation Department utilizes these materials throughout the County for various projects.

### Fiscal Impact:

Amount Requested: Per Bid Tab

Line Item Number: 020-710-00.5351

### Budget Office:

Source of Funds: Road & Bridge General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Invitation For Bid 2023-B04 Road Building Materials - Hot Mix

### Auditor's Office

G/L Account Validated Y/N?: Yes, Road Material and Supplies Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

(PE) Brauntex Materials, Inc. Renewal

(PE) Colorado Materials, Ltd. Renewal

(PE) Lone Star Paving Renewal

(PE) Texas Materials Group - Renewal

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AGENDA ITEM REQUEST FORM: **G.18.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Sheriff Gary Cutler

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Authorize the Hays County Sheriff's Office to send a letter of termination to Microception, Inc. regarding MetalInterview software services, effective January 8, 2024. **INGALSBE/CUTLER**

### Summary:

The Sheriff's Office requests to terminate MetalInterview software services with Microception, Inc. In the FY 2024 budget, the S.O. is approved to upgrade the interview recording system with Axon Interview.

### Fiscal Impact:

Amount Requested: None

Line Item Number: N/A

### Budget Office:

Source of Funds: N/A

Budget Amendment Required Y/N?: N/A

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Thirty (30) day notice of cancelation

### Auditor's Office

G/L Account Validated Y/N?: N/A

New Revenue Y/N?: N/A

Comments:

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding

**Sponsor:**

Judge Becerra

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### Agenda Item:

Approve renewal of IFB 2023-B05 Road Building Materials - Cold Mix with Brauntex Materials, Inc., Texas Materials Group, and Colorado Materials, Ltd. for one additional year. **BECERRA/BORCHERDING**

### Summary:

IFB 2023-B05 Road Building Materials - Cold Mix with Brauntex Materials, Inc., is scheduled to expire December 5, 2023. Brauntex Materials, Inc., Texas Materials Group, and Colorado Materials, Ltd. would like to renew their contract for one (1) additional year. The Transportation Department utilizes these materials throughout the County for various projects.

### Fiscal Impact:

Amount Requested: Per Bid Tab

Line Item Number: 020-710-00.5351

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: IFB 2023-B05 Road Building Materials - Cold Mix

### Auditor's Office

G/L Account Validated Y/N?: Yes, Road Material and Supplies Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

(PE) Brauntex Materials, Inc. Renewal

(PE) Colorado Materials, Ltd. Renewal

(PE) Texas Materials Group - Renewal

IFB 2023-B05 Award Summary

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AGENDA ITEM REQUEST FORM: **G.20.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding

**Sponsor:**

Judge Becerra

---

### Agenda Item:

Approve renewal of IFB 2023-B08 Emulsion Oils with Ergon Asphalt and Emulsions, Inc. for one (1) additional year.  
**BECERRA/BORCHERDING**

### Summary:

IFB 2023-B08 Emulsion Oils expires on December 5, 2023. Ergon Asphalt and Emulsions, Inc. would like to renew their contract for one (1) additional year. The Transportation Department utilizes these materials throughout the County for various projects.

### Fiscal Impact:

Amount Requested: Per Bid Tab

Line Item Number: 020-710-00.5351

### Budget Office:

Source of Funds: Road & Bridge General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Invitation for Bid (IFB) 2023-B08 Emulsion Oils

### Auditor's Office

G/L Account Validated Y/N?: Yes, Road Material and Supplies Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

(PE) Ergon Asphalt and Emulsions, Inc.

IFB 2023-B08 Award Summary

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AGENDA ITEM REQUEST FORM: **G.21.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Elaine H. Cardenas

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve Overnight Lodging for Records Division Supervisors With Hays County Clerk's Office to Attend the 69th Annual Vitals Statistics Conference in Austin, Texas. **BECERRA/CARDENAS**

### Summary

The County Clerk is seeking court approval to allow Records Division supervisors to secure overnight lodging to attend the 69th Annual Vital Statistics Conference. The conference will be held in Austin, Texas on 12/7/2023 to 12/08/2023. Per the current travel policy, the county will not pay for lodging unless the meeting/conference site is at least 45 miles from the employee's office. The actual mileage for this conference trip will be 42.2 miles. Funds are available within the County Clerk's continuing education budget.

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### Attachments

Mileage to Conference

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AGENDA ITEM REQUEST FORM: **G.22.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Tammy Crumley

**Sponsor:**

Judge Becerra

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### Agenda Item:

Approve the renewal of IFB 2021-B12 Countywide Dumpsters with Waste Connections Lone Star Inc. for one (1) additional year. **BECERRA/T.CRUMLEY**

### Summary:

IFB 2021-B12 Countywide Dumpsters is scheduled to expire on December 6, 2023. Waste Connections Lone Star Inc. would like to renew their contract for one (1) additional year. The services are utilized by various County departments and at various locations.

### Fiscal Impact:

Amount Requested: Per Bid Tab

Line Item Number: 020-710-00.5452

### Budget Office:

Source of Funds: Road & Bridge General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Invitation for Bid (IFB) 2021-B12 Countywide Dumpsters

### Auditor's Office

G/L Account Validated Y/N?: Yes, Trash Hauling Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

(PE) Waste Connections Lone Star, Inc.

IFB 2021-B12 Bid Summary

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

T. CRUMLEY

**Sponsor:**

Commissioner Shell

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### Agenda Item:

Authorize Building Maintenance to purchase and install two Simplex Locks at the Elections IT Building in the amount of \$1,246.98 and amend the budget accordingly. **SHELL/T.CRUMLEY**

### Summary:

Two additional Simplex Locks are needed at the new Elections IT building. Building Maintenance secured a quote for the locks from Grainger under Sourcewell Contract #121218-WWG. Funding has been identified in the Building Maintenance operating budget.

### Fiscal Impact:

Amount Requested: \$1,246.98

Line Item Number: 001-695-00.5719\_400

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$1,247 - Increase Misc. Equipment\_Operating 001-695-00.5719\_400

(\$1,247) - Decrease Building Maintenance Repair 001-695-00.5451

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Sourcewell Contract #121218-WWG

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

Grainger Quote

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AGENDA ITEM REQUEST FORM: **G.24.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Tammy Crumley

**Sponsor:**

Judge Becerra

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### Agenda Item

Approve specifications for RFP 2024-B06 HVAC - Preventative Maintenance and Repair Services, Countywide and authorize Purchasing to advertise and solicit for bids. **BECERRA/T.CRUMLEY**

### Summary

Hays County, Texas ("County") is seeking a well-qualified firm(s) to provide comprehensive heating ventilation-air conditioning HVAC maintenance and repair services for all Hays County buildings throughout the County, except the Hays County Jail, Training Academy, and the Maintenance Shop. The work will include the provision of a total preventative maintenance program including, but not limited to the inspection, preventative maintenance, repair, programming and other tasks and services necessary to insure safe, well maintained HVAC systems.

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### Attachments

RFP 2024-B06 Solicitation

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AGENDA ITEM REQUEST FORM: **G.25.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Becerra

**Sponsor:**

Judge Becerra

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### Agenda Item:

Authorize the County Judge's Office to purchase one (1) replacement Dell Latitude 5540 Laptop valued at \$1,419.00 for the Community Program Manager and amend the budget accordingly. **BECERRA**

### Summary:

The current laptop was damaged and deemed non-repairable under the current warranty. A replacement laptop is requested under the DIR contract DIR-TSO-3763. Funding has been identified within the Judge's operating budget for this purchase.

### Fiscal Impact:

Amount Requested: \$1,419.00

Line Item Number: 001-600-00.5712\_400

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$1,419 - Increase Computer Equipment\_Operating 001-600-00.5712\_400

(\$1,419) - Decrease General Supplies 001-600-00.5201

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Texas Department of Information Resources contract DIR-TSO-3763

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

Dell Quote

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AGENDA ITEM REQUEST FORM: **G.26.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Judge John Burns

**Sponsor:**

Commissioner Smith

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### Agenda Item:

Authorize the Justice of the Peace, Precinct 4 Office to purchase one (1) replacement HP Laserjet Printer not to exceed \$620.00 and amend the budget accordingly. **SMITH/BURNS**

### Summary:

The JP 4 Office has a printer that is not repairable and no longer under warranty. A similar printer is available to purchase under the County Amazon Business Account pursuant to Omnia Partners Contract R-TC-17006. The pricing does fluctuate at times. Therefore, a not to exceed amount of \$620 is being requested. Funding is available in the Justice Court Technology Fund for this purchase.

### Fiscal Impact:

Amount Requested: \$620.00

Line Item Number: 112-629-00.5712\_400

### Budget Office:

Source of Funds: Justice Court Technology Fund

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$620 - Increase Computer Equipment\_Operating 112-629-00.5712\_400

(\$620) - Decrease Data Supplies 112-629-00.5202

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Omnia Partners Contract R-TC-17006

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

Amazon Quote

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AGENDA ITEM REQUEST FORM: **G.27.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Villarreal-Alonzo

**Sponsor:**

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### Agenda Item

Accept delivery of the County Auditor's Monthly Reports pursuant to Texas Local Government Code Chapter 114.023 and 114.025 for July and August 2023. **VILLARREAL-ALONZO**

### Summary

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### Attachments

Hays County Auditor July 2023 Monthly Report  
Hays County Auditor August 2023 Monthly Report

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AGENDA ITEM REQUEST FORM: **G.28.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Villarreal-Alonzo

**Sponsor:**

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### Agenda Item

Accept delivery of the Auditor's Office Quarterly Internal Examination Reports. **VILLARREAL-ALONZO**

### Summary

Quarterly Internal Examination Reports include the following Offices:

April to June 2023 - Justice of the Peace Pct. 1, Place 2, Justice of the Peace Pct. 3, and Justice of the Peace Pct. 5  
July to September 2023 - Elections Office and Justice of the Peace Pct. 3

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### Attachments

Quarterly Internal Examination Reports

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AGENDA ITEM REQUEST FORM: **G.29.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Authorize the County Judge to execute the First Amendment to the Hays County Social Service Funding Agreement with Blanco River Regional Recovery Team (BR3T) regarding use of American Rescue Plan Act (ARPA) funds for a Rental/Utility Assistance Program for Hays County citizens which was approved on or about November 7, 2023. **INGALSBE**

### Summary:

See attached Amendment.

### Fiscal Impact:

Amount Requested: None

Line Item Number: 011-763-99-208]

### Budget Office:

Source of Funds: American Rescue Plan Act (ARPA) Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Amendment to ARPA Agreement

### Auditor's Office:

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

First Amendment to SRA - ARPA BR3T

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AGENDA ITEM REQUEST FORM: **G.30.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Miller

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Authorize payment to Ban-Koe Systems, Inc. where no purchase order was requested as required per the Hays County Purchasing Policy. **INGALSBE/MILLER**

### Summary:

Authorize payment to Ban-Koe Systems, Inc. in the amount of \$1,279.00 for software maintenance where the invoice was received before the purchase order was requested as required per the Hays County Purchasing Policy.

### Fiscal Impact:

Amount Requested: \$1,279

Line Item Number: 001-677-00.5429

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: No

Comments: PO not obtained prior to ordering

### Auditor's Office

G/L Account Validated Y/N?: Yes, Software Maintenance and Licensing Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

BanKoe Invoice

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AGENDA ITEM REQUEST FORM: **G.31.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Miller

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Authorize payment to Texas Prima in the amount of \$900.00 for conference registration for Human Resources where no purchase order was issued as required per the Hays County Purchasing Policy. **INGALSBE/MILLER**

### Summary:

Authorize payment to Texas Prima in the amount of \$900.00 for two separate conference registrations where no purchase order was issued per the Hays County Purchasing Policy.

### Fiscal Impact:

Amount Requested: \$900

Line Item Number: 001-677-00.5551

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: No

Comments: PO not obtained prior to purchase

### Auditor's Office

G/L Account Validated Y/N?: Yes, Continuing Education Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

Invoice 1

Invoice 2

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding

**Sponsor:**

Commissioner Shell

**Co-Sponsor:**

Commissioner Ingalsbe

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### Agenda Item

Approve Utility Permits. **SHELL/INGALSBE/BORCHERDING**

### Summary

TRN-2023-6969-UTL	Aqua Texas Inc. to replace water main on McGregor Lane right-of-way. Installation of approximately 7,110 linear feet of 6-inch PVC water main via trench and road cut. No road closures will be scheduled and proper traffic control plans are in place.
TRN-2023-7187-UTL	Platinum Underground proposes to bore 3 - 3" Conduits underneath existing pavement to power Waterstone Lift Station.

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### Attachments

Permit  
Site Plan  
Permit  
Site Plan

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Constable Michael Torres

**Sponsor:**

Commissioner Cohen

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### Agenda Item:

Authorize the Constable Pct. 2 Office to purchase one (1) Rapidprint AR-E Time and Date Stamp, authorize pre-payment to ID Badges Unlimited, Inc. and amend the budget accordingly. **COHEN/TORRES**

### Summary:

The Constable Pct. 2 Office is in need of a new time and date stamp for office administration. They received three quotes, with ID Badges Unlimited, Inc. being the cheapest. However, the vendor requires pre-payment in order to process special order items.

### Fiscal Impact:

Amount Requested: 903.51

Line Item Number: 001-636-00.5711\_400

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$904 - Increase Office Equipment\_Operating 001-636-00.5711\_400

(\$904) - Decrease Offices Supplies 001-636-00.5211

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: 3 Quotes Obtained

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

---

### Attachments

Time/Date Stamp Quote

---



## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry H. Borcharding

**Sponsor:**

Commissioner Ingalsbe

### Agenda Item:

Discussion and possible action to authorize the County Judge to sign a supplemental work authorization to the Professional Services Agreement between Hays County and Binkley & Barfield, Inc. for the design of a roundabout for the Windy Hill Road/Shadow Creek Blvd. intersection. **INGALSBE/BORCHERDING**

### Summary:

This action provides for design of the Windy Hill Road/Shadow Creek Blvd. roundabout as part of the Windy Hill roadway improvement project. Binkley & Barfield, Inc.

### Fiscal Impact:

Amount Requested: \$212,533.85

Line Item Number: 020-710-00-649.5621\_700

### Budget Office:

Source of Funds: Road & Bridge General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Request For Qualifications 2018-P08, Professional Services Agreement, executed February 4, 2020

### Auditor's Office

G/L Account Validated Y/N?: Yes, Engineering Capital Outlay

New Revenue Y/N?: N/A

Comments:

### Attachments

Windy Hill Roundabout



## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding, P.E., Transportation Director

**Sponsor:**

Commissioner Cohen

**Co-Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Discussion and possible action to authorize the execution of Change Order No. 7 in the amount of \$194,731.50 to the Construction Contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB 2021-B02) project as part of the Hays County Road Bond Program in Precinct 2 and 1. **COHEN/INGALSBE/BORCHERDING**

### Summary:

Change Order No. 7 will add 3 months of barricades, 75 working days, and project overhead costs associated with the added days in accordance with Item 4.6.2 from the Standard Specifications for the project. Additional work added to the contract, as well as working around conflicts with existing utilities encountered on the project, has caused the completion of the project to extend beyond the original 450 working days. The daily cost is determined by multiplying the original contract amount by 6% and dividing that number by the number of original contract work days (charge days as defined by the contract). The Change Order results in a net increase of \$194,731.50 to the contract amount, for an adjusted total contract amount of \$20,648,012.40.

### Fiscal Impact:

Amount Requested: \$194,731.50

Line Item Number: 035-801-96-634.5611\_400

### Budget Office:

Source of Funds: 2016 Voter Approved Road Bond Fund (issued in 2019)

Budget Amendment Required Y/N?: No

Comments: N/A

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Invitation for Bid (IFB) 2021-B02 Dacy Lane Road Improvements (9% contract increase)

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

IFB2021(B02)-DacyLane-JordanFoster-CO#07

20231121-DacyLane-COReasonMemo

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding, P.E., Transportation Director

**Sponsor:**

Commissioner Shell

---

### Agenda Item:

Discussion and possible action to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and K Friese + Associates, LLC to provide post construction drainage report & documents for the Lime Kiln Road project in Precinct 3 and amend the budget accordingly. **SHELL/BORCHERDING**

### Summary:

The requested Contract Amendment No. 2 increases the contract compensation cap by \$50,000.00 from \$150,000.00 to \$200,000.00. This will allow for the execution of Supplemental #3 to Work Authorization #1 in the amount of \$41,800.00 which authorizes additional work items not included in the original scope including property owner notification letters and revisions to the hydraulic model and mapping based on the most current Physical Map Revisions (PMR) digital elevation model (DEM) provided by FEMA October 2023 allowing for the resolution of FEMA's comments regarding the Letter of Map Revision (LOMR) application model and maps. This Supplemental Work Authorization also extends the termination date to December 31, 2025.

### Fiscal Impact:

Amount Requested: \$50,000.00

Line Item Number: 020-710-00-868.5621\_700

### Budget Office:

Source of Funds: Road & Bridge General Fund

Budget Amendment Required Y/N?: Yes

Comments: Additional funding for amendment required.

\$20,000 - Increase Lime Kiln Engineering\_Capital Outlay 020-710-00.868.5621\_700

(\$20,000) - Decrease Road Materials 020-710-00.5351

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Request for Qualifications (RFQ) 2018-P08 Professional Engineering Services Pool

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

LimeKilnLOMR-KFA-Amendment02

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding, P.E., Transportation Director

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Discussion and possible action to authorize the execution of Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and Kimley Horn & Associates, Inc. for the FM 2001 East (Graef Road to Southeast of SH 21) project as well as extending the limits of the project to include FM 2001 Gap Section (West of Graef Road to North of Satterwhite Road) in Precinct 1, as part of the 2016 Road Bond Program and amend the budget accordingly. **INGALSBE/BORCHERDING**

### Summary:

The Contract Amendment increases the contract compensation cap by \$50,000.00 from \$1,248,000.00 to \$1,298,000.00. This will allow for the execution of Supplemental #6 to Work Authorization #1 which authorizes condemnation support for up to five parcels on the FM 2001 East (Graef) project and preparation of an opinion of probable construction costs (OPCC) for the FM 2001 gap section, as well as additional surveying work needed on both sections. The Contract Amendment also amends the Exhibit D - Rate Schedule to add survey work categories and rates to the STV sub-consultant rate schedule.

### Fiscal Impact:

Amount Requested: \$50,000.00

Line Item Number: 035-802-96-644.5621\_400

### Budget Office:

Source of Funds: 2016 Voter Approved Road Bond (issued in 2019)

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$50,000 - Increase Engineering Operating 035-802-96-644.5621\_400

(\$50,000) - Decrease General Construction 035-800-96.5611\_400

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Request for Qualifications (RFQ) 2016-P13 Professional Engineering Services Pool

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

FM2001East(Graef)-KHA-Amendment02

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Colby Machacek, County Planner

**Sponsor:**

Commissioner Smith

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### Agenda Item

Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,017,737.50 for the Driftwood Golf & Ranch Club, Ph 4, Final Plat (Site Improvement Performance Bond No. 800169803). **SMITH/BORCHERDING**

### Summary

The final plat for Driftwood Golf & Ranch Club, Phase 4 has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and has been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action.

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### Attachments

Plat  
Location Map  
Bond

---



AGENDA ITEM REQUEST FORM: **1.6.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Jerry Borcharding

**Sponsor:**

Commissioner Cohen

---

### Agenda Item

Hold a public hearing with possible action to establish a No Dumping zone on Marsh Lane. **COHEN/BORCHERDING**

### Summary

In response to a request by local property owners, there is a need to establish a no dumping zone on the new section of Marsh Lane between Dacy Lane and Pfluger Elementary (see attached map).

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### Attachments

Marsh Lane No Dumping Map

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

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Colby Machacek, County Planner

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item

PLN-2325-PC; Hold a Public Hearing; followed by discussion and possible action regarding Studio Estates Subdivision, Sec 2B, Blk D, Lot 38, Replat. **INGALSBIE/MACHACEK**

### Summary

Studio Estates, Section 2B, Block D, Lot 38 Replat proposes to divide the existing 4.79 acre Lot 38 into two (2) lots. This property is located off of Newman Boulevard within the subdivision in Kyle and within Commissioner Precinct 1.

Water utility is provided by Goforth Special Utility District. Wastewater utility will be accomplished by individual on-site sewage facilities. Lot 38 originated as an Amenity/Parkland lot.

The Replat will establish Lot 38A for residential use and Lot 38B will remain for Parkland/Drainage.

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### Attachments

Cover Letter

Plat

Location Map

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

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Sheriff Gary Cutler

**Sponsor:**

Commissioner Shell

**Co-Sponsor:**

Commissioner Ingalsbe

---

### Agenda Item:

Discussion and possible action to authorize the County Judge to execute a renewal agreement with Wellpath, LLC. for the Adult and Juvenile Facilities Healthcare Program pursuant to RFP 2021-P04. **SHELL/INGALSBE**

### Summary:

Wellpath provides health care services for the County Adult and Juvenile Detention Facilities pursuant to RFP 2021-P04 awarded in April 2022. The annual renewal includes the following changes to the original agreement:

Jail & Juvenile Facility - Standard 3% CPI increase, as authorized per Article IX Section 1

Jail Facility - 1.5% Increase for adjustments to Salaries, Wages and Benefits to meet market demands

Jail Facility - 1 Additional FTE, Discharge Planner

Funds were included in the FY24 budget for the additional staffing requests and CPI increases.

### Fiscal Impact:

Amount Requested: \$3,563,216.88 (Adult Contract)

\$352,417.59 (Juvenile Contract)

Line Item Number: 001-618-03.5801

070-685-00.5801

### Budget Office:

Source of Funds: General Fund & Juvenile Detention Fund

Budget Amendment Required Y/N?: No

Comments: Funding for contract renewal was approved during the FY24 annual budget process.

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Request for Proposal 2021-P04 Medical Services - Jail and Juvenile Detention Center

### Auditor's Office

G/L Account Validated Y/N?: Yes, Health Care Program Services Expense

New Revenue Y/N?: N/A

Comments:

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### Attachments

Wellpath Original Contract

Wellpath Renewal Agreement

Exhibit C & D

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AGENDA ITEM REQUEST FORM: **K.2.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Daphne Tenorio, Hays County Treasurer

**Sponsor:**

Judge Becerra

---

### Agenda Item

Discussion and possible action to award RFP 2023-P02 Bank Depository to Sage Capital Bank and authorize staff and District Attorney - Civil Division to negotiate a contract. **BECERRA/TENORIO**

### Summary

On July 11, 2023, the Commissioner Court approved specifications and authorized Purchasing to solicit for Bank Depository services. Purchasing received four (4) proposals from the following firms:

JP Morgan Chase  
Sage Capital Bank  
Texas Regional Bank  
Wells Fargo

After evaluation of proposals, the evaluation committee's recommendation is to pursue negotiation with Sage Capital Bank. Upon successful negotiations, a contract will be brought back before court to approve and finalize the contract award.

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AGENDA ITEM REQUEST FORM: **K.3.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Daphne Tenorio, Hays County Treasurer

**Sponsor:**

Judge Becerra

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### Agenda Item

Discussion and possible action to approve changes to the Hays County Investment Policy and Authorized Investments for 2024. **BECERRA/TENORIO**

### Summary

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### Attachments

Investment Policy & Authorized Investments

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**Hays County Commissioners Court****Date:** 12/05/2023**Requested By:****Sponsor:**

Judge Becerra

**Co-Sponsor:**

Commissioner Smith

**Agenda Item:**

Discussion and possible action to consider salary increases for the County Court at Law Court Reporters and amend the budget accordingly. **BECERRA/SMITH/JOHNSON/BROWN/HALL**

**Summary:**

Court Reporter Position	Slot #	Judges' Desired Grade	Judges' Desired Step	Judges' Desired Grade	Years @ County
CCL 1	0765-001	131	7	\$ 109,644	5
CCL 2	0765-004	131	7	\$ 109,644	0
CCL 3	0765-002	131	7	\$ 109,644	0

**Fiscal Impact:**

Amount Requested: \$54,546 (annualized)

\$45,455 (FY24)

Line Item Number: 001-612-00]

**Budget Office:**

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: If approved, funding will need to be identified. As a reminder, all county employees' salary increases were deferred to 2/1/24 and the general fund impact was already short over \$200k to be covered by attrition.

Court Reporter Position	Slot #	Hire Date	Current Salary	Requested Salary	Difference
CCL 1	0765-001	11/26/2018	\$ 91,825	\$ 109,644	\$ 17,819
CCL 2	0765-004	1/9/2023	\$ 91,825	\$ 109,644	\$ 17,819
CCL 3	0765-002	10/2/2023	\$100,340	\$ 109,644	\$ 9,304
Total Salary Increases					\$ 44,942
Fringe Benefits					\$ 9,604
Total Annualized Request					\$ 54,546
Total FY 2024 Fiscal Impact					\$ 45,455

**Purchasing Office:**

Purchasing Guidelines Followed Y/N?: N/A

Comments:

**Auditor's Office**

G/L Account Validated Y/N?: TBD

New Revenue Y/N?: N/A

Comments:

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AGENDA ITEM REQUEST FORM: **K.5.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Commissioner Ingalsbe

**Co-Sponsor:**

Commissioner Cohen

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### Agenda Item:

Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and HDR Architecture Inc. for a needs assessment for Precinct 1 and Precinct 2. **INGALSBE/COHEN**

### Summary:

Commissioner Ingalsbe and Commissioner Cohen are requesting HDR Architecture Inc. to conduct a needs assessment of Precinct 1 and Precinct 2 for potential growth and expansion, with an hourly not-to-exceed fee of ninety-six thousand eight hundred ten dollars (\$96,810.00). The Professional Services Agreement is in compliance with Government Code Chapter 2254, Professional Services.

### Fiscal Impact:

Amount Requested: \$96,810

Line Item Number: 001-645-00.5741

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: Potential funding source, Misc. Capital Improvements reserve funding set aside during the final FY24 budget hearing.

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Government Code Chapter 2254, Professional Services

### Auditor's Office:

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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### Attachments

PSA - HDR Architecture Inc.

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AGENDA ITEM REQUEST FORM: **K.6.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Marcus Pacheco/Mark Wobus/Jerry Borcharding

**Sponsor:**

Judge Becerra

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### Agenda Item:

Discussion and possible action to amend the Fee Schedule for the Development Services Dept., the Fire Marshal's Office, and the Transportation Dept. **BECERRA/PACHECO/JONES/BORCHERDING**

### Summary:

The Development Services Dept., Fire Marshal's Office, and Transportation Dept. conduct annual reviews of their department's fees. During the reviews, the department noted several areas in need of updating based on comparing other jurisdictions, associated review costs, state statute changes, and updated policies. The updates contain new fees, existing fee changes, and consolidation of fees. The proposed fee schedule would become effective February 1st, 2024 allowing each department approx. 6 weeks of outreach and notification to the public.

### Fiscal Impact:

Amount Requested: N/A

Line Item Number: 001-657-00.4402

### Budget Office:

Source of Funds:

Budget Amendment Required Y/N?:

Comments:

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

### Auditor's Office

G/L Account Validated Y/N?: N/A

New Revenue Y/N?: TBD

Comments:

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### Attachments

Yarrington Fee Schedule

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AGENDA ITEM REQUEST FORM: **K.7.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Avrey Anderson, District Clerk

**Sponsor:**

Judge Becerra

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### Agenda Item:

Discussion and possible action to authorize the District Clerk's Office to hire one (1) temporary Deputy Clerk grade 114 effectively immediately through December 29, 2023. **BECERRA/ANDERSON**

### Summary:

The District Clerk's Office has a current employee that is out on extended medical leave and would like to hire a temporary position through the end of the calendar year to assist with administrative and court duties. The hourly rate will be \$19.26 per the current pay plan with no benefits or accruals.

### Fiscal Impact:

Amount Requested: \$2,488.14

Line Item Number: 001-609-00]

### Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: Savings within the operating budget are available due to vacant position.

19.26 Hrly Rate

2,311.33 Base Salary (12/6 - 12/29/23)

176.82 FICA/Medicare

2,488.14 Total

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

### Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

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AGENDA ITEM REQUEST FORM: **K.8.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Ingalsbe

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item:

Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the San Marcos Texas Community Radio Association, KZSM. **INGALSBE**

### Summary:

Donated funds can be used at the Recipient's discretion, with the exception of prohibited expenditures as stated in the agreement.

The donation agreement will be funded from the Precinct 1 revenue loss allocation.

### Fiscal Impact:

Amount Requested: \$25,000

Line Item Number: 011-763-99-159.5600\_023

### Budget Office:

Source of Funds: American Rescue Plan Act (ARPA) Fund

Budget Amendment Required Y/N?: No

Comments: The additional contribution was approved and budgeted during the FY24 final budget hearing.

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

### Auditor's Office

G/L Account Validated Y/N?: Yes, Project Contributions

New Revenue Y/N?: N/A

Comments:

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### Attachments

KZSM ARPA Donation Agreement

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Ingalsbe, Shell, Cohen

**Sponsor:**

Commissioner Ingalsbe

**Co-Sponsor:**

Commissioner Shell

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### Agenda Item:

Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Southside Community Center. **INGALSBE/SHELL/COHEN**

### Summary:

Donated funds can be used at the Recipient's discretion, with the exception of prohibited expenditures as stated in the agreement.

The donation agreement will be funded from the Precinct 1 (\$10k), Precinct 2 (\$5k), and Precinct 3 (\$10k) revenue loss allocation.

### Fiscal Impact:

Amount Requested: \$25,000

Line Item Number: 011-763-99-159.5600\_027

### Budget Office:

Source of Funds: American Rescue Plan Act (ARPA) Fund

Budget Amendment Required Y/N?: No

Comments: The additional contribution was approved and budgeted during the FY24 final budget hearing.

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

### Auditor's Office

G/L Account Validated Y/N?: Yes, Project Contributions

New Revenue Y/N?: N/A

Comments:

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### Attachments

Southside ARPA Donation Agreement

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Shell

**Sponsor:**

Commissioner Shell

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### Agenda Item:

Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Greater San Marcos Youth Council. **SHELL**

### Summary:

Donated funds can be used at the Recipient's discretion, with the exception of prohibited expenditures as stated in the agreement.

The donation agreement will be funded from the Precinct 3 revenue loss allocation.

### Fiscal Impact:

Amount Requested: \$10,000.00

Line Item Number: 011-763-99-159.5600\_017

### Budget Office:

Source of Funds: American Rescue Plan Act (ARPA) Fund

Budget Amendment Required Y/N?: No

Comments: The additional contribution was approved and budgeted during the FY24 final budget hearing.

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

### Auditor's Office

G/L Account Validated Y/N?: Yes, Project Contributions

New Revenue Y/N?: N/A

Comments:

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### Attachments

GSMYC ARPA Donation Agreement

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Shell

**Sponsor:**

Commissioner Shell

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### Agenda Item:

Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the Hays-Caldwell Women's Center. **SHELL**

### Summary:

Donated funds can be used at the Recipient's discretion, with the exception of prohibited expenditures as stated in the agreement.

The donation agreement will be funded from the Precinct 3 revenue loss allocation.

### Fiscal Impact:

Amount Requested: \$10,000

Line Item Number: 011-763-99-159.5600\_001

### Budget Office:

Source of Funds: American Rescue Plan Act (ARPA) Fund

Budget Amendment Required Y/N?: No

Comments: The additional contribution was approved and budgeted during the FY24 final budget hearing.

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

### Auditor's Office

G/L Account Validated Y/N?: Yes, Project Contributions

New Revenue Y/N?: N/A

Comments:

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### Attachments

HCWC ARPA Donation Agreement

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## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

Shell

**Sponsor:**

Commissioner Shell

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### Agenda Item:

Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and the CASA of Central Texas, Inc. **SHELL**

### Summary:

Donated funds can be used at the Recipient's discretion, with the exception of prohibited expenditures as stated in the agreement.

The donation agreement will be funded from the Precinct 3 revenue loss allocation.

### Fiscal Impact:

Amount Requested: \$10,000

Line Item Number: 011-763-99-159.5600\_006

### Budget Office:

Source of Funds: American Rescue Plan Act (ARPA) Fund

Budget Amendment Required Y/N?: No

Comments: The additional contribution was approved and budgeted during the FY24 final budget hearing.

### Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

### Auditor's Office

G/L Account Validated Y/N?: Yes, Project Contributions

New Revenue Y/N?: N/A

Comments:

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### Attachments

CASA ARPA Agreement

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

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Judge Becerra

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### Agenda Item

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. **BECERRA**

### Summary

Additional information will be provided during Executive Session.

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AGENDA ITEM REQUEST FORM: **L.2.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Judge Becerra

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### Agenda Item

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 Hot Pursuit and Project Midtown. Possible discussion and/or action may follow in open court. **BECERRA**

### Summary

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AGENDA ITEM REQUEST FORM: **L.3.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.2737 acre out of that certain 81.25 acre property owned by HC Alexander Place, LLC a North Carolina limited liability company and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 28). Possible action may follow in open court. **INGALSBE**

### Summary

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AGENDA ITEM REQUEST FORM: **L.4.**

## Hays County Commissioners Court

**Date:** 12/05/2023

**Requested By:**

**Sponsor:**

Commissioner Ingalsbe

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### Agenda Item

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.3463 acres out of that certain 140 acres HC Alexander Place, LLC and JBH Development, LLC, and which is required for the construction of the proposed Cotton Gin roadway improvements and utility adjustments, and take other appropriate action (Tract 29). Possible action may follow in open court. **INGALSBE**

### Summary

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