

HAYS COUNTY COMMISSIONERS' COURT MINUTES



DECEMBER 19, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19th DAY OF DECEMBER 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
BRIANA RAMIREZ-VARGAS	DEPUTY 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:

Judge Becerra called the meeting to order. Pastor Darius Todd, Hays County Chaplain, gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags.

PUBLIC COMMENTS

Dan Lyon made a public comment concerning Hays County leadership. Rodrigo Amaya made a public comment concerning the Sheriff's Office and election campaigns.

Presentation of Hays County Employee Service and Retirement Awards.

Shari Miller, Director of Human Resources, presented employees with service milestone and retirement awards. The Court, Mike Jones, Director of the Office of Emergency Services, Sheriff Gary Cutler, and Steve Meyer, Chair of Hays County Crime Stoppers, thanked Dennis Gutierrez, Hays County Sheriff's Office retiree, for his 35 years of service to the community.

Presentation by the Homeless Coalition of Hays County regarding the results of the 2023 Point in Time and the upcoming 2024 Point in Time.

Rev. Joshua Sutherlun, Co-Chair of the Hays County Homeless Coalition (HCHC), spoke about the HCHC's work and how they collaborate with the Texas Homeless Network. Nancy Heintz, Point-in-Time Coordinator, spoke about how the survey is conducted and what can be learned from it, and reviewed recent Hays County numbers. Kaimi Mattila, HCHC Board Member, spoke about the correlation between mental health issues and homelessness and how the community is addressing these through the Behavioral Advisory Team. Heintz spoke about how the Commissioners Court can assist with the Point-in-Time Count. Judge Becerra spoke about the importance of the count and incentivizing participation. Commissioner Smith spoke about ways the county is starting to address these issues and how having data from the count earlier could contribute to these efforts. Commissioner Shell thanked the HCHC for all their work. Commissioner Cohen discussed with Heintz the information the HCHC is needing from the commissioners and also requested earlier data from the next count. Commissioner Ingalsbe thanked the HCHC for their work. Tammy Crumley, Director of Countywide Operations, stated the Health Department assists with the count and provides COVID tests.

Presentation by Austin Pets Alive! to share an overview of community engagement efforts, including results from the Community Needs & Values Survey.

Lee Ann Shenefiel, Austin Pets Alive! Executive Advisor, presented the results of the Community Needs & Values Survey, including accessibility to pet resources throughout the county, and spoke about what to focus on in the future. Commissioner Ingalsbe spoke about barriers to services and improving transportation for residents, as well as potential locations for a new Pet Resource Center. Commissioner Cohen spoke about involving organizations that work with specific groups of people, such as the elderly.



Commissioner Shell thanked Austin Pets Alive! for their dedication to outreach. Commissioner Smith spoke about the need for resources in the outer portions of the county and suggested providing education on the responsibilities of pet ownership.

39776 Approve payments of County invoices.

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

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

5 - 0 Passed - Unanimously

39777 Approve the payment of Juror checks.

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

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

5 - 0 Passed - Unanimously

39778 Approve the payment of United Healthcare claims.

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

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

5 - 0 Passed - Unanimously

39779 Approve Commissioners Court Minutes of December 5, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of December 5, 2023.

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

5 - 0 Passed - Unanimously

39780 Approve the payment of the December 31, 2023 payroll disbursements in an amount not to exceed \$4,925,000.00 effective December 29, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of the December 31, 2023 payroll disbursements in an amount not to exceed \$4,925,000.00 effective December 29, 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

39781 Approve and confirm the appointment of Able Garza as a Deputy Constable and Victor Byrd as a Reserve Deputy Constable in the Hays County Constable Precinct 1 Office.

Rodrigo Amaya made a public comment against the item. David Peterson, Constable Precinct 1, introduced the appointed deputies and spoke about their backgrounds and achievements.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve and confirm the appointment of Able Garza as a Deputy Constable and Victor Byrd as a Reserve Deputy Constable in the Hays County Constable Precinct 1 Office.

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

5 - 0 Passed - Unanimously

39782 Receive the Hays County Sexual Assault Response Team 2023 SART Biennial Report.

Commissioner Smith spoke about the findings and thanked all members of the SART.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to receive the Hays County Sexual Assault Response Team 2023 SART Biennial Report.

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

5 - 0 Passed - Unanimously

39783 Adopt a resolution approving the Joint Election Agreement between Hays County and the Republican and Democratic Parties for the 2024 Primary election.

Jennifer Doinoff, Hays County Elections Administrator, thanked the political parties for their cooperation with each other.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a resolution approving the Joint Election Agreement between Hays County and the Republican and Democratic Parties for the 2024 Primary election.

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

5 - 0 Passed - Unanimously

39784 Approve the reappointment of Commissioner Lon Shell to the Tax Increment Reinvestment Zone (TIRZ) Number 4 (Kissing Tree Development) Board of Directors for a two-year term expiring on December 31, 2025.

Rodrigo Amaya made a public comment against appointing a commissioner with only one year left in their term to a two-year position. Commissioner Shell explained the court may replace him at any time.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Commissioner Lon Shell to the Tax Increment Reinvestment Zone (TIRZ) Number 4 (Kissing Tree Development) Board of Directors for a two-year term expiring on December 31, 2025.

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

5 - 0 Passed - Unanimously

39785 Approve the appointment of Judge Ruben Becerra to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors, to replace Commissioner Lon Shell and complete the remainder of the two-year term expiring on December 31, 2024.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the appointment of Judge Ruben Becerra to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors, to replace Commissioner Lon Shell and complete the remainder of the two-year term expiring on December 31, 2024.

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

5 - 0 Passed - Unanimously

39786 Approve the reappointment of Commissioner Debbie Ingalsbe to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors for a two-year term expiring on December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Commissioner Debbie Ingalsbe to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors for a two-year term expiring on December 31, 2025.

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

5 - 0 Passed - Unanimously

39787 Approve the re-appointments of Joe Pendleton and Chuck Ware to Emergency Service District (ESD) #4 for two-year terms ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the re-appointments of Joe Pendleton and Chuck Ware to Emergency Service District (ESD) #4 for two-year terms ending December 31, 2025.



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

5 - 0 Passed - Unanimously

39788 Approve the re-appointments of Andrew Cable, John Anderson, and Scott Brown to the Emergency Service District (ESD) #7 Board for two-year terms ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the re-appointments of Andrew Cable, John Anderson, and Scott Brown to the Emergency Service District (ESD) #7 Board for two-year terms ending December 31, 2025.

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

5 - 0 Passed - Unanimously

39789 Approve the reappointment of Staci Dement to the Board of Emergency Services District (ESD) #1, a two-year term ending December 31, 2025.

Commissioner Smith thanked all individuals being reappointed to ESDs and TIRZs for their service.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Staci Dement to the Board of Emergency Services District (ESD) #1, a two-year term ending December 31, 2025.

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

5 - 0 Passed - Unanimously

39790 Approve the reappointment of Bert Bronaugh and Haley Ortiz to the Board of Emergency Services District (ESD) #2, a two-year term ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Bert Bronaugh and Haley Ortiz to the Board of Emergency Services District (ESD) #2, a two-year term ending December 31, 2025.

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

5 - 0 Passed - Unanimously

39791 Approve the reappointment of Beth Smith to the Board of Emergency Services District (ESD) #5, a two-year term ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Beth Smith to the Board of Emergency Services District (ESD) #5, a two-year term ending December 31, 2025.

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

5 - 0 Passed - Unanimously

39792 Approve the reappointment of Jim Hollis and Carol Greaves to the Board of Emergency Services District (ESD) #8, a two-year term ending December 31, 2025.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Jim Hollis and Carol Greaves to the Board of Emergency Services District (ESD) #8, a two-year term ending December 31, 2025.

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

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-18 RE: *Approve the reappointment of Chris Baker to the Board of Emergency Services District (ESD) #9, a two-year term ending December 31, 2025. - WAS PULLED.*

39793 Approve the reappointment of Susan Kimball to the board of directors for the Dripping Springs Tax Incremental Reinvestment Zones No. 1 and No. 2, two year term ending December 31, 2025.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the reappointment of Susan Kimball to the board of directors for the Dripping Springs Tax Incremental Reinvestment Zones No. 1 and No. 2, two year term ending December 31, 2025.

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

5 - 0 Passed - Unanimously

39794 Authorize the County Judge to execute a renewal agreement and First Amendment with Wellpath, LLC. for the Adult and Juvenile Facilities Healthcare Program pursuant to RFP 2021-P04.

Judge Becerra spoke about recent discussions and efforts to modify the program.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a renewal agreement and First Amendment with Wellpath, LLC. for the Adult and Juvenile Facilities Healthcare Program pursuant to RFP 2021-P04.

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

5 - 0 Passed - Unanimously

39795 Authorize Building Maintenance to replace a two ton mini-split located in the Yarrington server room with a new two ton Mitsubishi mini-split in the amount of \$6,638.72 and amend the budget accordingly.

Dan Lyon made a public comment against the item and its cost. Commissioner Shell spoke about the price of the item and stated the lowest bid was chosen. Commissioner Ingalsbe stated this is a failing system that needs to be replaced.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize Building Maintenance to replace a two ton mini-split located in the Yarrington server room with a new two ton Mitsubishi mini-split in the amount of \$6,638.72 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39796 Authorize the County Judge to execute Change Order #7 to the Professional Services Agreement between Hays County and Garver, LLC to extend the agreement for design of low water crossings in Pcts. 1&2 until Dec. 31, 2024.

Dan Lyon made a public comment against change orders and the item. Rodrigo Amaya made a public comment against change orders and requested road improvements in the eastern portions of Hays County. Commissioner Shell explained these projects can take longer if they involve private property and the company is not necessarily being paid more for the time extension. Commissioner Cohen clarified this is a time extension for design purposes and there is no additional funding required.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Change Order #7 to the Professional Services Agreement between Hays County and Garver, LLC to extend the agreement for design of low water crossings in Pcts. 1&2 until Dec. 31, 2024.

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

5 - 0 Passed - Unanimously

39797 Authorize the County Judge to execute a Work Order with CureMD for the Izenda Ad-Hoc Reporting feature in the amount of \$699.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Work Order with CureMD for the Izenda Ad-Hoc Reporting feature in the amount of \$699.00.

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

5 - 0 Passed - Unanimously



39798 Approve the modification of a Letter of Credit in favor of the Texas Commission on Environmental Quality (TCEQ) regarding the operation of a waste material transfer station at 1691 Carney Lane, Wimberley, Texas; and authorize the County Judge to execute documents related to the Letter of Credit.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the modification of a Letter of Credit in favor of the Texas Commission on Environmental Quality (TCEQ) regarding the operation of a waste material transfer station at 1691 Carney Lane, Wimberley, Texas; and authorize the County Judge to execute documents related to the Letter of Credit.

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

5 - 0 Passed - Unanimously

39799 Authorize the submission of a renewal grant application to the Department of State Health Services (DSHS), FY25 Immunizations/Locals Grant Program in the amount of \$192,341.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a renewal grant application to the Department of State Health Services (DSHS), FY25 Immunizations/Locals Grant Program in the amount of \$192,341.00.

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

5 - 0 Passed - Unanimously

39800 Approve Utility Permits.

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

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

5 - 0 Passed - Unanimously

39801 Authorize the execution of an Engagement Letter with Milliman, Inc. for services related to the required GASB 75 valuation of other post-employment benefits for the County's annual financial statements, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4).

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of an Engagement Letter with Milliman, Inc. for services related to the required GASB 75 valuation of other post-employment benefits for the County's annual financial statements, and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4).

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

5 - 0 Passed - Unanimously

39802 Authorize the County Judge to execute the Phasing Agreement and License Agreement for the Prairie Lakes (Diecieseis Tract) Subdivision between Hays County and Diecieseis, LLC.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Phasing Agreement and License Agreement for the Prairie Lakes (Diecieseis Tract) Subdivision between Hays County and Diecieseis, LLC.

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

5 - 0 Passed - Unanimously

39803 Accept delivery of the Auditor's Office Quarterly Internal Examination Reports.

Rodrigo Amaya made a public comment concerning the Hays County Auditor. Commissioner Shell asked for any complaints to be filed with the District Judges.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept delivery of the Auditor's Office Quarterly Internal Examination Reports.



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

5 - 0 Passed - Unanimously

39804 Approve the April 2023, May 2023, June 2023, July 2023, August 2023 and September 2023 Treasurer and Investment Reports.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the April 2023, May 2023, June 2023, July 2023, August 2023 and September 2023 Treasurer and Investment Reports.

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

5 - 0 Passed - Unanimously

39805 Ratify the acceptance of a \$300.00 donation to the Sheriff's Office and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to ratify the acceptance of a \$300.00 donation to the Sheriff's Office and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39806 Authorize the Sheriff's Office to purchase a replacement shredder valued at \$696.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Sheriff's Office to purchase a replacement shredder valued at \$696.00.

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

5 - 0 Passed - Unanimously

39807 Approve specifications for IFB 2024-B03 Winters Mill Parkway Roadway Improvements, Lighting and Pavement Markings and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for IFB 2024-B03 Winters Mill Parkway Roadway Improvements, Lighting and Pavement Markings and authorize Purchasing to solicit for bids and advertise.

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

5 - 0 Passed - Unanimously

39808 Ratify the submission of a grant application to the Capital Area of Government, Solid Waste Grant Program in the amount of \$21,419.20.

Tammy Crumley, Director of Countywide Operations, stated the match will no longer be in-kind, it will be \$1,804.80 for the western event and \$1,829.80 for the eastern event.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to ratify the submission of a grant application to the Capital Area of Government, Solid Waste Grant Program in the amount of \$21,419.20, and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39809 Authorize the County Judge to execute a Tetra Vertical Solutions work order in the amount of \$2,500.00 for repairs to the Skyfold Vertical Wall located at the Public Safety Building.

Rodrigo Amaya made a public comment concerning the quality of the building and warranties. Commissioner Shell stated items under warranty are covered and spoke about improving county building in the future.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Tetra Vertical Solutions work order in the amount of \$2,500.00 for repairs to the Skyfold Vertical Wall located at the Public Safety Building.



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

5 - 0 Passed - Unanimously

39810 Approve specifications for RFP 2024-P07 Employee Benefits Financial Consulting Services and authorize Purchasing to solicit for proposals and advertise.

Rodrigo Amaya made a public comment against the item.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for RFP 2024-P07 Employee Benefits Financial Consulting Services and authorize Purchasing to solicit for proposals and advertise.

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

5 - 0 Passed - Unanimously

39811 Approve renewal of IFB 2022-B01 Duty & Training Ammunition with Parabellum Research and BION Sol, LLC.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve renewal of IFB 2022-B01 Duty & Training Ammunition with Parabellum Research and BION Sol, LLC.

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

5 - 0 Passed - Unanimously

39812 Approve payment in the amount of \$521.64 to ODP Business Solutions, LLC related to office supplies for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payment in the amount of \$521.64 to ODP Business Solutions, LLC related to office supplies for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

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

5 - 0 Passed - Unanimously

39813 Approve payment in the amount of \$700.00 to Texas Association of Counties related to Continuing Education for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve payment in the amount of \$700.00 to Texas Association of Counties related to Continuing Education for the District Clerk's Office where no purchase order was issued per the Hays County Purchasing Policy.

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

5 - 0 Passed - Unanimously

39814 Discussion and possible action to approve an Advance Funding Agreement Amendment #1 For Preventative Maintenance and Rehabilitation Program On-System Project (RM 967) and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County and amend the budget accordingly.

Commissioner Smith spoke about the progression of this project and thanked the Texas Department of Transportation for their timely work.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve an Advance Funding Agreement Amendment #1 For Preventative Maintenance and Rehabilitation Program On-System Project (RM 967) and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County and amend the budget accordingly.



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

5 - 0 Passed - Unanimously

39815 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, acceptance of the 2-year maintenance bond #355371M in the amount of \$192,527.03 for Waterstone Phase 1A.

Commissioner Ingalsbe stated this has staff recommendation.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept road construction & surface drainage improvements, accept the 2-year maintenance bond #355371M in the amount of \$192,527.03 for Waterstone Phase 1A.

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

5 - 0 Passed - Unanimously

39816 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$902,317.55 for the Crosswinds, Phase 6B, Final (Performance Bond No. CMS354712).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$902,317.55 for the Crosswinds, Phase 6B, Final (Performance Bond No. CMS354712).

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

5 - 0 Passed - Unanimously

39817 PLN-2173-PC; Discussion and possible action regarding Shadow Creek, Ph 12, Sec 1, Lot 1, Replat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated it has full staff recommendation for approval.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to approve Shadow Creek, Ph 12, Sec 1, Lot 1, Replat (PLN-2173-PC).

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

5 - 0 Passed - Unanimously

39818 PLN-2364-PC; Call for a Public Hearing on January 2nd, 2024, followed by discussion and possible action regarding the Studio Estates Subdivision, Section 2B, Block C, Lot 11, Replat.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a Public Hearing on January 2nd, 2024, followed by discussion and possible action regarding the Studio Estates Subdivision, Section 2B, Block C, Lot 11, Replat (PLN-2364-PC).

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

5 - 0 Passed - Unanimously

39819 Discussion and possible action authorizing the Sheriff's Office to execute a Memorandum of Understanding with Homeland Security Investigations for the reimbursement of joint operations expenses.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to execute a Memorandum of Understanding with Homeland Security Investigations for the reimbursement of joint operations expenses.

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

5 - 0 Passed - Unanimously

39820 Discussion and possible action authorizing the County Judge to execute an Agreement between Axon Enterprise Inc. and Hays County, effective July 1, 2024, to utilize Sourcewell Contract #010720-AXN.



Commissioner Ingalsbe stated this will be for upgrades to technology in 11 interview rooms which will streamline the interview process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Agreement between Axon Enterprise Inc. and Hays County, effective July 1, 2024, to utilize Sourcewell Contract #010720-AXN.

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

5 - 0 Passed - Unanimously

39821 Discussion and possible approval of the Property Liability policy from Texas Association of Counties, and authorize a discretionary exemption pursuant to Texas Local Government Center 262.024 (a)(4).

Shari Miller, Director of Human Resources, explained the county has been covered since July, but the payment was postponed until now.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the Property Liability policy from Texas Association of Counties, and authorize a discretionary exemption pursuant to Texas Local Government Center 262.024 (a)(4).

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

5 - 0 Passed - Unanimously

39822 Discussion and possible action to approve the formation of a Purchasing Policy Committee to include the County Judge, Treasurer, Purchasing Agent, District Attorney - Civil Division, and Directors (or their designee) of Transportation Department, Countywide Department, IT Department, and Sheriff's Department to review and update the Hays County Purchasing Policy and bring recommendations to Commissioners Court.

Rodrigo Amaya made a public comment against the creation of additional committees. Judge Becerra spoke about the intended purpose of this committee and how it should streamline purchasing processes. Stephanie Hunt, Hays County Purchasing Agent, recommended Vickie Dorsett, Hays County Budget Officer, and Commissioner Cohen be added to the committee. Commissioner Shell suggested including a member of the Auditor's Office. Commissioner Smith asked for Hunt to lead the committee and provide direction as someone who is very knowledgeable on county purchasing policies.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the formation of a Purchasing Policy Committee to include the County Judge, Commissioner Cohen, Treasurer, Purchasing Agent, District Attorney - Civil Division, Budget Officer, and Directors (or their designee) of Transportation Department, Countywide Department, IT Department, and Sheriff's Department to review and update the Hays County Purchasing Policy and bring recommendations to Commissioners Court.

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

5 - 0 Passed - Unanimously

39823 Discussion and possible action authorizing the execution of a Product Schedule, Order Agreement and Equipment Removal/Buyout Authorization with Ricoh USA, Inc. to replace the copier for the District Attorney, Civil Division copier, total monthly amount \$269.94.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a Product Schedule, Order Agreement and Equipment Removal/Buyout Authorization with Ricoh USA, Inc. to replace the copier for the District Attorney, Civil Division copier, total monthly amount \$269.94.

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

5 - 0 Passed - Unanimously

39824 Discussion and possible action to authorize the County Judge to execute an Agreement between Hays County and the City of Dripping Springs for use of the Dripping Springs Ranch Park.

Commissioner Smith explained the issue with the original agreement and stated this agreement will be more beneficial to the county and allow for more use of the facility.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an Agreement between Hays County and the City of Dripping Springs for use of the Dripping Springs Ranch Park.

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

5 - 0 Passed - Unanimously

39825 Discussion and possible action authorizing the County Judge to execute a License Agreement between Hays County and Hays County Crime Stoppers for use of the two upstairs office spaces located at 120 Stagecoach Trail, San Marcos, TX.

Rodrigo Amaya made a public comment asking for clarification on the location of these offices. Jennifer Doinoff, Hays County Elections Administrator, explained that since there is no security at the new Elections building, having a non-public facing entity such as Hays County Crime Stoppers occupy the space is a good fit.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a License Agreement between Hays County and Hays County Crime Stoppers for use of the two upstairs office spaces located at 120 Stagecoach Trail, San Marcos, TX.

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

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 10:58 a.m. and resumed back into open court at 11:05 a.m.

39826 Discussion and possible action to authorize a First Amendment to the Hays County American Rescue Plan Recovery Grant Agreement with the Hays Consolidated Independent School District and amend the budget accordingly.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize a First Amendment to the Hays County American Rescue Plan Recovery Grant Agreement with the Hays Consolidated Independent School District and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39827 Discussion and possible action to authorize the County Judge to execute a Funding Agreement with the City of San Marcos related to the Courthouse Renovation project and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Funding Agreement with the City of San Marcos related to the Courthouse Renovation project and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39828 Discussion and possible action to authorize the Constable Pct. 1 Office to utilize Lower Colorado River Authority (LCRA) for vehicle equipment removal and installation services and amend the budget accordingly.

Rodrigo Amaya made a public comment against the item. David Peterson, Constable Precinct 1, spoke about the justification for this item and issues experienced with the supply chain and hiring. Commissioner Ingalsbe explained this work is usually done in-house but due to staff shortages it needs to be outsourced.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Constable Pct. 1 Office to utilize Lower Colorado River Authority (LCRA) for vehicle equipment removal and installation services and amend the budget accordingly.

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

5 - 0 Passed - Unanimously



39829 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement regarding the City of Kyle Tax Increment Reinvestment Zone (TIRZ) #5.

Jordan Powell, First Assistant Criminal District Attorney - Civil Division, spoke about the proposed TIRZ and the county's contribution to it. She suggested the Road and Bridge tax be excluded. Commissioner Ingalsbe stated she and Commissioner Cohen will monitor how the money is spent as the county's representatives on the board. Commissioner Shell asked for changes to back up documents regarding the county's tax rates. Commissioner Smith expressed concern over purchasing right-of-way through the facility and asked municipalities not to wait until the end of the year to bring forward proposals. Judge Becerra clarified how the county will contribute to the development of this area.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute an Interlocal Agreement regarding the City of Kyle Tax Increment Reinvestment Zone (TIRZ) #5.

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

5 - 0 Passed - Unanimously

39830 Discussion and possible action to appoint Commissioner Debbie Ingalsbe and Commissioner Michelle Cohen to the Board of Directors for the City of Kyle Tax Increment Reinvestment Zone (TIRZ) Number 5 for a two-year term.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to appoint Commissioner Debbie Ingalsbe and Commissioner Michelle Cohen to the Board of Directors for the City of Kyle Tax Increment Reinvestment Zone (TIRZ) Number 5 for a two-year term.

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

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:16 p.m and resumed back into open court at 2:26 p.m.

39831 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.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations. Commissioner Shell stated this contract and related assignment of interest in conservation easement will be funded from the 2021 park bond funds.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Unimproved Property Contract and Assignment of Interest in Conservation Easement between Hays County and the San Marcos River Foundation, related to a conservation easement on approximately 75 acres located in San Marcos, Texas, Precinct 3, as presented and discussed in Executive Session, authorize the Civil Division of the Hays County Criminal District Attorney's Office to execute all documents incidental to closing this transaction, and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39832 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, Project Midtown and Project Lights Out. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Marisol Villarreal-Alonzo, Hays County Auditor, Stephanie Leibe, Norton Rose Fulbright, Will Atkinson, City of Kyle Planning Director, Victoria Vargas, City of Kyle Economic Development Director, Jennifer Luna, Greater San Marcos Partnership (GSMP) Project Manager, and Mike Kamerlander, GSMP President/CEO.



Commissioner Cohen stated the incentive will consist of 50% of the County's sales taxes collected above the Sales Tax Base (which is currently \$0) and received by the County on the commercial properties located on the property for the calendar year; sales tax rebates will be based on annual performance and certifications thereof; and performance is based on construction thresholds including construction, Certificates of Occupancy, and site development permits.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Hays County and NewQuest Equity L.C., as presented in Executive Session.

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 Marco. Possible discussion and/or action may follow in open court.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations. No action taken.

39833 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.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Resolution, as presented in Executive Session, 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).

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

5 - 0 Passed - Unanimously

39834 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.

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, and Shari Miller, Director of Human Resources.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Resolution, as presented in Executive Session, determining the necessity of and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.3463 acre out of that certain 140 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 29).



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

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

Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Ben Moore, Criminal Associate Judge - Magistrate's Court. No action taken.

39835 Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the employment and duties of the position of the Hays County Local Health Authority. Possible discussion and/or action may follow in open court.

Judge Becerra clarified he should be listed as the sponsor of this item on the agenda, not Commissioner Cohen. Those present in Executive Session were the Commissioners Court, Jordan Powell, First Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Shari Miller, Director of Human Resources, and Tammy Crumley, Director of Countywide Operations. Judge Becerra thanked Tammy Crumley for her work on this.

A motion was made by Judge Becerra, seconded by Commissioner Shell to approve the Director of Hays County Health Department's appointment Dr. John Charles Turner, Jr. as the Hays County Local Health Authority, effective December 21, 2023 and authorize the County Judge to execute a Professional Services Agreement in relation to such appointment.

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.*

Clerk's Note Agenda Item #M-2 RE: *Discussion related to the Hays County inmate population, to include current population counts and costs. - WAS PULLED.*

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 Judicial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Judicial Services Randy Focken. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 2:30 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 DECEMBER 19, 2023.



Elaine H. Cardenas

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

