

**Commissioners Court -- FEBRUARY 27, 2024
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 **FEBRUARY 27, 2024**, 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.

PUBLIC COMMENTS
At this time 3-MINUTE comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/ Witness Form to the County Clerk. Please Complete the Public Participation/ Witness Form in its Entirety. NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS .

F.

PRESENTATIONS & PROCLAMATIONS
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1. Presentation of Hays County Employee Service and Retirement Awards. **BECERRA/MILLER**
2. Adopt a Proclamation recognizing Dorothy June Paddison as the 2024 Hays Youth Poet Laureate. **BECERRA**
3. Presentation regarding the 2023 Hays County Judicial Services report. **INGALSBE**

G.

CONSENT ITEMS
The following may be acted upon in one motion. A Commissioner, the County Judge, or a Citizen may request items be pulled for separate discussion and/or action.

1. 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 February 6, 2024. **BECERRA/CARDENAS**
5. Approve Amended Commissioners Court Minutes of January 9, 2018 through October 30, 2018. **BECERRA/CARDENAS**

6. Approve the payment of the February 29, 2024 payroll disbursements in an amount not to exceed \$5,200,000.00 effective February 29, 2024 and post totals for wages, with-holdings, deductions and benefits on the Hays County website once finalized. **BECERRA/DORSETT**
7. Approve and confirm the appointment of Albert Herrera III as a regular full-time Deputy Constable in the Hays County Constable Precinct 1 Office. **INGALSBE/PETERSON**
8. Accept the 2023 Racial Profiling Report and the 2023 Annual Activity Report from the Hays County Constable's Office, Precinct 4. **SMITH/SHELL/HOOD**
9. Accept the 2023 Racial Profiling Report and the 2023 Annual Activity Report from the Hays County Constable's Office, Precinct 3. **SHELL/MONTAGUE**
10. Accept the 2023 Racial Profiling Report and the 2023 Annual Activity Report from Hays County Constable's Office, Precinct 5. **COHEN/SMITH/ELLEN**
11. Approve out of state travel for Senior Deputy Anne Medina and Senior Deputy Madison Gish to attend the Pria Conference on March 4 - March 7, 2024 in Charleston, South Carolina. **BECERRA/CARDENAS**
12. Approve out of state travel for Abigail Hajovsky and Joseph Bodin in the Information Technology Department to attend the Tyler Connect Conference on May 19-22, 2024 in Indianapolis, IN. **INGALSBE/MCGILL**
13. Approve the Cinco de Mayo Menudo Throwdown event on the courthouse grounds sponsored by Hill Country Cook-Off Association to be held on May 4, 2024, that shall include commercial vendors. **BECERRA**
14. Authorize expenditures of up to \$1,500.00 for a public Easter Egg Hunt Event to be held on the Courthouse Grounds on March 29, 2024 and amend the budget accordingly. **BECERRA**
15. Authorize payment to Teddy Morse's Cowboy Harley-Davidson in the amount of \$588.56 related to maintenance on the 2020 Harley Davidson for the Constable, Pct. 4 Office, in which no purchase order was issued as required per the Hays County Purchasing Policy. **SMITH/HOOD**
16. Authorize Building Maintenance to have Security One install a new alarm security system at the Hays County Precinct 2 Building and authorize the County Judge to execute the Alarm System Monitoring Agreement authorizing a waiver to the purchasing policy. **COHEN/T.CRUMLEY**
17. Authorize Building Maintenance to have Security One update the alarm system located at 2171 Yarrington with a wireless communicator and authorize the County Judge to execute the monitoring agreement authorizing a waiver to the purchasing policy. **INGALSBE/T.CRUMLEY**
18. Authorize the Building Maintenance Department to purchase one (1) replacement Dell Latitude 5540 Laptop with Docking valued at \$1,668.00 for the Facility Maintenance Manager and amend the budget accordingly. **SHELL/T.CRUMLEY**
19. Authorize the execution of an Interlocal Cooperation Contract between Hays County and the Department of Public Safety, related to the FTA program conducted pursuant to Chapter 706 of the Texas Transportation Code. **INGALSBE**
20. Accept delivery of the Auditor's Office Quarterly and Annual Internal Examination Reports. **VILLARREAL-ALONZO**
21. Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2024 quarterly financial reporting. **BECERRA/DORSETT**
22. Approve an increase of \$600.00 to the County Clerk Office change fund as recommended by the County Auditor pursuant to Texas Local Government Code Chapter 130.902 (d). **BECERRA/CARDENAS/VILLARREAL-ALONZO**
23. Authorize the Commissioner Pct. 2 Office to support Lehman High School within the Hays Consolidated Independent School District for expenses related to Run With The Pack 5k. **COHEN**

24. Approve out-of-state travel for CECC Director Stephanie Robinson to attend the Tyler Connect Conference and Advisory Board Meetings on May 19-24, 2024 in Indianapolis, Indiana. **SHELL/ROBINSON**
25. Approve the filing of Tax Assessor-Collector Jenifer O'Kane's Continuing Education Transcript as required by Section 6.231 (d) of the Texas Property Tax Code. **COHEN/O'KANE**
26. Approve payment to AMG Printing & Mailing in the amount of \$48,458.22 for the Tax Office related to annual tax statements in which no purchase order was issued as required per the Hays County Purchasing Policy. **COHEN/O'KANE**
27. Approve payment to Nemo-Q in the amount of \$775.00 for the Tax Office related to Kiosk printer paper in which no purchase order was issued as required per the Hays County Purchasing Policy. **COHEN/O'KANE**
28. Ratify the execution of a resolution and submission of a grant application to the Office of the Governor (OOG) for the Project Safe Neighborhoods Grant Program in the amount of \$940,718.00. **SHELL/T.CRUMLEY**
29. Authorize Commissioner Precinct 3 to execute a letter of support for the Great Springs Project's grant application to the US Economic Development Agency's Planning and Local Technical Assistance Program. **SHELL/T.CRUMLEY**
30. Authorize the ratification of a grant application to the Texas Health and Human Services, Community Mental Health Grant Program in the amount of \$627,132.00. **BECERRA/SMITH/T.CRUMLEY/BROWN**
31. Ratify a grant application to the Office of the Governor requiring matching funds for a FY25 grant related to a Residential Substance Abuse Treatment Grant program in the amount of \$281,250.00. **BECERRA/T.CRUMLEY**
32. Authorize the acceptance of an additional \$50,000.00 in grant funding from the Texas Veterans Commission, General Assistance Program to support the Veterans County Service Office and amend the budget accordingly. **INGALSBE/T.CRUMLEY/PRATHER**
33. Authorize the submission of a grant application to the U.S. Department of Justice, The Bureau of Justice Assistance, Body-Worn Camera Grant Program for small, rural, and tribal law enforcement agencies. (SRT) in the amount of \$9,479.40. **SHELL/T.CRUMLEY**
34. Amend the Transportation Department's budget for road-building materials valued at \$24,941.25 to receive approximately 225 tons of Limestone Rock Asphalt, Type II, Grade DS material from the Texas Department of Transportation through their FY 2024 County Assist Surplus Program and add to the department's inventory. **COHEN/BORCHERDING**
35. Approve out-of-state travel for Records Program Administrator Kelsie Pina and Emergency Communications Manager Megan Jones to attend the Tyler Connect Conference on May 19-22, 2024, in Indianapolis, Indiana. **INGALSBE/CUTLER**
36. Approve out-of-state travel for Corporal Garrett Dominguez to attend Hostage Crisis Negotiations Level II on May 20-24, 2024, in Jacksonville, Florida. **INGALSBE/CUTLER**
37. Authorize the acceptance of a donation to the Sheriff's Office of \$4,278.10 for the purchase of law enforcement equipment and amend the budget accordingly. **INGALSBE/CUTLER**
38. Authorize payment to Panoramic Software Inc. in the amount of \$1,980 for Vetpro software licenses for the Veteran's Administration Office in which no purchase order was issued as required per the Hays County Purchasing Policy. **INGALSBE/PRATHER**
39. Authorize the Jail Facility to replace a backflow enclosure where insurance proceeds were received totaling \$7,581.53 and amend the budget accordingly. **INGALSBE/CUTLER**
40. Authorize the execution of the FY 2024 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF) and amend the budget accordingly. **INGALSBE/CUTLER**

41. Authorize the execution of an agreement with LeadsOnline to purchase CellHawk a Cell Phone Mapping & Analysis System used by the Sheriff's Office for investigative purposes valued at \$4,579.00 and amend the budget accordingly. **INGALSBE/CUTLER**
42. Approve Utility Permits. **INGALSBE/SHELL/BORCHERDING**
43. Approve Specifications for RFP 2024-P08 Generator - Preventative Maintenance and Repair Services and authorize Purchasing to solicit for proposals and advertise. **BECERRA/T.CRUMLEY**
44. Accept the company name change for WSB & Associates Inc. dba WSB Engineers and Surveyors Inc. to WSB LLC. **SMITH/HUNT/BORCHERDING**
45. Authorize the Bail Bond Board to utilize budgeted funds to pay for Bail 101 Training and consumable items and amend the budget accordingly. **BECERRA/CARDENAS**
46. Approve payment in the amount of \$593.37 to AMG Printing & Mailing related to inspection forms for the Development Services Department where no purchase order was obtained per the Hays County Purchasing Policy. **SHELL/PACHECO**
47. Authorize payment to Truck City Ford in the amount of \$2,470.41 for the Constable Pct. 2 Office related to needed repairs on the 2018 Ford Explorer in which no purchase order was issued as required per the Hays County Purchasing Policy. **COHEN/TORRES**
48. Authorize the Constable Pct. 5 Office to utilize \$14,886.53 in insurance proceeds to replace a totaled 2016 Ford Explorer with a leased vehicle and amend the budget accordingly. **COHEN/ELLEN**
49. Accept the Fiscal Year 2022 Hays County Emergency Services District #7 Internal Examination Report per Texas Health and Safety Code 775.082 (e). **SHELL/VILLARREAL-ALONZO**
50. Adopt the attached Jury Selection Plan as recommended by the Hays County District Judges pursuant to Texas Government Code, Section 62.011. **BECERRA/ANDERSON**
51. Approve the appointment of Jack Wylie to the board of the Hays County Child Protective Board, three-year term ending December 31, 2026. **BECERRA**
52. Authorize the execution of quotes with Axon Enterprise, Inc. related to the Fleet in-car camera system and Body Worn camera program for the Constable Pct. 5 Office and amend the budget accordingly. **COHEN/ELLEN**

H.

ACTION ITEMS

I.

ROADS

1. Discussion and possible action to authorize the execution of Contract Amendment No. 4 in the amount of \$40,000.00 to the Professional Services Agreement between Hays County and Doucet & Associates, Inc. for the Darden Hill Road at Sawyer Ranch Roundabout project in Precinct 4, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly. **SMITH/BORCHERDING**
2. Discussion and possible action to authorize the execution of Contract Amendment No. 7 in the amount of \$25,000.00 to the Professional Services Agreement between Hays County and LJA Engineering, Inc. for professional design services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). **INGALSBE/BORCHERDING**
3. Discussion and possible action to consider the release of the maintenance bond #800131704 in the amount of \$159,343.74 for Headwaters at Barton Creek Ph.4-Sec. 2, Ph.4-Sec. 4, and Ph.5-Sec. 1 and the acceptance of roads and surface drainage improvements into the County Road Maintenance System. **SMITH/BORCHERDING**

4. Discussion and possible action to consider the release of the maintenance bond #800131707 in the amount of \$21,617.40 for Headwaters at Barton Creek Ph.4-Sec. 6 and the acceptance of roads and surface drainage improvements into the County Road Maintenance System. **SMITH/BORCHERDING**
5. Discussion and possible action to call for a public hearing on March 12, 2024, to establish a 3-way stop at the intersection of Crosswinds Parkway and Backstays Loop. **INGALSBE/BORCHERDING**
6. Discussion and possible action to call for a public hearing on March 12, 2024, to establish a 4-way stop at the intersection of Crosswinds Parkway and Bay Breeze Drive. **INGALSBE/BORCHERDING**
7. Discussion and possible action to call for a public hearing on March 12, 2024, to install 2 new stop signs on Dacy Lane at the intersection with McCormick Avenue. **COHEN/BORCHERDING**

J.

SUBDIVISIONS

1. PLN-2413-PC; Hold a Public Hearing, followed by discussion and possible action regarding The Cliffs of Onion Creek, Lot 1, Replat. **SHELL/PACHECO**

K.

MISCELLANEOUS

1. Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement between Hays County, Texas; City of Dripping Springs, Texas; City of Woodcreek, Texas; The Watershed Association, and The Meadows Center for Water and the Environment, for the implementation of the Blanco Cypress Watershed Protection Plan (BCWPP). **SHELL/T.CRUMLEY**
2. Discussion and possible action to establish one (1) new Watershed Coordinator position with equipment in the Hays County Parks Department effective April 1, 2024 and amend the budget accordingly. **SHELL/T.CRUMLEY**
3. Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related to the repair and reinstallation of the Windy Hill Master and Remote Flasher Pole; authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D) and amend the budget accordingly. **COHEN/MIKE JONES**
4. Discussion and possible action to approve a new Purchasing Specialist II, grade 118 with equipment in the Hays County Purchasing Office effective April 1, 2024 and amend the budget accordingly. **COHEN/SMITH/HUNT**
5. Discussion and possible action to authorize the County Clerk's Office to re-grade the Probate Auditor I, grade 120 to a Probate Auditor III, grade 124 effective March 1, 2024. **BECERRA/CARDENAS**
6. Discussion regarding establishing an exemption from Hays County Ad Valorem taxation, for all or part of the appraised value of real property used to operate a qualifying and licensed Child-Care Facility, pursuant to Texas Senate Bill 1145. **INGALSBE**
7. Discussion and possible action to execute a Participation Agreement between Hays County and Choice Partners Cooperative related to participating in Food/Cafeteria related contract with Choice Partners Cooperative for the 2024-20252 school year. **INGALSBE/HUNT**
8. Discussion and possible action to award a contract for RFP 2024-P07 Employee Benefits Financial Consulting Services to NFP Corporate Services (TX), LLC and authorize staff and the District Attorney, Civil Division to negotiate a contract. **BECERRA/MILLER**
9. Discussion and possible action to approve the 9-1-1 Addressing and Street Name Interlocal Agreement (ILA) between Hays County and the City of Niederwald. **INGALSBE/PACHECO**
10. Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and San Marcos Youth Services Bureau and amend the budget accordingly. **INGALSBE**

11. Discussion and possible action to authorize the County Judge to execute a Participation Agreement and Resolution with TexPool Investment Pools designating the District Clerk as an Authorized Representative for related trust accounts as authorized pursuant to Texas Local Government Code, Section 117.053. **BECERRA/ANDERSON**
12. Discussion and possible action to authorize the County Judge to execute Task Order #5 to the Interlocal Master Agreement between Hays County and Texas State University executed on or about August 18, 2020 and amend the budget accordingly. **SHELL /T.CRUMLEY**

L.

WORKSHOP

M.

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 Journey. Possible discussion and/or action may follow in open court. **SHELL**
3. 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 Forward Motion. Possible discussion and/or action may follow in open court. **SMITH**
4. Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding employment and duties of all individual positions within the Hays County Tax Assessor Collector's Office. Possible discussion and/or action may follow in open court. **SHELL/COHEN**
5. Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code consultation with counsel and deliberation regarding the purchase, exchange, lease and /or value of real property located in Precinct 2. Possible discussion and/or action may follow in open court. **COHEN**
6. Executive Session pursuant to Sections 551.071 and 551.076 of the Texas Government Code regarding the deployment of security devices located at the Hays County Jail Facility. Possible discussion and/or action may follow in open court. **INGALSBE**

N.

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. 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**

6. Updates on measurable advancement of Judicial Services to include the areas of staffing, equipment, training, operations and policy, by Assistant Director of Judicial Services Albert Sierra. **BECERRA**

O. **ADJOURNMENT**

**Posted by 5:00 o'clock P.M. on the 23rd day of February, 2024
COMMISSIONERS COURT, HAYS COUNTY, TEXAS**

CLERK OF THE COURT

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



AGENDA ITEM REQUEST FORM: F. 1.

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Miller

Sponsor:

Judge Becerra

Agenda Item

Presentation of Hays County Employee Service and Retirement Awards. **BECERRA/MILLER**

Summary

Presentation of Hays County Employee Service and Retirement Awards

Attachments

Feb 2024 Employee Service and Retirement Awards

Service Awards

February 2024

NAME	DEPARTMENT	YEARS OF SERVICE
PETERSON, DAVID	Constable Pct 1 Office	35
JACKSON, MARIA R	Sheriff's Office	20
RIDGE, DESHON L.	Juvenile Probation	20
WILEY, PATRICIA	Transportation	20
VILLALPANDO, ERIC	Constable Pct 1 Office	15
CASTILLO, ROXANE	Budget Office	10
HARRIS, IAN	Personal Health	10
PENDERGRASS, TYLER	Transportation	10
ARNOLD, KATHLEEN	District Attorney's Office	10
FOLLIS, WILLIAM	Constable Pct 1 Office	5
LOPEZ, FRANKI	Juvenile Detention Center	5
CUNNION, GABRIEL	Constable Pct 2 Office	1
BUESS, ALLISON	District Attorney's Office	1
CHYNOWETH, ROXANA	District Attorney's Office	1
RABENA, JESSICA	District Attorney's Office	1
SIERRA, ALBERT	Pre-Trial Services	1
KELLY, TREY	Sheriff's Office	1
LUONGO, GRETCHEN	Auditor's Office	1
TRIVITT, AARON	Juvenile Detention Center	1
RETIREEES		
WRAY, ANDREW	Sheriff's Office	
JACKSON, MARIA	Sheriff's Office	
MORA, JAMES	Constable Pct 2	



AGENDA ITEM REQUEST FORM: F. 2.

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Judge Becerra

Agenda Item

Adopt a Proclamation recognizing Dorothy June Paddison as the 2024 Hays Youth Poet Laureate. **BECERRA**

Summary

Proclamation attached.

Attachments

Proclamation



**PROCLAMATION RECOGNIZING
THE 2024 HAYS YOUTH POET LAUREATE, DOROTHY JUNE PADDISON**

STATE OF TEXAS §
 §
COUNTY OF HAYS §

WHEREAS, poetry is an undervalued form of expression, with youth waking up to its power because where there is death, illness, war, climate change, and mass shootings, a need to define ourselves grows, as does the need to articulate and place our pain within the larger context of our existence; and

WHEREAS, the Hays Youth Poet Laureate (HYPL) program and award, launched by the local nonprofit *Infrarrealista Review* with vital support from The Burdine Johnson Foundation, was catapulted by a vision to promote literacy in underserved communities within Hays County; and

WHEREAS, the HYPL program has successfully kindled the spirit of generating magic through language in our youth, with four formally trained poets serving as instructors in a free poetry workshop geared to the creation of a manuscript; and

WHEREAS, despite many students being told that writing is not a viable career path, the HYPL program introduces them to role models from minority backgrounds like 2020 Texas Poet Laureate Emmy Perez, showing youth that writing can be a viable career path; and

WHEREAS, we are certain this recognition will open doors for them, and possibly reshape their journeys toward a life of well-being, fulfillment, and creation; and

WHEREAS, in September 2023, students ages 13-19 submitted poetry manuscript applications to *Infrarrealista Review*, accompanied by Statements of Purpose that openly manifested the backgrounds, difficulties, and goals of these young persons who still expressed confidence and big dreams against all odds; and

WHEREAS, poet Natalia Treviño, serving as the 2024 Judge, chose Dorothy June Paddison’s manuscript – *to be a woman (not a girl)*– due to its “complex poetry reeling with interesting images, honesty, and measured emotional texturing, and for her firm control of the form of her poems”; and

WHEREAS, the message that youth are disaffected and trapped by technology, Dorothy June Paddison, a 17-year-old published poet from San Marcos, Texas, has been writing since she was a young child and whose short story, “Remember The Buffalo,” can be found in the *I Am Texas Historian’s Journal*; and

WHEREAS, in the words of poet Audre Lorde, “We have been socialized to respect fear more than our own needs for language and definition, and while we wait in silence for that final luxury of fearlessness, the weight of that silence will choke us.”

NOW, THEREFORE, BE IT RESOLVED that Hays County Commissioners Court does hereby proclaim **Dorothy June Paddison as the esteemed 2024 Hays Youth Poet Laureate** and encourages the young people of Hays County to peel off the fear instilled in them by external factors and to peer inside themselves and come out transformed and ready to change their world.

ADOPTED THIS THE 27th DAY OF FEBRUARY 2024

Ruben Becerra
Hays County Judge

Debbie Gonzales Ingalsbe
Commissioner, Pct. 1

Dr. Michelle Cohen
Commissioner, Pct. 2

Lon A. Shell
Commissioner, Pct. 3

Walt Smith
Commissioner, Pct. 4

ATTEST:

Elaine H. Cárdenas, MBA, PhD
Hays County Clerk



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Albert Sierra / Hays County Judicial Services

Sponsor:

Commissioner Ingalsbe

Agenda Item

Presentation regarding the 2023 Hays County Judicial Services report. **INGALSBE**

Summary

In Compliance with the Texas Code of Criminal Procedure Chapter 17, Article 17.42 Section 6 (a).



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Elaine H. Cardenas

Sponsor:

Judge Becerra

Agenda Item

Approve Commissioners Court Minutes of February 6, 2024. **BECERRA/CARDENAS**

Summary

Attachments

2/6/2024 Minutes

HAYS COUNTY COMMISSIONERS COURT MINUTES



FEBRUARY 6, 2024

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6th DAY OF FEBRUARY A.D., 2024, 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
ROXANNE RODRIGUEZ	CHIEF 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. Commissioner Ingalsbe 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 county spending and change orders. Laura Nunn made a public comment concerning possible election code violations. Rodrigo Amaya made a public comment concerning the county jail and spending.

39979 Adopt a Proclamation recognizing February 22, 2024 as President George Washington Day.

Cliff Caskey, William Hightower Chapter of the Sons of the American Revolution, spoke about the importance of the American Revolution and President Washington. The court thanked the Sons of the American Revolution and Daughters of the American Revolution chapters for their attendance.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing February 22, 2024 as President George Washington Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Judge Becerra
4 - 0 Passed - Unanimously

39980 Adopt a Proclamation recognizing February 2024 as Dating Violence Awareness and Prevention Month.

Melissa Rodriguez, Executive Director of the Hays-Caldwell Women's Center (HCWC), spoke about the center's work on dating violence prevention and the resources available at hcwc.org. The court thanked Rodriguez and the HCWC for their work.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing February 2024 as Dating Violence Awareness and Prevention Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Judge Becerra
4 - 0 Passed - Unanimously

39981 Adopt a Proclamation recognizing February 2024 as Black History Month.

Mittie Miller spoke about the Dunbar Heritage Association's Black History Month events. Judge Sandra Bryant, Hays County Justice of the Peace Precinct 5, invited the public to the Buda Black History Celebration on February 24th and noted she is the first black judge elected in Hays County. The court thanked the Dunbar Heritage Association for their programs.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation recognizing February 2024 as Black History Month.

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

4 - 0 Passed - Unanimously

Clerk's Note: Commissioner Smith arrived at 9:37 a.m. for the following proceedings:

Presentation recognizing the Hays County Clerk's office for receiving the Five-Star Award from the Texas Department of State Health Services-Vital Statistics Section.

Cynthia Millonzi, Assistant County Clerk, Roxanne Rodriguez, Chief Deputy County Clerk, and Anne Medina, Senior Deputy County Clerk, recognized their staff for receiving the Five-Star Award for the 6th consecutive year. The court thanked the County Clerk's staff for their work.

Presentation regarding election crime reporting and review protocols involving the Hays County Criminal District Attorney's Office, the Hays County Elections Office, and local law enforcement agencies.

Jennifer Doinoff, Hays County Elections Administrator, introduced the new task force for investigating election complaints. Landon Campbell, Hays County Criminal District Attorney's Office - Misdemeanor Division Chief, spoke about new processes and protocols for investigating election complaints. The court thanked those involved with the task force and spoke about the importance of being proactive with complaints and increasing confidence in elections. Complaints and concerns can be emailed to electionintegrity@co.hays.tx.us. Rodrigo Amaya made a public comment concerning election complaints.

39982 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

39983 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

39984 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

39985 Approve Commissioners Court Minutes of January 30, 2024.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of January 30, 2024.

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

5 - 0 Passed - Unanimously

39986 Approve the payment of the February 15, 2024 payroll disbursements in an amount not to exceed \$4,500,000.00 effective February 15, 2024 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 February 15, 2024 payroll disbursements in an amount not to exceed \$4,500,000.00 effective February 15, 2024 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

39987 Authorize the execution of a resolution and submission of a grant application to the Office of the Governor (OOG) Homeland Security Grant Program, in the amount of \$429,168.00 where no match is required.

Rodrigo Amaya made a public comment concerning the use of grant money. Commissioner Shell stated this is a grant application for a search and rescue vehicle and there is no commitment at this time.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a resolution and submission of a grant application to the Office of the Governor (OOG) Homeland Security Grant Program, in the amount of \$429,168.00 where no match is required.

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

5 - 0 Passed - Unanimously

39988 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Rifle Resistant Body Armor Grant program in the amount of \$105,600.68.

Rodrigo Amaya made a public comment concerning the use of grant money. Commissioner Shell stated this is a grant application for rifle resistant body armor and there is no commitment at this time.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Rifle Resistant Body Armor Grant program in the amount of \$105,600.68.

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

5 - 0 Passed - Unanimously

39989 Authorize the execution of a resolution and submission of a grant application to the Office of The Governor, Bullet Resistant Shield Program in the amount of \$686,245.97.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a resolution and submission of a grant application to the Office of The Governor, Bullet Resistant Shield Program in the amount of \$686,245.97.

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

5 - 0 Passed - Unanimously

39990 Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Body-Worn Camera Grant Program in the amount of \$286,739.16.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Body-Worn Camera Grant Program in the amount of \$286,739.16.

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

5 - 0 Passed - Unanimously

39991 Authorize the submission of a grant application to the Office of the Governor, Residential Substance Abuse Treatment Grant Program in the amount of \$1,125,000.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a grant application to the Office of the Governor, Residential Substance Abuse Treatment Grant Program in the amount of \$1,125,000.00.

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

5 - 0 Passed - Unanimously



39992 Ratify the submission of a grant application to the Lower Colorado River Authority (LCRA), Community Development Partnership Program in the amount of \$9,885.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to ratify the submission of a grant application to the Lower Colorado River Authority (LCRA), Community Development Partnership Program in the amount of \$9,885.00.

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

5 - 0 Passed - Unanimously

39993 Authorize the submission of a grant application to the Office of the Governor, Criminal Justice Grant Program in the amount of \$53,487.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a grant application to the Office of the Governor, Criminal Justice Grant Program in the amount of \$53,487.00.

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

5 - 0 Passed - Unanimously

39994 Authorize the submission of a grant application to the Office of the Governor, Specialty Court Grants Program in the amount of \$80,470.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a grant application to the Office of the Governor, Specialty Court Grants Program in the amount of \$80,470.00.

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

5 - 0 Passed - Unanimously

39995 Authorize the Health Department to utilize existing outreach funds for the purchase of consumables for future training and outreach events in the amount of \$3,000.00 and amend the budget accordingly.

Rodrigo Amaya made a public comment against the amount of money being used for this. Commissioner Cohen stated this is American Rescue Plan Act (ARPA) funding that was already approved for community outreach.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Health Department to utilize existing outreach funds for the purchase of consumables for future training and outreach events in the amount of \$3,000.00 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

39996 Authorize a budget amendment to the Building Maintenance budget in the amount of \$5,803.78 for additional funds needed to replace the Yarrington mini-split that was approved December 19, 2023.

Rodrigo Amaya made a public comment against numerous budget amendments. Commissioner Ingalsbe explained additional funds were expected to be needed for this unit and for additional repairs.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize a budget amendment to the Building Maintenance budget in the amount of \$5,803.78 for additional funds needed to replace the Yarrington mini-split that was approved December 19, 2023.

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

5 - 0 Passed - Unanimously

39997 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

39998 Approve renewal of RFP 2023-P03 Countywide Plumbing with SI Mechanical, LLC. for one (1) additional year with no price increase, effective February 5, 2024.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of RFP 2023-P03 Countywide Plumbing with SI Mechanical, LLC. for one (1) additional year with no price increase, effective February 5, 2024.

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

5 - 0 Passed - Unanimously

39999 Accept delivery of the Auditor's Office Quarterly Internal Examination Reports.

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

40000 Amend various departmental operating, special revenue and capital project budgets in preparation for the County's Fiscal Year 2023 year-end process.

Rodrigo Amaya made a public comment against the item. Commissioner Shell stated this is a yearly process. Vickie Dorsett, Hays County Budget Officer, explained the year-end budget process.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to amend various departmental operating, special revenue and capital project budgets in preparation for the County's Fiscal Year 2023 year-end process.

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

5 - 0 Passed - Unanimously

40001 Authorize the Constable Pct. 3 Office to purchase one replacement Ricoh fi-8170 Scanner for the Justice Clerk and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Constable Pct. 3 Office to purchase one replacement Ricoh fi-8170 Scanner for the Justice Clerk and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

40002 Authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2023 Hays County Annual Financial Audit.

Rodrigo Amaya made a public comment concerning outsourcing services. Commissioner Smith stated this audit is required under state law and complimented the Hays County Auditor's Office on their work. Marisol Villarreal-Alonzo, Hays County Auditor, explained why there is an increase in cost for this item and asked for the motion to include "amend the budget accordingly". Vickie Dorsett, Hays County Budget Officer, noted the increase was anticipated and only \$1,580 in additional funds from Countywide Contingencies are needed, not \$7,000.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe Authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2023 Hays County Annual Financial Audit, and amend the budget accordingly.

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

5 - 0 Passed - Unanimously



40003 Approve specifications for RFQ 2024-Q01 Grant Writing and Management Services and authorize Purchasing to solicit for bids and advertise.

Rodrigo Amaya made a public comment concerning outsourcing services. Commissioner Smith stated outsourcing grant writing has produced grant awards that far exceed the cost of the services. Commissioner Shell noted these grant applications can be very specialized, and the services would only be used as needed.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for RFQ 2024-Q01 Grant Writing and Management Services and authorize Purchasing to solicit for bids and advertise.

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

5 - 0 Passed - Unanimously

40004 Approve specifications of IFB 2024-B06 Sentinel Peak - Asbestos Abatement & Building Demolition and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications of IFB 2024-B06 Sentinel Peak - Asbestos Abatement & Building Demolition and authorize Purchasing to solicit for bids and advertise.

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

5 - 0 Passed - Unanimously

40005 Discussion and possible action to authorize the County Judge to sign a Professional Services Agreement between Hays County and HDR Engineering for a signal warrant study at the eastern intersection of Yarrington Road and FM 110.

Judge Becerra and Commissioner Ingalsbe spoke about the progress of the FM 110 loop and the future economic development that will be made possible because of it. Commissioner Ingalsbe thanked all past and present Commissioners Court members that have assisted with this project.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to sign a Professional Services Agreement between Hays County and HDR Engineering for a signal warrant study at the eastern intersection of Yarrington Road and FM 110.

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

5 - 0 Passed - Unanimously

40006 Discussion and possible action to authorize the execution of Change Order No. 8 in the amount of \$287,236.57 to the construction contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB2021-B02) project as part of the Hays County Road Bond Program in Precinct 1 and 2.

Commissioner Cohen explained the project has gone past its planned completion date due to issues with utilities, but it should be finished by next month. Commissioner Ingalsbe stated the county cannot regulate price increases. Jerry Borcharding, Director of Transportation, noted the price increase is allowed for in the contract. Judge Becerra thanked all involved with this project and spoke about future potential work in the area. Commissioner Smith suggested a Tax Increment Reinvestment Zone (TIRZ) for the region.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of Change Order No. 8 in the amount of \$287,236.57 to the construction contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB2021-B02) project as part of the Hays County Road Bond Program in Precinct 1 and 2.

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

5 - 0 Passed - Unanimously

40007 Discussion and possible action to adopt Early Voting dates and locations and Election Day locations for the Primary Election on March 5, 2024.



Jennifer Doinoff, Hays County Elections Administrator, spoke about early voting sites and noted the Sunfield Station location is rented for \$1,500, and the Government Center will not be an early voting location. Judge Becerra asked why Wimberley and Dripping Springs have the same number of voting sites with differing population sizes. Doinoff explained the election code requires sites to be determined by commissioner precincts, not city limits, and spoke about the difficulties in finding early voting sites. Commissioner Smith spoke about early voting sites and the population in Dripping Springs and the work that has been done with Emergency Service Districts (ESDs) to construct new facilities that can accommodate voting. Commissioner Ingalsbe asked for an update on the Broadway voting location. Tammy Crumley, Director of Countywide Operations, stated the location will not be ready for early voting, but may be ready for the general election. The court discussed with Doinoff and Crumley what will need to be accomplished before the Broadway location is ready, and Judge Becerra asked for the work to be expedited.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt Early Voting dates and locations and Election Day locations for the Primary Election on March 5, 2024.

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

5 - 0 Passed - Unanimously

40008 Discussion and possible action to appoint Commissioner Debbie Ingalsbe, Commissioner Lon Shell, Chief Mike Davenport, and Jordan Powell to the Collective Bargaining team for Hays County for purposes of renegotiating the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association (HCLEA).

Rodrigo Amaya made a public comment concerning employee retention and requested public meetings. Commissioner Ingalsbe spoke about the nationwide law enforcement shortage and how the county has addressed it through salary increases. Commissioner Shell stated recruitment and retention will be a main focus during negotiations, especially for the corrections department. Judge Becerra spoke about changing interest rates and its impact on jobs. Commissioner Smith spoke about the recent increase in law enforcement retirements and stated Hays County has been able to recruit from other agencies.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to appoint Commissioner Debbie Ingalsbe, Commissioner Lon Shell, Chief Mike Davenport, and Jordan Powell to the Collective Bargaining team for Hays County for purposes of renegotiating the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association (HCLEA).

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

5 - 0 Passed - Unanimously

40009 Discussion and possible action to authorize the County Judge to execute a contingent fee contract, and associated resolution, between Hays County and McCreary Veselka Bragg & Allen (MVBA) for Delinquent Tax Collection Services, pursuant to RFP 2023-P09, effective March 1, 2024 and amend the budget accordingly.

Rodrigo Amaya made a public comment against the use of this company. Commissioner Smith stated this contract was awarded through the statutory RFP process. Stephanie Hunt, Hays County Purchasing Agent, spoke about the evaluation committee and selection process. Matthew Tepper, MVBA Shareholder, thanked the county for the opportunity to continue working with them.

A motion was made by Commissioner Smith, seconded by Commissioner Cohen to authorize the County Judge to execute a contingent fee contract, and associated resolution, between Hays County and McCreary Veselka Bragg & Allen (MVBA) for Delinquent Tax Collection Services, pursuant to RFP 2023-P09, effective March 1, 2024 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

40010 Discussion and possible action to authorize the county Judge to execute an agreement between Hays County and SI Mechanical, LLC. for HVAC - Preventative Maintenance and Repair Services, Countywide, pursuant to RFP 2024-P06 with no proposed price increases.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the county Judge to execute an agreement between Hays County and SI Mechanical, LLC. for HVAC - Preventative Maintenance and Repair Services, Countywide, pursuant to RFP 2024-P06 with no proposed price increases.

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

5 - 0 Passed - Unanimously

40011 Discussion and possible action to authorize the Budget Office to establish a new Assistant Budget & Payroll Director grade 131 effective March 18, 2024 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Budget Office to establish a new Assistant Budget & Payroll Director grade 131 effective March 18, 2024 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

40012 Discussion and possible action to consider granting a variance to Hays County On-Site Sewage Facility Rules of 1986-1997 Section 8.03(b)(5) and allow issuance of On-Site Sewage System permit to the owner of the property located at 1500 Fischer Store Rd.

Commissioner Shell explained the rules require a lot to be at least 1 acre for an individual water well, and the variance is required for the existing system to be updated due to this lot being only 0.83 acres. Marcus Pacheco, Director of Development Services, stated the applicant is providing equal protection measures.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to grant a variance to Hays County On-Site Sewage Facility Rules of 1986-1997 Section 8.03(b)(5) and allow issuance of On-Site Sewage System permit to the owner of the property located at 1500 Fischer Store Rd.

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

5 - 0 Passed - Unanimously

40013 Discussion and Possible action to amend the 9-1-1 Addressing & Street Name Standards as previously adopted on January 14, 1991.

Marcus Pacheco, Director of Development Services, explained the standards were last adopted in 1991 and current best practices need to be incorporated. Steve Floyd, Development Services GIS and 9-1-1 Addressing, spoke about how this will improve the accuracy of 9-1-1 calls. Commissioner Ingalsbe thanked Floyd for his years of service to Hays County.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to amend the 9-1-1 Addressing & Street Name Standards as previously adopted on January 14, 1991.

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

5 - 0 Passed - Unanimously

40014 Discussion and possible action to authorize the execution of the First Amended Hays County American Rescue Plan Recovery Donation Agreement between Hay County and San Marcos Texas Community Radio, KZSM and amend the budget accordingly.

Commissioner Ingalsbe explained this provides additional funds to the radio station, which provides communications in the event of an emergency.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of the First Amended Hays County American Rescue Plan Recovery Donation Agreement between Hay County and San Marcos Texas Community Radio, KZSM and amend the budget accordingly.



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

5 - 0 Passed - Unanimously

40015 Discussion and possible action to authorize the Transportation Department to pay out 85.5 accrued compensation hours for the Budget & Operations Manager, which is over the maximum allowed by Hays County Policy and Department of Labor Standards.

Rodrigo Amaya made a public comment against the item and the circumstances leading to it. Commissioner Shell stated a plan has been set with the Transportation Department to avoid this happening again in the future.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Transportation Department to pay out 85.5 accrued compensation hours for the Budget & Operations Manager, which is over the maximum allowed by Hays County Policy and Department of Labor Standards.

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

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 11:32 a.m. and resumed back into open court at 3:04 p.m.

Executive Session pursuant to Section 551.071 of the Texas Government Code: consultation with counsel regarding pending and/or contemplated litigation involving Hays County. Possible action may follow in open court.

Those present in Executive Session from 12:04 p.m. to 12:22 p.m. were the Commissioners Court, Joanna Salinas, attorney with Fletcher Farley Shipman & Salinas LLP, and Shari Miller, Director of Human Resources. Those present in Executive Session from 12:23 p.m. to 12:34 p.m. 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 Vickie Dorsett, Hays County Budget Officer. No action taken.

Clerk's Note Agenda Item #L-2 RE: 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. - **WAS PULLED.**

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 Midtown. 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, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, Janice Jones, Legal Support Services Specialist, Vickie Dorsett, Hays County Budget Officer, Shari Miller, Director of Human Resources, Victoria Vargas, City of Kyle Director of Economic Development, Melissa McCollom, City of Kyle Chief Development Officer, Stephanie Leibe, attorney with Norton Rose Fulbright US LLP, and Will Atkinson, City of Kyle Director of Planning. No action taken.

40016 Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding employment, performance and duties of the Chief Juvenile Probation Officer, Director of Information Technology, Director of Transportation, Juvenile Facility Director, Chief Budget Officer, Elections Administrator, Director of Human Resources, Director of Emergency Services, Director of County Wide Operations, Director of Development Services, Combined Emergency Communications Director, Veterans Services Officer, County Auditor and Extension Agents.

Those present in Executive Session from 12:35 p.m. to 1:24 p.m. were the Commissioners Court and Shari Miller, Director of Human Resources. Those present in Executive Session from 1:26 p.m. to 2:46 p.m. were the Commissioners Court and Tammy Crumley, Director of Countywide Operations.



A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the grade, step, and associated salary as discussed in Executive Session to be effective on February 1, 2024 for the following positions: Chief Juvenile Probation Officer, Director of Information Technology, Director of Transportation, Juvenile Facility Director, Chief Budget Officer/Payroll Director, Elections Administrator, Director of Human Resources, County Veterans Services Officer, Director of Emergency Services, Director of Countywide Operations, Director of Development Services, Combined Emergency Communications Director, County Auditor, County Purchasing Agent, and both Extension Agents (0380-001 and 0380-002).

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

5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - WAS PULLED.*

Discussion related to the Hays County inmate population, to include current population counts and costs.

Judge Becerra read the Sheriff's update of the inmate population. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 529 for the week of January 28, 2024, with a peak of 536 inmates on February 3, 2024. The estimated cost for outsourcing inmates this week was \$169,537. The average number of outsourced males is 263 and females is 4. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 57.

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: *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-6 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 3:06 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 February 6, 2024.




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



Date	Res Number	Motion	Ingalsbe	Cohen	Shell	Smith	Becerra
2/6/2024	39979	Adopt a Proclamation recognizing February 22, 2024 as President George Washington Day.	Y	Y	Y	ABSENT	Y
2/6/2024	39980	Adopt a Proclamation recognizing February 2024 as Dating Violence Awareness and Prevention Month.	Y	Y	Y	ABSENT	Y
2/6/2024	39981	Adopt a Proclamation recognizing February 2024 as Black History Month.	Y	Y	Y	ABSENT	Y
2/6/2024	39982	Approve payments of County invoices.	Y	Y	Y	Y	Y
2/6/2024	39983	Approve the payment of Juror checks.	Y	Y	Y	Y	Y
2/6/2024	39984	Approve the payment of United Healthcare claims.	Y	Y	Y	Y	Y
2/6/2024	39985	Approve Commissioners Court Minutes of January 30, 2024.	Y	Y	Y	Y	Y
2/6/2024	39986	Approve the payment of the February 15, 2024 payroll disbursements in an amount not to exceed \$4,500,000.00 effective February 15, 2024 and post totals for wages, with-holdings, deductions and benefits on the Hays County website once finalized.	Y	Y	Y	Y	Y
2/6/2024	39987	Authorize the execution of a resolution and submission of a grant application to the Office of the Governor (OOG) Homeland Security Grant Program, in the amount of \$429,168.00 where no match is required.	Y	Y	Y	Y	Y
2/6/2024	39988	Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Rifle Resistant Body Armor Grant program in the amount of \$105,600.68.	Y	Y	Y	Y	Y
2/6/2024	39989	Authorize the execution of a resolution and submission of a grant application to the Office of The Governor, Bullet Resistant Shield Program in the amount of \$686,245.97.	Y	Y	Y	Y	Y
2/6/2024	39990	Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, Body-Worn Camera Grant Program in the amount of \$286,739.16.	Y	Y	Y	Y	Y
2/6/2024	39991	Authorize the submission of a grant application to the Office of the Governor, Residential Substance Abuse Treatment Grant Program in the amount of \$1,125,000.00.	Y	Y	Y	Y	Y
2/6/2024	39992	Ratify the submission of a grant application to the Lower Colorado River Authority (LCRA), Community Development Partnership Program in the amount of \$9,885.00.	Y	Y	Y	Y	Y
2/6/2024	39993	Authorize the submission of a grant application to the Office of the Governor, Criminal Justice Grant Program in the amount of \$53,487.00.	Y	Y	Y	Y	Y
2/6/2024	39994	Authorize the submission of a grant application to the Office of the Governor, Specialty Court Grants Program in the amount of \$80,470.00.	Y	Y	Y	Y	Y
2/6/2024	39995	Authorize the Health Department to utilize existing outreach funds for the purchase of consumables for future training and outreach events in the amount of \$3,000.00 and amend the budget accordingly.	Y	Y	Y	Y	Y
2/6/2024	39996	Authorize a budget amendment to the Building Maintenance budget in the amount of \$5,803.78 for additional funds needed to replace the Yarrington mini-split that was approved December 19, 2023.	Y	Y	Y	Y	Y
2/6/2024	39997	Approve Utility Permits.	Y	Y	Y	Y	Y
2/6/2024	39998	Approve renewal of RFP 2023-P03 Countywide Plumbing with SI Mechanical, LLC. for one (1) additional year with no price increase, effective February 5, 2024.	Y	Y	Y	Y	Y
2/6/2024	39999	Accept delivery of the Auditor's Office Quarterly Internal Examination Reports.	Y	Y	Y	Y	Y
2/6/2024	40000	Amend various departmental operating, special revenue and capital project budgets in preparation for the County's Fiscal Year 2023 year-end process.	Y	Y	Y	Y	Y
2/6/2024	40001	Authorize the Constable Pct. 3 Office to purchase one replacement Ricoh fi-8170 Scanner for the Justice Clerk and amend the budget accordingly.	Y	Y	Y	Y	Y
2/6/2024	40002	Authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2023 Hays County Annual Financial Audit, and amend the budget accordingly.	Y	Y	Y	Y	Y
2/6/2024	40003	Approve specifications for RFQ 2024-Q01 Grant Writing and Management Services and authorize Purchasing to solicit for bids and advertise.	Y	Y	Y	Y	Y
2/6/2024	40004	Approve specifications for IFB 2024-B06 Sentinel Peak - Asbestos Abatement & Building Demolition and authorize Purchasing to solicit for bids and advertise.	Y	Y	Y	Y	Y
2/6/2024	40005	Authorize the County Judge to sign a Professional Services Agreement between Hays County and HDR Engineering for a signal warrant study at the eastern intersection of Yarrington Road and FM 110.	Y	Y	Y	Y	Y
2/6/2024	40006	Authorize the execution of Change Order No. 8 in the amount of \$287,236.57 to the construction contract with Jordan Foster Construction, LLC for the Dacy Lane (IFB2021-B02) project as part of the Hays County Road Bond Program in Precinct 1 and 2.	Y	Y	Y	Y	Y
2/6/2024	40007	Adopt Early Voting dates and locations and Election Day locations for the Primary Election on March 5, 2024.	Y	Y	Y	Y	Y
2/6/2024	40008	Appoint Commissioner Debbie Ingalsbe, Commissioner Lon Shell, Chief Mike Davenport, and Jordan Powell to the Collective Bargaining team for Hays County for purposes of renegotiating the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association (HCLEA).	Y	Y	Y	Y	Y
2/6/2024	40009	Authorize the County Judge to execute a contingent fee contract, and associated resolution, between Hays County and McCreary Veselka Bragg & Allen (MVBA) for Delinquent Tax Collection Services, pursuant to RFP 2023-P09, effective March 1, 2024 and amend the budget accordingly.	Y	Y	Y	Y	Y
2/6/2024	40010	Authorize the county Judge to execute an agreement between Hays County and SI Mechanical, LLC. for HVAC - Preventative Maintenance and Repair Services, Countywide, pursuant to RFP 2024-P06 with no proposed price increases.	Y	Y	Y	Y	Y
2/6/2024	40011	Authorize the Budget Office to establish a new Assistant Budget & Payroll Director grade 131 effective March 18, 2024 and amend the budget accordingly.	Y	Y	Y	Y	Y
2/6/2024	40012	Grant a variance to Hays County On-Site Sewage Facility Rules of 1986-1997 Section 8.03(b)(5) and allow issuance of On-Site Sewage System permit to the owner of the property located at 1500 Fischer Store Rd.	Y	Y	Y	Y	Y
2/6/2024	40013	Amend the 9-1-1 Addressing & Street Name Standards as previously adopted on January 14, 1991.	Y	Y	Y	Y	Y
2/6/2024	40014	Authorize the execution of the First Amended Hays County American Rescue Plan Recovery Donation Agreement between Hay County and San Marcos Texas Community Radio, KZSM and amend the budget accordingly.	Y	Y	Y	Y	Y
2/6/2024	40015	Authorize the Transportation Department to pay out 85.5 accrued compensation hours for the Budget & Operations Manager, which is over the maximum allowed by Hays County Policy and Department of Labor Standards.	Y	Y	Y	Y	Y
2/6/2024	40016	Approve the grade, step, and associated salary as discussed in Executive Session to be effective on February 1, 2024 for the following positions: Chief Juvenile Probation Officer, Director of Information Technology, Director of Transportation, Juvenile Facility Director, Chief Budget Officer/Payroll Director, Elections Administrator, Director of Human Resources, County Veterans Services Officer, Director of Emergency Services, Director of Countywide Operations, Director of Development Services, Combined Emergency Communications Director, County Auditor, County Purchasing Agent, and both Extension Agents (0380-001 and 0380-002).	Y	Y	Y	Y	Y



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Elaine H. Cardenas

Sponsor:

Judge Becerra

Agenda Item

Approve Amended Commissioners Court Minutes of January 9, 2018 through October 30, 2018.

BECERRA/CARDENAS

Summary

A resolution numbering error was discovered by the County Clerk's office. These amended minutes will correct the issue. This amendment will not affect the language for any items, only the resolution numbers.

Attachments

2018 Amended Minutes



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 9TH DAY OF JANUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., AND COMMISSIONER PCT. 1, DEBBIE GONZALES INGALSBE, BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Jones gave the invocation. Commissioner Shell led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Rodrigo Amaya, San Marcos resident, and Dan Lyon, San Marcos resident, both made public comments.

RECOGNITION OF THE HEROIC ACTS OF OFFICERS SHERWAL FOULSTONE AND JOSH ALBARAZ, OF THE BUDA POLICE DEPARTMENT (BPD), WHEN RESPONDING TO A TRAFFIC ACCIDENT THAT OCCURRED ON DECEMBER 4, 2017

Commissioner Jones, Chief of Police, Buda Police Department, John Zavala, accident victim, officers Sherwal Foulstone and Josh Albaraz, spoke. Josh Albaraz -is a five year officer with BPD, and a combat veteran of the US Marine Corps. Sherwal Foulstone is a two year officer with BPD.

33226 ADOPT A PROCLAMATION DECLARING JANUARY 15, 2018 AS DR. MARTIN LUTHER KING, JR. DAY

Mittie Miller, of the Dunbar Association spoke of this year's celebration that will actually be falling on Dr. Martin Luther King's birthday, and with it being his 89th. She also spoke of the route of the walk and the festivities that will be held throughout the Holiday weekend and encouraged all to attend. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a Proclamation declaring January 15, 2018 as Martin Luther King, Jr. Day. All present voting "Aye". MOTION PASSED

PRESENTATION BY SAN MARCOS GREENBELT ALLIANCE ON A PROPOSED REGIONAL TRAIL TO CONNECT KYLE, BUDA AND SAN MARCOS

Mark Taylor, Board President of the San Marcos Greenbelt Alliance gave a powerpoint presentation.

33227 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoice in the amount of \$1,538,885.41 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33228 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror Checks in the amount of \$4,804.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33229 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana and United Healthcare Claims in the amount of \$389,770.47 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33230 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 2, 2018**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 2, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33231 APPROVE THE PAYMENT OF THE JANUARY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JANUARY 12, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the January 15, 2018 Payroll Disbursements in an amount not to exceed \$2,655,000.00 effective January 12, 2018 and Hays County Website once finalized. All present voting "Aye". MOTION PASSED

33232 AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2017 YEAR-END PROCESS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend various departmental operating budgets in preparation for the County's FY 2017 Year-end Process. All present voting "Aye". MOTION PASSED

33233 AUTHORIZE THE HAYS COUNTY CONSTABLE PCT. 4 OFFICE TO PURCHASE A MOTOR-ONE WIRELESS SHOULDER MIC FROM PVP COMMUNICATION FOR ITS MOTOR OFFICER AND AMEND THE BUDGET ACCORDINGLY

The Motor-One Wireless Shoulder Mic is a necessary communication device that permits a motor officer to communicate to Dispatch (and other Officers) without having to remove his hands from the motorcycle, which would compromise his safety and that of the public. Available funds to be transferred from Constable's Pct. 4 vehicle maintenance budget. Budget Amendment: Decrease .5413 Increase .5715_400. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Hays County Constable Pct. 4 Office to purchase a Motor-one Wireless Shoulder Mic from PVP Communication for its motor officer and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33234 APPROVAL TO AWARD IFB 2018-B02 RATTLER ROAD IMPROVEMENTS TO CLEARFIELD CONSTRUCTION, LLC AND AUTHORIZE EXECUTION OF CONTRACT

Purchasing received four bids for IFB 2018-B02 from Clearfield Construction, LLC, Myers Concrete Construction, LP, Jerdon Enterprise, LP, and Jimmy Evans Company. Staff recommends award of a contract to Clearfield Construction, LLC. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve to award IFB 2018-B02 Rattler Road Improvements to Clearfield Construction, LLC and authorize execution of contract. All present voting "Aye". MOTION PASSED

33235 AUTHORIZE A COMMERCIAL ON-SITE SEWAGE FACILITY PERMIT AT 7431 FULTON RANCH RD, WIMBERLEY TX, 78676

Collective Hotels and Retreats is proposing twelve tents and a lodge with accompanying restrooms, located at 7431 Fulton Ranch Rd in Wimberley TX 78676. This property is a 22.87 acre tract out of the F.W. Robertson & Wilson Survey. This property is located within the Edwards Aquifer Recharge Zone and is anticipating approval for their Water Pollution Abatement Plan from the TCEQ. This property is located within the ETJ of the City of Wimberley. The designer, Danny Gonzalez, R.S., has designed an aerobic drip consisting of 5 zones. The system is designed to treat 800 gallons per day. Drinking water will be supplied with an on-site private water well. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize a Commercial On-Site Sewage Facility Permit at 7431 Fulton Ranch Rd., Wimberley, TX 78676. All present voting "Aye". MOTION PASSED



33236 AUTHORIZE THE EXECUTION OF A RENEWAL BUSINESS PRI PRIVATE SWITCH AGREEMENT BETWEEN HAYS COUNTY AND THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) FOR 911 EMERGENCY SERVICE

The Business PRI Private Switch Agreement authorizes CAECD to act as a private switch provider (PSP) and contract with the appropriate Certificated Telecommunications Utility (CTU) to provide telecommunications related to 911 services. The original agreement was approved by Commissioner's Court on 8/16/2011 and has remained in effect. The updated agreement reflects the appropriate contracted party as CAECD meeting the requirements of SB628, created and passed in the 83rd Texas Legislature. The legislation, in collaboration with CAPCOG, paved the way for the nation's first COG-managed emergency communications district. It also released CAPCOG from state oversight of COG 9-1-1 programs, ensuring all applicable 9-1-1 fees collected through phone providers will be available to fund emergency communications. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Renewal Business PRI Private Switch Agreement between Hays County and the Capital Area Emergency Communications District (CAECD) for 911 Emergency Service. All present voting "Aye". MOTION PASSED**

33237 AUTHORIZE THE EXECUTION OF SUPPLEMENTAL CHANGE ORDER 02 FROM TERRACON FOR WORK RELATED TO ADDITIONAL SERVICES REQUIRED AT THE PUBLIC SAFETY BUILDING SITE FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Additional geotechnical services required for the Public Safety Building site include: 1. Pavement section recommendations for the extension of S. Stagecoach Trail which is classified as a Minor Arterial roadway in the City of San Marcos. Terracon's fee for this additional service is \$500. 2. Recommendation for the Pond Clay Liner. This requirement for the detention pond was not known during the procurement of the geotechnical report, and therefore, was not included in their original scope of work. Terracon's fee for this additional service is \$250. 3. Segmental block retaining wall recommendations. The design parameters will be provided to the earthwork subcontractor for the design of the MSE walls. Terracon's fee for this additional service is \$250. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Supplemental Change Order 02 from Terracon for work related to additional services required at the Public Safety Building Site for the Hays county Public Safety Bond Project. All present voting "Aye". MOTION PASSED**

33238 APPROVE SPECIFICATIONS FOR RFQ 2018-P08 PROFESSIONAL ENGINEERING SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Specifications for RFQ 2018-P08 Professional Engineering Services and authorize Purchasing Manager to solicit for Qualifications and Advertise. All present voting "Aye". **MOTION PASSED**

33239 APPROVE SPECIFICATIONS FOR RFQ 2018-P09 PROFESSIONAL LAND SURVEYING SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Specifications for RFQ 2018-P09 Professional Land Surveying Services and authorize Purchasing Manager to solicit for Qualifications and Advertise. All present voting "Aye". **MOTION PASSED**

33240 APPROVE THE RE-APPOINTMENT OF JOHN RODRIGUEZ, JR. TO THE BOARD OF COMMISSIONERS FOR ESD #5, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the re-appointment of John Rodriguez, Jr. to the Board of Commissioners for ESD #5, term ending December 31, 2019. All present voting "Aye". **MOTION PASSED**

33241 AUTHORIZE THE EXECUTION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION TRAFFIC SAFETY SECTION SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP); AND TO DESIGNATE THE CHIEF OF STAFF AS THE AUTHORIZED REPRESENTATIVE FOR THE EXECUTION OF FUTURE GRANT ASSOCIATED DOCUMENTS



This non-competitive grant application request is to acquire funds to perform overtime STEP activities including enforcement of Impaired Driving, Occupant Protection, Speed, Intersection Traffic Control, and Distracted Driving. STEP enforcement efforts are to reduce the number of crashes through data-driven, high-visibility enforcement in areas with chronically high fatal and serious-injury crash rates. The budget summary consists of \$49,959.71 from TxDOT funds and \$15,850.06 in match funds. The grant application due date is January 11, 2018 by 5pm. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Grant Application to the Texas Department of Transportation Traffic Safety Section Selective Traffic Enforcement Program (STEP); and to designate the Chief of Staff as the authorized representative for the execution of future Grant associated documents. All present voting "Aye". MOTION PASSED**

An amended motion was made by Commissioner Jones, seconded by Commissioner Whisenant to add Chief of Staff, Clint Garza as the authorized representative for the execution of future Grant associated documents. All present voting "Aye". **MOTION PASSED**

33242 APPROVE THE RE-APPOINTMENT OF BETH SMITH TO THE BOARD OF COMMISSIONERS FOR ESD #5, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointment of Beth Smith to the Board of Commissioners for ESD #5, term ending December 31, 2019. All present voting "Aye". **MOTION PASSED**

33243 APPROVE THE RE-APPOINTMENT OF CHRIS BAKER TO THE BOARD OF COMMISSIONERS FOR ESD #9, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointment of Chris Baker to the Board of Commissioners for ESD #9, term ending December 31, 2019. All present voting "Aye". **MOTION PASSED**

33244A AUTHORIZE THE TRANSFER OF EQUIPMENT INVOLVING A 2006 HONDA MOTORCYCLE FROM THE HAYS COUNTY CONSTABLE, PCT. 5 OFFICE TO THE HAYS COUNTY CONSTABLE, PCT. 4 OFFICE

The Hays Co. Constable, Pct. 4 Office is seeking approval to transfer the following asset from the Constable's Pct. 5 Office to the Hays Co. Constable, Pct. 4 Office: 2006 Honda Motorcycle, VIN: H2SC51736M400149, County Tag #16054. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the transfer of equipment involving a 2006 Honda Motorcycle from the Hays County Constable, Pct. 5 Office to the Hays County Constable, Pct. 4 Office. All present voting "Aye". MOTION PASSED**

33245A RATIFY THE PURCHASE OF A REPLACEMENT 4-TON CARRIER A/C UNIT FOR THE TRANSPORTATION DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The Transportation Department is in need of a replacement a/c unit for their Yarrington Office. The current unit is over 20 years old and has had multiple repairs. SI Mechanical is currently the vendor under contract for all county a/c repairs and has recommended replacement of the unit due to the age of the unit. Additionally, the current unit is now obsolete which makes it difficult to secure parts for repairs and maintenance issues. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease Staff Salaries Increase Misc. Equipment_Capital. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the purchase of replacement 4-ton Carrier A/C Unit for the Transportation Department and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33246A ADOPT A RESOLUTION IN SUPPORT OF THE COUNTY'S PROGRAM OF PROJECT APPLICATIONS TO SUBMIT TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) IN RESPONSE TO CAMPO'S PROJECT CALL FOR FISCAL YEAR 2019-2022 PROJECT FUNDING

Commissioner Jones spoke. On November 8, 2016, voters in Hays County approved a \$131.4 million road bond program of critically-needed mobility and safety improvements both on and off the State Highway System.



The County has identified the following projects as being competitive for the CAMPO Fiscal Year 2019-2022 Project Call: FM 110 between SH. 123 and I-35 at Yarrington Road; FM 110 overpass at SH. 123; RM 967 safety improvements at Buda Sports Complex Dr., Hays CISD High School No. 3, and Oak Forest Dr.; FM 2001 extension of White Wing Trail from I-35 to existing FM 2001; RM 3237 corridor safety improvements from RM 150 to RM 12; FM 621 corridor improvements from CR 266 to Crystal River Drive; Lime Kiln Road bridge improvements between Post Road and Hilliard Road at Sink Creek and San Marcos River; Sawyer Ranch Road shared use path improvements between Meadow Creek Drive and Belterra Drive; and US 290 and Trautwein Road intersection improvements. Improvements have been identified on these roadways within the identified limits in the adopted Hays County Transportation and CAMPO Mobility 2040 Plans. Award of CAMPO funding for these projects could allow approved bond funding to be extended to initiate project development for other projects included in the 2016 Road Bond Program or to accelerate construction. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a Resolution in support of the County's Program of Project Application to submit to the Capital Area Metropolitan Planning Organization (CAMPO) in response to CAMPO's Project Call for Fiscal Year 2019-2022 Project Funding. All present voting "Aye". MOTION PASSED**

33247A ADOPT A RESOLUTION IN SUPPORT OF CALDWELL COUNTY'S APPLICATION FOR THE FM 150 EXTENSION / YARRINGTON ROAD PROJECT IN THE 2019-2022 PROJECT CALL ADMINISTERED BY THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO)

Caldwell County is preparing an application for the FM 150 Extension / Yarrington Road for the 2019-2022 CAMPO call for projects. Caldwell County is requesting a resolution of support from the Hays County Commissioner's Court to include in their application. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Resolution in Support of Caldwell County's Application for the FM 150 Extension/Yarrington Road Project in the 2019-2022 Project Call administered by the Capital Area Metropolitan Planning Organization (CAMPO). All present voting "Aye". MOTION PASSED**

33248A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE OF THE LETTER OF CREDIT #101148940-1 IN THE AMOUNT OF \$671,301.50, FOR ESCONDIDA RANCH SUBDIVISION

Transportation Director, Jerry Borcharding gave spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. Escondida Ranch is a private subdivision, therefore a maintenance bond is not required. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept road construction and drainage improvements and Release of the Letter of Credit #101148940-1 in the amount of \$671,301.50, for Escondida Ranch Subdivision. All present voting "Aye". MOTION PASSED**

33249A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION BOND #1148528 IN THE AMOUNT OF \$785,766.74, AND ACCEPT THE 3-YEAR MAINTENANCE BOND #1048985 IN THE AMOUNT OF \$93,899.85 FOR CALITERRA SUBDIVISION, PH. 2, SEC. 7

Transportation Director, Jerry Borcharding gave spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept road construction and drainage improvements, Release the Construction Bond #1148528 in the amount of \$785,766.74, and accept the 3-year Maintenance Bond #1048985 in the amount of \$93,899.85 for Caliterra Subdivision, Ph.2, Sec. 7. All present voting "Aye". MOTION PASSED**

33250A ACCEPT LETTER OF CREDIT NO.5135-500 FOR STREET AND DRAINAGE IMPROVEMENTS FOR THE KEY RANCH SUBDIVISION, SECTION 3 IN THE AMOUNT OF \$761,261.00

Key Ranch Section 3 is proposed 70 lots, in the Key Ranch master plan subdivision, located along Trautwein Road in Precinct 4. Water service will be provided by West Travis County PUA and wastewater service will be provided by individual on-site sewage facilities. The final plat for Key Ranch Section 3 Subdivision have been reviewed under the Interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action.



A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Letter of Credit No. 5135-500 for Street and Drainage Improvements for the Key Ranch Subdivision, Section 3 in the amount of \$761,261.00. All present voting "Aye". MOTION PASSED

33251A EXECUTE A MAINTENANCE AGREEMENT AND ALL ADDENDUMS AND OTHER DOCUMENTS RELATED TO THE MELA WITH ENTERPRISE FM TRUST FOR A COUNTY-WIDE VEHICLE LEASING PROGRAM

Chief of Staff, Clint Garza, Commissioner Pct. 4, and General Counsel, Mark Kennedy spoke. Staff has been working with Enterprise to explore a lease program for county-wide vehicles. Roughly one-third of the current Hays County Fleet is 10 years old or older. Staff recommends utilizing a lease program and cycling vehicles more frequently to put employees in safer and more fuel efficient vehicles. As proposed, the vast majority of existing vehicles will be replaced over 5 fiscal years, standardizes vehicle types across offices, and results in a net savings to Hays County over a 10-year period. If approved, this maintenance of all non-law enforcement leased vehicles will be taken care of by private, Hays County vendors, covered under agreements with Enterprise FM Trust. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to execute a Maintenance Agreement and all Addendums and other documents related to the MELA with Enterprise FM Trust for a County-Wide Vehicle Leasing Program with addition to the Addendum that takes care of late payments language. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #29 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY – **was pulled**

Clerk's Note Agenda Item #30 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 – **was pulled**

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

The Burn Ban will remain lifted.

Clerk's Note Agenda Item #32 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:15 a.m.

I, LIZ Q. GONZALEZ, 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 January 9, 2018.



Liz Q Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 16TH DAY OF JANUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Harvey Weingarten gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Rodrigo Amaya, San Marcos resident spoke.

Clerk's Note Agenda Item #1 RE: *ADOPT A PROCLAMATION DECLARING JANUARY 2018 AS CRIME STOPPERS MONTH – was pulled*

33252A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,665,831.16 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33253A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$2,840.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33254A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana and United Healthcare claims in the amount of \$2,235.69 (United Healthcare) and \$88,026.24 (Humana) as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33255A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 9, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of January 9, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33256A APPROVE FINAL AMENDMENT FOR VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2017 YEAR-END PROCESS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve final amendment for various departmental operating budgets in preparation for the County's FY 2017 year-end process. All present voting "Aye". MOTION PASSED



33257A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 850 FM 2001, BUDA, TX, 78610

Guard Dog Storage is proposing an OSSF to serve a storage facility with one restroom. This 4.994 acre property is Lot 1 of the Guard Dog Storage Subdivision and lies outside the City of Buda. Water will be supplied by a public water supply. The system designer, Stan Burrier, P.E., has designed a system, which consists of standard treatment with dispersal by a low pressure pipe drainfield. The maximum daily usage rate is 50 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 850 FM 2001, Buda, TX, 78610. All present voting "Aye". MOTION PASSED**

33258A APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Permit #1060 on Ledge Stone Drive (Bush Ranch Subd.) issued to West Travis County PUA; Permit #1061 on Belterra Drive (Belterra Subd.) issued to West Travis County PUA; Permit #1062 on Centerpoint Road issued to Paso Robles Development as presented by the Transportation Director. All present voting "Aye". MOTION PASSED

33259A AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, BG RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM (BAGP) FOR LAW ENFORCEMENT OFFICERS IN THE AMOUNT OF \$108,976 AND AMEND THE BUDGET ACCORDINGLY

On September 5, 2017 the Commissioners Court authorized submission of a grant application along with a Resolution to the Office of Governor, Criminal Justice Division, (BAGP) for funding 139 rifle-resistant vests at \$784.00 per vest for a total of \$108,976. The rifle-resistant vests will be for the Hays County Sheriff's Office law enforcement officers. Notice of award has been received and is done electronically for grant number 3450101. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to accept a grant award from the Office of the Governor, Criminal Justice Division, BG Rifle-Resistant Body Armor Grant Program (BAGP) for law enforcement officers in the amount of \$108,976 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33260A THE SHERIFF'S OFFICE JAIL DIVISION TO UTILIZE EQUIPMENT SAVINGS TO PURCHASE A REPLACEMENT REFRIGERATOR FOR THE KITCHEN AND AMEND THE BUDGET ACCORDINGLY

The jail is requesting court approval to utilize savings to purchase a replacement refrigerator for the Kitchen. The existing refrigerator is 20 years old and has been experiencing compressor issues. At this time, it has become more cost effective to replace. Three quotes were received with Globe Equipment Company providing the lowest price. The total amount needed is \$2,140; funds have been identified from equipment savings. Budget Amendment Decrease 001-618-03.5715_400 Communication Equipment Operating (\$743) Increase 001-618-03.5719_400 Miscellaneous Operating Equipment \$743. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Authorize the Sheriff's Office Jail Division to utilize equipment savings to purchase a replacement refrigerator for the Kitchen and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33261A APPROVE THE JUNE - SEPTEMBER 2017 TREASURER'S REPORTS AND INVESTMENT REPORTS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the June - September 2017 Treasurer's Reports and Investment Reports. All present voting "Aye". MOTION PASSED

33262A AMEND THE JUSTICE COURT BUILDING SECURITY FUND FOR PRECINCT 3 COURTROOM SECURITY TRAINING

Judge Andy Cable is requesting continuing education funds to allow a Pct. 3 Deputy Constable to attend the Court Security Training seminar to be held in Georgetown, Tx. Funds are available in the Justice Court Building Security Fund to fund this request. Budget Amendment: Decrease .5201. Increase .5551. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Amend the Justice Court Building Security Fund for Precinct 3 courtroom security training. All present voting "Aye". MOTION PASSED**



33263A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE SELF-INSURANCE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting court approval to utilize countywide funds for vehicle repairs of two patrol vehicles that were involved in the November 24th, 2017 shooting. Three Quotes were received, with All Makes Collision offering the lowest repair prices. Unit #1410 is in need of a front door and a windshield totaling \$2,586. Unit #1630 is also in need of a windshield, as well as a front and rear door, new headrest and a dashboard panel totaling \$7,620. The total cost of repairs for both units is \$10,206. Due to this unfortunate and unforeseen incident, the Sheriff does not have maintenance funds to cover these repairs and maintain the existing fleet for the remainder of the fiscal year. The Sheriff is requesting the Court to transfer funds from the County Wide Self Insurance budget to his maintenance budget. Budget Amendment: Increase SO Vehicle Maint.: 001-618-00.5413 Possible Funding Source-Decrease CW Self Insurance: 001-645-00.5342 Attachments: All Makes Collision Quotes for Unit #1410 & # 1630. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize countywide self-insurance funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33264A ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 3

Annual Racial Profiling Report for 2017 in accordance to Law Enforcement Policy on Racial Profiling - Article 2.132 Texas Code of Criminal Procedure (7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and approve the 2017 Racial Profiling Report from Hays County Constable Office, Pct. 3. All present voting "Aye". MOTION PASSED**

33265A AUTHORIZE THE PURCHASE OF A LOCKABLE GUN CABINET FOR THE PRECINCT 1 CONSTABLES OFFICE AND AMEND THE BUDGET ACCORDINGLY

The Precinct 1 Constable is requesting a lockable gun cabinet for the sub-station located at the Courthouse. This is needed for security purposes in order to have full staffing coverage at the facility during business hours. The Building Maintenance Department has identified savings within their operating budget to fund this purchase. Budget Amendment: Decrease: Bldg Maint: 001-695-00.5209 Increase: Constable 1: 001-635-00.5717_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the purchase of a lockable gun cabinet for the Precinct 1 Constables Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33266A APPROVE THE RE-APPOINTMENTS OF CHUCK WARE AND JOE PENDLETON TO THE BOARD OF COMMISSIONERS OF HAYS COUNTY ESD #4, TERMS ENDING DECEMBER 31, 2019

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointments of Chuck Ware and Joe Pendleton to the Board of Commissioners of Hays County ESD #4, terms ending December 31, 2019. All present voting "Aye". MOTION PASSED

33267A AUTHORIZE A COMMERCIAL ON-SITE SEWAGE FACILITY PERMIT AT 731 ROLAND LANE, KYLE, TX 78640

Ray W. Wolbrecht is proposing one commercial warehouse with a max occupancy of 5 employees and 10 costumers per building located at 731 Roland Lane, Kyle TX, 78640. This property is a 12.81 acre tract out of the James W. Williams Survey. This property is not located within the Edwards Aquifer Recharge Zone. This property is located within the ETJ of the City of Kyle and is currently utilizing a public water supply. The designer, Clifford Conner, R.S., has designed a standard treatment discharging to a low pressure dose drain field. The system is designed to treat 100 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize a commercial on-site sewage facility permit at 731 Roland Lane, Kyle, TX 78640. All present voting "Aye". MOTION PASSED**

33268A AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE JANUARY 2, 2018 FOR THE FACILITY MAINTENANCE MANAGER POSITION, SLOT NUMBER 0191-001 AND AMEND THE BUDGET ACCORDINGLY



A stipend has been requested for the Facility Maintenance Manager position via the Request/Justification Form. This position travels throughout the County on a routine basis. It is imperative that this position be available to staff and supervisors in order to remain productive and perform duties effectively. The previous manager had a county issued phone and we would now like to convert that to a monthly telephone allowance. Budget Amendment: Decrease .5489 Increase .5194. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Building Maintenance Department to add a telephone allowance effective January 2, 2018 for the Facility Maintenance Manager position, slot number 0191-001 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33269A CALL FOR A PUBLIC HEARING ON JANUARY 30, 2018 TO ESTABLISH A 3-WAY STOP LOCATION AT THE INTERSECTION OF HEIDENREICH LANE AND GRIST MILL RD

This action would add 2 stop signs on Heidenreich Lane at the intersection with Grist Mill Rd to establish the 3-way stop scenario. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to call for a public hearing on January 30, 2018 to establish a 3-way stop location at the intersection of Heidenreich Lane and Grist Mill Rd. All present voting "Aye". MOTION PASSED**

33270A AUTHORIZE EXECUTION OF AMENDMENT NUMBER ONE TO ROGERS DESIGN SERVICES, PLLC PROFESSIONAL SERVICE AGREEMENT TO PROVIDE ENVIRONMENTAL DOCUMENTATION AND CONSTRUCTION ENGINEERING SERVICES FOR THE FM 967 SAFETY TURN LANE PROJECTS AT BUDA SPORTSPLEX AND WEST OF FM 1626 AS PART OF THE 2016 ROAD BOND PROGRAM

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of Amendment Number One to Rogers Design Services, PLLC Professional Service Agreement to provide environmental documentation and construction engineering services for the FM 967 safety turn lane projects at Buda Sportsplex and west of FM 1626 as part of the 2016 Road Bond Program. All present voting "Aye". **MOTION PASSED**

33271A ACCEPT BOND NO. 0722765 FOR STREET AND DRAINAGE IMPROVEMENTS FOR STONEFIELD SECTION 12 IN THE AMOUNT OF \$709,843.20

A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept Bond No. 0722765 for street and drainage improvements for Stonefield Section 12 in the amount of \$709,843.20. All present voting "Aye". **MOTION PASSED**

33272A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR PHASE 2 ENGINEERING SERVICES FOR THE DESIGN OF IMPROVEMENTS OF VARIOUS LOW WATER CROSSINGS THROUGHOUT PRECINCTS 1 & 2

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement with Garver, LLC for Phase 2 engineering services for the design of improvements of various low water crossings throughout Precincts 1 & 2. All present voting "Aye". **MOTION PASSED**

33273A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BINKLEY & BARFIELD FOR SERVICES RELATED TO DEVELOPMENT OF A CORRIDOR STUDY AND SCHEMATIC DESIGN FOR IMPROVEMENTS TO WINDY HILL ROAD AS CONTEMPLATED IN THE VOTER APPROVE 2016 BOND ELECTION

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Binkley & Barfield for services related to development of a corridor study and schematic design for improvements to Windy Hill Road as contemplated in the voter approve 2016 Bond election. All present voting "Aye". **MOTION PASSED**



33274A SELECT BROWN AND GAY ENGINEERING FOR CONSTRUCTION PHASE SERVICES (INSPECTION) FOR THE RATTLER ROAD SIDEWALK PROJECT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to select Brown and Gay Engineering for construction phase services (inspection) for the Rattler Road sidewalk project. All present voting "Aye". MOTION PASSED

33275A SUB-878 JOHNSON-KNIGHT SUBDIVISION (2 LOTS) APPROVE PRELIMINARY PLAN

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-878 Johnson-Knight Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33276A SUB-862; REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION; APPROVE FINAL PLAT; HOLD PUBLIC HEARING

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to table this item until next week, January 23, 2018. All present voting "Aye". MOTION PASSED

33277A AUTHORIZE EXECUTION OF AN AGREEMENT REGARDING THE DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONE NUMBER 1 (TIRZ NO.1) BETWEEN THE CITY OF DRIPPING SPRINGS AND HAYS COUNTY

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize execution of an Agreement Regarding the Dripping Springs Tax Increment Reinvestment Zone Number 1 (TIRZ No.1) between the City of Dripping Springs and Hays County. All present voting "Aye". MOTION PASSED

33278A ADOPT BY RESOLUTION THE REVISED HAYS COUNTY HAZARD MITIGATION PLAN

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to action to adopt by Resolution the revised Hays County Hazard Mitigation Plan. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #29 RE: *APPOINT CARLA CASKEY SISK TO REPLACE STEVE CLAY AS A MEMBER OF THE EMERGENCY SERVICES DISTRICT NO. 9 (ESD#9), TO FILL AN UNEXPIRED TERM ENDING 12-31-18 – was pulled*

33279A APPOINT A REPRESENTATIVE TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) TRANSPORTATION POLICY BOARD; AND TO APPOINT AN ALTERNATE, IF NECESSARY

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to appoint Commissioner Mark Jones as a representative to the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board; and to appoint an alternate, if necessary. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to appoint Commissioner Debbie Gonzales Ingalsbe as an alternate representative to the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board; and to appoint an alternate, if necessary. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #31 RE: *EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – was pulled*



Clerk's Note Agenda Item #32 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE OF RIGHT OF WAY ALONG AND INCLUDING BARTON BEND ROAD IN PCT. 4 – **was pulled**

Clerk's Note Agenda Item #33 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4 – **was pulled**

Clerk's Note Agenda Item #34 RE: EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY – **was pulled**

Clerk's Note Agenda Item #35 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 – **was pulled**

33280A ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to reinstate the Burn Ban. All present voting

Clerk's Note Agenda Item #37 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:42 a.m.

I, LIZ Q. GONZALEZ, 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 January 16, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23rd DAY OF JANUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Nahum Melendez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident, Rodrigo Amaya, San Marcos resident, and Harvey Jenkins, San Marcos resident, all made public comments.

SWEARING-IN AND CONFIRMATION OF GINA ROGERS TO THE HAYS COUNTY HISTORICAL COMMISSION

The confirmation of all members for the current Hays County Historical Commission is required. Ms. Rogers will be a volunteer for a one year period. Kate Johnson, Chairman of the Hays County Historical Commission spoke. Commissioner Ingalsbe did the swearing-in of Gina Rogers to the Hays County Historical Commission.

33281A ADOPT A PROCLAMATION DECLARING JANUARY 2018 AS CRIME STOPPERS MONTH

Don Arnold, Executive Director of Hays County Crime Stoppers and Rowe Ray, Hays Crime Stoppers Chairman of Board of Directors spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring January 2018 as Crime Stoppers Month. All present voting "Aye". MOTION PASSED

33282A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$170,274.87 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33283A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$2,780.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33284A APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$173,518.78 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33285A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 16, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of January 16, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33286A APPROVE THE PAYMENT OF THE JANUARY 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE JANUARY 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the January 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective January 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33287A APPROVAL TO REJECT ALL COMPETITIVE BIDS SUBMITTED FOR IFB 2018-B04 DOMESTIC WATER TREATMENT SYSTEM AND REISSUE THE IFB AS AUTHORIZED BY LOCAL GOVERNMENT CODE SEC. 262.02

Purchasing received one bid for IFB 2018-B04 from Coppera Company. Staff recommends rejecting bids received per LGC Sec 262.027 and reissuing the IFB, after making some changes to the specifications and bid sheet of the IFB. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to reject all competitive bids submitted for IFB 2018-B04 Domestic Water Treatment System and reissue the IFB as authorized by Local Government Code Sec. 262.02. All present voting "Aye". MOTION PASSED

33288A AUTHORIZE COMMERCIAL OSSF PERMIT AT 13351 FM 150, DRIFTWOOD, TEXAS 78619

Vista Brewing Assets, LLC is proposing an OSSF to serve a brewery and restaurant. A separate OSSF was approved by the Commissioners Court on 8/22/17, but that system was not installed and will be replaced by this OSSF. This 23.44-acre tract of land will be served by a public water well. The system designer, Jon Maass, R.S., has designed a non-standard treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 1112 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 13351 FM 150, Driftwood, Texas 78619. All present voting "Aye". MOTION PASSED

33289A APPROVE HOLDING AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152 (A) (1) AND AUTHORIZE PURCHASING MANAGER TO ADVERTISE

The Purchasing Office would like to hold an online auction to dispose of surplus county property. The auction will run for approximately two weeks. Directions for bidding on items can be found on the Rene Bates Auctioneers website at www.renebates.com. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve holding an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a) (1) and authorize Purchasing Manager to advertise. All present voting "Aye". MOTION PASSED

33290A AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE PROJECT ENTITLED "HAYS COUNTY SWAT NIGHT VISION" IN THE AMOUNT OF \$122,477.80

The grant application request is to acquire night vision binoculars for 14 members of the Hays County SWAT Team, for remote surveillance of potentially dangerous and/or life-threatening scenes during low/no light conditions. The acquisition of high performance night vision goggles will enable the Team to conduct operations and surveillance more effectively. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to execute a Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division for the project entitled "Hays County SWAT Night vision in the amount of \$122,477.80. All present voting "Aye". MOTION PASSED

33291A AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$20,000 FOR THE 'HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE' PROJECT



This grant application is to provide maintenance of our HazMat Team monitors which will increase the life of the specialized equipment and allow the team to respond with sustained equipment. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to execute Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$20,000 for the 'Hays County HazMat Team Monitor Maintenance' project. All present voting "Aye". MOTION PASSED**

33292A AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$75,000 FOR THE 'HAYS COUNTY HAZMAT TEAM AIR PACKS AND BOTTLE REPLACEMENTS' PROJECT

This grant application is for the purchase of air packs and bottle replacements for the Hays County HazMat Team. Currently, the air packs are out of date for chemical, biological, radiological, nuclear and explosive response (CBRNE) and are in need of being replaced. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$75,000 for the 'Hays County HazMat Team Air packs and Bottle Replacements' project. All present voting "Aye". MOTION PASSED**

33293A AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$200,000 FOR THE 'HAYS COUNTY COMMAND VEHICLE' PROJECT

The grant application request is to acquire a Command Vehicle for Hays County to be deployed during emergency incidents in order to reestablish communication and coordination during such events. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$200,000 for the 'Hays County Command vehicle' project. All present voting "Aye". MOTION PASSED**

33294A APPROVAL TO AWARD IFB 2018-B03 DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENTS TO PARTNERS REMODELING, RESTORATION AND WATERPROOFING, AFTER EXECUTION OF SPECIAL TERMS AND CONDITIONS AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SAME

Purchasing received two bids for IFB 2018-B03 from Myers Concrete Construction, LP and Partners Remodeling, Restoration and Waterproofing. Staff recommends award of a contract to Partners Remodeling, Restoration and Waterproofing. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to award IFB 2018-B03 Dahlstrom Ranch Public Access Developments to Partners Remodeling, Restoration and Waterproofing, after execution of Special Terms and Conditions and authorize the County Judge to execute the same. All present voting "Aye". MOTION PASSED**

33295A AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARIAH REHMET AND ARIANA REHMET FOR THE PRODUCTION SERVICES RELATED TO THE 2015 MEMORIAL DAY FLOOD DOCUMENTARY

As provided in the Professional Services Agreement, the Rehmet s have requested a time extension until May 31, 2019, to complete the production, editing and delivery of the 2015 Memorial Day Flood Documentary. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a First Amendment to the Professional Services Agreement with Mariah Rehmet and Ariana Rehmet for the production services related to the 2015 Memorial Day Flood Documentary. All present voting "Aye". MOTION PASSED**

33296A SELECT BROWN AND GAY ENGINEERING FOR ENGINEERING DESIGN SERVICES (P S & E) FOR IMPROVEMENTS TO HILLSIDE TERRACE AS ANTICIPATED IN THE 2016 BOND PROGRAM



As anticipated by the voter approved 2016 Bond program, Hillside Terrace will be redesigned to provide better mobility. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to select Brown and Gay Engineering for engineering design services (P S & E) for improvements to Hillside Terrace as anticipated in the 2016 Bond Program. All present voting "Aye". MOTION PASSED

33297A RENAME THE PRIVATE ROAD OBAR RANCH ROAD TO LIBERTY RANCH ROAD

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to rename the private road OBar Ranch Road to Liberty Ranch Road. All present voting "Aye". MOTION PASSED

33298A AUTHORIZE EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT AND HAYS COUNTY RELATED TO THE CONSTRUCTION OF TURN LANES ON HIGH ROAD AND OLD SAN ANTONIO ROAD IN PRECINCT 2

HCISD has agreed to pay \$250K toward the construction of turn lanes on roadways adjacent to 2 newly-constructed schools in Precinct 2. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of an Interlocal Funding Agreement between Hays Consolidated Independent School District and Hays County related to the construction of turn lanes on High Road and Old San Antonio Road in Precinct 2. All present voting "Aye". MOTION PASSED

33299A SUB-862; REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION; APPROVE FINAL PLAT; CONTINUATION OF PUBLIC HEARING HELD ON JANUARY 16, 2018

Public Hearing was continued from last Tuesday, January 16, 2018. No public input was received. Commissioner Ingalsbe closed the Public Hearing. Ranches at Hamilton Pool Subdivision is a recorded subdivision located off of Hamilton Pool Road in Precinct 4. The proposed re-plat will establish Lot 23A, 26.5 acres, and Lot 23B, 26 acres, as complaint lots with the Hays County Development Regulations. Lot 23 was subdivided by metes and bounds in 2013, as a result, Lots 23A and 23B became non-compliant parcels. Water service will be provided by private wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve final plat of replat of Lot 23, Ranches at Hamilton Pool Subdivision; continuation of public hearing held on January 16, 2018. All present voting "Aye". MOTION PASSED

33300A SUB-878 JOHNSON-KNIGHT SUBDIVISION (2 LOTS) APPROVE THE FINAL PLAT

Johnson-Knight is a proposed 2 lot subdivision located along Caliche Rd in Precinct 3. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat of Johnson-Knight Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33301A AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND TEXAS PRISONER TRANSPORTATION SERVICES FOR SERVICES RELATED TO THE HAYS COUNTY JAIL

Lt. Julie Villalpando spoke. The Hays County Sheriff's Office is requesting the execution of an agreement with Texas Prisoner Transportation Services. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an agreement between Hays County and Texas Prisoner Transportation Services for services related to the Hays County Jail. All present voting "Aye". MOTION PASSED

33302A APPOINTMENT OF CARLA CASKEY SISK TO REPLACE STEVE CLAY AS A MEMBER OF THE EMERGENCY SERVICES DISTRICT NO. 9 (ESD#9), TO FILL AN UNEXPIRED TERM ENDING 12-31-18

Carla Caskey Sisk spoke. Creation of the ESD#9 was authorized during the November 2016 election. Pursuant to 775.034 of the Texas Health and Safety Code, the Commissioner's Court is authorized to appoint the 5-person board. Caskey will fill the unexpired term of Steve Clay. The expiration date of this term is 12-31-18. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appointment of Carla Caskey Sisk to replace Steve Clay as a member of the Emergency Services District No. 9 (ESD#9), to fill an unexpired term ending 12-31-18. All present voting "Aye". MOTION PASSED



EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 9:59 a.m. and reconvened into open court at 10:09 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Director of Transportation, Jerry Borcharding, and Samantha Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE OF RIGHT OF WAY ALONG AND INCLUDING BARTON BEND ROAD IN PCT. 4. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:09 a.m. and reconvened into open court at 10:22 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Director of Transportation, Jerry Borcharding, and Samantha Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:23 a.m. and reconvened into open court at 10:31 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Director of Transportation, Jerry Borcharding, and Samantha Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 10:31 a.m. and reconvened into open court at 11:11 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Tammy Crumley. No action taken.

Clerk's Note Agenda Item #28 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 – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per advice of Hays County Fire Marshall the Burn Ban will remain lifted.

Clerk's Note Agenda Item #30 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 11:15 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 January 23, 2018.



Liz Q. Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30TH DAY OF JANUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Murray Cask of CTMC gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, Dan Lyon, San Marcos resident and David Crowell, Kyle resident all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5-ear Service Awards Constable Pct. 4 Jimmy Zuehlke, Health Department Michael Jones, County Clerk Carol Josephson, District Court Richard Boyer. 10-ear Service Award IT Mark Lane. 20-ear Service Award JP Pct. 2 Rhonda Nix. 25-ear Award Rhonda Nix. Retirement Sheriff's Office Terence Carter, County Clerk Rosanna Ramirez.

RECOGNITION OF DEPUTIES ABBOT, BEDINGFIELD, GIESELMAN, MCLEOD, AND SERGEANT CRAIGMILE, OF THE HAYS COUNTY SHERIFF'S OFFICE, FOR THEIR STEADFAST COMMITMENT TO PUBLIC SAFETY AND SELFLESS SERVICE IN THE LINE OF DUTY

Commissioner Shell, Commissioner Whisenant, Commissioner Ingalsbe and Sheriff Cutler spoke of Thanksgiving night, early morning of Black Friday, this past year when some of our deputies were ambushed and one was shot. The Commissioners thanked all those that were involved and for their service and dedication to Hays County.

33303A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of county invoices in the amount of \$1,578,144.60 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33304A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of juror checks in the amount of \$1,906.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33305A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of Humana Claims in the amount of \$153,969.18 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33306A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 23, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of January 23, 2018, as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33307A APPROVE AND ACCEPT THE 2017 RACIAL PROFILING REPORT FOR THE HAYS COUNTY SHERIFF'S OFFICE

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve and accept the 2017 Racial Profiling Report for the Hays County Sheriff's Office. All present voting "Aye". MOTION PASSED

33308A APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve utility permit #1063 on Huck Finn Trail issued to SLP Cable Comm. LLC and #1064 on Sawyer Ranch Road issued to PEC as submitted by the Department of Transportation. All present voting "Aye". MOTION PASSED

33309A APPROVE OUT OF STATE TRAVEL FOR THE 911 DATABASE COORDINATOR AND TWO COUNTY PLANNERS FOR THE ESRI USER CONFERENCE. JULY 9TH THROUGH JULY 13TH, 2018 IN SAN DIEGO, CA

During budget, the department allocated funds to send the above mentioned to the annual ESRI GIS Conference. Prior to booking flights and accommodations staff is seeking official approval for out of state travel. The conference is offered at no cost to attendees. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for the 911 Database Coordinator and two County Planners for the ESRI User Conference. July 9th through July 13th, 2018 in San Diego, CA. All present voting "Aye". MOTION PASSED

33310A APPROVE THE CANCELLATION OF HAYS COUNTY COMMISSIONERS COURT ON THE FOLLOWING DATES IN 2018: FEBRUARY 20, MARCH 13, JUNE 12, OCTOBER 9, NOVEMBER 6, NOVEMBER 27 AND DECEMBER 25, AND IN 2019: JANUARY 1

Court dates have been presented for cancellation due to Holidays or County Association Conferences. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the cancellation of Hays County Commissioners Court on the following dates in 2018: February 20, March 13, June 12, October 9, November 6, November 27 and December 25, and in 2019: January 1. All present voting "Aye". MOTION PASSED

33311A APPROVE AND CONFIRM THE APPOINTMENTS OF RAMIRO ALMENDAREZ AS DEPUTY CONSTABLE AND JAVIER JAIME CASTRO AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE JANUARY 30, 2018

Constable Pct. 1, David Peterson, gave the Court a list of the Deputy's credentials. Commissioner Ingalsbe performed the swearing-in of Ramiro Almendarez and Javier Castro. Pursuant to Local Government Code Chapter 86 Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the Commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The Commissioners court shall approve and confirm the appointment of the deputy only if the Commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: 3B(1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or 3B(2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and confirm the appointments of Ramiro Almendarez as Deputy Constable and Javier Jaime Castro as Reserve Deputy Constable in the Hays County Constable Precinct 1 Office, effective Date January 30, 2018. All present voting "Aye". MOTION PASSED

33312A AUTHORIZE THE EXECUTION OF A RENEWAL SERVICE AGREEMENT WITH SHRED-IT FOR SHREDDING AT THE LOCAL HEALTH DEPARTMENT



Per HIPAA regulations, all documents containing personal health information must be shredded. This contract will facilitate shredding the documents that are no longer needed by the department as it transitions into paperless recordkeeping. The service will eliminate the need to use staff hours for shredding.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a Renewal Service Agreement with Shred-It for shredding at the Local Health Department. All present voting "Aye". MOTION PASSED

33313A ACCEPT A GRANT CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY

The Hays County Child Protective Board has received grant funding from the City of San Marcos utilizing the county federal tax identification number as authorized. The total awards received are as follows; City of San Marcos - \$12,500 City of Buda - \$375 (remainder of prior year) The HCCPB will deposit these funds with the county as their pass through agency. The funds will be allocated back to the agency to be utilized for the following expenses; Basic clothing Participation in extracurricular school activities and scholastic achievements Equipment and services to encourage and assist academic success and improve graduation rates Recognition of significant milestones Provide for physical and mental health services not covered by governmental programs Provide support for CPS case workers participation in professional training Increase public awareness of child abuse. Funds will be released to HCCPB in incremental payments once the granting municipality has deposited their funds with the county. Budget Amendment: Increase Contributions: .4610. Increase Social Service Grant Funding: .5800. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a grant contribution on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33314A APPROVE SPECIFICATIONS FOR RFP 2018-P10 COUNTYWIDE ELECTRICAL SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for RFP 2018-P10 Countywide Electrical Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

33315A AUTHORIZE THE COUNTY COURT AT LAW OFFICE TO PURCHASE ONE NEW BULLET PROOF VEST FOR A BAILIFF POSITION AND AMEND THE BUDGET ACCORDINGLY

The County Court at Law has one new hire filling a vacant slot that requires a fitted Bullet Proof Vests for officer safety. Bullet Proof Vests are fitted per specific measurements of the officer, therefore, previous employee's vests are not usable for the new hire. Potential funding source Co-Wide contingencies. Budget Amendment: Decrease County Wide Contingencies 001-645-00.5399 Increase DOJ BPV Grant LE Eqpt .5717_400. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Court at Law Office to purchase one new bullet proof vest for a Bailiff position and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33316A AUTHORIZE THE EXECUTION OF A MAINTENANCE AGREEMENT WITH TOUCH LEGAL INC. FOR THE LAW LIBRARY KIOSK LOCATED AT THE JAIL

The Hays County Jail is in need of an extended maintenance agreement with Touch Legal DBA Touch Sonic Technologies for the law library kiosk. Funding for the agreement is budgeted in the Jail. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Maintenance Agreement with Touch Legal Inc. for the Law Library Kiosk located at the jail. All present voting "Aye". MOTION PASSED

33317A AUTHORIZE THE SUBMITTAL AND FILING OF A LOCAL GOVERNMENT RECORDS CONTROL SCHEDULE AMENDMENT WITH THE TEXAS STATE LIBRARY ARCHIVES COMMISSION; AUTHORIZE THE RECORDS MANAGEMENT OFFICER TO SIGN ALL RELATED DOCUMENTS

Pursuant to Section 203.041 of the Texas Local Government Code; the Records Management Officer shall prepare and file records control schedules with the Texas State Library and Archives Commission. The Records Control Schedule Amendment modifies retention for the Local Health Department by including retention for records not on the currently adopted retention schedules. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submittal and filing of a Local Government Records Control Schedule Amendment with the Texas State Library Archives Commission; authorize



the Records Management Officer to sign all related documents. All present voting "Aye". MOTION PASSED

33318A AUTHORIZE THE EXECUTION OF A SERVICE MAINTENANCE AGREEMENT WITH ARGYLE SECURITY GROUP, INC. FOR EQUIPMENT LOCATED AT VARIOUS LOCATIONS THAT UTILIZE EQUIPMENT THAT WOULD REQUIRE THEIR SERVICES

The Building Maintenance Department would like to enter into a Service Maintenance Agreement with Argyle Security Group, Inc. for work performed at various locations. Several County facilities utilize security equipment that require maintenance provided by Argyle Security. Entering into an agreement will allow the County to receive a negotiated rate which will result in a savings on maintenance costs. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Service Maintenance Agreement with Argyle Security Group, Inc. for equipment located at various locations that utilize equipment that would require their services. All present voting "Aye". MOTION PASSED

33319A RECEIVE THE COUNTY JUDGE'S DELEGATION OF A COUNTY OFFICER PURSUANT TO SECTION 751.0055 OF THE TEXAS HEALTH AND SAFETY CODE

Pursuant to Section 751.0055 of the Texas Health and Safety Code, the County Judge may file an order with the Commissioners Court of the county delegating to another county officer the duty to hear applications for a permit under this chapter. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to receive the County Judge's delegation of Commissioner Ingalsbe pursuant to Section 751.0055 of the Texas Health and Safety Code. All present voting "Aye". MOTION PASSED

33320A AUTHORIZE THE SUBMITTAL OF A GRANT APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY (DHS) FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM IN THE AMOUNT OF \$200,000

The purpose of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire related hazards. The program provides direct financial assistance to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. The application is due on February 2, 2018 through the AFG application portal and will require a 10 match. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submittal of a Grant Application to the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program in the amount of \$200,000.00. All present voting "Aye". MOTION PASSED

33321A AUTHORIZE THE PURCHASE OF A NEW SWINGLINE 750M SHREDDER FOR THE RECORDS MANAGEMENT OFFICE UTILIZING RECORDS PRESERVATION FUNDS AND AMEND THE BUDGET ACCORDINGLY

The Records Management office is in need of a heavy duty shredder for projects. Records Management staff and interns are assisting various departments with converting paper records into electronic records. At least 60 boxes of records need to be destroyed each month and in the next two years it is anticipated that at least 1,200 boxes will be converted and destroyed. The Records Management staff were utilizing a confidential shred service, but the cost increased from \$888 to \$2,500 per year. Rather than continuing to utilize a shred service, the department is requesting a shredder. The Swingline 750M shredder features a micro-cut shred for confidentiality and PIN code access for unattended operation. The programmable 4-digit code also prevents unauthorized access to materials loaded for shred. Records Preservation Funds are available to fund this request. Increase 106-610-00.5711_400 Office Equipment. Reduce 106-610-00.5448 Contract Services. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the purchase of a new Swingline 750M Shredder for the Records Management Office utilizing Records Preservation Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33322A ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT AND THE 2017 ANNUAL ACTIVITY REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 4

In compliance with Senate Bill 1074-76th regular session of the Texas Legislature amended by House Bill 3389-81st regular session. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept and approve the 2017 Racial Profiling Report and the 2017 Annual Activity Report from Hays County Constable Office, Pct. 4. All present voting "Aye". MOTION PASSED



33323A AUTHORIZE THE EXECUTION OF A CALCULATION AGENCY AGREEMENT BETWEEN HAYS COUNTY AND BOK FINANCIAL, NA RELATED TO THE QUALIFIED ENERGY CONSERVATION BONDS (QECB)

As a requirement of the QECB bonds certain forms must be filed with the Internal Revenue Service (IRS) to receive the tax credit. BOK Financial will perform the calculations necessary to complete Form 1097-BTC, or any successor form, reporting the tax credit for the period ending on each such interest payment dates and file the necessary documents with the IRS. Funds are available in the County Wide contract services budget to fund this request. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Calculation Agency Agreement between Hays County and BOK Financial, NA related to the qualified Energy Conservation Bonds (ECB). All present voting "Aye". MOTION PASSED**

33324A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER AND SETON MEDICAL CENTER HAYS FOR DY 7 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of D 7 UC 1115 waiver funds was announced on January 25, 2018. All LPPF funds are collected from Hays County Hospitals and are budgeted. Though the IGT of these funds do not require specific Court approval, having them approved (If sufficient notice is given by the State) or ratified (if sufficient notice is not provided by the State) ensures the Court and the public are informed of the process. IGT amount (settlement date of 2-2-18): \$ 3,169,805. CTMC amount: \$1,258,767. Seton Hays amount: \$1,911,038. Reduced amount of \$2,849,804.60. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the Intergovernmental Transfer (IGT) OF Local Provider Participation Funds (LPPF) FOR Central Texas Medical Center and Seton Medical Center Hays for DY 7 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

33325A HOLD A PUBLIC HEARING TO ESTABLISH A 3-WAY STOP LOCATED AT THE INTERSECTION OF HEIDENREICH LANE AND GRIST MILL RD

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding gave staff recommendation. This action would add 2 stop signs on Heidenreich Lane at the intersection with Grist Mill Rd to establish the 3-way stop scenario. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a 3-Way Stop located at the intersection of Heidenreich Lane and Grist Mill Rd. All present voting "Aye". MOTION PASSED**

33326A CALL FOR A PUBLIC HEARING ON FEBRUARY 13, 2018 TO ESTABLISH A STOP SIGN ON RIM ROCK RANCH ROAD AT THE INTERSECTION WITH BENITO LANE (PRIVATE) FOR SOUTHBOUND TRAFFIC ONLY

This action would establish a stop sign for vehicles traveling south (going towards FM 32) on Rim Rock Ranch Road at the intersection with a private road called Benito Lane. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on February 13, 2018 to establish a Stop Sign on Rim Rock Ranch Road at the intersection with Benito Lane (private) for Southbound traffic only. All present voting "Aye". MOTION PASSED**

33327A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BGE FOR CONSTRUCTION PHASE SERVICES FOR THE RATTLER ROAD SIDEWALK PROJECT

Transportation Director, Jerry Borcharding spoke. This contract in general provides for construction management and inspection of the project. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement with BGE for Construction Phase Services for the Rattler Road Sidewalk Project. All present voting "Aye". MOTION PASSED**



33328A GRANT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF A PORTION OF A LOT 31, HARMON HILLS I SUBDIVISION

Hays County Planner, Caitlyn Strickland, spoke. The owner applied for a development authorization permit to construct an On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start construction OSSF. The property owner was been made aware of the platting requirement, and the plat is already in the review process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to grant a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a Development Authorization to the owner of a portion of Lot 31, Harmon Hills I Subdivision. All present voting "Aye". MOTION PASSED**

33329A SUB-949 BLANCO RIVER RAPIDS, LOTS 23A & 25A (2 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES

Hays County Planner, Caitlyn Strickland, spoke. Blanco River Ranch is an unrecorded subdivision located off of River Rapids Road in Precinct 3. Lots 23, 24, and 25 are currently being divided into two parcels, Lots 23A and 25A. Water service will be provided by private wells and wastewater service will be accomplished by advanced individual OSSF. The Hays County minimum lot size for a lot served by private well and advanced OSSF in the Edwards Aquifer Contributing Zone is 2 acres. Lots 23A and 25A do not meet the current minimum lot size as 1.53 and 1.54 acres tracts. The applicant is seeking a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. The applicants' tracts prior to this new subdivision, have been in the same configuration for around 40 years. The addition of the acreage relegated the tracts to the current Hays County Rules for On-Site Sewage Facilities. The applicants' wish to divide the original Lot 24, which they own in common, to their current acreage. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan and grant a variance to Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. All present voting "Aye". MOTION PASSED**

33330A HOLD A PUBLIC HEARING AT 10:00AM REGARDING THE METHOD OF DISTRIBUTION FOR APPROXIMATELY \$11.6 MILLION IN COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY PROGRAM FUNDING AVAILABLE THROUGH THE TEXAS GENERAL LAND OFFICE

Commissioner Ingalsbe opened the public hearing. Ruben Garza, Trey Bell, Dan Lyon and Quinton Clayton spoke. Commissioner Ingalsbe closed the public hearing. Chief of Staff, Clint Garza and Dennis Ku, spoke. The U.S. Department of Housing and Urban Development (HUD), through Congressional appropriation, issued Community Development Block Grant - Disaster Recovery funding to Texas for Disaster Events DR-4223 and DR4245 occurring in 2015. The Texas General Land Office (GLO) has been designated by the State as the agency to administer the funding to counties included in the disaster declarations. As the City of San Marcos received a direct Congressional allocation, it is not included in the Hays County MOD. In addition to the approximately \$7.4 million awarded to the County in 2016, the County has been awarded an additional amount of approximately \$4.2 million. Total funding to the County is now approximately \$11.6 million, including non-housing project funding of \$7,869,851 and housing project funding of \$3,703,459, to support programs and projects that address an identified priority need and that primarily benefit low-to-moderate-income persons affected by 2015 flooding in the unincorporated areas of Hays County and the cities of Buda, Dripping Springs, Kyle, Uhland and Wimberley. The public hearing will be held to consider public comments of the current MOD. Upon consideration of any comments received at the public hearing and those written comments received by the deadline date of February 2, 2018 at 5:00pm, the MOD will be submitted for approval by the GLO. Upon approval, applications for funding will be accepted and reviewed by the GLO from the various entities that have been allocated funding through the Hays County MOD. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Method of Distribution for approximately \$11.6 Million in Community Development Block Grant Disaster Recovery Program Funding available through the Texas General Land Office. All present voting "Aye". MOTION PASSED**

33331A PROMOTE AND FUND HEALTH CHECK 2018 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS. AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT

Human Resources Director, Shari Miller spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to promote and fund Health Check 2018 for Hays County Employees and Eligible Dependents; authorize Payroll Deduction of additional Fees for Optional Services Employees may elect. All present voting "Aye". MOTION PASSED**



33332A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS TO UPGRADE TWO EXISTING SERGEANT POSITIONS SLOT 0475-011 & 0475-007 TO LIEUTENANTS EFFECTIVE FEBRUARY 1, 2018

Hays County Sheriff, Gary Cutler and Lt. Mark Cumberland spoke. At this time the Sheriff's Office is requesting re-grades of two existing Sergeant positions to Lieutenant positions effective February 1, 2018. Adding two Lieutenants will provide 24-hour coverage due to an increase in calls for service as well as provide assistance due to the growth of eight additional deputies in the F 18 Budget. Funding for this request has been identified with salary savings within the Sheriff's Office operating budget. Financial Impact: Base Salary Increase for Each Position: \$9,041. Fringe: \$1,881. Total: \$10,922 (annualized). \$21,845 (times two positions). \$14,563 (F 18 impact for 8 months). A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize Salary Savings to upgrade two existing Sergeant Positions Slot 0475-011 & 0475-007 to Lieutenants effective February 1, 2018. All present voting "Aye". MOTION PASSED

Clerk's Note Court took break at 10:36 a.m. and reconvened back into open court at 10:47 a.m.

33333A AUTHORIZE THE EXECUTION OF A CHANGE ORDER 01 TO THE PHASE I GUARANTEED MAXIMUM PRICE PROPOSAL TO EXTEND THE SCHEDULE FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM AND TO AUTHORIZE THE EXECUTION OF THE CHANGE ORDER

Kevin Machcinski of Turner Construction spoke. Change Order #01 will not increase the approved Guaranteed Maximum Price for Phase I. This change order will extend the final completion date for the early package from January 2018 to April 13, 2018, due to delays summarized in the attached Schedule Extension Request from Turner dated January 25, 2018. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order 01 to the Phase I Guaranteed Maximum Price Proposal to extend the schedule for the work related to the Hays County Public Safety Bond Program and to authorize the execution of the Change Order. All present voting "Aye". MOTION PASSED

33334A ACCEPT THE CONSTRUCTION DOCUMENTS FROM HOK FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND THE EXECUTION OF A NOTICE TO PROCEED WITH THE CONSTRUCTION PHASE FOR THIS WORK

Linda Bernauer, Curt Pardee, and Brenda Jenkins spoke. Acceptance of the Construction Documents for Phase II of the Public Safety Bond Program dated December 15, 2017 for the Public Safety Building and January 15, 2018 for the Jail Addition, Renovation and Training Facility. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the Construction Documents from HOK for the Work related to the Hays County Public Safety Bond Program Phase II and the execution of a Notice to Proceed with the Construction Phase for this work. All present voting "Aye". MOTION PASSED

33335A ACCEPT OR DECLARE UNACCEPTABLE THE GUARANTEED MAXIMUM PRICE PROPOSAL RECEIVED FROM TURNER CONSTRUCTION COMPANY FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND TO AUTHORIZE THE EXECUTION OF A NOTICE TO PROCEED FOR THIS WORK

Brenda Jenkins, Cody Newsom, and Commissioner Shell spoke. Guaranteed Maximum Price (GMP) Proposal Phase II: Jail Addition and Renovation, Public Safety Building, Training Facility. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the Guaranteed Maximum Price Proposal received from Turner Construction Company for the work related to the Hays County Public Safety Bond Program Phase II and to authorize the execution of Notice to Proceed for this work. All present voting "Aye". MOTION PASSED

33336A APPROVE THE QUOTE RECEIVED BY LCRA FOR THE PSAP TELECOMMUNICATIONS EQUIPMENT (NOT INCLUDING CONSOLES OR RADIO EQUIPMENT) FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND TO AUTHORIZE THE EXECUTION OF ALL RELATED DOCUMENTS

Cody Newsome spoke. Quote from LCRA for the PSAP/LEC Communications Tower/Transport/Connectivity for the Hays County Public Safety Bond Program. The quote includes the equipment and installation of the Tower, Shelter and Power Systems; console routers and transport; and the base station and tower antenna systems.



The total for this equipment and installation is \$783,411; the program budget included \$795,628 for this scope. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the quote received by LCRA for the PSAP Telecommunications Equipment (not including consoles or radio equipment) for the work related to the Hays County Public Safety Bond Program Phase II and to authorize the execution of all related documents. All present voting "Aye". MOTION PASSED

33337A ADOPT AN ORDER AMENDING THE CONCURRENT ORDINANCE CREATING THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY ("WTCPUA") PURSUANT TO CHAPTER 572 OF THE TEXAS LOCAL GOVERNMENT CODE, A REGIONAL PUBLIC UTILITY AGENCY ("PUA") CREATED IN COLLABORATION WITH THE CITY OF BEE CAVE, HAYS COUNTY AND WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

Commissioner Whisenant, General Counsel, Mark Kennedy and Randy Wilburn of West Travis MUD, spoke. MUD No.5 may be merging with MUD No.3 in Travis County. This amendment to the Concurrent Ordinance makes the requisite changes that allow that to occur without disruption of the arrangements made by the participant entities to the WTCPUA. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt an Order amending the Concurrent Ordinance creating the West Travis County Public Utility Agency ("WTCPUA") pursuant to Chapter 572 of the Texas Local Government Code, a Regional Public Utility Agency ("PUA") created in collaboration with the City of Bee Cave, Hays County and West Travis County Municipal Utility District No. 5. All present voting "Aye". MOTION PASSED

33338A ADOPT A RESOLUTION IN SUPPORT OF THE CREATION OF THE HAYS COUNTY HAZMAT TEAM

Kharley Smith, Director of Office of Emergency Management, spoke. With the population and transportation growth throughout Hays County it has become evident that the need to expand the capabilities and personnel for Hazardous Material incidents. Currently HazMat is conducted out of the San Marcos Fire Department exclusively but with the utilization of Hays County equipment. This resolution is to support the development of a multi-jurisdictional HazMat Team allowing for more trained HazMat technicians, quicker response times, and a shared responsibility throughout all jurisdictions in Hays County. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Resolution in support of the creation of the Hays County Hazmat Team. All present voting "Aye". MOTION PASSED

33339A AUTHORIZE THE CREATION OF A SPECIAL OPERATIONS COORDINATOR POSITION (GRADE 113) WITHIN THE OFFICE OF EMERGENCY SERVICES EFFECTIVE MARCH 1, 2018 AND AMEND THE BUDGET ACCORDINGLY

Kharley Smith, Director of Office of Emergency Management, spoke. The Office of Emergency Services is seeking approval to create a Special Operations Coordinator position to oversee technical teams within Hays County. This position would be responsible for coordinating the training and certification for the Hays Aerial Rescue Team and the Hays County HazMat Team, as well as maintaining county owned equipment. The Office of Emergency Services has funding available for this position and would be of no additional financial impact to the County this fiscal year. Hays County is seeking grant funding to offset this position in future years. Financial Impact: Base Salary: \$45,375 (annualized) Fringe: \$ 9,443 Insurances: \$11,800 Total: \$66,618 F 18 Impact: \$38,860 (7 months) Salary savings of \$20,219 are available within the departments operating budget due to vacancies to fund a portion of this request. The remaining \$18,641 is available within the equipment maintenance budget due to maintenance agreements for low water crossing and weather station equipment not needed until after year 1. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the creation of a Special Operations Coordinator Position (Grade 113) within the Office of Emergency Services effective March 1, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #40 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – was pulled

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 11:54 a.m. and reconvened into open court at 12:24 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner



Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Transportation Director, Jerry Borchering and Hays County Planner, Caitlyn Strickland. No action taken.

Clerk's Note Agenda Item #42 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's KDBI 243. Per Hays County Fire Marshall, the Burn Ban will remain in effect.

Clerk's Note Agenda Item #44 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adjourn court at 12:26 p.m.

I, LIZ Q. GONZALEZ, 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 January 30, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6TH DAY OF FEBRUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE
MARK JONES
LON A. SHELL
RAY O. WHISENANT JR.
OSCAR MEJIA JR.

COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Vilma Resendiz gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

33340A ADOPT A PROCLAMATION DECLARING FEBRUARY 2018 AS DATING VIOLENCE AWARENESS AND PREVENTION MONTH

Melissa Rodriguez, Director of Community Partnerships with Hays-Caldwell Woman's Center spoke. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation declaring February 2018 as Dating Violence Awareness and Prevention Month. All present voting "Aye". MOTION PASSED

PUBLIC COMMENTS

Rodrigo Amaya-San Marcos Resident, David Crowell-Kyle Resident, Dan Lyon-San Marcos Resident, and Harvey Jenkins-San Marcos Resident gave a public comment.

33341A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$907,842.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33342A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$6,098.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33343A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana and United Healthcare claims in the amount of \$2,435.11 for Humana and \$616,514.79 for United Healthcare as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33344A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 30, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 30, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33345A APPROVE SPECIFICATIONS FOR RFP 2018-P11 COUNTYWIDE LAWN AND LANDSCAPE SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFP 2018-P11 Countywide Lawn and Landscape Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

33346A AUTHORIZE THE JUSTICE OF THE PEACE OFFICES, PCT. 1-1 AND 1-2 TO CONVERT ONE SHARED FULL TIME JUSTICE CLERK SLOT 0855-005, TO TWO PART-TIME POSITIONS EFFECTIVE FEBRUARY 9, 2018



JP Pct. 1-1, Judge Joanne Prado and JP Pct 1-2, Judge Maggie H. Moreno spoke. Justice Clerk slot 5 has been utilized since February 2018 as a full-time position, shared equally between JP 1-1 and JP 1-2. This shared position enabled the public to be served in a unified manner during the transition period of fulfilling both JP offices. Judge Prado and Judge Moreno have identified their respective offices will operate effectively by separating the full-time position into two part-time positions. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Justice of the Peace Offices, Pct. 1-1 and 1-2 to convert one shared Full Time Justice Clerk slot 0855-005, to two Part-Time positions effective February 9, 2018. All present voting "Aye". MOTION PASSED**

33347A AUTHORIZE THE EXECUTION OF AMENDMENT 1 TO THE GRANT AWARD FROM THE TEXAS VETERANS COMMISSION - FUND FOR VETERANS ASSISTANCE, HAYS COUNTY VETERANS TREATMENT COURT PROGRAM

Chief of Staff, Clint Garza spoke. On November 15, 2016 the Commissioners Court approved submission of a grant application to the Texas Veterans Commission for \$100,000.00 to fund operations within the Hays County Veterans Treatment Court program. An original amendment request on August 22, 2017 was made to remove the expunction costs per the new state law, HB 322, and add new services under Client Services. This amendment was not counted towards the three amendments per grant period due to it being required by the new law. In addition, a budget amendment was submitted to move the probation officer (salaries/wage and fringe benefits) to Client Services. However, management through TVC Fund for Veterans Assistance was not aware of this budget amendment request and was recently discovered upon review of the November and December reports. It has been requested that we combine the original amendment and the budget amendment and only count as one amendment. Two copies of the amended Notice of Grant Award with required signatures will be returned to the Texas Veterans Commission. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Amendment 1 to the grant award from the Texas Veterans Commission - Fund for Veterans Assistance, Hays County Veterans Treatment Court program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33348A APPROVE OUT OF STATE TRAVEL FOR DETECTIVE NELSON WRAY TO ATTEND THE INTERNATIONAL ASSOCIATION OF COMPUTER INVESTIGATIVE SPECIALISTS TRAINING IN ORLANDO, FLORIDA

Out of state travel is needed to send Detective Nelson Wray to attend the International Association of Computer Investigative Specialists Training in Orlando, Florida beginning April 23 - May 4, 2018. A combination of computer forensic theory and hands-on practical exercises will be provided to attendees. Classes will cover technical theories, terms, and techniques that pertain to computer forensics. Detective Wray will receive a laptop computer, external hard drive, thumb drive, training manuals and other equipment to take with him at the successful conclusion of the training event. Registration, hotel, airfare, baggage, and transportation fees will be paid out of the Sheriff's Office LEOSE account. Per diem will be paid for out of the Sheriff's Office Continuing Education general ledger. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve out of state travel for Detective Nelson Wray to attend the International Association of Computer Investigative Specialists Training in Orlando, Florida. All present voting "Aye". MOTION PASSED**

33349A AUTHORIZE THE EXECUTION OF AN ANTIQUITIES PERMIT APPLICATION FOR WORK RELATED TO THE ENERGY EFFICIENCY PROJECT

Dan Lyon gave a public comment. Chief of Staff, Clint Garza and Commissioner Whisenant spoke. During the course of the Energy Efficiency Project the recommendation was made to have the windows replaced at the Courthouse. The recommendation was accepted and will result in a significant savings on the utility cost for that location. Given that it is a historic building the County will need to submit an Antiquities Permit Application to the Texas Historical Commission before beginning the project. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Antiquities Permit Application for work related to the Energy Efficiency Project. All present voting "Aye". MOTION PASSED**

33350A AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO UTILIZE INSURANCE PROCEEDS FOR VEHICLE REPAIRS TO A 2007 CHEVY TAHOE LAW ENFORCEMENT VEHICLE AND AMEND THE BUDGET ACCORDINGLY

The Constable Pct. 3 Office sustained damage to a law enforcement patrol unit which was covered by the at fault driver's insurance company. Funding has been received from the insurance agency to cover the cost of repairs. Budget Amendment: Increase Revenue-Compensation For Loss .4680. Increase Expense-Vehicle Repairs .5413. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Precinct 3 Office to utilize insurance proceeds for vehicle repairs to a 2007 Chevy Tahoe law enforcement vehicle and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33351A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TYLER TECHNOLOGY RELATED TO THE CONSTABLE OFFICES RECEIPTING PROCESS WITHIN THE ODYSSEY LAW ENFORCEMENT SOFTWARE PACKAGE



The IT Department is working with all five Constable Offices to implement a new module within the Odyssey Law Enforcement Software for a new receipting process. The development of this module will allow the respective offices to automate their receipting process to include case number identifiers to all revenue received. Funds were budgeted during the F 2018 budget process for this module implementation. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Tyler Technology related to the Constable Offices receipting process within the Odyssey Law Enforcement Software Package. All present voting "Aye". MOTION PASSED**

33352A AUTHORIZE THE EXECUTION OF A PROPOSAL FROM BECKWITH ELECTRONIC SYSTEMS, LLC FOR THE AV VIDEO/AUDIO UPGRADE FOR DISTRICT COURTROOM #8 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D)

Mark Kennedy, General Counsel spoke. The upgrade for Courtroom #8 was approved and budgeted during the F 18 budget process. Beckwith Electronics Systems was the contractor used during the Government Center build out of the current courtrooms that are in use. The system was customized for our District and County Court at Law Judges in order to provide consistency throughout all courtrooms. Additionally, Beckwith installed the wiring and configuration for the remaining courtrooms for future build outs. Due to the existing infrastructure that was put in place, it is necessary to utilize the same contractor to complete the upgrade for District Courtroom #8. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Proposal from Beckwith Electronic Systems, LLC for the A video audio upgrade for District Courtroom #8 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D). All present voting "Aye". MOTION PASSED**

33353A ADOPT THE CIVIL RIGHTS POLICIES AND PROCEDURES ASSOCIATED WITH THE IMPLEMENTATION OF THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE CEDAR OAK MESA WATER SUPPLY CORPORATION, 2017 WATER SYSTEM IMPROVEMENT PROJECT AND RESOLUTION AGREEING TO REAFFIRM AND ADOPT SEVERAL FEDERAL AND TXCDBG REQUIREMENTS

Hays County is serving as the sponsor for a Texas Department of Agriculture (TDA), Texas Community Development Block Grant Program award of \$300,000.00 for the water system improvements for the Cedar Oak Mesa Water Supply Corporation service area which is located south of Wimberley on River Road. These are federal grant funds and require compliance with various requirements for non-discrimination, accessibility and other civil rights issues. Resolution agreeing to reaffirm and adopt several Federal and TxCDBG requirements in conformity with the Civil Rights Act, the Fair Housing Act, and that the County will promote fair housing. The forms and resolutions included regard appointment of a Civils Rights Officer, a statement of policy for fair housing, nondiscrimination/accessibility policy on basis of disability, plan for accommodation of those with limited English language proficiency, an Excessive Force Policy (Resolution) for nonviolent civil rights demonstrations, accommodation of Section 3 businesses and residents in projects utilizing CDBG funds (Resolution), and procedures for filing complaints or grievances. It is proposed that the Human Resources Director be named the Civil Rights Officer to investigate and respond to any violations of civil rights issue. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt the Civil Rights Policies and Procedures associated with the implementation of the Texas Department of Agriculture, Texas Community Development Block Grant (CDBG) Program for the Cedar Oak Mesa Water Supply Corporation, 2017 Water System Improvement Project and Resolution agreeing to reaffirm and adopt several Federal and TxCDBG requirements. All present voting "Aye". MOTION PASSED**

33354A RATIFY THE SUBMISSION OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) RENEWAL APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY, TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) PROGRAM FOR UP TO \$171,468.11

The Emergency Management Performance Grant (EMPG) program is a federally funded program to assist states and local governments with all hazards emergency preparedness. The EMPG program has funded a portion of the salary and benefits for the Hays County Emergency Services staff. The grant term is from October 1, 2017 through September 30, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the submission of the Emergency Management Performance Grant (EMPG) renewal application to the Texas Department of Public Safety, Texas Division of Emergency Management (TDEM) program for up to \$171,468.11. All present voting "Aye". MOTION PASSED**

33355A AUTHORIZE THE EXECUTION OF RENEWAL SERVICE REQUEST FORMS FOR GRANDE COMMUNICATIONS RELATED TO THE COUNTY WIDE LAND-LINES AND FIBER INFRASTRUCTURE

The attached Grande Communications contracts are renewal services agreements which include network redesign and increased bandwidth upgrades to meet the needs of all County Wide offices. **A motion was made**



by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of renewal Service Request Forms for Grande Communications related to the County Wide Land-Lines and Fiber Infrastructure. All present voting "Aye". MOTION PASSED

33356A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY19 PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) PROGRAM IN THE AMOUNT OF \$122,790.00

This grant application is to the Texas Department of State Health Services, Public Health Emergency Preparedness (PHEP). This program will provide support for the salary and benefits for the Emergency Preparedness Coordinator and a portion of an epidemiologist's salary. Previously this program provided support for the salary and benefits for the Emergency Preparedness Coordinator and SNS Coordinator. The grant requirements include a 10% match which will be met through contributions from the health department operating funds. The contract term for this grant will be in effect from July 1, 2018 through June 30, 2019. The application is due February 6, 2018 and will be submitted electronically. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the submission of a grant application to the Department of State Health Services (DSHS) for the FY19 Public Health Emergency Preparedness (PHEP) Program in the amount of \$122,790.00. All present voting "Aye". MOTION PASSED**

33357A ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT FOR THE HAYS COUNTY CONSTABLE OFFICE, PRECINCT 1

The annual Racial Profiling Report for 2017 is submitted in accordance to: Law Enforcement Policy on Racial Profiling - Article 2.132 Texas Code of Criminal Procedure (7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and approve the 2017 Racial Profiling Report for the Hays County Constable Office, Precinct 1. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #19 RE: AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH DOUCET & ASSOCIATES TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE OLD BASTROP HIGHWAY/CR 266 BETWEEN RATTLER ROAD AND CENTERPOINT ROAD IN PCT. 1 AS PART OF THE 2016 ROAD BOND PROGRAM-- was pulled

33358A ACCEPT LETTER OF CREDIT NO.SBP702571 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 20-1 IN THE AMOUNT OF \$758,411.55

Staff gave recommendation. Belterra Section 20-1 is a proposed 53 lot segment, across 62.12 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 20-1 have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Letter of Credit No.SBP702571 for street and drainage improvements for Belterra Subdivision Section 20-1 in the amount of \$758,411.55. All present voting "Aye". MOTION PASSED**

33359A ACCEPT LETTER OF CREDIT NO.SBP702570 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 20-2 IN THE AMOUNT OF \$131,721.80

Beltterra Section 20-2 is a proposed 17 lot segment, across 21.89 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 21-1 have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Letter of Credit No.SBP702570 for street and drainage improvements for Belterra Subdivision Section 20-2 in the amount of \$131,721.80. All present voting "Aye". MOTION PASSED**

33360A AUTHORIZE THE COURT TO EXECUTE A SUPPLEMENTAL NO. 1 TO A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH BINKLEY BARFIELD, INC. FOR THE FM 110 SOUTH (FM621-SH123) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM

The additional funds are needed to complete final design to accommodate planned TxDOT letting schedule. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Court to execute a Supplemental No. 1 to a Professional Service Agreement (PSA) with Binkley Barfield, Inc. for the FM 110 South (FM621-SH123) project as part of the Hays County TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**



33361A SUB-904 CYPRESS CREEK ACRES, AMENDED PLAT OF A PORTION OF LOT 34 (1 LOT). DISCUSSION OF POSSIBLE ACTION TO CONSIDER GRANTING A VARIANCE TO TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES

County Planner, Marcus Pacheco spoke. The proposed amended plat will correct the metes and bounds division of a portion of lot 34 and bring it into compliance with our Hays County Development Regulations. Water service will be provided by Wimberley Water Supply Corporation. Wastewater service will be accomplished by OSSFs. The Hays County minimum lot size for a lot served by a public groundwater supply system and advanced OSSF is 1.5 acre. Newly created lot 34B does not meet the current minimum lot size as a 1.045 acre tract. The applicant is seeking a Variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. This plat is being reviewed under the County's 1445 agreement with the City of Woodcreek. This action will allow the plat to move forward with County's process for final approval with the City of Woodcreek. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance to Table 10-1 of the Hays County Rules for On-Site Sewage Facilities of SUB-904 Cypress Creek Acres, Amended Plat of a portion of lot 34 (1 lot). All present voting "Aye". MOTION PASSED**

33362A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ROAD MAINTENANCE OPERATOR SLOT 1075-002 AT THE 25TH PERCENTILE EFFECTIVE FEBRUARY 8, 2018

Director of Transportation, Jerry Borcharding spoke and gave staff recommendation. Commissioner Shell spoke. The prospective employee has knowledge and experience that justifies a higher starting salary. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the Road Maintenance Operator slot 1075-002 at the 25th percentile effective February 8, 2018. All present voting "Aye". MOTION PASSED**

33363A AUTHORIZE TWO TRANSPORTATION DEPARTMENT EMPLOYEES, ROAD SUPERVISOR SLOT 1035-001 AND ROAD LEAD SLOT 1055-001 TO TAKE A COUNTY ISSUED VEHICLE TO RESIDENCES OUTSIDE THE COUNTY LIMITS

Dan Lyon, a San Marcos resident, and Harvey Jenkins, a San Marcos resident gave a public comment. Road Superintendent, Aaron Jones, Director of Transportation, Jerry Borcharding, and Commissioner Whisenant spoke. The Transportation Department has two existing employees that have previously met the policy criteria for take home use of a County vehicle that have recently moved outside the 20 mile rule. The Policy states: With the exception of Law Enforcement Officers and Emergency Management personnel hired prior to October 1, 2015, employees within the positions listed above may not take a County vehicle home without Commissioners Court approval unless they reside: a) in Hays County or b) within 20 miles from their principal office location if they reside outside of Hays County. All Employees hired on or after October 1, 2015 for any position listed above must reside: a) in Hays County or b) within 20 miles from their principal office location if they reside outside of Hays County, in order to take a County vehicle home without Commissioners Court approval. It is understood that principal office locations may change from time to time for some personnel that are authorized to take County vehicles home regularly. Temporary changes in office locations will not result in a violation of this policy with respect to the distance from the principal office location. In the event a permanent change in the principal office location for a County employee is made and the employee is no longer authorized to take a County vehicle home per this policy, the supervising department head or elected official should request Commissioners Court approval to allow the employee to continue to take the vehicle home. The Transportation Director respectfully requests authorization to allow these two employees to continue use of the county issued vehicles outside of the county limits due to their supervisory role and on call status. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize two Transportation Department employees, Road Supervisor slot 1035-001 and Road Lead slot 1055-001 to take a county issued vehicle to residences outside the county limits. All present voting "Aye". MOTION PASSED**

33364A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTY WIDE FUNDS FOR THE PURCHASE OF REPLACEMENT EQUIPMENT AND MISCELLANEOUS IMPROVEMENTS AND AMEND THE BUDGET ACCORDINGLY

Captain, Julie Villalpando and Chief of Staff, Clint Garza spoke. The Sheriff's Office is requesting approval for the use of county wide funds for multiple areas of concern in the Jail. Replacement purchases and repairs include the following: Replacement a/c coils The Jail has experienced a third failure of 31 Roof-Top A/C's and is requesting the purchase of replacing one A/C coil for the inmate dorm D2-5&6. In addition; due to the lag time to receive coils, the Jail is also requesting to purchase two additional condenser coils for stock. Stocking two coils will reduce unnecessary downtime. The total cost of purchasing replacement coils is \$7,397 with SI Mechanical. Replacement water pressure reducing valve The existing water pressure reducer is 29 years old and is not working properly. Its function is to reduce the City's 100 psi water pressure to 70-80psi. The Jail's water system will not function at 100 psi. The total cost to replace one 4" pressure reducing valve is \$8,092 with SI Mechanical. Repairs to sally port door The existing sally port door is one of four that have reached 29 years of age and has been repaired multiple times over the years. Repairs are needed to door # 3 due to the safety and security of staff and inmates. The request is to repair and not replace door # 3 at a total of \$9,438 with Texdoor; additional quotes are provided. Miscellaneous Improvements to office suites #500 & #510 totaling



\$11,895. During the F 18 budget the Commissioner's Court earmarked \$500k for miscellaneous repairs as needed for Jail improvements. Budget Amendment: Increase 001-618-03.5719_400 Jail Misc Equipment \$ 7,397 - A/C coils. Increase 001-618-03.5741 Jail Misc. Capital Improvements \$29,425 - Valve/Sally Port/Misc Imprv. Decrease 001-645-00.5741 Co Wide Mics. Capital Improvements (\$36,822). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize County Wide Funds for the purchase of replacement equipment and miscellaneous improvements and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #27 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT- **was pulled**

33365A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF EACH INDIVIDUAL POSITION WITHIN THE OFFICE OF GENERAL COUNSEL

Court convened into Executive session at 10:24 a.m. and reconvened into open court at 10:47 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza Shari Miller, Human Resources Department Director, Samantha Jones and Tammy Crumley. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to make the following changes to positions within the Office of General Counsel. Regrade Slot 0272-012 from Grade 108 (Admin II) to a Grade 110 (Admin III) and pay salary at the minimum of the new grade. Regrade Slot 0782-001 from a Grade 113 (Contracts Administrator) to a Grade 111, retitling the position to "Legal Support Service Specialist" and authorize General Counsel to hire the position at up to the 25th percentile of the new Grade. For the Attorney I position already budgeted for 5 1 18, add the following: \$1,000-Ongoing Education, \$3,600-Travel Allowance, and \$420-Phone Allowance. We ask that it be effective immediately and that the budget be amended accordingly for these changes, which will result in annualized FY2018 savings of approximately \$26,378.00. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #29 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 - **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe urged the citizens of Hays County to check our website or with our Fire Marshall before burning because of the substantial fires in the recent days. Burn ban will remain in place.

Clerk's Note Agenda Item #31 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR - **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:54 a.m.

I, LIZ Q. GONZALEZ, 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 February 6, 2018.



Liz Q Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 13TH DAY OF FEBRUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Rabbi Ari Weingarten gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins- San Marcos Resident, Dan Lyon- San Marcos Resident, and Rodrigo Amaya- San Marcos Resident gave a public comment.

33366A ADOPT A PROCLAMATION RECOGNIZING FEBRUARY 22, 2018 AS PRESIDENT GEORGE WASHINGTON DAY

Cliff Klaskey and Joe Cox, members of the William Hightower Chapter of the Sons of the American Revolution spoke. A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt a proclamation recognizing February 22, 2018 as President George Washington Day. All present voting "Aye". MOTION PASSED

33367A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of County Invoices in the amount of \$907,842.73 for period ending February 6, 2018 and in the amount of \$1,979,519.07 for period ending February 13, 2018, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #3 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33368A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of Humana claims in the amount of \$2,435.11 for period ending February 6, 2018 and United HealthCare claims in the amount of \$616,514.79 for period ending February 6, 2018 and in the amount of \$356,592.02 for period ending February 13, 2018, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33369A APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 6, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of February 6, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33370A APPROVE THE PAYMENT OF THE FEBRUARY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE FEBRUARY 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Harvey Jenkins resident of San Marcos spoke. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of the February 15, 2018 payroll disbursements an amount



not to exceed \$2,655,000.00 effective February 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County Website once finalized. All present voting "Aye". MOTION PASSED

33371A APPROVE SPECIFICATIONS FOR IFB 2018-B05 ROAD IMPROVEMENTS - HOT MIX OVERLAY AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for IFB 2018-B05 Road Improvements - Hot Mix Overlay and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

33372A AUTHORIZE THE EXECUTION OF A BUSINESS ASSOCIATES AGREEMENT WITH RANGER SHREDDING FOR SHRED SERVICES

The Records Management Officer has selected Ranger Shredding as the company to shred for the F 18 countywide shred event. The HIPAA Privacy and Security Rules require that covered entities enter into contracts with their selected vendors to ensure that they will take the appropriate measures to safeguard protected health information. Ranger Shredding will comply and adhere to the guidelines set forth by HIPAA under the attached Business Associates Agreement. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Business Associates Agreement with Ranger Shredding for shred services. All present voting "Aye". MOTION PASSED

33373A APPROVE OUT OF STATE TRAVEL FOR EMERGENCY COMMUNICATION COORDINATOR ERICA CARPENTER AND LEAD EMERGENCY COMMUNICATION OFFICERS - MEGAN JONES, JENNIFER COURTNEY, COURTNEY BOOTH AND AMANDA OLIVER TO ATTEND THE NAVIGATOR CONFERENCE IN LAS VEGAS, NEVADA

Harvey Jenkins resident of San Marcos spoke. Rodrigo Amaya resident of San Marcos spoke. Director of Communications of the Hays County Sheriff's Office, Erica Carpenter spoke. The Sheriff's Office is seeking court approval of out of state travel for Emergency Communication employees to attend the Navigator Conference beginning April 23-26, 2018 in Las Vegas. Erica Carpenter, once again, has been invited to be a guest speaker at the conference. This training will allow S.O. Emergency Communication staff to learn from seasoned professionals in their field. The conference will provide updates on the PRoQA system and the attendees will be able to learn about the latest tools and technology related to Police, Fire and Medical Dispatch. Capital Area Council of Governments (CAPCOG) and Priority Dispatch have agreed to cover expenses of registration, hotel fees, and airfare for all five emergency communication supervisors. A total of \$1,100.00 of per diem and miscellaneous transportation fees will be expensed from the Sheriff's Office Continuing Education g/l. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve out of state travel for Emergency Communication Coordinator Erica Carpenter and LEAD Emergency Communication Officers Megan Jones, Jennifer Courtney, Courtney Booth and Amanda Oliver to attend the Navigator Conference in Las Vegas, Nevada. All present voting "Aye". MOTION PASSED

33374A APPROVE THE REAPPOINTMENT OF COMMISSIONER RAY WHISENANT TO THE CENTRAL TEXAS CLEAN AIR COALITION (CAC), ONE YEAR TERM ENDING 12/31/18

CAC is a committee within CAPCOG, Capital Area Council of Governments. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the reappointment of Commissioner Ray Whisenant to the Central Texas Clean Air Coalition (CAC), one year term ending 12/31/18. All present voting "Aye". MOTION PASSED

33375A AUTHORIZE THE SUBMITTAL OF A RESOLUTION TO THE GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION, FOR THE ASSOCIATED APPLICATION FOR GRANT FUNDING TO SUPPORT THE HAYS COUNTY VETERANS COURT IN THE AMOUNT OF \$77,069.48

County Court at Law # 2 Judge David A. Glickler spoke. This application is to submit a Resolution along with the application for funding to the Governor's Office, Criminal Justice Division (CJD) for funding to support the fifth year operations of the Hays County Veterans Court. The grant term is 09-01-18 through 08-31-19. The application is submitted electronically and is due on February 20, 2018. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the submittal of a Resolution to the Governor's Office, Criminal Justice Division, for the associated application for grant funding to support the Hays County Veterans Court in the amount of \$77,069.48. All present voting "Aye". MOTION PASSED



33376A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$115,300.00 FOR THE 'HAYS COUNTY CRIME SCENE ANALYSIS SOLUTION' PROJECT

This grant is to provide the Hays County Sheriff's Department with a crime scene analysis solution that will allow for 3D diagramming of crime and accident scenes. This grant application is due in e grants on February 20, 2018. No matching funds are required. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division, Justice Assistance Grant program in the amount of \$115,300.00 for the 'Hays County Crime Scene Analysis Solution' project. All present voting "Aye".** MOTION PASSED

33377A AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH COSTELLO, INC. FOR ENGINEERING SERVICES AT HAYS COUNTY OWNED PROPERTY ALONG CLOVIS BARKER ROAD IN PRECINCT

As provided in the Professional Services Agreement, Costello, Inc. has requested an extension to complete the preliminary engineering services for drainage study and roadway design of Leah Ave. through Hays County owned property. The extension will allow additional working days, extending the project completion to 8/13/18. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a First Amendment to the Professional Services Agreement with Costello, Inc. for engineering services at Hays County owned property along Clovis Barker Road in Precinct. All present voting "Aye".** MOTION PASSED

33378A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$55,400.00 FOR THE 'HAYS COUNTY LAW INCIDENT AREA COMMUNICATIONS PROJECT

This grant application is to provide deployable, comprehensive, communication solution to the Hays County Emergency Responders for use during incidents or call-outs requiring multiple person collaboration. The grant application is due in e grants by February 20, 2018. No matching funds are required for this project. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division, Justice Assistance Grant program in the amount of \$55,400.00 for the 'Hays County Law Incident Area Communications project. All present voting "Aye".** MOTION PASSED

33379A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION & CONTROL FOR FY 2019 STATE FUNDS IN THE AMOUNT OF \$25,875.00

The Department of State Health Services provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The state funding is \$25,875, with a 20 match (\$5,175.00) required of the County for participation in the program, for a total project amount of \$31,050.00. The match will be budgeted within the Health Department for fiscal 2018 from existing salaries, benefits, and operating expenses. The funding period for this program is from September 1, 2018 through August 31, 2019. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the submission of a grant application to the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention & Control for FY 2019 State Funds in the amount of \$25,875.00. All present voting "Aye".** MOTION PASSED

33380A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM IN THE AMOUNT OF \$56,435 FOR THE 'HAYS COUNTY VICTIMS ASSISTANCE COORDINATOR' PROJECT

This grant is to provide support to the salary, benefits, and supplies for a Victims Assistance Coordinator position for the District Attorney's Office. A Victim Assistance Coordinator will provide direct victim services to victims of crime, and their families within Hays County. The total project cost including the 20 match is \$56,435 and the application is due through e grant son February 20, 2018. Required matching funds will be



requested during the F 2019 budget process. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division, General Victim Assistance Program in the amount of \$56,435 for the 'Hays County Victims Assistance Coordinator' project. All present voting "Aye". MOTION PASSED**

33381A ACCEPT AND AUTHORIZE THE EXECUTION OF A MAINTENANCE CONTRACT FROM THE OFFICE OF ATTORNEY GENERAL FOR STATEWIDE CRIME VICTIM NOTIFICATION SERVICE (SAVNS) IN THE AMOUNT OF \$28,546.78

This is a grant program (SAVNS) to assist Texas counties and other entities in maintaining a statewide system that provides offender release information, notification of court settings or events, supports the rights of victims of crime and public safety. The system provides immediate access to offender information that prosecutors, victim advocates and other criminal justice professionals can obtain through the SAVNS program. The Contract period is September 1, 2017 through August 31, 2018. Attached is the SAVNS maintenance contract and is submitted electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept and authorize the execution of a Maintenance Contract from the Office of Attorney General for statewide crime victim notification service (SAVNS) in the amount of \$28,546.78. All present voting "Aye". MOTION PASSED**

33382A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE 1 POWER EDGE R330 RACK SERVER WITH 6TB OF STORAGE AND AMEND THE BUDGET ACCORDINGLY

The DA's office downloads Gigabytes of videos that are stored on the Evidence.com site that are utilized to prepare for trials. These files are currently being stored on a county-wide file server. Due to the size of these evidence files, there is limited remaining storage space to properly store and archive. Funds are available in the DA's discretionary funds for this purchase. Budget Amendment: Decrease Expert Witness: 081-607-00.5436 (\$500) Decrease Miscellaneous: 081-607-00.5391 (\$500) Decrease Employee Testing: 081-607-00.5335 (\$200) Decrease Photos Supplies & Processing: 081-607-00.5214 (\$500) Decrease Membership Fees & Bonds: 081-607-00.5302 (\$1,079) Increase Computer Eqpt: 081-607-00.5712_400 \$2,779. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the District Attorney's Office to purchase 1 Power Edge R330 Rack Server with 6TB of storage and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33383A RATIFY THE PURCHASE OF ONE COMPUTER WITH ACCESSORIES FOR THE HISTORICAL COMMISSION AND AMEND THE BUDGET ACCORDINGLY

The Historical Commission Director has received prior donations to purchase equipment to assist with drafting historical documentaries and oral history presentations. Budget Amendment: Increase Computer Equipment .5712_400 Decrease General Supplies .5201. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the purchase of one computer with accessories for the Historical Commission and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33384A HOLD A PUBLIC HEARING TO ESTABLISH A STOP SIGN ON RIM ROCK RANCH ROAD AT THE INTERSECTION WITH BENITO LANE (PRIVATE) FOR SOUTHBOUND TRAFFIC ONLY

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director Jerry Borcharding spoke and gave staff recommendation. This action would establish a stop sign for vehicles traveling south (going towards FM 32) on Rim Rock Ranch Road at the intersection with a private road called Benito Lane. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to establish a stop sign on Rim Rock Ranch Road at the intersection with Benito Lane (private) for southbound traffic only. All present voting "Aye". MOTION PASSED**

33385A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH DOUCET & ASSOCIATES TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE OLD BASTROP HIGHWAY/CR 266 BETWEEN RATTLER ROAD AND CENTERPOINT ROAD IN PCT. 1 AS PART OF THE 2016 ROAD BOND PROGRAM

The Old Bastrop Highway/CR 266 (Centerpoint to Rattler Rd) reconstruction and safety improvements project is included in the County's 2016 Bond Program. **A motion was made by Commissioner Jones, seconded by**



Commissioner Ingalsbe to authorize the execution of a Professional Service Agreement with Doucet & Associates to provide Plans, Specifications & Estimates (PS&E) services for the Old Bastrop Highway CR 266 between Rattler Road and Centerpoint Road in Pct. 1 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED

33386A SUB-677; LA CIMA PH 1 SUBDIVISION (139 LOT) ACCEPT AMENDMENT NO. 001 TO LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PH 1

Chief of Staff Clint Garza spoke. La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is partially complete. The amendment will release \$763,264.10 back to the developer. The remaining amount is sufficient to complete the improvements which have not yet been constructed. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept Amendment No. 001 to Letter of Credit No. 5132 for Street and Drainage Improvements for La Cima Ph. 1 SUB-677 La Cima Ph. 1 Subdivision (139 Lots).** All present voting "Aye". MOTION PASSED

33387A SUB-936; PASTERNAK RANCH SUBDIVISION (1 LOT) APPROVE THE PRELIMINARY PLAN

Hays County Planner, Caitlyn Strickland spoke and gave staff recommendation. Pasternak Ranch is a proposed 1 lot subdivision located along Oakwood Loop in PCT 3. Water service will be provided by private well and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve preliminary plan for SUB-936 Pasternak Ranch Subdivision (1 lot).** All present voting "Aye". MOTION PASSED

33388A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO HIRE THE VICTIMS ASSISTANCE COORDINATOR, SLOT 0505-006 AT 5.33 PERCENTILE OF THE SALARY RANGE EFFECTIVE FEBRUARY 26, 2018

District Attorney Wes Mau spoke. The District Attorney is seeking Court approval to hire the Victims Assistance Coordinator at a base salary of \$35,000. The potential candidate has 12 years of experience in criminal justice, including over two years of recent experience as a Victim Assistance Coordinator in Hidalgo County. She is bilingual and a licensed peace officer. This position was approved during the F '18 budget process but has been difficult to fill due to a lack of qualified candidates, particularly bilingual applicants. Salary savings have been identified due to attrition within the DA's operating budget to fund this request. Financial Impact: Base Salary Increase: \$ 909 Fringe: \$ 187 Total: \$1,096 (annualized) \$ 645 (F '18 impact approx. 7 months). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the District Attorney's Office to hire the Victims Assistance Coordinator, slot 0505-006 at 5.33 percentile of the salary range effective February 26, 2018.** All present voting "Aye". MOTION PASSED

33389A AUTHORIZE THE EXECUTION OF A CONSTRUCTION AGREEMENT WITH ARMATINO CONTRACTING FOR RENOVATIONS TO THE DEVELOPMENT SERVICES BUILDING AND AUTHORIZE THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS TO EXECUTE CHANGE ORDERS, NOT TO EXCEED \$1,160

Chief of Staff Clint Garza spoke. The Development Services Department is in need of modifications to their current office space for the GIS division. In addition to these changes, the department would also like to enclose two cubicle spaces for dedicated office spaces. These offices would be used to house the Environmental Health Specialist II. Funds for this project (\$24k) were approved during the F '18 budget process. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of a construction agreement with Armatino Contracting for renovations to the Development Services building and authorize the Executive Director of Countywide Operations to execute change orders, not to exceed \$1,160.** All present voting "Aye". MOTION PASSED

33390A AUTHORIZE THE PURCHASE OF A CARD READER SYSTEM AND SECURITY SYSTEM (INCLUDING 4 CAMERAS AND DVR) FOR COUNTYWIDE OPERATIONS AND AMEND THE BUDGET ACCORDINGLY

Chief of Staff Clint Garza spoke. To supplement the card reader system and security system at the Hays County Government Center. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the purchase of a card reader system and security system (including 4 cameras and D R) for Countywide Operations and amend the budget accordingly.** All present voting "Aye". MOTION PASSED



Clerk's Note Agenda Item #27 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

Clerk's Note Agenda Item #28 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave the update. Burn Ban will remain in effect per Hays County Fire Marshall.

Clerk's Note Agenda Item #30 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 10:03 a.m.

I, LIZ Q. GONZALEZ, 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 February 13, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 27TH DAY OF FEBRUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Velma Resendiz of the Pentecostal Church gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident and Rodrigo Amaya, San Marcos resident made public comment.

PRESENTATION ON HAYS COUNTY FLOOD EARLY WARNING SYSTEM

Justin McInnis, Asst. Emergency Management Coordinator spoke. Kharley Smith, Office of Emergency Management Director and EMC, spoke. Over the past year Hays County, in partnership with Texas Water Development Board, has designed, constructed and implemented a countywide Flood Early Warning System. Through the utilization of grant and local funding the Office of Emergency Services has implemented an in-depth data collection and dissemination platform that will better serve and protect citizens from future flooding.

33391A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$57,612.70 (Ratify) for week ending 2 20 18 and \$2,238,088.20 for week ending 2 27 18 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33392A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror Checks in the amount of \$528.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33393A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of United HealthCare Claims in the amount of \$335,514.19 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33394A APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 13, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of February 13, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33395A APPROVE THE PAYMENT OF THE FEBRUARY 28, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE FEBRUARY 28, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the February 28, 2018 Payroll Disbursements in an amount not to exceed \$3,560,000.00 effective February 28, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County Website once finalized. All present voting "Aye". MOTION PASSED



33396A APPROVE AND CONFIRM THE APPOINTMENTS OF JESSICA MONTANA AS DEPUTY CONSTABLE AND CAROL JO COOLEY AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE FEBRUARY 27, 2018

Constable Pct. 1, David Peterson spoke. Pursuant to Local Government Code Chapter 86 Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners' court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners' court shall approve and confirm the appointment of the deputy only if the commissioners' court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve and confirm the appointments of Jessica Montana as Deputy Constable and Carol Jo Cooley as Reserve Deputy Constable in Hays County Constable Precinct 1 Office, effective date February 27, 2018. All present voting "Aye". MOTION PASSED**

33397A APPROVE THE APPOINTMENTS OF AILEEN HAYS AND BONNIE HERNANDEZ TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/20

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointments of Aileen Hays and Bonnie Hernandez to the Hays County Child Protective Board, 3 year term ending 12 31 2020. All present voting "Aye". MOTION PASSED

33398A APPROVE THE REAPPOINTMENT OF SAMANTHA TUZO TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/20

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the reappointment of Samantha Tuzo to the Hays County Child Protective Board, 3 year term ending 12 31 2020. All present voting "Aye". MOTION PASSED

33399A AUTHORIZE COMMERCIAL OSSF PERMIT AT 3992 E HWY 290, DRIPPING SPRINGS, TEXAS 78620

RABD Holdings, LLC is proposing an OSSF to serve a 2 office/warehouse buildings and 2 buildings that will serve a bakery manufacturer. This 1.8021-acre property is Lot 7 of Section 2-C in the Sunset Canyon Subdivision. The property is served by a public water supply. The system designer, Stephen Jetton, R.S., has designed a non-standard treatment system, which consists of a grease tank, pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 3992 E. Hwy. 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

33400A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE DONATED FUNDS FROM THE VICTIM'S ASSISTANCE PROGRAM TO SEND A VICTIM'S ASSISTANCE VOLUNTEER TO THE EVERY VICTIM EVERY TIME CONFERENCE AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is seeking court approval to utilize donated funds to send one HCSO VA Volunteer to attend the Every Victim Every Time Conference in Bryan, Texas beginning April 24-25, 2018. The individual has been a VA Volunteer for more than five years and the S.O. feels this would be a great opportunity for her to network with other victim service professionals and learn information about current victim issues related to the criminal justice system. The S.O. is sending two employees in addition to the volunteer utilizing donated funds. The total cost for the volunteer is \$122.00; overall cost for two employees and one volunteer is \$866 to attend the Every Victim Every Time Conference. Donated funds are available in a supply line item to cover the amount needed for all attendees. Budget Amendment: Decrease 001-618-99-899.5201 General Supplies (\$366.00) Increase 001-618-99-899.5551 Continuing Ed \$366.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize donated funds from the Victim's Assistance Program to send a Victim's Assistance volunteer to the Every Victim Every Time Conference and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



33401A AUTHORIZE THE EXECUTION OF A MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH RICOH USA INC. RELATED TO THE ECOPY SOFTWARE FOR THE SHERIFF'S OFFICE

The Sheriff's Office is requesting approval of a maintenance and software support agreement for eCopy software. Renewing the maintenance and support agreement ensures continued coverage and access to telephone support, important patches/updates and upgrades. The total cost of the agreement is \$162.00 for one year; funds have been identified in the Sheriff's Office Software Maintenance and Licensing g/l. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Maintenance and Software Support Agreement with Ricoh USA Inc. related to the Ecopy Software for the Sheriff s Office. All present voting "Aye". MOTION PASSED**

33402A AUTHORIZE COMMERCIAL OSSF PERMIT AT 14707 FITZHUGH ROAD, AUSTIN, TEXAS 78736

Dubb Smith of the Fitzhugh Business Center is proposing an OSSF to serve 8 office/warehouse buildings. The system is designed to accommodate up to 80 employees and customers. This 3.75-acre property is Lot 2-A of the Family Tree Subdivision. Each building will be connected to its own rainwater collection system. The system designer, Jon Maass, R.S., has designed an aerobic treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 480 gallons. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 14707 Fitzhugh Road, Austin, Texas 78736. All present voting "Aye". MOTION PASSED**

33403A ACCEPT THE RACIAL PROFILING REPORT FOR CONSTABLE PRECINCT 5

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the Racial Profiling Report for Constable Precinct 5. All present voting "Aye". MOTION PASSED

33404A AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION IN THE AMOUNT OF \$500.00 TO THE COMMUNITY OUTREACH PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office received a donation of \$500 from Rhadha Madhav Dham. The temple is requesting for the donation to be distributed for the following programs. Jr. Deputy Academy \$250.00 Sunshine Kids \$150.00 Citizen's Academy \$100.00 Budget Amendment Increase 052-618-00.4610 Contributions \$500.00 Increase 052-618-00.5222 Special Projects \$500.00. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff s Office to accept a donation in the amount of \$500.00 to the Community Outreach Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33405A APPROVE UTILITY PERMITS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permit #1065 on multiple roads in Stonefield Subdivision, Section 12 issued to CenterPoint Energy as submitted by the County Transportation Department. All present voting "Aye". MOTION PASSED

33406A AUTHORIZE THE COURT TO EXECUTE A TYLER TECHNOLOGY QUOTE RELATED TO TICKET WRITER MODULE ENHANCEMENTS AND AMEND THE BUDGET ACCORDINGLY

The IT Department is working with Tyler Technology on a module enhancement to allow data to be imported from SO Patrol Officers ticket writers when completing crash reports. This information is currently being manually entered into Odyssey. JP 3 Judge Andy Cable has agreed to fund this purchase with the JP Technology Fund. Attachments: Tyler Technology Quote #2018-43776 Budget Amendment: Increase Software Operating - .5718_400 Decrease Computer Eqpt Operating - .5712_400. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Court to execute a Tyler Technology uote related to Ticket Writer Module Enhancements and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33407A AUTHORIZE PAYMENT TO GT DISTRIBUTOR'S FOR CONSTABLE PCT. 3 LAW ENFORCEMENT SUPPLIES IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

The Constable Pct. 3 Office purchased law enforcement supplies and did not obtain a purchase order per County Purchasing Policy. Funds are available within their operating budget to pay for these charges. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to GT Distributor s for Constable Pct. 3 Law Enforcement Supplies in which no Purchase Order was**



issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye".
MOTION PASSED

33408A AUTHORIZE PAYMENT TO AMTEX SCALE FOR THE DPS LICENSE & WEIGHT SCALE REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Rodrigo Amaya, resident of San Marcos spoke. The DPS License & Weights Division had scale repairs completed at the SB IH 35 weigh station and did not obtain a purchase order per County Purchasing Policy. Funds are available within their operating budget to amend for these charges. Budget Amendment: Increase Equipment Maintenance & Repair - .5411 Decrease Telephone and Data Lines - .5489. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to AMTEX Scale for the DPS License & Weight Scale repairs in which no Purchase Order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33409A AUTHORIZE PAYMENT TO AXON ENTERPRISES, INC. FOR THE DISTRICT COURTS BAILIFF EQUIPMENT IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

The District Court received law enforcement equipment for their bailiffs prior to obtaining a purchase order per County Purchasing Policy. Funds were budgeted during the F 18 budget process for this equipment. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Axon Enterprises, Inc. for the District Courts Bailiff equipment in which no Purchase Order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33410A AUTHORIZE THE EXECUTION OF A LETTER AMENDMENT TO THE INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY, TEXAS, HAYS COUNTY CONSTABLE PRECINCT 3 AND CITY OF WIMBERLEY FOR ENFORCEMENT OF TRAFFIC-RELATED LAW ENFORCEMENT WITHIN THE CITY LIMITS

Darrell Ayers spoke. This Letter Amendment modifies the conditions under Article 1. Constable's Rights and Duties, of the Interlocal Cooperation Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Letter Amendment to the Interlocal Cooperative Agreement between Hays County, Texas, Hays County Constable Precinct 3 and City of Wimberley for enforcement of traffic-related law enforcement within the City Limits. All present voting "Aye". MOTION PASSED**

33411A AUTHORIZE THE EXECUTION OF AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR PHASE 2 ENGINEERING FOR THE DESIGN OF IMPROVEMENTS OF VARIOUS LOW WATER CROSSINGS THROUGHOUT PRECINCTS 1 & 2

General Counsel Mark Kennedy spoke. The amount of \$375,000.00 will be out of the Road and Bridge and the remainder of the amount will be out of Road Bond. In Professional Services Agreement with Garver LLC, to perform Phase 2 engineering services on 7 low water crossings identified throughout Precincts 1 & 2 which consists of surveying, environmental services, geotechnical services, ROW acquisition, public involvement, plans, specifications and estimates, bidding and construction phase services for Bunton Lane 1, 2, 3, Francis Harris Lane, S. Turnersville Road, Grist Mill Road, and Cotton Gin Road sites, the not to exceed amount was incorrectly listed as \$529,834.00. All services listed are part of the voter approved 2016 Bond package. 034. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an amended Professional Services Agreement with Garver, LLC for Phase 2 engineering for the design of improvements of various low water crossings throughout Precincts 1 & 2. All present voting "Aye". MOTION PASSED**

33412A APPROVE SELECTION OF LJA ENGINEERING, INC. FOR FINAL PS&E ENGINEERING SERVICES ON THE DACY LANE PROJECT; AND AUTHORIZE STAFF TO NEGOTIATE SCOPE, FEE, AND CONTRACT FOR CONSIDERATION BY COMMISSIONERS COURT

General Counsel, Mark Kennedy spoke. 7 Firms responded to the RFQ for final PS&E Engineering Services. 4 firms were selected from those Statements of Qualifications for interview. After interview by a 6-person panel of County representatives, LJA has been selected for recommendation to Court for this work. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve selection of LJA Engineering, Inc. for Final PS&E Engineering Services on the Dacy Lane project; and authorize staff to negotiate scope, fee, and contract for consideration by Commissioners Court. All present voting "Aye". MOTION PASSED**



33413A AUTHORIZE THE PURCHASE OF A REPLACEMENT 3.5-TON SEER SPLIT HEATING AND COOLING SYSTEM AND AMEND THE BUDGET ACCORDINGLY

The Transfer Stations Driftwood Road ard is in need of a replacement heating and cooling system. The current unit is over 20 years old and has had multiple repairs. SI Mechanical is currently the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age. Additionally, the current unit is now obsolete which makes it difficult to secure parts for repairs and maintenance issues. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease Building Maintenance and Repair 001-695-00.5451 Increase Transfer Station Misc. Equipment_Operating 001-716-00.5719_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the purchase of a replacement 3.5-Ton Seer Split Heating and Cooling System and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33414A ACCEPT THE RACIAL PROFILING REPORT FOR CONSTABLE PRECINCT 2

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the Racial Profiling Report for Constable Precinct 2. All present voting "Aye". MOTION PASSED

33415A ACCEPT A FEE SCHEDULE FOR THE JUVENILE PROBATION OFFICE RELATED TO GED TESTING FEES

On May 9, 2017 the Commissioner's Court recognized the Juvenile Probation Department as an approved GED testing site to administer the HiSET GED test through the Education Testing Service. The attached fee schedule outlines the costs associated with the testing to be billed to other County entities that have juveniles residing at the Hays County Juvenile Detention Center. The Juvenile Probation Department is the administrator of the GED program and will collect all associated fees to be deposited into the general fund. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept a Fee Schedule for the Juvenile Probation Office related to GED Testing Fees. All present voting "Aye". MOTION PASSED**

33416A APPROVE OUT OF STATE TRAVEL FOR THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS FOR THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS ANNUAL NATIONAL CONFERENCE IN PHOENIX, ARIZONA. THE TRAVEL DATES WILL BE FROM JUNE 17TH THROUGH JUNE 21ST OF 2018

The Association of State Floodplain Managers is the world's largest and most comprehensive floodplain management conference. The workshops provided will offer a variety of topics that will further strengthen the administration of the county's floodplain management program. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve out of state travel for the Executive Director of Countywide Operations for the Association of State Floodplain Managers Annual National Conference in Phoenix, Arizona. The travel dates will be from June 17th through June 21st of 2018. All present voting "Aye". MOTION PASSED**

33417A AUTHORIZE THE PURCHASE OF A REPLACEMENT FIRE PANEL AND SMOKE DETECTORS AT THE COURTHOUSE AND AMEND THE BUDGET ACCORDINGLY

The fire panel located at the Courthouse is at the end of its useful life and needs to be replaced. In addition, the replacement panel will no longer be able to communicate with the existing smoke detectors; therefore all detectors (23 units) will be replaced as well. Funds are available in the Maintenance and Repair budget to cover to cost of the smoke detectors, but will be amended to cover the cost of the fire panel replacement (controlled asset). Budget Amendment: Decrease Building Maint. & Repair .5451 - (\$3,819) Increase Misc. Eqpt_Operating .5719_400 - \$3,819 (fire panel). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement fire panel and smoke detectors at the Courthouse and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33418A AUTHORIZE GENERAL COUNSEL TO EXECUTE AN ENGAGEMENT LETTER WITH THE LAW OFFICE OF STEPHEN C. DICKMAN FOR LEGAL SERVICES ASSOCIATED WITH REVISIONS TO DEVELOPMENT REGULATIONS, TAKINGS IMPACT ASSESSMENTS, AND RELATED WORK

General Counsel Mark Kennedy spoke. Mr. Dickman has provided these services to Hays County in the past. Since the last time the County engaged his services, he left his firm and opened his own law office. The attached Engagement Letter proposes to replace the former one. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize General Counsel to execute an Engagement Letter with the Law Office of Stephen C. Dickman for legal services associated with revisions to development regulations, Takings Impact Assessments, and related work. All present voting "Aye". MOTION PASSED**



33419A RATIFY THE EXECUTION OF A CONTRACT AMENDMENT WITH HUMANA RELATED TO 2017 PLAN AMENDMENTS TO THE COUNTY HEALTH & DENTAL BENEFIT PLAN

Changes to Original Plan included: I. Additional Administrative Services removed. II. Clinical Program Services - amended Exhibit C III. Schedule of Fees - amended - includes processing run-out claims Exhibit F (estimated financial impact \$138k) IV. Private Health Information - amended Exhibit G V. Pharmacy Management - amended Exhibit H VI. Humana Vitality Program removed. VII. Humana Wellness Solutions Services - added Exhibit J. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the execution of a contract amendment with Humana related to 2017 Plan Amendments to the County Health & Dental Benefit Plan. All present voting "Aye". MOTION PASSED**

33420A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 2550 FM 967, BUDA, TX, 78610

Neighbor's Storage is proposing an OSSF to serve a storage facility with two employees and no public restroom. This is a 2.18 acre property and lies outside the City of Buda. Water will be supplied by a public water supply. The system designer, John F. Fox, RS, has designed a system, which consists of an aerobic treatment unit with dispersal by drip tubing. The maximum daily usage rate is 120 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 2550 FM 967, Buda, TX, 78610. All present voting "Aye". MOTION PASSED**

33421A RELEASE THE MAINTENANCE BOND #58S208126-01 FOR \$102,105.00, RELEASE THE MAINTENANCE BOND #58S208129-01 FOR \$76,673.50, RELEASE THE REVEGETATION BOND #58S208129-01 FOR \$14,428.00, AND ACCEPT THIS SEGMENT OF ROAD INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR BUSH RANCH SUBDIVISION, PH. 3, SEC. 1

Jerry Borcharding, Hays County Transportation Director gave staff recommendation. Staff recommends acceptance of this road segment into the county maintenance system. The road segment includes: Four Star Boulevard (172 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Release the Maintenance Bond #58S208126-01 for \$102,105.00, Release the Maintenance Bond #58S208129-01 for \$76,673.50, Release the Revegetation Bond #58S208129-01 for \$14,428.00, and accept this segment of road into the County Road Maintenance System for Bush Ranch subdivision, Ph. 3, Sec. 1. All present voting "Aye". MOTION PASSED**

33422A ACCEPT A RIGHT OF WAY DEDICATION DEED FOR PROPERTY OWNED BY EPISCOPAL CHURCH CORPORATION IN WEST TEXAS AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4

Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept a Right Of Way Dedication Deed for property owned by Episcopal Church Corporation in West Texas at or near the intersection of Hwy 290 and Hays Country Acres Road in Pct. 4. All present voting "Aye". MOTION PASSED**

33423A SUB-936; PASTERNAK RANCH SUBDIVISION (1 LOT) APPROVE THE FINAL PLAT

Marcus Pacheco, Hays County Planner, gave staff recommendation. Pasternak Ranch is a proposed 1 lot subdivision located along Oakwood Loop in PCT 3. Water service will be provided by private well and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat of SUB-936 Pasternak Ranch Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

33424A SUB-837; YULI-POSADA SUBDIVISION (3 LOTS) APPROVE PRELIMINARY PLAN

Marcus Pacheco, Hays County Planner, gave staff recommendation. Yuli-Posada is a proposed 3 lot subdivision located along Mathias Lane in PCT 2. Water service will be provided by GoForth SUD and wastewater service will be accomplished by individual OSSFs. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve preliminary plan for SUB-837 Yuli-Posada Subdivision (3 Lots). All present voting "Aye". MOTION PASSED**

33425A SUB-924 RAINBOW RANCH, LOTS 77A & 78A (2 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO SECTION 721.5.05 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

Marcos Pacheco, Hays County Planner, spoke. Rainbow Ranch is an unrecorded subdivision located off of N. Rainbow Ranch Rd. in Precinct 3. Portion of Lots 77 and 78 are currently being plated into two parcels, Lots 77A and 78A. Water service will be provided by private well and wastewater service will be accomplished by



individual conventional OSSF. Section 721.5.05 of the Hays County Development Regulations states the following: Flag lots shall not be permitted, except if approved by the Commissioners Court as consistent with the intent and spirit of these Regulations. The Department shall advise the Commissioners Court if a proposed Lot constitutes a flag lot and the Commissioners Court shall, in reviewing all the circumstances, make the final determination. The owners of the lot are requesting the proposed lot 78A to utilize a flag lot development. The property has been in its current configuration since 2010, owners are now platting the property to become compliant with Hays County Development Regulations and to subdivide the property into two tracts. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan and Grant a variance to Section 721.5.05 of the Hays County Development Regulations for SUB-924 Rainbow Ranch, Lots 77A & 78A (2 Lots). All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #37 RE: *AUTHORIZE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT FOR MOBILE RADIO SERVICES AND EQUIPMENT BETWEEN HAYS COUNTY AND LOWER COLORADO RIVER AUTHORITY (LCRA) – was pulled*

33426A AUTHORIZE STAFF TO UNIFORMLY ADMINISTER FLOODPLAIN AND STORM WATER MANAGEMENT REGULATIONS FOUND IN CHAPTER(S) 705, 725, & 735 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, BY REMOVING CERTAIN REQUIREMENTS FROM CHAPTER 705

Marcos Pacheco, Hays County Planner spoke. The current Hays County Development Regulations were adopted last February 21st, 2017. This section pertaining to Flood Plain and Storm Water Management Information was revised to only exempt proposed subdivisions with five (5) lots or less from items (E), (F), and (G). This revision was suggested to be made so this section would be more in line with Chapters 725 and 735 of the Development Regulations. This proposed change would remove the requirement regarding benchmark establishment and geographic coordinates following procedures in the TXDOT Survey Manual and be more in line with Chapters 725 and 735 of the Hays County Development Regulations, per staff recommendation. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize staff to uniformly administer floodplain and storm water management regulations found in Chapter(s) 705, 725, & 735 of the Hays County Development Regulations, by removing certain requirements from Chapter 705 as presented in backup. All present voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:03 a.m. and reconvened into open court at 10:42 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, Transportation Director Jerry Borcharding and intern Samantha Jones. No action taken.

Clerk's Note Agenda Item #40 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 – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave the update. Hays County Fire Marshal recommends that the burn ban remain lifted. Do not leave fires unattended.

Clerk's Note Agenda Item #42 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:46 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 February 27, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6TH DAY OF MARCH A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Wilma Resendiz, Pentecostal Church gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident made public comment.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller gave the Hays County Service Awards. 5-ears Linda Rodriguez Auditor's Office, Maribel Vasquez DA's Office, Sean White Sheriff's Office, Tammy Crumley Countywide Operations. 20-ears Stephen Floyd Development Services, Marva Pearce Information Technology. 25-ears Dennis Gutierrez Sheriff's Office. Retirement Petra Galan Juvenile Detention Center. Brett Littlejohn, Director of Juvenile Detention Center spoke.

33427A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$2,330,932.17 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33428A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of Juror Checks in the amount of \$4,218.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33429A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the Humana Claims in the amount of \$134,818.99 and United HealthCare Claims in the amount of \$0.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33430A APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 27, 2018

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of February 27, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33431A APPROVE THE PAYMENT OF THE MARCH 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE MARCH 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the March mid-month payroll disbursements not to exceed \$2,655,000.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the March 15, 2018 Payroll Disbursements in an amount not to exceed \$2,655,000.00 effective March 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County Website once finalized. All present voting "Aye". MOTION PASSED

33432A AUTHORIZE THE EXECUTION OF A PROPOSAL FROM THE LOWER COLORADO RIVER AUTHORITY (LCRA) RELATED TO COMMUNICATION INFRASTRUCTURE ADDITIONS AND CAPACITY IMPROVEMENTS FOR THE WIMBERLEY AREA

General Counsel, Mark Kennedy spoke. During the F 2018 budget process the court authorized improvements and additions to the communication infrastructure in the Wimberley area. The OES Director and LCRA team are ready to begin these improvements. The proposal includes all engineering, licensing, installation and P25 equipment for the following sites: New P25 Installations: o 5 Channel P25 Installation at West Hays o 5 Channel P25 Installation at Shovel Mountain P25 Capacity Improvements: o 2 Channel P25 at Cedar Valley o 2 Channel P25 at Creedmoor o 2 Channel P25 at Kingsbury o 2 Channel P25 at Wimberley (existing Wimberley site) o 3 Channel P25 at San Marcos. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Proposal from the Lower Colorado River Authority (LCRA) related to Communication Infrastructure additions and capacity improvements for the Wimberley area. All present voting "Aye". MOTION PASSED

33433A AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 TO THE PROFESSIONAL SERVICE AGREEMENT WITH AECOM FOR CONSTRUCTION MANAGEMENT OF THE NORTHPOINT DRAINAGE PROJECT AND ASSOCIATED ADDITIONAL DRAINAGE WORK IN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

General Counsel, Mark Kennedy spoke. Subcontractor delays and rebuilds have extended the overall construction time period. These delays did not increase construction costs; however, Construction Management time was consumed. This supplemental will also add Construction management time for oversight of additional drainage work outside the Northpoint boundaries, which is essential to the project. Budget Amendment: Decrease Road Materials and Supplies: .5351 - \$17,330.69 Increase Contract Services Consultant: .5448_008 - \$17,330.69. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Supplemental Agreement No. 2 to the Professional Service Agreement with AECOM for Construction Management of the Northpoint drainage project and associated additional drainage work in Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33434A ACCEPT A GRANT CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY

The Hays County Child Protective Board has received a contribution from the First Presbyterian Church. The HCCPB will deposit these funds with the county as their pass through agency. The funds will be allocated back to the agency to be utilized for the following expenses; Basic clothing Participation in extracurricular school activities and scholastic achievements Equipment and services to encourage and assist academic success and improve graduation rates Recognition of significant milestones Provide for physical and mental health services not covered by governmental programs Provide support for CPS case workers participation in professional training Increase public awareness of child abuse Budget Amendment: Increase Contributions: .4610 Increase Social Service Grant Funding: .5800. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a grant contribution on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33435A AUTHORIZE THE EXECUTION OF A CONTRACT FOR ENGINEERING SERVICES WITH AMERICAN STRUCTUREPOINT, INC. FOR THE SAFETY AND MOBILITY PROJECT RM 150 AT RM 12 INTERSECTION



IMPROVEMENTS IN PRECINCT 4 AS PART OF THE 2016 ROAD BOND PROGRAM

The RM 150 at RM 12 Intersection Improvements Design services will be paid with Road & Bridge budget. The construction is proposed to be paid out of the Safety and Mobility Projects-County and State System \$10M line item identified in the 2016 Road Bond Program. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a contract for engineering services with American Structurepoint, Inc. for the Safety and Mobility Project RM 150 at RM 12 Intersection Improvements in Precinct 4 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

33436A SELECT DOUCET AND ASSOCIATES AS THE DESIGN ENGINEER FOR THE OLD SAN ANTONIO RD. REHABILITATION PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Precinct 2, Mark Jones, and the Transportation Department recommend the selection of Doucet and Associates from a pool of capable engineering firms as the best qualified to provide engineering services on the Old San Antonio Rd. project. If selection is approved by court action, then staff and counsel will enter into contract negotiations. If a reasonable scope and fee can be reached, staff and counsel will bring forth a Professional Service Agreement for discussion and possible action by the Court. This effort includes improvements to Old San Antonio Road in response to a new elementary school that is under construction. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to select Doucet and Associates as the design engineer for the Old San Antonio Rd. rehabilitation project and authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33437A AUTHORIZE THE EXECUTION OF A CHANGE ORDER NO. 1 TO THE CONTRACT WITH ROGERS DESIGN SERVICES, PLLC FOR THE US 290 WEST SAFETY IMPROVEMENTS AT TRAUTWEIN ROAD AND HOLDER LANE PROJECT IN HAYS COUNTY AS PART OF THE 2016 ROAD BOND PROGRAM

Time Extension ONL - Delays result from unpredicted time needed to coordinate with stakeholders. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Change Order No. 1 to the contract with Rogers Design Services, PLLC for the US 290 West Safety Improvements at Trautwein Road and Holder Lane project in Hays County as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

33438A RELEASE THE MAINTENANCE BOND #K09232321 FOR \$36,688.70, AND ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR THE FIELDS AT WIMBERLEY SPRINGS SUBDIVISION

Director of Transportation, Jerry Borcharding gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. A parking lot exists at the end of the road, but it will not be included for County maintenance. The roads include: Ballpark Road (1,015 ft.). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to release the maintenance bond #K09232321 for \$36,688.70, and accept the roads into the county road maintenance system for The Fields at Wimberley Springs subdivision. All present voting "Aye". MOTION PASSED**

33439A CALL FOR A PUBLIC HEARING ON MARCH 20, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 5, CLEAVES ACRES, UNIT TWO SUBDIVISION

Cleaves Acres, Unit Two Subdivision is a recorded subdivision located off of Sachtleben Road in Precinct 3. The proposed re-plat will divide the original 5.00 acre Lot 5 tract into two tracts. Water service will be provided by private well. Wastewater treatment will be accomplished by individual advanced on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on March 20, 2018 to discuss final plat approval of the Replat of Lot 5, Cleaves Acres, Unit Two Subdivision. All present voting "Aye". MOTION PASSED**

33440A SUB-924 RAINBOW RANCH, LOTS 77A & 78A (2 LOTS) APPROVE FINAL PLAT



Hays County Planner, Marcos Pacheco gave staff recommendation. Rainbow Ranch is an unrecorded subdivision located off of N. Rainbow Ranch Rd. in Precinct 3. Portion of Lots 77 and 78 are currently being plated into two parcels, Lots 77A and 78A. Water service will be provided by private well and wastewater service will be accomplished by individual conventional OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve final plat of SUB-924 Rainbow Ranch, Lots 77A & 78A (2 Lots). All present voting "Aye". MOTION PASSED**

33441A SUB-949 BLANCO RIVER RAPIDS, LOTS 23A & 25A (2 LOTS) APPROVE FINAL PLAT

Hays County Planner Marcos Pacheco gave staff recommendation. Blanco River Ranch is an unrecorded subdivision located off of River Rapids Road in Precinct 3. Lots 23, 24, and 25 are currently being divided into two parcels, Lots 23A and 25A. Water service will be provided by private wells and wastewater service will be accomplished by advanced individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve final SUB-949 Blanco River Rapids, Lots 23A & 25A (2 Lots). All present voting "Aye". MOTION PASSED**

33442A AUTHORIZE EXECUTION OF AN AGREEMENT WITH BLAIR WILDLIFE CONSULTING FOR ENVIRONMENTAL INSPECTIONS DURING DAHLSTROM PRESERVE PARKING LOT AND TRAIL CONSTRUCTION

Chief of Staff, Clint Garza spoke. During construction of the Dahlstrom parking area and hiking trails, Blair Wildlife consulting will be retained as a third party inspector during the project. Responsibilities will include conducting inspections for the storm water pollution prevention plan and monitoring the conservation easement terms and conditions during the construction of the public access area within the Dahlstrom Ranch and to verify that the Contractor is treating the Property with care and ensuring that the impact of work performed is kept within the limits of the project plans. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize execution of an Agreement with Blair Wildlife Consulting for environmental inspections during Dahlstrom Preserve parking lot and trail construction. All present voting "Aye". MOTION PASSED**

33443A AUTHORIZE EXECUTION OF AN AGREEMENT WITH HOLT ENGINEERING FOR INSPECTIONS DURING DAHLSTROM PRESERVE PARKING LOT AND TRAIL CONSTRUCTION

Chief of Staff, Clint Garza spoke. During construction of the Dahlstrom parking area and hiking trails, Holt Engineering will be retained as a third party inspector during the project. Responsibilities will include conducting inspections of structural integrity and compliance with Hays County standards and the requirements of the conservation easement within the Dahlstrom Ranch and to verify that the Contractor is performing according to the project plans. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize execution of an Agreement with Holt Engineering for inspections during Dahlstrom Preserve parking lot and trail construction. All present voting "Aye". MOTION PASSED**

33444A AUTHORIZE THE COUNTY CLERK TO INCREASE THE ADMINISTRATIVE ASSISTANT I, SLOT 0273-031 TO 12.94 PERCENTILE OF THE SALARY RANGE EFFECTIVE MARCH 1, 2018

Hays County Clerk, Liz Q. Gonzalez spoke. The County Clerk is seeking Court approval to increase the Admin I, slot 031 base salary from the minimum of \$23,285 to \$24,791. The individual was a previous county employee for the Clerk's Office and is well versed in the duties and organizational structure within the office. She was rehired on 2/1/18 and has been an asset to the department with her previous knowledge of scanning and indexing. She is also capable of training other personnel within the office. This request will move her salary back to the rate she was at prior to leaving the county in 2016. Salary savings have been identified due to attrition within the Records Management & Archive Fund operating budget to fund this request. Financial Impact: Base Salary Increase: \$1,506 Fringe: \$ 310 Total: \$1,816 (annualized) \$1,060 (F 18 impact for 7 months). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the County Clerk to increase the Administrative Assistant I, slot 0273-031 to 12.94 percentile of the salary range effective March 1, 2018. All present voting "Aye". MOTION PASSED**

33445A ADOPT A RESOLUTION APPROVING A SERVICE AND ASSESSMENT PLAN UPDATE AND PROPOSED ASSESSMENT ROLL, AND PROVIDING FOR NOTICE OF HEARING FOR ADJUSTED LEVY OF ASSESSMENTS IN THE



LA CIMA PUBLIC IMPROVEMENT DISTRICT, ADDING NEIGHBORHOOD IMPROVEMENT AREA #1

Chief of Staff, Clint Garza, Commissioner Pct. 3, Lon Shell, and Commissioner Pct. 4, Ray Whisenant spoke. In 2015, the Court approved a service and assessment plan and has updated in subsequent years as well as levied special assessments to finance improvements constructed within the district. This update will add neighborhood improvement area #1, authorize improvements in neighborhood area #1, and levy assessments within neighborhood area #1. Because this results in a modification of the assessments, it requires a Public Hearing (and Notice), just as was done for the Initial Assessment Roll and accompanying documents. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a Resolution Approving a Service and Assessment Plan Update and Proposed Assessment Roll, and providing for Notice of Hearing on March 20, 2018 for adjusted Levy of Assessments in the La Cima Public Improvement District, adding Neighborhood Improvement Area #1. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #21 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

Clerk's Note Agenda Item #22 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Fire Marshall s recommendation, the Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens to burn their trash while they can and to proceed with caution.

Clerk's Note Agenda Item #24 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 9:32 a.m.

I, LIZ Q. GONZALEZ, 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 March 6, 2018.



Liz Q. Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 20TH DAY OF MARCH A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE
MARK JONES
LON A. SHELL
RAY O. WHISENANT JR.
LIZ Q. GONZALEZ

COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Esperanza Baltazar Ramirez of El Buen Pastor UMC gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident, Harvey Jenkins, San Marcos resident, and Rodrigo Amaya, San Marcos resident, made public comments.

33446A ADOPT A PROCLAMATION DECLARING MARCH 24, 2018 AS WORLD TB DAY

Iris Barrera, RN, Hays County Personal Health Department and Hortencia Perez, MA, spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring March 24, 2018 as World TB Day. All present voting "Aye". MOTION PASSED

PRESENTATION BY THE COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT (CSCD) RELATED TO THE HAYS COUNTY 2017 HAYS COUNTY PRE-TRIAL BOND PROGRAM

Jason Facundo, Pre-Trial Officer, Hays County CSCD, spoke. The Hays County Pre-Trial Bond Program has released a total of 123 inmates from Hays County Jail from 1/1/2017 - 12/31/2017, and placed them on Pre-Trial Bond Supervision. Of the 123 inmates, 87 were released via the Pre-Trial Bond Officer through the screening process, which includes an interview at the jail, Background investigation, staffing process and providing a Pre-Trial Packet to the Magistrate/Justice of the Peace for approval. 36 of the 123 Pre-Trial Bond clients were court ordered to Pre-Trial Bond Supervision by District Court Judges as a condition of bond. Of the 123 clients, 111 were charged with Felonies and 12 were charged with both Misdemeanor and Felony offenses. During the 12-month period, the Pre-Trial Bond Program has been in operation it has averaged 10 bonds per month.

33447A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices for week ending 3 13 2018 in the amount of \$16,359.63 (Ratify) and for week ending 3 20 2018 in the amount of \$932,729.27 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33448A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$3,106.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33449A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$64,295.41 and United Healthcare claims in the amount of \$87,657.81 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**33450A APPROVE COMMISSIONERS COURT MINUTES OF MARCH 6, 2018**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of March 6, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33451A APPROVE SPECIFICATIONS FOR RFP 2018-P04 WEBSITE REDESIGN AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFP 2018-P04 Website Redesign and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

33452A APPROVE SPECIFICATIONS FOR RFQ 2018-P12 UTILITY COORDINATOR FOR THE 2016 ROAD BOND PROGRAM AND OTHER COUNTY TRANSPORTATION DEPARTMENT PROJECTS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RF 2018-P12 Utility Coordinator for the 2016 Road Bond Program and other County Transportation Department projects and authorize Purchasing Manager to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED

33453A APPROVE RENEWAL OF IFB 2017-B03 CEMETERY MAINTENANCE WITH GREATER TEXAS LANDSCAPE SERVICES FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID

All terms and conditions remain unchanged and in full force and effect as stated in the original bid. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve renewal of IFB 2017-B03 Cemetery Maintenance with Greater Texas Landscape Services for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

33454A APPROVAL TO AWARD RFP 2018-P10 FOR COUNTYWIDE ELECTRICAL SERVICES TO CT ELECTRIC AS A PRIMARY CONTRACTOR AND TED BREIHAN AS A SECONDARY CONTRACTOR AND AUTHORIZE THE EXECUTION OF ALL CONTRACT DOCUMENTS

Purchasing received 5 proposals from Ted Breihan Electric Company, CT Electric, Marathon Management Resource Group, Environmental Lighting Service and TD Industries. After evaluation and scoring of the proposals by staff, it is recommended that contract award be made to CT Electric as a primary contractor and Ted Breihan Electric as a secondary contractor. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to award RFP 2018-P10 for Countywide Electrical Services to CT Electric as a primary contractor and Ted Breihan as a secondary contractor and authorize the execution of all contract documents. All present voting "Aye". MOTION PASSED

33455A APPROVE UTILITY PERMITS

Permit Road Name Utility 1066 Crystal Hill Drive (Goldenwood West subd.) PEC (electric line) 1067 Honeycomb Circle (Sierra West subd.) R&B Ventures/Aqua (water line). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permits # 1066 Crystal Hill Drive (Golden West Subd.) issued to PEC (electric line) and Permit # 1067 Honeycomb Circle (Sierra West Subd.) issued to R&B ventures Aqua (water line). All present voting "Aye". MOTION PASSED

33456A RATIFY AN INCREASE TO CHANGE ORDER NO. 26 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR INSTALLATION OF COUNTER TOPS AND MILLWORK AT THE COUNTY CLERK PRECINCT 3 SUBSTATION

On 10/24/17 the Commissioner's Court authorized a Change Order for \$3,460 for a countertop and millwork needed in the County Clerk's Office at the Precinct 3 facility. Changes to the layout were requested, which resulted in additional materials and labor. The work was completed and additional funds are needed to close out the vendor contract. Funds are available in County Wide misc. capital improvements for unspecified projects that were budgeted during the F 2018 budget process. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify an Increase to Change Order No. 26 between Hays County and Wood and Thomason Construction, LP for installation of counter tops and millwork at the County Clerk Precinct 3 substation. All present voting "Aye". MOTION PASSED



33457A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE ONE NEW BULLET PROOF VEST FOR AN INVESTIGATOR POSITION AND AMEND THE BUDGET ACCORDINGLY

The District Attorney has one new hire approved during the F 18 budget process that requires a fitted Bullet Proof Vest for officer safety. Bullet Proof Vests are fitted per specific measurements of the officer. Potential funding source Co-Wide contingencies. Budget Amendment: Decrease County Wide Contingencies 001-645-00.5399 Increase DOJ BPV Grant LE Eqpt .5717_400. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the District Attorney's Office to purchase one new Bullet Proof vest for an Investigator position and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33458A AUTHORIZE THE PARKS DEPARTMENT TO ACCEPT A PROPOSAL FROM AMERICAN YOUTHWORKS, TEXAS CONSERVATION CORPS RELATED TO THE CONSTRUCTION OF PRIMITIVE TRAILS AT DAHLSTROM PUBLIC ACCESS AREA

The Dahlstrom Public Access Area will include 3.2 miles of natural tread primitive trails. The mission of American YouthWorks is to provide young people with opportunities to build careers, strengthen communities, and improve the environment through education, on-the-job training, and service to others. This project will meet one of the needed grant elements utilizing grant funds received from the Texas Parks & Wildlife Department. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Parks Department to accept a Proposal from American YouthWorks, Texas Conservation Corps related to the construction of primitive trails at Dahlstrom Public Access Area. All present voting "Aye". MOTION PASSED**

33459A RATIFY THE EXECUTION OF THE INTERNAL COMPLIANCE PROGRAM CERTIFICATION AS IT RELATES TO FUTURE GRANT APPLICATIONS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION

The Internal Compliance Program Certificate through the Texas Department of Transportation requires all subgrantees to be approved through prior to grant execution. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to ratify the execution of the Internal Compliance Program Certification as it relates to future grant applications through the Texas Department of Transportation. All present voting "Aye". MOTION PASSED**

33460A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO ACCEPT ROAD-BUILDING MATERIALS VALUED AT \$33,829 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE 2018 TXDOT SURPLUS PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Transportation Department will receive road-building materials offered to Hays County by the State through the 2018 TxDOT Surplus Program. The Transportation Director has requested Vulcan Type D trap rock material which is used for cold-mix totaling approximately 545 tons. These donated materials are for use on any county maintained roadway. Attachment: TxDot Surplus Program Purchase Order Budget Amendment: Increase Contributions .4610 Increase Road Materials .5351. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Transportation Department to accept road-building materials valued at \$33,829 from the Texas Department of Transportation through the 2018 TxDot Surplus Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33461A AUTHORIZE THE EXECUTION OF AN APPLICATION FOR RECDESK/GOVTPORTAL FOR A RESERVATION AND PAYMENT SYSTEM FOR JACOB'S WELL NATURAL AREA & THE GAY RUBY DAHLSTROM NATURE PRESERVE

RecDesk is an online reservation and payment system that allows for pre-payment of swimming reservations by credit card at Jacob's Well Natural Area during the summer swim season (May 1- September 30). In conjunction with RecDesk, the credit cards will be processed by GovtPortal payment system. Implementing this new system will reduce transaction time at the gate and provide an online reporting system that can be reconciled with reservations and payments received. Refunds or rainchecks will not be issued under this new system. Language will be included on the site alerting visitors to this new policy prior to finalizing their payment for reservation. The cost of this system is the same as the current system utilized; therefore funds are available in the Parks Department budget. Additionally, the County Wide Operations Director is requesting an exemption from the purchasing policy requiring three written quotes due to the technology requirements needed for this system. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of an application for RecDesk GovtPortal for a reservation and payment system for Jacob's Well Natural Area & the Gay Ruby Dahlstrom Nature Preserve. All present voting "Aye". MOTION PASSED**



33462A AUTHORIZE THE LAW LIBRARY TO PURCHASE A DUTCH DOOR FOR THE LAW LIBRARIAN'S OFFICE LOCATED AT THE GOVERNMENT CENTER AND AMEND THE BUDGET ACCORDINGLY

Clint Garza, Director of Countywide Operations spoke. The Law Librarian requested the purchase of a Dutch door for the office located inside the Law Library at the Government Center. This particular door will allow the Librarian to communicate with the public while also providing some boundaries in who has access to the interior of her office space. Funds are available in the County Records Preservation operating budget to fund this request. Budget Amendment: Increase Misc. Capital Improvements_Operating - .5741_400 Decrease Contract Services - .5448. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Law Librarian to purchase a Dutch door for the Law Librarian's Office located at the Government Center with money coming out of Records Preservation moved out of Building Maintenance & Repair and into Misc. Capital Improvement Op. and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33463A APPROVE THE SELECTION OF HALFF AND ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO DRAINAGE ISSUES IN THE LEISUREWOODS, COVES OF CIMARRON, CIMARRON PARK, AND OXBOW TRAILS SUBDIVISIONS LOCATED IN PRECINCT 2; AUTHORIZE STAFF TO NEGOTIATE SCOPE, FEE, AND A CONTRACT FOR CONSIDERATION BY COMMISSIONERS COURT

Halff Associates, Inc., will develop a 2-Dimensional model of the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails neighborhood. During the FEMA physical map revision for the Austin-Travis Lakes Basin, the riverine floodplains along the Little Bear Creek Tributary 1A and Garlic Creek Tributary 1 were revised. There appears to be some riverine flooding from these creeks, however the main drainage issues in these neighborhoods result from inadequate localized drainage networks. A 2D analysis is recommended to capture the dynamic nature of overland flows that traditional hydrologic and hydraulic models do not capture. The analysis will identify the areas of risk and propose mitigation projects to reduce the risk. This analysis will also be utilized for future grant opportunities including the Hazard Mitigation Grant Program. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the selection of Halff and Associates, Inc. for engineering services related to drainage issues in the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails subdivisions located in Precinct 2; authorize staff to negotiate scope, fee, and a contract for consideration by Commissioners Court. All present voting "Aye". MOTION PASSED**

33464A AUTHORIZE OUT OF STATE TRAVEL ON MARCH 20-21, 2018 FOR LT. JOE FAULKNER FOR THE INSPECTION AND ACCEPTANCE OF AN ARMORED PERSONNEL VEHICLE IN PITTSFIELD, MA AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, San Marcos resident, Harvey Jenkins, San Marcos resident, Clint Garza, Director of Countywide Operations, Dan Lyon, San Marcos resident and Capt. Mark Cumberland spoke. In 2016, the county accepted a grant of \$294,150.00 for specialized equipment and at this time the equipment is now ready to be inspected and accepted. This vehicle will be used in emergency situations where an active threat is present that could endanger responders and will provide a level of safety for personnel and potential victims. The Sheriff has authorized funding for travel arrangements utilizing Sheriff Drug Forfeiture Funds. There was not match associated with the grant application. Budget Amendment 053-618-00.5391 Miscellaneous (\$850.00) 053-618-00.5501 Travel Fees \$850.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize out of state travel on March 20-21, 2018 for Lt. Joe Faulkner for the inspection and acceptance of an armored personnel vehicle in Pittsfield, MA and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33465A ACCEPT THE DELIVERY OF THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) STATEMENT OF FINANCIAL POSITION FOR THE FISCAL YEAR ENDING ON AUGUST 31, 2017 FOR FILING WITH THE HAYS COUNTY COMMISSIONERS COURT PURSUANT TO LOCAL GOVERNMENT CODE, SECTION 140.004 AND THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE-COMMUNITY JUSTICE ASSISTANCE DIVERSIONS FINANCIAL MANAGEMENT MANUAL

Marisol Villarreal-Alonzo, Hays County Auditor spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept the delivery of the Community Supervision and Corrections Department (CSCD) Statement of Financial Position for the Fiscal Year ending on August 31, 2017 for filing with the Hays County Commissioners Court pursuant to Local Government Code, Section 140.004 and the Texas Department of Criminal Justice-Community Justice Assistance Diversion Financial Management Manual. All present voting "Aye". MOTION PASSED**



33466A RENAME THE PRIVATE ROAD GWENDOLYN'S TRAIL TO GWENDOLYN TRAIL AND AMEND THE LOCATION OF THE NAMES GWENDOLYN TRAIL AND EMMA ELLIS WAY

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to rename the private road Gwendolyn's Trail to Gwendolyn Trail and amend the location of the names Gwendolyn Trail and Emma Ellis Way. All present voting "Aye". MOTION PASSED

33467A ACCEPT PERFORMANCE BOND NO.1155049 FOR STREET AND DRAINAGE IMPROVEMENTS FOR CALITERRA SUBDIVISION PHASE 2 SECTION 8 IN THE AMOUNT OF \$84,080.96

Hays County Engineer, Jerry Borchering gave staff recommendation. Caliterra Phase 2, Section 8 is a proposed 92 lot portion, across 57.1 acres, in the master planned Caliterra Subdivision. Water and wastewater services will be provided by the City of Dripping Springs. The final plat for the Caliterra Phase 2, Section 8 has been reviewed under the Interlocal Cooperation Agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Performance Bond No.1155049 for street and drainage improvements for Caliterra Subdivision Phase 2 Section 8 in the amount of \$84,080.96. All present voting "Aye". MOTION PASSED

33468A SUB-952; REPLAT OF LOT 5, CLEAVES ACRES, UNIT TWO SUBDIVISION (2 LOTS) APPROVE FINAL PLAT; HOLD PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No Public input was received. Commissioner Ingalsbe closed the public hearing. Caitlyn Strickland, Hays County Planner gave staff recommendation. Cleaves Acres, Unit Two Subdivision is a recorded subdivision located off of Sachtleben Road in Precinct 3. The proposed replat will divide the original 5.00 acre Lot 5 tract into two tracts. Water service will be provided by private well. Wastewater treatment will be accomplished by individual advanced on-site sewage facilities. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve final plat of SUB-952 Replat of Lot 5, Cleaves Acres, Unit Two Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33469A SUB-990; MEDLIN CREEK RANCH PHASE 5 (3 LOTS) APPROVE FINAL PLAT

Caitlyn Strickland, Hays County Planner gave staff recommendation. The proposed Medlin Creek Ranch Phase 5 is a proposed 3 lot subdivision located off of Barton Bend Road in Precinct 4. The subdivision will be served by individual water wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve final plat of SUB-990 Medlin Creek Ranch Phase 5 (3 Lots). All present voting "Aye". MOTION PASSED

33470A SUB-979; DELLANA SUBDIVISION (2 LOTS) APPROVE THE PRELIMINARY PLAN

Caitlyn Strickland, Hays County Planner gave staff recommendation. Dellana is a proposed 2 lot subdivision located along Mt Sharp Rd. in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSFs. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-979 Dellana Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33471A CALL FOR A PUBLIC HEARING ON APRIL 3RD, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 14, HIGHLANDS SECTION A SUBDIVISION

Highlands Section A Subdivision is a recorded subdivision located off of Alpine Trail in Precinct 4. The proposed re-plat will divide the original 15.19 acre Lot 14 tract into two tracts. Water service will be provided by private wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Call for a public hearing on April 3rd, 2018 to discuss final plat approval of the Replat of Lot 14, Highlands Section A Subdivision. All present voting "Aye". MOTION PASSED

33472A HOLD A PUBLIC HEARING REGARDING PROPOSED ASSESSMENTS AGAINST THE ASSESSABLE PROPERTY LOCATED IN THE LA CIMA PUBLIC IMPROVEMENT DISTRICT, NEIGHBORHOOD IMPROVEMENT AREA #1, PURSUANT TO THE PROVISIONS OF CHAPTER 371 OF THE TEXAS LOCAL GOVERNMENT CODE

Commissioner Ingalsbe opened the public hearing. John Schneider of P3 Works, Dan Lyon, San Marcos resident, and General Counsel, Mark Kennedy spoke. Commissioner Ingalsbe closed the public hearing. In 2015, the Court approved a service and assessment plan and has updated in subsequent years as well as



levied special assessments to finance improvements constructed within the district. This update will add neighborhood improvement area #1, authorize improvements in neighborhood improvement area #1, and levy assessments within neighborhood area #1. Because this results in a modification of the assessments, it requires a Public Hearing (and Notice), just as was done for the Initial Assessment Roll and accompanying documents. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve an Order of the Commissioners Court of Hays County, Texas (1) Accepting and approving a Service and Assessment Plan and Assessment Roll for the La Cima Public Improvement District; (2) Making a finding of Special Benefit to the property in the district, and particularly in Neighborhood Improvement Area #1; (3) Levying Special Assessments against Property with the District, and particularly in Neighborhood Improvement Area #1, and establishing a Lien on such property; (4) Providing for payment of the Special Assessment in accordance with Chapter 372, Texas Local Government Code, as amended; (5) Providing for the Method of Assessment and the payment of the Special Assessment, providing for Penalties and Interest on Delinquent Special Assessments and providing an effective date as presented in Open Court and or during public hearing held on March 20, 2018. All present voting "Aye". MOTION PASSED**

33473A APPROVE A REIMBURSEMENT AGREEMENT NEIGHBORHOOD IMPROVEMENT AREA #1 - PHASE 1 - SECTION 1 BETWEEN HAYS COUNTY AND LA CIMA SAN MARCOS, LLC

General Counsel, Mark Kennedy spoke. The La Cima Public Improvement District (PID) was created pursuant to Chapter 372, Texas Local Government Code on September 23, 2014 to finance certain public improvement projects (Authorized Improvements) for the benefit of the property within the PID. This is an agreement between the County and the Developer, in which the Developer agrees to construct the Authorized Improvements and to fund certain Actual Costs of the Authorized Improvements and the County agrees to (i) pay directly or reimburse the Developer for Actual Costs of an Authorized Improvement from the proceeds of PID Bonds in accordance with the Act, this NIA #1 SAP Update and the applicable Indenture, and (ii) reimburse the Owner for Actual Costs of an Authorized Improvement not paid by proceeds of PID Bonds solely from the revenue collected from Special Assessments, including Annual Installments, not pledged to the payment of PID Bonds. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve a Reimbursement Agreement Neighborhood Improvement Area #1 - Phase 1 - Section 1 between Hays County and La Cima San Marcos, LLC. All present voting "Aye". MOTION PASSED**

33474A APPROVE A REIMBURSEMENT AGREEMENT NEIGHBORHOOD IMPROVEMENT AREA #1 - PHASE 1 - SECTION 2 BETWEEN HAYS COUNTY AND LA CIMA SAN MARCOS, LLC

The La Cima Public Improvement District (PID) was created pursuant to Chapter 372, Texas Local Government Code on September 23, 2014 to finance certain public improvement projects (Authorized Improvements) for the benefit of the property within the PID. This is an agreement between the County and the Developer, in which the Developer agrees to construct the Authorized Improvements and to fund certain Actual Costs of the Authorized Improvements and the County agrees to (i) pay directly or reimburse the Developer for Actual Costs of an Authorized Improvement from the proceeds of PID Bonds in accordance with the Act, this NIA #1 SAP Update and the applicable Indenture, and (ii) reimburse the Owner for Actual Costs of an Authorized Improvement not paid by proceeds of PID Bonds solely from the revenue collected from Special Assessments, including Annual Installments, not pledged to the payment of PID Bonds. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve a Reimbursement Agreement Neighborhood Improvement Area #1 - Phase 1 - Section 2 between Hays County and La Cima San Marcos, LLC. All present voting "Aye". MOTION PASSED**

33475A AUTHORIZE THE COUNTY TREASURER TO HIRE THE FINANCIAL ANALYST II, SLOT 0019-002 AT THE 50TH PERCENTILE EFFECTIVE MARCH 26, 2018

Britney Richey, Assistant County Treasurer spoke. The County Treasurer respectfully requests the courts approval to hire the Financial Analyst II position at the 50th percentile. This candidate has 20 years of experience which includes County Internal Auditor (Hays County), Texas State Internal Auditor, City of Austin Accountant and owning her own CPA firm. She holds a Certified Public Account license and Certified Fraud Examiner license which will greatly benefit Hays County. Salary savings within this budgeted position is available due to the delayed start date. Financial Impact: Base Salary Increase: \$12,478 Fringe: \$ 2,569 Total: \$15,047 (annualized) \$ 7,812 (F 18 impact for 6.23 months). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Treasurer to hire the Financial Analyst II, slot 0019-002 at the 50th percentile effective March 26, 2018. All present voting "Aye". MOTION PASSED**

33476A AUTHORIZE THE TREASURER'S OFFICE TO TEMPORARILY CONVERT THE ADMINISTRATIVE ASSISTANT I, SLOT 0273-001 FROM PART-TIME TO FULL-TIME; AND TO HIRE ONE FULL-TIME TEMPORARY ADMINISTRATIVE ASSISTANT I EFFECTIVE MARCH 21ST THROUGH SEPTEMBER 30, 2018

Britney Richey, Assistant County Treasurer spoke. The County Treasurer respectfully requests the Courts approval to convert an Admin I position currently budgeted at 29 hours per week to 40 hours a week and hire one full time Admin I position on a temporary basis through September 2018. The current Admin Assistant and



new hire will assist the Treasurer and HR Director with organizing employee files. This project will consist of organizing files chronologically, removing and shredding duplicate documents and ensuring all pertinent information is maintained. Due to the confidential nature of the documents, it will be beneficial to utilize a current part-time employee to lead this project. Adding the additional hours for the current Admin and one full-time admin will ensure the project can be completed no later than 9/30/18. Salary savings within the department due to a vacant position is available to fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Treasurer's Office to temporarily convert the Administrative Assistant I, slot 0273-001 from part-time to full-time; and to hire one full-time temporary Administrative Assistant I effective March 21st through September 30, 2018. All present voting "Aye". MOTION PASSED**

33477A AUTHORIZE THE CLOSURE OF THE DRIFTWOOD AND WIMBERLEY RECYCLING AND SOLID WASTE LOCATIONS FOR EASTER MARCH 30-31 AND THANKSGIVING HOLIDAY NOVEMBER 21-24

The Recycling and Solid Waste facilities are open from 8:00 a.m. to 4:00 p.m. on Saturdays. Staff would like to request that the facilities be closed on March 31st and November 24th for the Easter and Thanksgiving Holiday. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the closure of the Driftwood and Wimberley recycling and solid waste locations for Easter March 30-31 and Thanksgiving Holiday November 21-24. All present voting "Aye". MOTION PASSED**

33478A EXECUTE A PLANNED SERVICE AGREEMENT WITH JOHNSON CONTROLS, INC. FOR SERVICES PERFORMED AT THE GOVERNMENT CENTER

Clint Garza, Director of Countywide Operations spoke. The Building Maintenance Department would like to enter into a three year agreement with Johnson Controls, Inc. for work performed on the building automation system located at the Government Center. Entering into an agreement will allow the County to receive a negotiated rate which will result in a savings on maintenance costs. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Planned Service Agreement with Johnson Controls, Inc. for services performed at the Government Center. All present voting "Aye". MOTION PASSED**

33479A SELECT HUITT-ZOLLARS FOR ARCHITECTURAL SERVICES RELATED TO SPACE NEEDS AT THE TRANSPORTATION DEPARTMENT'S YARRINGTON ROAD LOCATION; AUTHORIZE STAFF TO NEGOTIATE SCOPE, FEE, AND A CONTRACT FOR CONSIDERATION BY COMMISSIONERS COURT

Jerry Borcharding, Hays County Engineer spoke. More space is needed for an expanded employee base. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to select Huitt-Zollars for architectural services related to space needs at the Transportation Department's Yarrington Road location; authorize staff to negotiate scope, fee, and a contract for consideration by Commissioners Court. All present voting "Aye". MOTION PASSED**

33480A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ASSISTANT DIRECTOR, SLOT 1024-001 AT THE 50TH PERCENTILE EFFECTIVE MARCH 26, 2018

Jerry Borcharding, Hays County Engineer and Clint Garza, Director of Countywide Operations spoke. The Transportation Director is seeking court approval to hire the Assistant Director at the 50th percentile. The potential candidate has extensive knowledge of traffic engineering, transportation planning, and policy making expertise in addition to general Civil Engineering knowledge. His knowledge and expertise will be of great value to the Department's efforts in development of the Hays County Transportation plan, competing for funding of TXDOT and local roadway projects, representation in CAMPO matters, and in general management of the Department. Additionally, the candidate is well versed in project management, plan review, and assessment of scope and fee proposals. Salary savings have been identified due to attrition within the Transportation Departments operating budget. Financial Impact: Base Salary Increase: \$18,269 Fringe: \$ 3,762 Total: \$22,031 (annualized) \$11,438 (F 18 impact for 6.23 months). **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Transportation Department to hire the Assistant Director, slot 1024-001 at the 50th percentile effective March 26, 2018. All present voting "Aye". MOTION PASSED**

33481A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ADMINISTRATIVE ASSISTANT II, SLOT 0272-030 AT THE 50TH PERCENTILE EFFECTIVE MARCH 21, 2018

Jerry Borcharding, Hays County Engineer spoke. The Transportation Director is seeking court approval to hire the Admin Assistant II, slot 030 at the 50th percentile. The potential candidate has an exceptional background related to specific job qualifications. She has previous experience with website creation, power point presentations and extensive use of excel. Her knowledge of these various software programs, organizational skills and customer service experience will be of great value to the office. Salary savings have been identified



due to attrition within the Transportation Departments operating budget. Financial Impact: Base Salary Increase: \$7,044 Fringe: \$1,450 Total: \$8,494 (annualized) \$4,502 (F 18 impact for 6.36 months). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the Administrative Assistant II, slot 0272-030 at the 50th percentile effective March 21, 2018. All present voting "Aye". MOTION PASSED**

33482A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ENGINEERING TECHNICIAN AT THE 25TH PERCENTILE EFFECTIVE MARCH 26, 2018

Jerry Borcharding, Hays County Engineer spoke. The Transportation Director is seeking court approval to hire the new Engineering Technician at the 25th percentile. The potential candidate has extensive experience as a Project Manager and Engineering Technician including interaction with design engineers and geotechnical firms. He has previous experience with land surveying, setting grades and with CAD duties. His knowledge of these areas, as well as his ability to communicate with design professionals will be of great value to the office. Salary savings have been identified due to attrition within the Transportation Departments operating budget. Financial Impact: Base Salary Increase: \$4,688 Fringe: \$ 965 Total: \$5,653 (annualized) \$2,935 (F 18 impact for 6.23 months). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the Engineering Technician at the 25th percentile effective March 26, 2018. All present voting "Aye". MOTION PASSED**

33483A AUTHORIZE THE COUNTY WIDE OPERATIONS DIRECTOR TO ESTABLISH ONE NEW FULL-TIME GRANT WRITER POSITION EFFECTIVE APRIL 1, 2018 AND AMEND THE BUDGET ACCORDINGLY

Clint Garza, Director of Countywide Operations spoke. During the F 2018 budget process, Commissioner's Court budgeted funds for one additional Grant Writer position pending further evaluation on the organizational restructure of the Grants Department. These funds were moved to contingencies in order for the department head to assess the grants office needs and potential future growth. The initial grant writer position was filled on 11/2/17 and over the course of 4 months the department has taken a different approach to grant prospecting, application & administration processes. Thus far, feedback from other county departments, outside agencies, and partners has been overwhelmingly positive. As anticipated during the budget process, the amount of activity within the department warrants adding the second position to continue seeking a high volume of alternative funding sources for the County. Budget Amendment: Increase County Wide Operations 001-712-00: \$20,625 - Staff Salaries \$ 1,279 FICA \$ 299 Medicare \$ 2,714 Retirement \$ 3,778 - Medical Insurance \$ 135 - Dental Insurance \$ 32 - Life Insurance Decrease County-Wide - 001-645-00: (\$28,862) Contingencies. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the County Wide Operations Director to establish one new full-time Grant Writer position effective April 1, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #40 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

Clerk's Note Agenda Item #41 RE: EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY – **was pulled**

Clerk's Note Agenda Item #42 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per recommendation of Hays County Fire Marshall, the Burn Ban will remain lifted. Commissioner Ingalsbe advised that citizens should not be conducting outdoor burning during Red Flag Alert Days, even if we are not in a Burn Ban. Commissioner Whisenant also noted that citizens should not be burning anything after sundown. For more information on the do's and don'ts regarding outdoor burning please refer to our County website at the following address: <http://www.co.hays.tx.us/fire-marshall.aspx>

Clerk's Note Agenda Item #44 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:36 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 March 20, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 27TH DAY OF MARCH A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident, Rodrigo Amaya, San Marcos resident made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller gave the Hays County Service Awards. 5- ears Amber New Auditor s Office, Paul Mooney Sheriff s Office, 10- ears Joan Darlene Howard District Clerk s Office, Billy Joe Milton Gepphart Recycling, Sean R. Schuelk Sheriff Office, 20- ears Diana Gil Tax Office, 35- ears Syliva Flores Justice of the Peace Pct. 2 Office, Retirement James S. Dusek Sheriff Office

33484A ADOPT A PROCLAMATION RECOGNIZING APRIL 2018 AS SEXUAL ASSAULT AWARENESS MONTH

Maryl Johnson, Executive Director of Hays County Women s Center spoke and introduced Maggie Breed, phorensic interview from Roxanne s House and Dan O Brian board member of the Hays Caldwell Women s Center. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation recognizing April 2018 as Sexual Assault Awareness Month. All present voting "Aye". MOTION PASSED

33485A ADOPT A PROCLAMATION RECOGNIZING APRIL 2018 AS CHILD ABUSE AWARENESS & PREVENTION MONTH

Julia Ramsay New, Executive Director from Greater San Marcos outh Council spoke. Tricia Schneider Development Director of CASA spoke. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation recognizing April 2018 as Child Abuse Awareness & Prevention Month. All present voting "Aye". MOTION PASSED

33486A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,112,193.77 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #5 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33487A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$15,623.28 and United Healthcare claims in the amount of \$252,984.13 as presented by the County Auditor. All present voting "Aye". MOTION PASSED



33488A APPROVE COMMISSIONERS COURT MINUTES OF MARCH 20, 2018

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of March 20, 2018 as presented by the Hays County Clerk. All present voting "Aye". MOTION PASSED

33489A APPROVE THE PAYMENT OF THE MARCH 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE MARCH 30, 2018 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 Whisenant to approve the payment of the March 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective March 30, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33490A APPROVAL TO DISPOSE OF ITEMS THAT DID NOT SELL IN PREVIOUS AUCTIONS IN ACCORDANCE WITH LGC 263.152 (A) (3)

Staff is seeking approval to dispose of items that were included in previous auctions that did not sell. The Purchasing Manager has researched options for disposal methods as recommended on the attachment. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve to dispose of items that did not sell in previous auctions in accordance with LGC 263.152 (a) (3). All present voting "Aye". MOTION PASSED

33491A APPROVE UTILITY PERMITS

Permit Road Name Utility 1068 Yarrington Road CenterPoint Energy (gas line). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permit #1068 Yarrington Road issued to CenterPoint Energy (gas line). All present voting "Aye". MOTION PASSED

33492A ACCEPT THE 2017 WIMBERLEY FIRE-HAYS COUNTY ESD #4 AUDIT REPORT

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the 2017 Wimberley Fire-Hays County ESD #4 Audit Report. All present voting "Aye". MOTION PASSED

33493A APPROVAL TO AWARD RFP 2018-P11 COUNTYWIDE LAWN & LANDSCAPE SERVICES TO PURVIS LAWN & LANDSCAPE AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAME

Josh Paselk resident of San Marcos made public comment. Chief of Staff, Clint Garza spoke. Nicholas Purvis of Purvis Lawn & Landscape spoke. Purchasing received 11 proposals from Olympia Landscape Development, Diamondback Landscaping, Texscape Services, Purvis Lawn & Landscape, Maldonado Nursery, Hays Co. Organic Lawn & Landscape, Yellowstone Landscapes, Corridor Landscaping, Tommy Norris, Pendleton Excavation, and Robert Rodriguez (Bobo Construction). After evaluation and scoring of the proposals by staff, it is recommended that contract award be made to Purvis Lawn & Landscape. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approval to award RFP 2018-P11 Countywide Lawn & Landscape Services to Purvis Lawn & Landscape and authorize the County Judge to execute same. All present voting "NO". MOTION NOT PASSED

33494A AUTHORIZE PAYMENT TO WINGATE BY WYNDHAM FOR THE DISTRICT ATTORNEY'S OFFICE RELATED TO WITNESS EXPENSES IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Harvey Jenkins resident of San Marcos made public comment. Dan Lyon resident of San Marcos made public comment. Sheriff's Office Captain Mark Cumberland spoke. The District Attorney's Office secured a room for a witness in which no purchase order was obtained per County Purchasing Policy. The testimony for the witness was extended, therefore the office staff was not aware that additional time was needed and did not obtain the purchase order. Funds are budgeted in the DA operating budget for this expense. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Wingate by Wyndham for the District Attorney's Office related to witness expenses in which no purchase order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33495A APPROVE OUT OF STATE TRAVEL FOR EVIDENCE SUPERVISOR, RENEE LUNA TO ATTEND THE BLOODSTAIN PATTERN TRAINING IN EVANSTON, ILLINOIS



Harvey Jenkins resident of San Marcos made public comment. Captain Mark Cumberland spoke. Out of state travel is needed to send Ms. Renee Luna to attend the Blood Stain Evidence course in Evanston, IL on May 7-11, 2018. This training is a 40 hour course that will provide Ms. Luna updated information regarding blood stain pattern identification and analysis. Ms. Luna will also be given techniques on documentation and reconstruction related to stains and patterns with blood trauma. As part of this training Ms. Luna will be able to demonstrate skills learned, by participating in hands on projects and will have the opportunity to network with other professionals in this field. Registration and travel fees will be paid out of the Sheriff's Office Continuing Education general ledger. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve out of state travel for Evidence Supervisor, Renee Luna to attend the Bloodstain Pattern training in Evanston, Illinois. All present voting "Aye". MOTION PASSED**

33496A AUTHORIZE PAYMENT TO GRIFFITH FORD FOR THE CONSTABLE PRECINCT 3 OFFICE RELATED TO VEHICLE REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

Harvey Jenkins resident of San Marcos made public comment. The Constable Pct. 3 Office had necessary vehicle repairs completed and did not obtain the purchase order. Funds are budgeted in the Constable's operating budget for this expense. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Griffith Ford for the Constable Precinct 3 Office related to vehicle repairs in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33497A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS A&M AGRILIFE EXTENSION SERVICES, WILDLIFE SERVICES PROGRAM FOR COUNTY FERAL HOG ABATEMENT

Dan Lyon resident of San Marcos made public comment. Chief of Staff Clint Garza spoke. The County Feral Hog Abatement Grant is designed to encourage counties across the State of Texas to make a concentrated and coordinated effort to reduce the feral hog population and the damage caused by these animals throughout the year. Hays County will participate in a co-managed, regional feral hog abatement effort with cooperating counties including, Caldwell and Guadalupe. The total project cost \$15,600.00 with a \$1,250 contribution from the county for the bounty program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Texas A&M AgriLife Extension Services, Wildlife Services program for County Feral Hog Abatement. All present voting "Aye". MOTION PASSED**

33498A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR THE TEXAS CONVERSION TO THE NATIONAL INCIDENT- BASED REPORTING SYSTEM (NIBRS)

Uniform Crime Reporting gathers crime data from law enforcement agencies for statistical analysis. Currently, there are two distinct methods for reporting data: the original model built in 1927, known as Summary Reporting System (SRS) and Incident Reporting, known as National Incident-Based Reporting System (NIBRS). In comparing the two data collection methodologies, it is readily apparent that NIBRS provides a deeper, richer data set. Summary Reporting tallies eight offenses, also known as the index crimes, as well as arrests made and property stolen. Incident Reporting collects data on 24 offense types comprised of 52 distinct offenses and agencies report based upon the specific incident that includes data related not only to offenses and arrests, but also to location, victim and offender data, etc. House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by September 1, 2019. In addition the FBI has announced that it will discontinue its support of Summary Reporting System for crime statistics and fully transition to NIBRS data collection methodology by January 1, 2021. Currently, the CAD and RMS are through different providers. It is the desire of staff to have a CAD and RMS from the same provider. A new CAD system has been requested in the grant application along with upgrades to the current RMS to comply with House Bill 11 requirements. The grant application is due on April 2 through the Office of the Governor egrants site. The total project cost is \$1,995,548 with no match requirement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Office of the Governor, Criminal Justice Division, for the Texas Conversion to the National Incident- Based Reporting System (NIBRS). All present voting "Aye". MOTION PASSED**

33499A AUTHORIZE PAYMENT TO CREDIT CARD SERVICES FOR VETERAN'S MENTAL WELLNESS PROGRAMS APPROVED BY THE TEXAS VETERAN'S COMMISSION UTILIZING GRANT FUNDS IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

The Texas Veterans Commission Agency has approved grant funding for Veterans to participate in mental wellness programs. Benefits for this type of program are as follows: 5 Veterans were referred to have one or more of the following symptoms related to their military service/deployments: Post-Traumatic Stress Disorder (PTSD)/Anxiety, Alcohol/Drug Abuse, Depression, Sleep Disorder, Physical Injuries sustained during military service. At the time of service, no purchase order was obtained. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Credit Card Services for**



eteran's mental wellness programs approved by the Texas eteran's Commission utilizing grant funds in which no purchase order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33500A APPROVE EXECUTION OF A LETTER AGREEMENT BETWEEN HAYS COUNTY, ROGERS DESIGN SERVICES ("RDS"), AND WSB & ASSOCIATES, INC. ("WSB"), ASSIGNING THE TERMS AND CONDITIONS OF PROFESSIONAL SERVICES AGREEMENTS BETWEEN HAYS COUNTY AND RDS ON US 290 (AT TRAUTWEIN ROAD) AND RM 967 (WEST OF FM 1626) TO WSB

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve execution of a Letter Agreement between Hays County, Rogers Design Services (RDS), and WSB & Associates, Inc.(WSB), assigning the terms and conditions of Professional Services Agreements between Hays County and RDS on US 290 (at Trautwein Road) and RM 967 (West of FM 1626) to WSB. All present voting "Aye". MOTION PASSED

33501A AUTHORIZE THE COURT TO VOID WORK AUTHORIZATION #1 AND EXECUTE WORK AUTHORIZATION #2 FOR PRELIMINARY ENGINEERING STUDY SERVICES WITH BINKLEY & BARFIELD, INC. FOR THE WINDY HILL ROAD CORRIDOR PROJECT IN PRECINCT 2 AS CONTEMPLATED IN THE VOTER APPROVED 2016 BOND ELECTION AND AMEND THE BUDGET ACCORDINGLY

The Windy Hill Road engineering study design services will be paid with Road & Bridge budget with an ILA being developed with the City of Kyle for their 25 portion of the project costs (based on extended limits per City of Kyle's request). The phased construction program is proposed to be paid out of the 2016 Road Bond Safety and Mobility Projects-County and State System \$10M line-item. The intent of this WA #2 is to replace WA #1 that was approved and included in the approved Professional Service Agreement from January 16, 2018. Budget Amendment: Funds will be moved from the Road & Bridge Operating Budget to the project cost center. Increase Windy Hill Cost Center: 020-710-96-649.5621_400. Decrease Operating Contract Consulting: 020-710-00.5448_008. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Court to void Work Authorization #1 and execute Work Authorization #2 for preliminary engineering study services with Binkley & Barfield, Inc. for the Windy Hill Road Corridor project in Precinct 2 as contemplated in the voter approved 2016 Bond election and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33502A ACCEPTANCE OF THE LETTER OF CREDIT (LOC) #5553822 FOR \$27,000.00 FOR A 1-YEAR MAINTENANCE PERIOD FOR THE ROAD AND DRAINAGE AREAS IN COACHMAN SUBDIVISION AS IT AWAITS ANNEXATION BY THE CITY OF SAN MARCOS

Transportation Director, Jerry Borcharding spoke and gave staff recommendation. Staff was not included in the construction process for this subdivision as plans were in place for the City of San Marcos to annex the property. However, the County needs to accept the Letter of Credit for a 1-year maintenance period until then as the property is currently within Hays County jurisdiction. The road includes: Coachman Drive (approx. 520 ft.). A motion was made by Commissioner Shell seconded by Commissioner Whisenant to accept the Letter of Credit (LOC) #5553822 for \$27,000.00 for a 1-year maintenance period for the road and drainage areas in Coachman Subdivision as it awaits annexation by the City of San Marcos. All present voting "Aye". MOTION PASSED

33503A SUB-677; LA CIMA PH 1 SUBDIVISION (139 LOTS). DISCUSSION AND POSSIBLE ACTION TO ACCEPT AMENDMENT NO. 002 TO LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PH 1, REDUCING THE AMOUNT FROM \$725,458.90 TO \$272,254.10

Transportation Director, Jerry Borcharding spoke and gave staff recommendation. La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is partially complete. The amendment will release \$453,204.80 back to the developer. The remaining amount is sufficient to complete the improvements, which have not yet been constructed. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept SUB-677; La Cima PH 1 Subdivision (139 Lots) Amendment No. 002 to Letter of Credit No 5132 for street and drainage improvements for La Cima PH 1, reducing the amount from \$725,458.90 to \$272,254.10. All present voting "Aye". MOTION PASSED

33504A SUB-979; DELLANA SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT

Hays County Planner, Caitlyn Strickland spoke and gave staff recommendation. Dellana is a proposed 2 lot subdivision located along Mt Sharp Rd. in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSFs. A motion was made by Commissioner Shell,



seconded by Commissioner Whisenant to approve the final plat of SUB-979; Dellana Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33505A SUB-982; DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 705.4.02 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS TO WAIVE THE FEES FOR THE REVISED PRELIMINARY PLAN OF HIGHPOINTE PHASE 1 SECTION 3

Hays County Planner, Caitlyn Strickland spoke. Highpointe is a master planned community located off of Sawyer Ranch Road in Precinct 4. The developer is revising the Phase 1 Section 3 preliminary for minor changes to road configurations and the addition of 13 lots. The developer is requesting that the fees are waived, except for the additional new lots that are added. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a variance from chapter 705.4.02 of the Hays County Development Regulations to waive the fees for the revised preliminary plan of Highpointe Phase 1 Section 3 SUB-982. All present voting "Aye". MOTION PASSED**

33506A NAME A PRIVATE DRIVEWAY IN PRECINCT 1, PARKERS POND PATH

Chief of Staff, Clint Garza spoke. The owners of property located off S Old Bastrop Hwy in Precinct 1, would like to name their private driveway, Parkers Pond Path. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to name a private driveway in Precinct 1, Parkers Pond Path. All present voting "Aye". MOTION PASSED**

33507A ACCEPT THE FISCAL YEAR 2017 HAYS COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AS AUDITED BY ABIP, PC CERTIFIED PUBLIC ACCOUNTANTS

Janet Pitman, CPA of ABIP, PC spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the Fiscal Year 2017 Hays County Comprehensive Annual Financial Report (CAFR) as audited by ABIP, PC Certified Public Accountants. All present voting "Aye". MOTION PASSED**

33508A AUTHORIZE EXECUTION OF A LICENSE AGREEMENT RELATED TO THE ESTABLISHMENT OF DEMONSTRATION GARDENS AND EDUCATIONAL EXHIBIT BY THE HAYS COUNTY MASTER GARDENERS AT THE JACOB'S WELL NATURAL AREA

Commissioner Shell spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a License Agreement related to the establishment of demonstration gardens and educational exhibit by the Hays County Master Gardeners at the Jacob's Well Natural Area. All present voting "Aye". MOTION PASSED**

33509A EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS COUNTY AND HAYS COUNTY EMERGENCY SERVICES DISTRICT #4 (WIMBERLEY FIRE) FOR THE REPAIR OF AN EXISTING WATER TANK LOCATED IN PRECINCT 3 AND AMEND THE BUDGET ACCORDINGLY

Commissioner Shell spoke. In return for Hays County's access to water, on an as-needed basis, and occasional use of the property on which the tank is located, Hays County has agreed to provide \$18,000 toward the cost of repairing the existing water tank, which is located north of Wimberley in Precinct 3. Budget Amendment: Increase 020-710-00.5600 Project Contribution. Decrease 020-710-00.5351 Road Materials and Supplies. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve execution of an Interlocal Funding Agreement between Hays County and Hays County Emergency Services District #4 (Wimberley Fire) for the repair of an existing water tank located in Precinct 3 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33510A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HALFF AND ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO DRAINAGE ISSUES IN THE LEISUREWOODS, COVES OF CIMARRON, CIMARRON PARK, AND OXBOW TRAILS SUBDIVISIONS LOCATED IN PRECINCT 2; AMEND THE BUDGET ACCORDINGLY

Commissioner Jones spoke. Halff Associates, Inc., will develop a 2-Dimensional model of the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails neighborhood. During the FEMA physical map revision for the Austin-Travis Lakes Basin, the riverine floodplains along the Little Bear Creek Tributary 1A and Garlic Creek Tributary 1 were revised. There appears to be some riverine flooding from these creeks, however the main drainage issues in these neighborhoods result from inadequate localized drainage networks. A 2D analysis is recommended to capture the dynamic nature of overland flows that traditional hydrologic and hydraulic models do not capture. The analysis will identify the areas of risk and propose mitigation projects to reduce the risk. This



analysis will also be utilized for future grant opportunities including the Hazard Mitigation Grant Program. Budget Amendment: Increase Contract Consulting .5448_008. Decrease Materials .5351. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement with Halff and Associates, Inc. for engineering services related to drainage issues in the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails subdivisions located in Precinct 2; amend the budget accordingly. All present voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:51a.m. and reconvened into open court at 10:54a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley and Director of Transportation Jerry Borcharding. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 10:54a.m. and reconvened into open court at 11:52a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, Director of Transportation Jerry Borcharding and Alex Flores. No action taken.

CLERK'S NOTE AGENDA ITEM #32 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

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave the update. Per recommendation of Hays County Fire Marshall, the Burn Ban will remain lifted.

CLERK'S NOTE AGENDA ITEM #34 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW– was pulled

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:57 a.m.

I, LIZ Q. GONZALEZ, 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 March 27, 2018.



Liz Q. Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 3RD DAY OF APRIL A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
OSCAR MEJIA JR	DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Vilma Resendiz, Pentecostal Church gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident, Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, and Craig Young, Wimberley resident made public comments.

33511A ADOPT A PROCLAMATION RECOGNIZING APRIL 3, 2018 AS NATIONAL SERVICE RECOGNITION DAY

A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a Proclamation recognizing April 3, 2018 as National Service Recognition Day. All present voting "Aye". MOTION PASSED

33512A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$1,032,119.69 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33513A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror Checks in the amount of \$696.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33514A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of Humana Claims in the amount of \$0.00 and United Healthcare Claims in the amount of \$256,226.29 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33515A APPROVE COMMISSIONERS COURT MINUTES OF MARCH 27, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of March 27, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33516A AUTHORIZE COMMERCIAL OSSF PERMIT AT 3600 BELL SPRINGS ROAD, DRIPPING SPRINGS, TEXAS 78620

BSR DSTX 2017 LLC is proposing an OSSF to serve the Lucky Arrow Retreat located at 3600 Bell Springs Road. This system will serve an event center, which will accommodate up to 100 daily customers, lodging for another 41 cabins, an office, a bath house, and an existing house. This 15.01-acre tract of land will be served by a public water well. The system designer, Derrick Lormand, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 4400 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize



Commercial OSSF Permit at 3600 Bell Springs Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33517A ACCEPT A DONATION TOTALING \$600.00 TO THE SHERIFF'S OFFICE COMMUNITY OUTREACH DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office Community Outreach Division received 6 donations totaling \$600 from members of the Radha Madhav Dham Temple. The members request to have donations used for the following programs. Junior Deputy Academy \$300 Sunshine Kids \$150 Citizen's Academy \$150 Budget Amendment: Special Projects Fund Increase 052-618-00.4610 Contributions \$600.00 Increase 052-618-00.5222 Crime Prevention \$600.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept a donation totaling \$600.00 to the Sheriff's Office Community Outreach Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33518A APPROVE OUT OF STATE TRAVEL FOR THE ELECTIONS ADMINISTRATOR TO ATTEND THE CERA (CERTIFIED ELECTION/REGISTRATION ADMINISTRATORS) CONFERENCE IN LOUISIANA

Dan Lyon, a resident of San Marcos and Harvey Jenkins, a resident of San Marcos spoke. Election Administrator has been attending CERA (Certified Election/Registration Administrators), which is a national program for Elections Administrators, and has completed the first 8 classes. In order to graduate next year, she will have to attend their national conference as an attendee this year. The conference is being held in New Orleans this year on August 27-29. They only hold one conference per year. It was in San Antonio two years ago, and isn't planned to come back to Texas anytime soon at this point. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for the Elections Administrator to attend the CERA (Certified Election Registration Administrators) Conference in Louisiana. All present voting "Aye". MOTION PASSED**

33519A APPROVAL TO AWARD IFB 2018-B05 ROAD IMPROVEMENTS - HOT MIX OVERLAY TO ALPHA PAVING INDUSTRIES, LLC AND AUTHORIZE THE EXECUTION OF CONTRACT DOCUMENTS

Purchasing received 5 bids from Alpha Paving Industries, LLC, Lone Star Paving, Austin Materials, LLC, Clark Construction Company of Texas, Inc. and Angel Brothers Enterprises. Staff recommends award of a contract to Alpha Paving Industries, LLC. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to award IFB 2018-B05 Road Improvements Hot Mix Overlay to Alpha Paving Industries, LLC and authorize the execution of Contract documents. All present voting "Aye". MOTION PASSED**

33520A AUTHORIZE THE EXECUTION OF A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND COSTELLO, INC. FOR DRAINAGE IMPROVEMENTS ALONG FM 2770 IN PRECINCT 2

As provided in the Professional Services Agreement, Costello, Inc. has requested an extension to complete the culvert drainage improvements of FM2770. The extension will allow additional working days, extending the project completion to 7/4/18. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Second Amendment to the Professional Services Agreement between Hays County and Costello, Inc. for drainage improvements along FM 2770 in Precinct 2. All present voting "Aye". MOTION PASSED**

33521A APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT DAVID BURNS, CAPTAIN MARK CUMBERLAND, AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS CLINT GARZA TO ATTEND THE NAFA FLEET MANAGEMENT ASSOCIATION 2018 INSTITUTE AND EXPO IN ANAHEIM, CA BEGINNING APRIL 24-27 AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon, a resident of San Marcos, Rodrigo Amaya, a resident of San Marcos, and Harvey Jenkins, a resident of San Marcos spoke. The Sheriff's Office is requesting out of state travel to send Captain Cumberland, Lieutenant Burns and Executive Director of Countywide Operations Clint Garza to attend the NAFA 2018 Institute and Expo in Anaheim, CA beginning April 24-27, 2018. The expo will provide information regarding fleet management, the latest technology, new vehicle updates, and advancements in providing the safest vehicles on the road. Total cost to send all three employees is an estimated \$10,800; funding of \$7,320 for Captain Cumberland and Lieutenant Burns will be expensed from the Sheriff's Drug Forfeiture Fund. Director Garza has



agreed to use approximately \$1,250 from his county budget; the remaining expense of \$2,230 will be paid from the Sheriff's Office Continuing Ed g/l. Budget Amendment: Sheriff Drug Forfeiture Fund, 053-618-00.5362 Criminal Investigation (\$7,300) 053-618-00.5501 Travel \$7,300. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Lieutenant David Burns, Captain Mark Cumberland, and Executive Director of Countywide Operations Clint Garza to attend the NAFA Fleet Management Association 2018 Institute and Expo in Anaheim, CA beginning April 24-27 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33522A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 98 REBEL DR, BUDA, TX, 78610

Hays County Holdings, LLC is proposing an OSSF to serve two warehouses with ten employees and no public restroom. The type of business will be an HVAC business. This site is located in Possum Trot Park Subdivision and lies outside the City of Buda. Water will be supplied by a public water supply. The system designer, John Haag, PE, has designed a system, which consists of a 500 gallon equalization tank and an aerobic treatment unit with dispersal by surface application. The maximum daily usage rate is 40 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 98 Rebel Dr., Buda, TX, 78610. All present voting "Aye". MOTION PASSED**

33523A AMEND THE COUNTY COURT AT LAW TEXAS VETERAN'S COMMISSION (TVC) GRANT BUDGET RELATED TO VETERAN'S SERVICES OPERATING EXPENDITURES AND CONTINUING EDUCATION FOR VETERAN'S COURT STAFF

The TVC Office has authorized a budget adjustment for the veteran's program for court staff to attend the National Drug Court Professionals conference in Houston Texas in May as well as expenditures for a color printer and telephone expenses. No County matching funds are needed. Budget Amendment: Increase Telephone .5489 - \$437 Increase Cont. Ed .5551 - \$2,513 Increase Comp Eqpt .5712_400 - \$2,487 Decrease Staff Salaries .5021 - (\$3,250) Decrease Fringe .5101 - (\$678) Decrease Supplies .5211 - (\$1,509). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the County Court at Law Texas Veteran's Commission (TVC) Grant Budget related to Grant Budget related to Veteran's Services Operating Expenditures and Continuing Education for Veteran's Court Staff. All present voting "Aye". MOTION PASSED**

33524A AMEND THE COUNTY COURT AT LAW CRIMINAL JUSTICE DIVISION (CJD) GRANT BUDGET RELATED TO VETERAN'S SERVICES CONTINUING EDUCATION EXPENDITURES FOR VETERAN'S COURT STAFF

The CJD Division has authorized a budget adjustment for the veteran's program for seven court staff to attend the National Drug Court Professionals conference in Houston Texas in May. No County matching funds are needed. Budget Amendment: Increase Cont. Ed .5551 - \$9,057 Decrease Insurance .5160_400 - (\$9,057). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the County Court at Law Criminal Justice Division (CJD) Grant Budget related to Veteran's Services Continuing Education Expenditures for Veteran's Court Staff. All present voting "Aye". MOTION PASSED**

33525A RATIFY THE EXECUTION OF THE RESOLUTION FOR THE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TEXAS CONVERSION TO THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS)

Uniform Crime Reporting gathers crime data from law enforcement agencies for statistical analysis. Currently, there are two distinct methods for reporting data: the original model built in 1927, known as Summary Reporting System (SRS) and Incident Reporting, known as National Incident-Based Reporting System (NIBRS). In comparing the two data collection methodologies, it is readily apparent that NIBRS provides a deeper, richer data set. Summary Reporting tallies eight offenses, also known as the index crimes, as well as arrests made and property stolen. Incident Reporting collects data on 24 offense types comprised of 52 distinct offenses and agencies report based upon the specific incident that includes data related not only to offenses and arrests, but also to location, victim and offender data, etc. House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by September 1, 2019. In addition the FBI has announced that it will discontinue its support of Summary Reporting System for crime statistics and fully transition to NIBRS data collection methodology by January 1, 2021. Currently, the CAD and RMS are through different providers. It is the desire of staff to have a CAD and RMS from the same provider. A new CAD system has been requested in the grant application along with upgrades to the current RMS to comply with House Bill 11 requirements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to ratify the execution of the Resolution for the Grant Application**



to the Office of the Governor, Criminal Justice Division, Texas Conversion to the National Incident-Based Reporting System (NIBRS). All present voting "Aye". MOTION PASSED

33526A RATIFY THE PURCHASE OF A 3.5-TON SEER SPLIT HEATING AND COOLING SYSTEM FOR THE TRANSPORTATION DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

On 2/27/18 the Commissioner's Court authorized the Transfer Station to purchase a replacement heating and cooling system for the Driftwood location. At the time the Facilities Manager identified this to be a unit for the Transfer Station, however, it has since been discovered that the unit is for the Driftwood Road yard. The unit has been received and installed by SI Mechanical the vendor under contract for HVAC issues and the invoice has been presented for payment. Funds should be identified in the Transportation Budget for this capital expenditure, not the Building Maintenance budget. This amendment will move the necessary funds within the Transportation budget to cover this expense, and reverse the previous budget amendment in the Building Maintenance budget that is no longer needed. Budget Amendment: Increase Building Maintenance and Repair 001-695-00.5451 Decrease Transfer Station Misc. Equipment_Operating 001-716-00.5719_400 Decrease Transportation Road Materials 020-710-00.5351 Increase Transportation Misc. Equipment Operations 020-710-00.5719_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to ratify the purchase of a 3.5-ton SEER Split Heating and Cooling System for the Transportation Department and amend the Budget accordingly. All present voting "Aye". MOTION PASSED**

33527A AUTHORIZE EXECUTION OF A FIRST AMENDMENT TO THE HAYS COUNTY INDIGENT CARE AFFILIATION AGREEMENT BETWEEN HAYS COUNTY AND SETON FAMILY OF HOSPITALS

Commissioner Shell, General Counsel, Mark Kennedy, Matt Gilbert, Consultant for Seton Family Hospitals, and Parker Pridgen, CFO of CTMC spoke. This amended Affiliation Agreement will allow more latitude in the hospitals' efforts to attain Medicaid funding for the Medicaid population of the County and to access local and federal funding to which the Hospital is entitled under the Section 1115 Demonstration Waiver for the Texas Healthcare Transformation and Quality Improvement Program. As the Court already knows, reductions in reimbursement under the Medicaid program and the growing uninsured population have created a gap between the costs the Hospital incurs for treating Medicaid patients and the Indigent and the reimbursement the Hospital actually receives. The multiplication of local dollars through an Intergovernmental Transfer (IGT) associated with the Waiver Program ensures that the hospitals with which Hays County is affiliated will come closer to bridging that gap between costs and Medicaid funding. Seton Family of Hospitals wishes to add two of their hospitals to the Agreement. The attached amendment affiliates Dell Children's Medical Center, a facility in Austin, Texas, and Seton Highland Lakes, a facility in Burnet, Texas, to help allocate some of the UC funds being held by Hays County, which were received from the Seton Family of Hospitals, in upcoming IGTs. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a First Amendment to the Hays County Indigent Care Affiliation Agreement between Hays County and Seton Family of Hospitals. All present voting "Aye". MOTION PASSED**

33528A APPROVE SPECIFICATIONS FOR RFQ 2018-P15 RELATED TO BOND COUNSEL SERVICES AND AUTHORIZE THE AUDITOR'S OFFICE TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Specifications for RF 2018-P15 related to Bond Counsel Services and authorize the Auditor's Office to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED**

33529A AUTHORIZE THE ORDER OF A DODGE CARAVAN FOR THE JUVENILE PROBATION DEPARTMENT AS A PART OF THE FY'18 VEHICLE LEASE PROGRAM

On 10-3-2017, Commissioners Court approved a recommendation on quantities and types of vehicles for the FY'18 lease program. At the time, the approved budget included funds for 1 - 2018 Ford Fusion and 1 - 2018 Dodge Caravan. An additional Dodge Caravan would better meet the transportation needs of the Juvenile Probation Department. The 2018 Ford Fusion will be transferred to another department already approved in the FY'18 budget process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Order of a Dodge Caravan for the Juvenile Probation Department as a part of the FY 18 Vehicle Lease Program. All present voting "Aye". MOTION PASSED**

33530A APPROVAL TO REJECT ALL PROPOSALS RECEIVED RELATED TO RFP 2018-P11 COUNTYWIDE LAWN & LANDSCAPE SERVICES



Nicholas Purvis, a New Braunfels resident spoke. As stated in the RFP documents, Hays County reserves the right to accept or reject any and/all proposals as it shall deem to be in the best interest of Hays County. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approval to reject all Proposals received related to RFP 2018-P11 Countywide Lawn & Landscape Services. All present voting "Aye". MOTION PASSED**

33531A ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR GREAT HILLS SUBDIVISION, SECTION 4

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. A maintenance bond was not issued by the contractor for this project, so the County does not need to release anything. The roads include: Boxcar Path (1,170 ft.), Depot Drive (538 ft.), Fiat Court (155 ft.), and a segment of Railyard Drive (1,067 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the roads into the County Road Maintenance System for Great Hills Subdivision, Section 4. All present voting "Aye". MOTION PASSED**

33532A RELEASE THE MAINTENANCE BOND #0685942 FOR \$43,000.00, AND ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR GREAT HILLS SUBDIVISION, SECTION 5

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. The roads include: Duchess Pass (1,416 ft.), Marley Way (412 ft.), Jimmy Court (327 ft.), Storm Court (296 ft.), and a segment of Railyard Drive (337 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release the Maintenance Bond #0685942 for \$43,000.00 and accept the roads into the County Road Maintenance System for Great Hills Subdivision, Section 5. All present voting "Aye". MOTION PASSED**

33533A RELEASE THE MAINTENANCE BOND #006119 FOR \$167,324.00, AND ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SUNFIELD SUBDIVISION, PHASE 2, SECTION 3

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of this segment of road into the county maintenance system. This road segment is 1,064 feet in length that we requested an additional year of maintenance from the contractor. The road segment includes: Sunbright Boulevard (1,064 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to release the Maintenance Bond #006119 for \$167,324.00 and accept the roads into the County Road Maintenance System for Sunfield Subdivision, Phase 2, Section 3. All present voting "Aye". MOTION PASSED**

33534A ABANDON A PORTION OF CR # 208 IN PRECINCT 4 OF HAYS COUNTY PURSUANT TO SECTION 251.057 OF THE TEXAS TRANSPORTATION CODE

Commissioner Whisenant, and General Counsel, Mark Kennedy spoke. This portion of CR #208, was not formally abandoned when the Commissioners Court closed the CR #208 Union Pacific Railroad crossing to through traffic on June 7, 1993. This portion of the road continues to exist as a paper street although the county does not maintain the road and is closed off by gates. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to abandon a portion of CR #208 in Precinct 4 of Hays County pursuant to Section 251.057 of the Texas Transportation Code. All present voting "Aye". MOTION PASSED**

33535A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION/SUBDIVISION BOND #E235960 IN THE AMOUNT OF \$248,827.25, AND ACCEPT THE 2-YEAR MAINTENANCE BOND #CA2370398 IN THE AMOUNT OF \$74,231.70 FOR WINDY HILL 24 AC SUBDIVISION

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond and engineer's concurrence letter has been received. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept Road Construction and Drainage Improvements, release the Construction Subdivision Bond #E235960 in the amount of \$248,827.25, and accept the 2-Year Maintenance Bond #CA2370398 in the amount of \$74,231.70 for Windy Hill 24 ac. Subdivision. All present voting "Aye". MOTION PASSED**



**33536A SUB-901; REPLAT OF LOT 14, HIGHLANDS SECTION A SUBDIVISION
APPROVE FINAL PLAT; HOLD PUBLIC HEARING**

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Hays County Planner, Marcus Pacheco, gave staff recommendation. Highlands Section A Subdivision is a recorded subdivision located off of Alpine Trail in Precinct 4. The proposed re-plat will divide the original 15.19 acre Lot 14 tract into two tracts. Water service will be provided by private wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve final plat for SUB-901 Replat of Lot 14, Highlands Section A Subdivision. All present voting "Aye". MOTION PASSED**

**33537A APPROVE A PRELIMINARY HAYS COUNTY BUDGET CALENDAR FOR
FISCAL YEAR 2019**

County Auditor, Marisol Villarreal-Alonzo spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Preliminary Hays County Budget Calendar for Fiscal Year 2019. All present voting "Aye". MOTION PASSED**

**33538A AUTHORIZE EXECUTION OF AN INDIGENT CARE AFFILIATION
AGREEMENT BETWEEN HAYS COUNTY AND ROLLINS BROOK
COMMUNITY HOSPITAL**

Commissioner Shell, General Counsel, Mark Kennedy, Matt Gilbert, Consultant for Seton Family Hospitals, and Parker Pridgen, CFO of CTMC spoke. This additional Affiliation Agreement will allow more latitude in the hospitals' efforts to attain Medicaid funding for the Medicaid population of the County and to access local and federal funding to which the Hospital is entitled under the Section 1115 Demonstration Waiver for the Texas Healthcare Transformation and Quality Improvement Program. As the Court already knows, reductions in reimbursement under the Medicaid program and the growing uninsured population have created a gap between the costs the Hospital incurs for treating Medicaid patients and the Indigent and the reimbursement the Hospital actually receives. The multiplication of local dollars through an Intergovernmental Transfer (IGT) associated with the Waiver Program ensures that the hospitals with which Hays County is affiliated will come closer to bridging that gap between costs and Medicaid funding. Rollins Brook Community Hospital is an affiliate of the Adventist Hospitals. On request of Central Texas Medical Center and the Adventist Health System, the attached agreement affiliates Rollins Brook Community Hospital, a facility in Lampasas, Texas, to help allocate some of the UC funds being held by Hays County, which were received from the Adventist System, in upcoming IGTs. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of an Indigent Care Affiliation Agreement between Hays County and Rollins Brook Community Hospital. All present voting "Aye". MOTION PASSED**

**33539A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 01 BETWEEN
HAYS COUNTY AND PERFORMANCE SERVICES INC. (PSI) FOR
ADDITIONAL WORK UNDER THE EXISTING ENERGY SAVINGS
PERFORMANCE CONTRACT AND AMEND THE BUDGET ACCORDINGLY**

Dan Lyon, a resident of San Marcos, and Harvey Jenkins, a resident of San Marcos and Director of Countywide Operations, Clint Garza spoke. Performance Services, Inc. was selected through a formal RFQ process in 2016 for the County Wide Energy Efficiency Project. Contract amendments are allowable up to 25% of the total award. Change Order No. 1 will increase the contract by 5.67%. Change Order No. 01: Replace the existing 10 ton AAON unit with a new, high efficiency 10 ton unit at the Arrington Building. \$35,787 HVAC Optimization of all Government Center units with the exception of unit RTU-7. The Optimization will address inefficient cooling and heating, excessive compressor failure, supply temperature control issues, and low airflow issues. \$732,185 Remove from the PPF Funded projects the proposed 210 kWdc solar PV system to be installed on the roof of the new fleet maintenance building adjacent to the Hays County Jail. (\$448,800) Attachment: PSI Change Order No. 1 Savings within the County Wide Operations budget have been identified to fund the difference needed for CO No1. Budget Amendment: Decrease County Wide Operations Misc. Capital Improvements - 001-712-00.5741 Increase Building Maintenance Misc. Capital Improvements - 001-695-00.5741. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 01 between Hays County and Performance Services Inc. (PSI) for additional work under the existing Energy Savings Performance Contract and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #30 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE; CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – was pulled



33540A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE HAYS COUNTY SHERIFF'S OFFICE AND MATTERS RELATED TO THE RENOVATION AND EXPANSION OF THE HAYS COUNTY JAIL

Court convened into Executive session at 10:03 a.m. and reconvened into open court at 10:17 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Legal Support Services Specialist Janice Jones, Hays County Sheriff Gary Cutler, Capt. Julie Villalpando, and Shelby Eskew. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the Sheriff's Office proposed staffing structure for the Jail Expansion as presented utilizing salary savings. Adding the following new positions effective May 1, 2018: One (1) Lieutenant, One (1) Corrections Specialist, and Two (2) Corporals and Adding the following new positions effective June 1, 2018: Three (3) Corrections Officers and Two (2) Corrections Specialists. Proposed staffing fiscal impact for FY18 will be a remaining savings of \$40,413. All present voting "Aye". MOTION PASSED**

33541A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE HAYS COUNTY AUDITOR'S OFFICE

Court convened into Executive session at 10:42 a.m. and reconvened into open court at 11:34 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Hays County Auditor Marisol Villarreal-Alonzo, Assistant County Auditor Vickie Dorsett, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the Auditor's Office proposed re-organization as presented: Creating one new Internal Audit Manager position, Grade 117, Re-titling the Accounting Auditing Manager, Grade 117 to Accounting Manager Grade 117, Re-Titling the Administrative Assistant III, Grade 110 to Fixed Asset Accounting Specialist Grade 110. Proposed re-structure fiscal impact for FY18 will be a savings of \$2,513. All present voting "Aye". MOTION PASSED**

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 PURPLE MOUNTAIN AND PROJECT GOLDFISH

Court convened into Executive session at 10:19 a.m. and reconvened into open court at 10:37 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Legal Support Services Specialist, Janice Jones, Diane Torres-Blank, and Mike Kamerland, Greater San Marcos Partnership. No action taken.

Clerk's Note Agenda Item #34 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- was pulled

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshall, the Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning.

Clerk's Note Agenda Item #36 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. - was pulled

ADJOURNMENT

A motion was made by Commissioner Ingalsbe to adjourn court at 11:40 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 April 3, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10TH DAY OF APRIL A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Nahum Melendez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon San Marcos resident made public comment.

33542A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$966,998.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #2 RE: *APPROVE PAYMENTS OF JUROR CHECKS – was pulled*

33543A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of Humana Claims in the amount of \$0.00 and United Healthcare Claims in the amount of \$117,185.33 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33544A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 3, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of April 3, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33545A APPROVE THE PAYMENT OF THE APRIL 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE APRIL 13, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the April 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective April 13, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33546A AUTHORIZE COMMERCIAL OSSF PERMIT AT 500 VISTA WEST RANCH ROAD, DRIPPING SPRINGS, TEXAS 78620

Paola McKee is proposing an OSSF to serve the McKee Tipi Campground located at 500 Vista West Ranch Road. This system will serve a bath house that will be used by customers renting 10 tipis. This 10.907-acre tract of land will be served by a private water well. The system designer, Kyle DeHart, R.S., has designed a standard treatment system using flow equalization. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 200 gallons. A motion was made by Commissioner Whisenant,



seconded by Commissioner Jones to authorize Commercial OSSF Permit at 500 ista West Ranch Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33547A APPROVE SPECIFICATIONS FOR IFB 2018-B06 AUXILIARY SPILLWAY REPAIRS AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

General Counsel, Mark Kennedy spoke of post modification. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Specifications for IFB 2018-B06 Auxiliary Spillway Repairs and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

33548A APPROVE THE OCTOBER - DECEMBER 2017 TREASURER'S AND INVESTMENT REPORTS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the October December 2017 Treasurer s and Investment Reports. All present voting "Aye". MOTION PASSED

33549A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE AND MAINTAIN A STOCK OF AID AND RELIEF SUPPLIES FOR USE OF FIRST RESPONDERS DURING EMERGENCY INCIDENTS

The Hays County Community Emergency Response Team (CERT) is activated by Public Safety departments throughout the county to respond to emergency scenes and assist in supporting the first responders working the incident. Multiple responses trailers are staged throughout the county for easy deployment. These trailers house supplies for first responders such as bottled water, protein and granola bars, ice packs and cooling stations, and minor medical supplies. The quick deployment of these assets is imperative to the success of the event. No budget request is needed; operating funds will be utilized. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to purchase and maintain a stock of Aid and Relief Supplies for use of First Responders during emergency incidents. All present voting "Aye". MOTION PASSED

33550A AUTHORIZE THE EXECUTION OF AMENDMENT NUMBER 01 WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) PROGRAM

On February 6, 2018 the Commissioners Court authorized the submission of a grant application with the Department of State Health Services, Public Health Emergency Preparedness program. The Contract Amendment reflects a continuation to the current PHEP grant contract. This program will provide support for the salary and benefits for the Emergency Preparedness Coordinator and a portion of an epidemiologist's salary. The grant requirements include a 10 match which will be met through contributions from the health department operating funds. Funding is in the amount of \$122,790 and the grant term is July 1, 2018 - June 30, 2019. The contract will be signed electronically. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Amendment Number 01 with the Texas Department of State Health Services (DSHS) Public Health Emergency Preparedness (PHEP) Program. All present voting "Aye". MOTION PASSED

33551A AUTHORIZE THE CONSTABLE PRECINCT 1 OFFICE TO PURCHASE TWO (2) BULLET PROOF VESTS FOR DEPUTY CONSTABLES AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, San Marcos resident, Vickie Dorsett, Assistant County Auditor, David Peterson, Constable Pct. 1 spoke. The Constable has two new hires filling vacant slots that require a fitted Bullet Proof Vests for officer safety. Bullet Proof Vests are fitted per specific measurements of the officer, therefore, previous employee's vests are not usable. Funds have been identified in the Constable's operating budget and will be moved to the Department of Justice (DOJ) grant cost center which may provide 50 of the cost for the vests. Budget Amendment: Increase DOJ Grant 001-618-99-001.5717_400 - \$947 Decrease Constable 1 - 001-635-00.5717_400 - (\$947). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Precinct 1 Office to purchase two (2) Bullet Proof vests for Deputy Constables and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33552A APPROVAL TO AWARD IFB 2018-B04 WATER TREATMENT SYSTEM TO SI MECHANICAL, LLC; AUTHORIZE THE EXECUTION OF CONTRACT DOCUMENTS AND AMEND THE BUDGET ACCORDINGLY



General Counsel, Mark Kennedy spoke of address change for SI. Rodrigo Amaya, San Marcos resident spoke. Purchasing received 2 bids from B.A. Marbach Plumbing Services, Inc. and SI Mechanical, LLC. Staff recommends award of a contract to the lowest bidder SI Mechanical, LLC. Attachment: Bid Tabulation Funds were budgeted (\$175k) during the F 18 budget process for this project in County Wide Operations. Due to the complexity of this job, additional funds are required. Savings within the County Wide Operations capital improvements budget is available to fund the additional costs. Budget Amendment: Increase Building Maintenance Misc. Capital Improvements 001-695-00.5741 Decrease County Wide Operations Misc. Capital Improvements 001-712-00.5741. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approval to award IFB 2018-B04 Water Treatment System to SI Mechanical, LLC; authorize the execution of contract documents and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33553A AUTHORIZE PAYMENT TO HART INTERCIVIC FOR THE ELECTION'S OFFICE RELATED TO PREVIOUS ELECTION EXPENSES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Election's Office secured Hart Intercivic for professional services during the May 2017 election in which no purchase order was obtained per County Purchasing Policy. Funds are budgeted in the Elections operating budget for this expense. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to Hart Intercivic for the Election's Office related to previous election expenses in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33554A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY2017 FUNDING UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

This is a grant that the County has been receiving for a number of years to recover some jail operations expenses associated with incarceration of undocumented criminal aliens. The F 2016 amount received was \$41,386.00 and the F 2017 award will be determined based on the inmate data submitted with the application. The application is submitted electronically and is due on or before March 13, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for the FY2017 funding under the State Criminal Alien Assistance Program (SCAAP). All present voting "Aye". MOTION PASSED**

33555A AUTHORIZE OUT OF STATE TRAVEL FOR DETECTIVE HERMAN ADAIR TO ATTEND A FREE AUTO THEFT COURSE IN HARVEY, LA

The Sheriff's Office is requesting approval to send Detective Herman Adair to attend an Auto Theft Course in Harvey, LA. Detective Adair will receive training in heavy equipment, motorcycles, ATV's, trailers, boats and watercrafts. The training is being funded by the Sheriff's Combined Auto Theft Task Force and will be free of charge to the agency and investigator. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize out of state travel for Detective Herman Adair to attend a Free Auto Theft Course in Harvey, LA. All present voting "Aye". MOTION PASSED**

33556A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION #2 RELATED TO AN AGREEMENT BETWEEN HAYS COUNTY AND PRIME STRATEGIES, INC. RELATED TO ENGINEERING MANAGEMENT SERVICES AND AMEND THE BUDGET ACCORDINGLY

This Work Authorization will be effective Oct.2, 2017 in order to catch some work that PSI already performed for the Transportation Dept. WA#2 divides the responsibility for projects between PSI and Hays County agents, with Bond funded projects being managed by PSI. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Work Authorization #2 related to an Agreement between Hays County and Prime Strategies, Inc. related to Engineering Management Services and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33557A AUTHORIZE THE DISTRICT ATTORNEY TO USE DRUG FORFEITURE FUNDS TO HIRE TWO (2) TEMPORARY FULL-TIME ADMINISTRATIVE ASSISTANT II POSITIONS EFFECTIVE MAY 1, 2018 THROUGH SEPTEMBER 30, 2018 AND AMEND THE BUDGET ACCORDINGLY



Hays County District Attorney, Wes Mau spoke. The District Attorney is requesting the Courts authorization to hire two temporary full-time Admin II positions, effective May 1st and ending September 30th to be funded with Drug Forfeiture funds received. These temporary full-time positions are needed to assist the Intake and Civil Division with evidence management and other duties. The Intake Division currently has a 5 month backlog of cases that are in need of processing. The increased case load is due to law enforcement agencies adding a combined total of 16 new officers and almost every officer in each agency utilizes a body worn camera that is then uploaded into Evidence.com. The increased evidence collected has become burdensome to the Intake Division and in order to ensure each case has all of the evidence available to collect, additional manpower is needed. The Civil Division Admin will be responsible for gathering all of the evidence needed immediately from Quetel, Evidence.com, COBAN, Odyssey, CIS and Video Oversight as the CPS cases come in. This evidence will also be shared with the Intake Division to help streamline their intake duties. In addition the new admin will be responsible for organizing all open record request deadlines, communicate with the District Clerk's Office when filing emergency cases, and answering phone calls when attorney-paralegal teams are in court or prepping for trial. Additionally, equipment needed for the temporary staff to function will be purchased and utilized for intern positions as needed. Funds are available within the DA Drug Forfeiture fund to process this request. Budget Amendment: Increase Revenue for Forfeiture Proceeds - (\$30,205) Increase Staff Salaries - \$23,478 Increase FICA - \$1,456 Increase Medicare - \$341 Increase 5712_400 - \$3,268 Increase 5202 - \$882 Increase 5429 - \$780. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the District Attorney to use Drug Forfeiture Funds to hire two (2) Temporary Full-Time Administrative Assistant II Positions effective May 1, 2018 through September 30, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

HOLD A PUBLIC HEARING TO CONSIDER THE AMENDMENT OF THE HAYS COUNTY PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAM. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO APPROVING A RESOLUTION AMENDING THE HAYS COUNTY PACE PROGRAM, AND ADOPTING AN AMENDED REPORT AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009

Commissioner Ingalsbe opened the public hearing. Public Comments - Lee McCormick, Lone Star PACE, Roger Bordon, David Parker, Dan Lyon, Tim Crockett, Cliff Kellogg, Jonathan Blackburn, George Hittner, William (Dub) Taylor, Charlene Heydinger, David Matiella, Vince Drieling, Joe Edgar, Steve Brown, Michael Kamalander, and Peter Aguirre, spoke. Commissioner Ingalsbe closed the public hearing. Hays County established a PACE program in January 2017. PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more dwelling units) real property. Property owners who participate in the program repay the financings through a voluntary contractual assessment collected together with their property taxes. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed. PACE financing enables businesses to align the costs of energy and water efficiency improvements with the utility savings provided by the improvements. PACE financings are paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered adoption of energy and water efficiency for many property owners. Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years reflecting the useful life of the improvements. Currently Hays County has one PACE administrator. The proposed amended Resolution and Program Report allows additional PACE administrators to accept applications from owners of property within the County's territory for financing of qualified improvements. It also authorizes additional administrators to conduct assessment proceedings to levy assessments against the property of participating owners within the territory of the County. Court took no action.

AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LONE STAR PACE, RELATED TO THE ADMINISTRATION OF THE PACE PROGRAM IN HAYS COUNTY

David Parker, Charlene Heydinger, Dan Lyon, Vince Drieling, Joe Edgar, Mike Kamalander, and Peter Aguirre, spoke. The amended PACE Resolution and Program Report allow for additional PACE administrators. Lone Star PACE has expressed interest in participating in Hays County PACE projects. In order for Lone Star PACE to have the authority to provide PACE financing in the County, it is necessary for the County to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the County executing such agreement. There are no costs to the County associated with participation in the Hays County PACE Program. Court took no action.

Clerk's Note Agenda Item #20 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**



Clerk's Note Agenda Item #21 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today s KDBI 137. Per Hays County Fire Marshal Burn Ban will remain lifted.

Clerk's Note Agenda Item #23 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

Court adjourned at 10:56 a.m.

I, LIZ Q. GONZALEZ, 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 April 10, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 17TH DAY OF APRIL A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Esperanza Baltazar-Ramirez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon resident of San Marcos, Rodrigo Amaya resident of San Marcos made public comments.

33558A ADOPT A PROCLAMATION DECLARING APRIL 21-28, 2018 AS NATIONAL INFANT IMMUNIZATION WEEK

Eric Schneider, Epidemiologist of the Hays County Local Public Health Department spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring April 21-28, 2018 as National Infant Immunization Week. All present voting "Aye". MOTION PASSED

33559A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$1,974,870.04 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33560A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$3,570.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33561A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of Humana claims in the amount of \$16,012.90 and United Healthcare claims in the amount of \$78,354.29 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33562A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 10, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of April 10, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33563A RATIFY THE EXECUTION OF THE TEXAS WORKFORCE COMMISSION INFORMATION RELEASE CONTRACT

The contract term is from March 1, 2018 until February 28, 2019. The total amount of this Contract will not exceed the sum of \$1,500 which covers up to and including 10 online users. Funds are budgeted in the Sheriff Drug Forfeiture Fund. A motion was made by Commissioner Jones, seconded by Commissioner Shell to ratify the execution of the Texas Workforce Commission Information Release Contract. All present voting "Aye". MOTION PASSED



33564A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE THREE REPLACEMENT TICKET WRITERS AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. At this time the Sheriff's Office, with IT's recommendation, is requesting approval to replace three out of warranty ticket writers. The out of warranty ticket writers have current licenses that will be transferred to the new devices. The purchase also includes a replacement printer and wall charger. The Sheriff's Office is requesting an exemption from the County purchasing policy requiring three quotes for the replacement ticket writers and component parts. The total cost for replacements is \$6,858; funds have been identified in the Sheriff's Office Law Enforcement Equipment g/l. Budget amendment Decrease 001-618-00.5717_400 Law Enforcement Equipment (\$129.00) Increase 001-618-00.5202 Data Processing Supplies \$129.00 Decrease 001-618-00.5717_400 Law Enforcement Equipment (\$6,729) Increase 001-618-00.5712_400 Computer Equipment Operating \$6,729 **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize savings to purchase three replacement ticket writers and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33565A APPROVE THE JANUARY AND FEBRUARY 2018 TREASURER'S AND INVESTMENT REPORTS

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the January and February 2018 Treasurer's and Investment Reports. All present voting "Aye". **MOTION PASSED**

33566A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #6 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the 2017 Hays County Emergency Services District #6 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". **MOTION PASSED**

33567A ACCEPT THE 2017 NORTH HAYS COUNTY EMERGENCY SERVICES DISTRICT #1 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the 2017 North Hays County Emergency Services District #1 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". **MOTION PASSED**

33568A APPROVE THE TRANSFER OF 1 VEHICLE FROM THE HAYS COUNTY PARKS DEPARTMENT TO THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES

The following vehicle has been taken out of service from the Parks Department and request is made for it to be transferred to the Hays County Office of Emergency Services: 2004 Chevrolet Silverado, VIN 1GCEC19V34Z248827, Hays County Tag # EH-05, Fixed Asset Tag#13366. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the transfer of 1 vehicle from the Hays County Parks Department to the Hays County Office of Emergency Services. All present voting "Aye". MOTION PASSED**

33569A APPROVE THE SELECTION OF DOUCET & ASSOCIATES TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE DARDEN HILL ROAD WIDENING AND TURN LANES PROJECT FROM FM 1826 TO SAWYER RANCH ROAD; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

The Darden Hill Road Widening and Turn Lanes project is included in the 2016 Road Bond Program and is one of the highest priorities in Precinct 4 and in the County. Approval of Doucet & Associates for schematic, environmental documentation and PS&E services would position this important safety project to move quickly to construction and allow the County to program construction funding in the County's Fiscal Year 2019 budget and seek additional construction funding through CAMPO. Doucet & Associates has been pre-qualified by Hays County for the requested services. The process to initially select an engineering consultant to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by**



Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the selection of Doucet & Associates to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the Darden Hill Road Widening and Turn Lanes project from FM 1826 to Sawyer Ranch Road; and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED

33570A AUTHORIZE PAYMENT TO BECKWITH ELECTRONICS SYSTEMS, LLC FOR REPAIRS TO COURTROOM EQUIPMENT IN WHICH NO PURCHASE ORDER WAS OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Beckwith Electronic Systems, LLC recently underwent an audit and discovered an invoice for work performed in June of 2016 in which no payment had been received. During the processing of the referenced invoice it was discovered that a purchase order had not been obtained. Funds are available within the building maintenance budget to cover the expense. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to Beckwith Electronics Systems, LLC for repairs to courtroom equipment in which no purchase order was obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33571A APPROVE OUT OF STATE TRAVEL FOR CORPORAL NELSON WRAY TO ATTEND THE MOBILE DEVICE EXAMINER COURSE IN HOOVER, ALABAMA

The Sheriff's Office is requesting out of state travel for Corporal Nelson Wray to attend a Mobile Examiner Course in Hoover, Alabama beginning July 8 August 3, 2018. This training will allow for Cpl. Wray to have a hands on experience on mobile devices such as cell phones, GPS units, tablets, and will be able to generate reports for law enforcement. Cpl. Wray will be able to utilize techniques learned at this training while investigating cases involving mobile devices. There is no cost to the Sheriff's Office; all fees will be paid by the U.S. Secret Service. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Corporal Nelson Wray to attend the Mobile Device Examiner Course in Hoover, Alabama. All present voting "Aye". MOTION PASSED

33572A APPROVE AN INCREASE OF \$150 IN THE CHANGE FUND FOR THE TAX ASSESSOR-COLLECTOR OFFICE AS RECOMMENDED BY THE COUNTY AUDITOR PER TEXAS GOVERNMENT CODE 130.902 (D)

A new employee was hired at the San Marcos Tax Assessor-Collector office location and will need a change fund to process cash receipts. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve an increase of \$150 in the change fund for the Tax Assessor-Collector Office as recommended by the County Auditor per Texas Government Code 130.902 (d). All present voting "Aye". MOTION PASSED

33573A APPROVE OUT OF STATE TRAVEL FOR JUSTIN MCINNIS TO ATTEND THE NATIONAL SECURITY AND PUBLIC SAFETY SUMMIT - ESRI USER CONFERENCE IN SAN DIEGO, CA ON JULY 7-10, 2018 AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. County Auditor, Marisol Villarreal-Alonzo spoke. Requesting approval for Justin McInnis to attend the National Security and Public Safety Summit at the ESRI User Conference in San Diego, CA on July 7-10, 2018. Travel dates July 6 to July 11, 2018. This conference provides public safety personnel with the unique opportunity to learn and experience new GIS techniques and tools that can be implemented at the local level to help prepare for, respond to and recover from emergencies to include natural and manmade. Registration cost \$475, estimated airfare will be \$300.00, estimated hotel costs will \$800, estimated per diem will be \$216 Budget Amendment: 001-656-00.5448 - Contract Services (\$2,000.00) 001-656-00.5551 - Continuing Education \$2,000.00 A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Justin McInnis to attend the National Security and Public Safety Summit - Esri User Conference in San Diego, CA on July 7-10, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33574A AMEND THE TRANSPORTATION DEPARTMENT'S OPERATING BUDGET FOR CONTRIBUTIONS RECEIVED FROM THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (HCISD) FOR EXPENDITURES RELATED TO THE OLD SAN ANTONIO ROAD & HIGH ROAD PROJECTS

On 1/23/18 the Commissioner's Court authorized an agreement for road improvements as follows: HCISD Uhland Elementary (ES #14) Proposed Road Improvements: Hays County shall construct left/right turn lanes on



High Road at or near the construction site of Uhland Elementary (ES#14), pursuant to a design approved by the County. Elementary School #15 (ES#15) Proposed Road Improvements: Hays County shall construct left/right turn lanes on Old San Antonio Road at or near the construction site of Elementary School #15 (ES#15), pursuant to a design approved by the County. HCISD committed \$250k for each project and has submitted their payment to the Transportation Department as required per Section II of the contract. The funds received from HCISD need to be budgeted in order for the Transportation to complete the work. Budget Amendment: Increase Intergovernmental Revenue .4301 - (\$500,000) Increase Contract Consulting 5448_008 - \$385,000 Increase Contract Road Work .5448_010 - \$115,000 **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Transportation Department's operating budget for contributions received from the Hays Consolidated Independent School District (HCISD) for expenditures related to the Old San Antonio Road & High Road projects. All present voting "Aye". MOTION PASSED**

33575A AMEND THE OFFICE OF EMERGENCY SERVICES OPERATING BUDGET RELATED TO THE PURCHASE OF A SURFACE PRO I5 TABLET

Funding for a laptop was allocated during the F 18 budgetary process; however it has been determined that staff could better utilize the Surface Pro for existing and new software. Additional funds are needed to cover the increased equipment costs and are available in the departments operating budget. Budget Amendment: Increase Computer Equipment .5712_400 - \$528 Increase Data Supplies .5202 - \$87. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Office of Emergency Services operating budget related to the purchase of a Surface Pro i5 Tablet. All present voting "Aye". MOTION PASSED**

33576A RATIFY A PERMANENT UTILITY EASEMENT AGREEMENT BETWEEN CARSON HAYSCO HOLDINGS, LP AND HAYS COUNTY

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify a Permanent Utility Easement Agreement between Carson Haysco Holdings, LP and Hays County. All present voting "Aye". **MOTION PASSED**

33577A AUTHORIZE THE EXECUTION OF CHANGE ORDER #2 WITH BOWMAN CONSULTING FOR ADDITIONAL WORK ON THE FM 150 CENTER TURN LANE PROJECT

Commissioner Ingalsbe spoke. This section of RM150 was excluded from the original project due to environmental concerns. These concerns have been reevaluated thoroughly and the project can now move forward. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order #2 with Bowman Consulting for additional work on the FM 150 Center Turn Lane project. All present voting "Aye". MOTION PASSED**

33578A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH DOUCET & ASSOCIATES, INC. REGARDING ROAD AND DRAINAGE IMPROVEMENTS AT THE INTERSECTION OF OLD SAN ANTONIO ROAD AND MANCHACA SPRINGS ROAD IN PRECINCT 2

Commissioner Jones spoke. Jerry Borcharding, Director of Transportation gave staff recommendation. The project encompasses widening and improving at Old San Antonio Road and Manchaca Springs Road to provide proper turn lanes at the driveways to the new Hays ISD school site that is under construction west of the Old San Antonio Road intersection with Manchaca Springs Road. The work entailed will improve alterations to the actual intersection of Old San Antonio & Manchaca Springs Road. This project will include survey of the existing road and necessary drainage improvements as well. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Service Agreement (PSA) with Doucet & Associates, Inc. regarding road and drainage improvements at the intersection of Old San Antonio Road and Manchaca Springs Road in Precinct 2. All present voting "Aye". MOTION PASSED**

33579A ACCEPT SUBDIVISION IMPROVEMENTS PERFORMANCE BOND NO.800016443 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 21-2 IN THE AMOUNT OF \$962,823.75

Jerry Borcharding, Director of Transportation spoke and gave staff recommendation. Belterra Section 21-2 is a proposed 84 lot portion, across 104.35 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 21-2 have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required



by Commissioners Court action. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept Subdivision Improvements Performance Bond No.800016443 for street and drainage improvements for Belterra Subdivision Section 21-2 in the amount of \$962,823.75. All present voting "Aye". MOTION PASSED

33580A SUB-973; CALL FOR A PUBLIC HEARING ON MAY 1ST, 2018 TO APPROVE FINAL PLAT OF THE REPLAT OF LOT 108, ROLLING OAKS SECTION 4

Rolling Oaks is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 4.376 acre lot 108 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Call for a public hearing on May 1st, 2018 to approve final plat of SUB-973; Replat of Lot 108, Rolling Oaks Section 4. All present voting "Aye". MOTION PASSED

33581A SUB-962; EL DORADO SUBDIVISION (12 LOTS) APPROVE PRELIMINARY PLAN

County Planner, Caitlyn Strickland spoke and gave staff recommendation. The proposed El Dorado Subdivision is a 52 lot subdivision located off of FM 21 in Precinct 2. The subdivision crossing three county boundaries: Hays, Travis, and Caldwell. Only 12 lots are going to be inside Hays County. The subdivision will be served by GoForth SUD. Wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan of SUB-962; El Dorado Subdivision (12 Lots). All present voting "Aye". MOTION PASSED

33582A EXECUTE AN AMENDED AND RESTATED HAYS COUNTY PROPERTY USE POLICY AND APPLICATION, EFFECTIVE IMMEDIATELY

General Counsel, Mark Kennedy spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to execute an amended and restated Hays County Property Use Policy and Application, effective immediately. All present voting "Aye". MOTION PASSED

33583A AUTHORIZE PAYMENT TO THE CITY OF SAN MARCOS FOR THE IMPACT FEES FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM

General Counsel, Mark Kennedy spoke. Director of Countywide Operations, Clint Garza spoke. Commissioner Shell spoke. City of San Marcos Impact Fees for the Public Safety Bond Program. The total fee is \$400,486.00 see breakdown per project below. The TPC included a budget of \$231,147.00 for this fee; therefore, the remaining \$169,339 will be funded from Owners Contingency. The attached document outlines the calculations used to determine the fees verses the actual costs billed by the city. PSB: Fees are \$110,936; thus, \$1,184 will be funded from contingency. Uhland: Fees are \$289,550; thus, \$168,155 will be funded from contingency. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to the City of San Marcos for the Impact Fees for the Hays County Public Safety Bond Program. All present voting "Aye". MOTION PASSED

33584A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH HALFF AND ASSOCIATES FOR ADVANCEMENTS TO THE HAYS COUNTY FLOOD WARNING SYSTEM

Office of Emergency Management Director, Kharley Smith spoke. Through the partnership with the Texas Water Development Board in a grant allocation, the Office of Emergency Services is requesting to advance the Flood Warning System with the development of stage-discharge rating curves, frequency based flood inundation mapping for the Blanco River and Cypress Creek, and web enhancement tools allowing for better situational awareness during flood events. Funding is available through an existing grant, no additional funds are being requested. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement (PSA) with Halff and Associates for advancements to the Hays County Flood Warning System. All present voting "Aye". MOTION PASSED

33585A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH WATER AND EARTH TECHNOLOGIES FOR THE INSTALLATION OF FIVE LOW WATER CROSSING GAGES/WARNING SYSTEMS THROUGHOUT HAYS COUNTY

Office of Emergency Management Director, Kharley Smith spoke. General Counsel, Mark Kennedy spoke. Requesting the execution of a PSA to move into the next phase of the Hays Flood Warning project through the installation of five new sites providing situational awareness during flood events. These sites are an addition to

HAYS COUNTY COMMISSIONERS' COURT MINUTES



the monitors at 22 low water crossings and 5 dams that currently make up the Hays County Flood Warning System. Project was budgeted in F 18, no additional funds are being requested. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant authorize the execution of a Professional Services Agreement (PSA) with Water and Earth Technologies for the installation of five low water crossing gages warning systems throughout Hays County. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #29 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

Clerk's Note Agenda Item #30 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

esterday s Drought Index 186. Per Hays County Fire Marshal Burn Ban will remain lifted.

Clerk's Note Agenda Item #32 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:53 a.m.

I, LIZ Q. GONZALEZ, 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 April 17, 2018.




LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 24TH DAY OF APRIL A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Jarrell Sharp gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon- resident of San Marcos, Harvey Jenkins- resident of San Marcos, Rodrigo Amaya- resident of San Marcos, and Roger Gordon- resident of Austin, made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller gave the Hays County Service Awards. 5- ears Andres (Arron) Vega Sheriff Office, Rosalinda Blodgett Constable Pct. 5, William J. Dundon Transportation, Amanda Kristin Calvert DA's Office, Haley Campbell Sheriff's Office, Darryl White District Court's Office, 15- ears Curtis S. Jackson Sheriff's Office, 20- ears Phillip Taylor Sheriff's Office, 25- ears Pedro C. Hernandez Sheriff's Office, Lisa Rodriguez Sheriff's Office, Michael Chance Sheriff's Office, Alfredo T. Nino Sheriff's Office

33586A ADOPT A PROCLAMATION DECLARING APRIL 22 - 29, 2018 AS SOIL & WATER STEWARDSHIP WEEK

Former Hays County Agriculture Extension Agent, Cliff Caskey spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring April 22 - 29, 2018 as Soil & Water Stewardship Week. All present voting "Aye". MOTION PASSED

33587A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,777,433.51 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33588A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$384.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33589A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$1,895.04 and United Healthcare claims in the amount of \$169,820.65. All present voting "Aye". MOTION PASSED

33590A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 17, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of April 17, 2018 as submitted by County Clerk. All present voting "Aye". MOTION PASSED



33591A APPROVE THE PAYMENT OF THE APRIL 30, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE APRIL 30, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Harvey Jenkins, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the April 30, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective April 30, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED**

33592A APPROVE UTILITY PERMITS

Permit: 1069 Road Name: Old Martindale Road Utility: Enterprise Texas Pipeline (gas line). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit #1069 located on Old Martindale Road to Enterprise Texas Pipeline (gas line) as presented by Transportation Director. All present voting "Aye". MOTION PASSED**

33593A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 506 BURNETT RANCH ROAD WIMBERLEY, TX 78620

Marilyn and Bill Orr are proposing an OSSF at 506 Burnett Ranch Road to serve a 3600 square foot event center with 4 bathrooms and a separate shed with an employee bathroom. Stan Burrier, P.E. has designed a system to accommodate a peak event of 250 people and a peak week of 325 people. The system can handle a maximum day's flow of 2150 gallons and a maximum weekly flow of 3100 gallons. Effluent will flow to a 4500 gallon septic tank and then to a 5500 gallon pump tank before being pumped to the multipipe drain field. The system will use flow equalization and will dose the drain field at 450 gallons per day throughout the week to avoid large doses during events. There will be no food preparation or dishwashing onsite. Water will be supplied by a private well, and the event center will not surpass the threshold where the TCEQ requires a public water supply. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 506 Burnett Ranch Road Wimberley, TX 78620. All present voting "Aye". MOTION PASSED**

33594A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE SELF-INSURANCE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY

Harvey Jenkins, resident of San Marcos spoke. The Sheriff's Office is requesting court approval to utilize countywide funds for vehicle repairs of three law enforcement vehicles that were damaged due to accidents. Unit number 1408 ran over a deer causing the side curtain airbags to deploy. Three quotes were obtained with All Makes Collision offering the lowest bid for repairs, a total of \$4,439.00. Unit number 1509 hit a culvert while dodging a deer causing damage to the front and left side of the vehicle. Three quotes were obtained with ACM Body & Frame offering the lowest bid for repairs, a total of \$6,601.00. Unit number 1715 drove through a fence on Hwy 21 and Harris Hill Road causing damage to front body, suspension, and rear bumper. Three quotes were obtained with All Makes Collision offering the lowest bid for repairs, a total of \$6,357.00. The total cost of repairs for all three vehicles is \$17,397. The Sheriff's Office does not have maintenance funds to cover these repairs and maintain the existing fleet for the remainder of the fiscal year. The Sheriff's Office is requesting the court to transfer funds from Countywide Self-Insurance to the Sheriff's Office Vehicle Maintenance g/l. Budget Amendment Increase Sheriff's Office Vehicle Maintenance & Repair: 001-618-00.5413 Decrease CW Self Insurance: 001-645-00.5342 **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize countywide self-insurance funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33595A AUTHORIZE PAYMENT TO HANNAH RIFKIN FOR SERVICES RELATED TO THE MAY 2015 FLOOD DOCUMENTARY IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Historical Commission Director secured Ms. Rifkin for professional services for research related to the May 2015 flood documentary in which no purchase order was obtained per County Purchasing Policy. Funds are available in the Historical Publication Fund for this expense. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Hannah Rifkin for services related to the May 2015 Flood Documentary in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**



**33596A AUTHORIZE THE FIRE MARSHAL TO ACCEPT LEOSE FUNDS
DISTRIBUTED FROM THE STATE COMPTROLLER AND AMEND THE
BUDGET ACCORDINGLY**

The County Fire Marshal receives funds annually from the State Comptroller's Office per Texas Occupations Code 1701.156 for expenses related to the continuing education of licensed peace officers. Budget Amendment Increase LEOSE Revenue: 001-656-00.4310 (\$679) Increase LEOSE Expense: 001-656-00.5552 \$679 A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Fire Marshal to accept LEOSE Funds distributed from the State Comptroller and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**33597A AUTHORIZE ADDITIONAL WORK NEEDED IN RELATION TO THE
INSTALLATION OF THE FIRE PANEL AND SMOKE DETECTORS AT
THE COURTHOUSE AND AMEND THE BUDGET ACCORDINGLY**

The Commissioners Court authorized the purchase of a replacement fire panel and smoke detectors for the Courthouse on February 27, 2018. Once the work began it was discovered that 7 additional duct detectors would be required in order to make the system fully functioning. Funds have been identified within the Building Maintenance Department budget to cover the expenses. Budget Amendment: Decrease 001-695-00.5451 (\$3,449) Increase 001-695-00.5719_400 \$3,449 A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize additional work needed in relation to the installation of the fire panel and smoke detectors at the Courthouse and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**33598A ACCEPT THE FISCAL YEAR 2017 HAYS COUNTY EMERGENCY
SERVICES DISTRICT #9 FINANCIAL STATEMENT LETTER PER
TEXAS HEALTH AND SAFETY CODE 775.0821**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the Fiscal Year 2017 Hays County Emergency Services District #9 Financial Statement Letter per Texas Health and Safety Code 775.0821. All present voting "Aye". MOTION PASSED

**33599A AUTHORIZE THE INSTALLATION OF 17- 30 AMP POWER
CONNECTIONS FOR NEW UPS SYSTEMS AT DIFFERENT SERVER
LOCATIONS THROUGHOUT HAYS COUNTY OWNED BUILDINGS AND
AMEND THE BUDGET ACCORDINGLY**

Work is to be performed in 17 different Server Room locations to provide new UPS Systems with dedicated 30 AMP power. Server Rooms being upgraded are located on Government Center 1st, 2nd, and 3rd floors, Precinct 2, 3, 4, and 5 as well as Arrington Rd Facilities. Increase : 001-680-00.5712_400 \$8,672 Decrease: 001-712-00.5741 (\$8,672) Additional Funds needed total \$8,672. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the installation of 17- 30 AMP power connections for new UPS systems at different server locations throughout Hays County owned buildings and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**33600A APPROVE AN AMENDMENT TO THE HAYS COUNTY HAZARD
MITIGATION PLAN UPDATE TO INCLUDE DRAINAGE PROJECTS
FOR THE OXBOW TRAILS, LEISUREWOODS, AND COVES OF
CIMARRON AREA**

On January 16, 2018 a Resolution was adopted for the revised Hays County Hazard Mitigation Plan. FEMA approved of the plan on February 1, 2018 and will expire in five years on January 31, 2023. A current plan is required to remain eligible for Unified Hazard Mitigation Grant funding. In order to move forward with this project and apply for funding through the Hazard Mitigation Grant Program the Drainage Projects for the Oxbow Trails, Leisurewoods, and Coves of Cimarron area must be specifically identified in the Mitigation Action Plan. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve an Amendment to the Hays County Hazard Mitigation Plan Update to include Drainage Projects for the Oxbow Trails, Leisurewoods, and Coves of Cimarron area. All present voting "Aye". MOTION PASSED

**33601A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FROM
HARTMANN FINE ART CONSERVATION SERVICES, INC. FOR
ADDITIONAL SERVICES RELATED TO THE BUCK WINN MURAL**



**RESTORATION PROJECT AND AMEND THE BUDGET
ACCORDINGLY**

On November 5, 2016 the Commissioner's Court approved a contract with Hartmann in response to RFP 2016-P02 for the restoration of the historical Buck Winn Murals. Additional funds are requested in order to facilitate movement, transport, stretching, installation and final treatment of the murals that will be placed at the Government Center. The contract amendment is less than the 25 allowed per Texas Local Government Code Ch. 262.031 (original contract award \$125,415). The Historical Commission Director has funds available in the Historical Publication Fund for the additional cost associated with this change order. Budget Amendment: Decrease Misc Capital Improvements .5741 Increase Misc Equipment_Capital .5719_700 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 1 from Hartmann Fine Art Conservation Services, Inc. for additional services related to the Buck Winn Mural Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33602A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FROM
TRANS TEXAS RAIL SHOP FOR ADDITIONAL SERVICES RELATED
TO THE KYLE DEPOT RESTORATION PROJECT AND AMEND THE
BUDGET ACCORDINGLY**

On August 15, 2017 the Commissioner's Court approved a contract with Trans Texas Rail Shop in response to RFP 2017-P06 for the restoration of the wooden caboose at the Kyle Depot. Additional funds are requested to build a deck extension from the Depot to the Caboose, build a tool box/bunk and panel rail for hand cart, and for additional electrical work needed. The contract amendment is less than the 25 allowed per Texas Local Government Code Ch. 262.031 (original contract award \$94,250). The Historical Commission Director has funds available in the Historical Publication Fund for the additional cost associated with this change order. Budget Amendment: Decrease Misc Capital Improvements .5741 Increase Contract Services .5448 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 1 from Trans Texas Rail Shop for additional services related to the Kyle Depot Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33603A AUTHORIZE THE EXECUTION OF AMENDMENT 2 TO THE GRANT
AWARD FROM THE TEXAS VETERANS COMMISSION - FUND FOR
VETERANS ASSISTANCE, HAYS COUNTY VETERANS TREATMENT
COURT PROGRAM**

On November 15, 2016 the Commissioners Court approved submission of a grant application to the Texas Veterans Commission for \$100,000.00 to fund operations within the Hays County Veterans Treatment Court program. An original amendment request on August 22, 2017 was made to remove the expunction costs per the new state law, HB 322, and add new services under Client Services. This amendment was not counted towards the three amendments per grant period due to it being required by the new law. In addition, a budget amendment was submitted in September 2017 to move the probation officer (salaries/wage and fringe benefits) to Client Services. However, management through TVC Fund for Veterans Assistance was not aware of this budget amendment request and was recently discovered upon review of the November and December reports. This budget amendment is to move the unspent funds from salary/fringe, due to a mentor coordinator not being hired until October 31, 2017 to travel/registration for 2 additional staff to attend the National Drug Court Conference in Houston. Two copies of the amended Notice of Grant Award with required signatures will be returned to the Texas Veterans Commission. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Amendment 2 to the grant award from the Texas Veterans Commission - Fund for Veterans Assistance, Hays County Veterans Treatment Court program. All present voting "Aye". MOTION PASSED**

**33604A AUTHORIZE THE COURT TO EXECUTE A SUPPLEMENTAL NO. 1 TO
A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH
DANNENBAUM ENGINEERING COMPANY - AUSTIN, LLC FOR
PROFESSIONAL ENGINEERING SERVICES NECESSARY TO
COMPLETE SCHEMATIC, ENV APPROVAL AND FINAL PLANS
SUBMITTAL, AS WELL AS PROVIDE FOR CONSTRUCTION PHASE
SERVICES, ON THE POSEY AT I-35 PROJECT AS PART OF THE
HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM**

Harvey Jenkins, resident of San Marcos spoke. Dan Lyon, resident of San Marcos spoke. Rodrigo Amaya, resident of San Marcos spoke. Laura Harris of HNTB spoke. Additional funds are for the completion of the Schematic Design, Interstate Access Justification Report (IAJR), Environmental Re-evaluation and Final Design changes related to FHWA comments that resulting in revising the locations of two ramps south of Posey Road, requiring multiple round of traffic modeling and analysis, revised drainage report and new area and culvert calculations, additional geotechnical investigations for the revised ramp retaining wall locations. The funds also



cover addressing additional TxDOT District comments to add additional frontage road widenings south of Posey Road to the Hays County line, changes from conventional freeway lighting to high-mast lighting and updates to aesthetics to match Mobility35 Aesthetics Guidelines, including updates to current TxDOT forms and requirements for final design. Finally, these funds will cover a new work authorization for construction phase services that will allow for the review of structural shop drawings and contractor requests for information related to the structural design. TxDOT has increased construction funding of the Posey at I-35 Project from the original budget of \$19M to the current estimated construction budget of \$29M and will be responsible for any construction overruns. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to discussion and possible action to authorize the Court to execute a Supplemental No. 1 to a Professional Service Agreement (PSA) with Dannenbaum Engineering Company - Austin, LLC for professional engineering services necessary to complete schematic, EN approval and final plans submittal, as well as provide for construction phase services, on the Posey at I-35 project as part of the Hays County TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**

33605A SUB-974; CALL FOR A PUBLIC HEARING ON MAY 8TH, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOTS 7 & 8, STAGECOACH RANCH, SECTION 1

Stagecoach Ranch, Section 1 is a recorded subdivision located off of Stagecoach Ranch Rd. in Precinct 4. The proposed re-plat will divide the 10.003 acre Lot 8 and the 10 acre lot 7 into 4 lots. Water service will be provided by individual water wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Call for a public hearing on May 8th, 2018 to discuss final plat approval of SUB-974; the Replat of Lots 7 & 8, Stagecoach Ranch, Section 1. All present voting "Aye". MOTION PASSED**

33606A AUTHORIZE THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH KYLE THREE PARTNERS, LP FOR SUBDIVISION AND DEVELOPMENT OF THE PROPOSED SUNSET OAKS SUBDIVISION PRECINCT 1

Marcos Pacheco, Hays County Planner gave staff recommendation. The Sunset Oaks Subdivision is proposed 2,326 planned development in Precinct 1. The developer anticipates a 20 year build out for the 10 phases currently planned. The execution of this agreement will ensure the project is allowed to move forward with current development regulations and fees while allowing Hays County to adopt reasonable timelines for approvals for all final phases. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a Development Agreement with Kyle Three Partners, LP for subdivision and development of the proposed Sunset Oaks Subdivision Precinct 1. All present voting "Aye". MOTION PASSED**

33607A APPROVAL OF THE AMENDED AND RESTATED PHASING AGREEMENT FOR HEADWATERS AT BARTON CREEK SUBDIVISION

The Headwaters at Barton Creek Subdivision is an approximately 1000 residential lot planned development in Precinct 4. A previous phasing agreement was authorized on September 24, 2014, the execution of this amended and restated agreement will allow the project to implement changes to the phasing schedule and clarify expiration terms for proposed phases. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve of the amended and restated phasing agreement for Headwaters at Barton Creek Subdivision. All present voting "Aye". MOTION PASSED**

33608A AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND HUTSON GALLAGHER, INC. RELATED TO ARCHITECTURAL SERVICES ON THE OLD COUNTY JAIL IN PCT. 1 AND AMEND THE BUDGET ACCORDINGLY

Kate Johnson, Chairman of the Hays County Historical Commission spoke. On December 19, 2017 the Commissioner's Court authorized staff to negotiate a contract with Hutson-Gallagher related to their response to RFQ 2018-P05. The Old Hays County Jail is listed in the National Register of Historic Places (1983) and is a State Archeological Landmark (2008). This agreement will allow for the restoration of the interior of the jail which will function as a museum devoted to the history of law enforcement in Central Texas. Contract award includes the following: \$99,810 - Basic Architectural Services \$ 4,500 - Misc Reimbursables (as needed) Additional Services: \$ 3,500 - Site Survey (required if county cannot provide in current CAD records) \$ 500 - Texas Historical Commission Report (required by Antiquities Permit) Museum Design Services: \$32,000 - Museum Exhibit Design Services \$ 3,000 - Museum Fundraising Booklet Landscape Design Services: \$ 9,200/\$15,400 - Option A or B \$ 3,000 - Required landscape permit The Historical Commission Director has Budget Amendment: Decrease Contract Services .5448 Increase Misc Capital Improvements .5741 received donations for this phase of the project which is available in the Historical Jail Restoration Fund. **A motion was**



made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a Professional Services Agreement (PSA) between Hays County and Hutson Gallagher, Inc. related to Architectural Services on the Old County Jail in Pct. 1 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33609A AUTHORIZE THE DISTRICT ATTORNEY TO UTILIZE SALARY SAVINGS TO HIRE ONE (1) PERMANENT FULL-TIME ATTORNEY II POSITION FOR THE CIVIL DIVISION EFFECTIVE MAY 16, 2018 AND AMEND THE BUDGET ACCORDINGLY

Wes Mau, District Attorney spoke. Angie Roberts Chief District Attorney spoke. The Hays County District Attorney's Office is requesting a full-time Civil Prosecutor effective May 16, 2018 as well as the necessary office equipment. The Civil Division has undergone an explosion of growth in every area of the law for which the division is responsible, including but not limited to Child Protection Services cases (30 increase in 2017), Asset Forfeitures (100 increase in 2017), Bond Forfeitures (70 increase in 2017), Open Records Requests (13 increase in 2017), and Mental Health (9 increase in 2017). With 303 abused and neglected children currently in Child Protective Services Cases represented by Hays County District Attorney's office, each of the four civil prosecutor-paralegal teams are assigned to represent the Department in over 800 contested Child Protective Services hearings held each year during the course of these cases. The Hays County Child Protection Court has permanently added two extra docket days for a minimum of six full-day dockets a month in Hays County, and the civil prosecutors are also expected to be available for numerous special settings in Family Law Court and District Court for other area of law. For each contested hearings, the prosecutors are required to prepare the evidence for each case and subpoena witnesses to testify. In the month of March of 2018, the Department subpoenaed over 150 witnesses for multiple final trials and adversary hearings. Due to the additional flux of cases and increased time in the courtroom, the Civil Division has had to divert attention from less time sensitive areas of the law, including Asset Forfeitures and Bond Forfeitures. The four civil prosecutors have been forced to limit the time of day that is available for filing emergency removals for cases pertaining to abused and neglected children. The four current civil prosecutors have repeatedly asked the Misdemeanor and Felony prosecutors for assistance in second chairing cases due to the increased number of contested hearings. At this point, the work load in the Civil Division can no longer be managed by four prosecutors and immediate relief is required. The DA has salary savings due to attrition available to fund this request, (\$34,522 salary & \$1,963 equipment) for the remainder of F 18. Annualized salary cost for F 19 budget will be \$80,259. Budget Amendment (for equipment): Decrease Staff Salaries: .5021 - \$(1,963) Increase Data Supplies: .5202 - \$469 Increase Computer Eqpt: .5712_400 - \$944 Increase Telephone: .5489 - \$550 **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the District Attorney to utilize salary savings to hire one (1) permanent full-time Attorney II position for the Civil Division effective May 16, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #26 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE; CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – **was pulled**

Clerk's Note Agenda Item #27 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**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain lifted an additional week. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW– **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones seconded by Commissioner Whisenant to adjourn court at 10:11 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 April 24, 2018.

A handwritten signature in cursive script, reading "Liz Q. Gonzalez", is written over a horizontal line.

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 1ST DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Reverend Vilma Resendiz, of the Pentecostal Church, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident, and Rodrigo Amaya, San Marcos resident all made public comments.

33610A ADOPT A PROCLAMATION DECLARING MAY 1, 2018 AS ANNA VE STEVENS FARR DAY

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation declaring May 1, 2018 as Anna e Stevens Farr Day. All present voting "Aye". MOTION PASSED

33611A ADOPT A PROCLAMATION DECLARING THE WEEK OF MAY 6-12, 2018 AS NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

Hays County Sheriff Gary Cutler spoke. Captain Julie Villalpando spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring the week of May 6-12, 2018 as National Correctional Officers and Employees Week. All present voting "Aye". MOTION PASSED

33612A ADOPT A PROCLAMATION DECLARING MAY 15, 2018 AS PEACE OFFICERS MEMORIAL DAY AND MAY 13-19, 2018 AS NATIONAL POLICE WEEK

Hays County Sheriff Gary Cutler spoke. Lieutenant Dennis Gutierrez spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a proclamation declaring May 15, 2018 as Peace Officers Memorial Day and May 13-19, 2018 as National Police Week. All present voting "Aye". MOTION PASSED

33613A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,178,162.37 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33614A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$3,360.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33615A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS



A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$0.00 and United Healthcare claims in the amount of \$210,177.67 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33616A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 24, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of April 24, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33617A AUTHORIZE COMMERCIAL OSSF PERMIT AT 7090 WEST HIGHWAY 290, DRIPPING SPRINGS, TEXAS 78620

James Reid of Texas Bulk Water is proposing an OSSF located at 7090 West Hwy 290. This system will serve two small offices and a future apartment. This 2.66-acre tract of land will be served by rainwater collection. The system designer, Kyle DeHart, R.S., has designed a proprietary treatment system using flow equalization. After treatment, the effluent will be dispersed via surface application for a maximum daily rate of 180 gallons. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 7090 West Highway 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33618A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 5 FROM HOK FOR ADDITIONAL PARKING AT THE PUBLIC SAFETY BUILDING FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Services include providing complete civil, landscape, and electrical drawings for the future parking lot north of the existing Government Center northeast parking lot and east of the proposed Public Safety Building parking lot for use during construction activities of the PSB and for future additional parking for the Government Center. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Additional Services No. 5 from HOK for additional parking at the Public Safety Building for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

33619A ACCEPT A DONATION IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00) FROM THE REMME FAMILY TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

Kaare & Brenda Remme have graciously donated funds to be passed through to the Hays County Child Protective Board for operating expenses associated with programs for the children. Budget Amendment: Increase Contributions - 001-895-98-354.4610 Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a donation in the amount of ten thousand dollars (\$10,000.00) from the Remme Family to be used for the Child Protective Board services within Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33620A AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL AGREEMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PRIME STRATEGIES, INCORPORATED FOR THE PASS-THROUGH FINANCE PROGRAM MANAGEMENT EFFORT IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$425,500.00 FROM \$6,965,000.00 TO \$7,390,500.00 AND EXTENDING THE TERMINATION DATE OF THE CONTRACT TO SEPTEMBER 30, 2019

The execution of this supplemental to the program management contract will extend the termination date to September 30, 2019. The time extension and budget should carry the program management effort to the anticipated construction completion, close out and turn-over of the final pass through project FM 1626 South to TxDOT. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the execution of a Supplemental Agreement No. 5 to the Professional Services Agreement with Prime Strategies, Incorporated for the Pass-Through Finance Program Management effort in Hays County, increasing the Compensation Cap by \$425,500.00 from \$6,965,000.00 to \$7,390,500.00 and extending the termination date of the contract to September 30, 2019. All present voting "Aye". MOTION PASSED

33621A APPROVE THE MARCH 2018 AND AMENDED DECEMBER 2017 TREASURER'S AND INVESTMENT REPORTS



A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the March 2018 and Amended December 2017 Treasurer's and Investment Reports. All present voting "Aye". MOTION PASSED

33622A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE EIGHT (8) PERMANENT RADAR SIGNS FROM CENTERLINE SUPPLY AND AMEND THE BUDGET ACCORDINGLY

The Commissioner's Court authorized the Transportation Department to purchase two (2) permanent radar signs during the 2018 budget process. However, there has since been an interest for Hays County to install additional signs in the TxDOT ROW areas that are historically crash/accident locations and to help with traffic calming. The proposed radar signs are the same make/model of the current signs utilized around the County. Adding these will allow for integration with the current radar software system which has reporting options for monitoring purposes. TxDOT has approved of the radar signs within their ROW and will provide the poles and installation. The County will purchase the units and accompanying solar panels. Funds needed for the additional six units are available in their operating budget. Buy Board Contract #534-17 Budget Amendment: Decrease Road Materials .5351 Increase Misc. Equipment .5719_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Transportation Department to purchase eight (8) permanent radar signs from Centerline Supply and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33623A AMEND THE JUSTICE OF PEACE, PCT. 1-1 OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION FUNDS NEEDED FOR CLERKS TO ATTEND THE TEXAS JUSTICE COURT TRAINING SEMINAR IN SAN MARCOS, TX ON JUNE 4-6 2018

The JP 1-1 Office is in need of additional training funds in order to allow her clerks to attend the annual Texas Justice Court Training Seminar held in San Marcos, Tx. This course will provide court personnel legal resources including Texas Statutes and Rules of Civil Procedure as well as an overview of the fundamentals of civil, eviction and truancy cases. Savings are available within the JP 1-1 operating budget to fund this request. Budget Amendment: Decrease Postage .5212 - (\$171) Decrease Books .5213 - (\$200) Increase Cont. Ed .5551 - \$371. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Justice of Peace, Pct. 1-1 operating budget for additional continuing education funds needed for Clerks to attend the Texas Justice Court Training Seminar in San Marcos, TX on June 4-6 2018. All present voting "Aye". MOTION PASSED**

33624A AUTHORIZE THE VETERAN ADMINISTRATION OFFICE TO PURCHASE VETRASPEC SOFTWARE, A VETERAN'S CLAIMS MANAGEMENT SOFTWARE SOLUTION AND AMEND THE BUDGET ACCORDINGLY

VetraSpec is a client and claims management system that will be the primary system used by Texas Veterans Commission for the foreseeable future. It is highly secure and can be integrated at the state level with all other County Veteran Services Officers and TVC Claims Counselors using the program. This system will significantly increase the efficiency of the office and reduce costs in the long run. The costs for the software program include a one-time setup fee of \$599 and three annual recurring licenses at \$449 each (\$1347) for a F 18 fiscal impact of \$1,946. Savings within continuing education are available to fund this request due to the Texas Veterans Commission's decision to do away with an annual training conference in favor of more online training and localized training sessions. Budget Amendment: Decrease Continuing Education .5551 Increase Software License/Maint. 5429. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Veteran Administration Office to purchase etraSpec Software, a eteran's Claims Management Software Solution and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33625A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH DOUCET & ASSOCIATES, INC. REGARDING THE CONSTRUCTION OF A RIGHT TURN LANE ON FM 967 AT THE CANYON WREN DRIVE INTERSECTION IN PRECINCT 2

Harvey Jenkins, San Marcos resident and Jerry Borcharding, Hays County Engineer spoke. The project encompasses the construction of a right turn lane off the existing west bound lanes of FM 967 leading up to its intersection with Canyon Wren Drive in Buda, Texas. The work includes schematic design, survey, engineered drawings, cost estimates, bid services, QA/QC reviews, coordination with Texas Department of Transportation (TxDOT) and Hays County, and construction phase services. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Professional Service Agreement (PSA) with Doucet & Associates, Inc. regarding the construction of a right turn lane on FM 967 at the Canyon Wren Drive intersection in Precinct 2. All present voting "Aye". MOTION PASSED**



33626A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FOR CLEARFIELD CONSTRUCTION, LLC RELATED TO IMPROVEMENTS ON THE RATTLER ROAD PROJECT

Jerry Borcharding, Hays County Engineer spoke. Clearfield Construction was awarded the contract for the Rattler Road Improvements through a formal procurement process (IFB 2018 B-02). The Change Order will address the following needs: CO No. 1: \$1,323 - properly core the headwall curb in order to prevent water ponding on the pathway where the handrail will be placed. CO No. 1 will be effective 4/25/2018 as the County Engineer verbally approved the work to allow the work to progress without causing delays with the contractor's and the sub-contractor's in the field. Funds needed for the additional work are available within the Transportation Departments operating budget. Attachment: Clearfield Construction Change Order No. 1. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 for Clearfield Construction, LLC related to improvements on the Rattler Road project. All present voting "Aye". MOTION PASSED**

33627A AUTHORIZE THE EXECUTION OF A CONTRACT WITH LJA ENGINEERING, INC. FOR FINAL PLANS, SPECIFICATIONS AND CONSTRUCTION ESTIMATES ON THE DACY LANE (BEBEE ROAD TO HILLSIDE TERRACE) PROJECT IN HAYS COUNTY, PRECINCT 2

Commissioner Jones and Commissioner Ingalsbe spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a contract with LJA Engineering, Inc. for final Plans, Specifications and Construction Estimates on the Dacy Lane (Bebbee Road to Hillside Terrace) project in Hays County, Precinct 2. All present voting "Aye". MOTION PASSED**

33628A AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT (ILA) WITH BEXAR COUNTY RELATED TO A COOPERATIVE PURCHASING PROGRAM

Jerry Borcharding, Hays County Engineer spoke. Per Local Government Code 271.101, the Transportation Department would like to enter into a purchasing cooperative agreement with Bexar County in order to utilize their slurry seal contractor. This would allow for a quicker turn around as the contractor is planning to be in Bexar County between June and July and would be able to add Hays County to their schedule. Attachment: Bexar County ILA. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an Interlocal Agreement (ILA) with Bexar County related to a cooperative purchasing program. All present voting "Aye". MOTION PASSED**

33629A SUB-973; REPLAT OF LOT 108, ROLLING OAKS SECTION 4 (2 LOTS) GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND APPROVE FINAL PLAT; HOLD A PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. Mary Ann Overby, Roxie McInnis, Assistant Director of Countywide Operations Planning and Health, Nick Woodruff, John McJunkin, property owner, and Clint Garza, Director of Countywide Operations, spoke. Commissioner Ingalsbe closed the public hearing. Rolling Oaks is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 4.376 acre lot 108 into 2 lots - Lot 108A being 2.371 acres and Lot 108B being 2.005 acres. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual advanced on-site sewage facilities. Lot 108A is currently served by a conventional OSSF and an existing private well. Should the existing OSSF need replacement it will be replaced by an advanced system. The Hays County minimum lot size for a lot served by a private well is 3.00 acres with a conventional OSSF and 2.00 acres with an advanced OSSF. Due to the current configuration of the property, it would not be possible to meet the minimum lot size requirements without replacement of the septic system. The property owner feels that replacing the existing functioning system would be an undue burden. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities and approve final SUB-973; Replat of Lot 108, Rolling Oaks Section 4 (2 lots). All present voting "Aye". MOTION PASSED**

33630A SUB-998; CALL FOR A PUBLIC HEARING ON MAY 15, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 22, RIVER OAKS OF WIMBERLEY SUBDIVISION

River Oaks of Wimberley is a recorded subdivision located off of Windmill Oaks in Precinct 3. The proposed replat will divide the 4.8 acre lot 22 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on May 15, 2018**



to discuss final plat SUB-998; Replat of Lot 22, River Oaks of Wimberley Subdivision. All present voting "Aye". **MOTION PASSED**

33631A GRANT A VARIANCE FROM TABLE 10-C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND ALLOW THE DEVELOPMENT SERVICES DEPARTMENT TO ISSUE PERMITS ON LOT 1 IN THE RYAN HILL SECTION 2 SUBDIVISION

Caitlyn Strickland, Hays County Planner spoke. Ryan Hill is a recorded subdivision located off of Harmon Hills Dr. in precinct 4. The Ryan Hill Subdivision was originally intended to use the Ryan Hill Water Supply for all lots that were created. However, when the water supply was tested, it was found to be unsuitable for a public water supply. The Hays County health department required a plat note on the Ryan Hill Sections 1 & 2 plats, which stated that all lots would be required to use the Ryan Hill Water Supply. However, the water was never found to be suitable to be a public water supply, so Ryan Hill Water Supply does not exist. The plat note on Ryan Hill 2 does not allow our development services department to issue a permit, until the property hooks up to the Ryan Hill Water Supply (which does not exist). The property owner is requesting a variance that would allow him to hook up to a rain water collection system, instead of the Ryan Hill Water Supply, so he can develop lot 1 in Ryan Hill Section 2. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to grant a variance from Table 10-C-1 of the Hays County Rules for On-Site Sewage Facilities and allow the Development Services Department to issue permits on lot 1 in the Ryan Hill Section 2 Subdivision. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #23 RE: *AUTHORIZE THE EXECUTION OF A REMOTE BIRTH ACCESS CONTRACT BETWEEN HAYS COUNTY AND DEPARTMENT OF STATE HEALTH SERVICES (DSHS) VITAL STATISTICS UNIT RELATED TO STATE WIDE BIRTH CERTIFICATES – was pulled*

33632A AUTHORIZE BUILDING MAINTENANCE TO HIRE THE FACILITY MAINTENANCE WORKER, SLOT 200-004 AT THE 20TH PERCENTILE EFFECTIVE MAY 2, 2018 AND AMEND THE BUDGET ACCORDINGLY

Clint Garza, Director of Countywide Operations is requesting the Court's approval to hire a new Facility Maintenance Worker at the 20th percentile. The applicant has over 10 years' experience in the facility maintenance field. His wide-ranging knowledge and experience in all aspects of facilities maintenance will allow building maintenance to provide a greater level of service to the County. Financial Impact: Base Salary Increase: \$3,409 Fringe: \$ 702 Total: \$4,111 (annualized) \$1,884 (F 18 impact for 5.5 months) Funds from the county wide salary adjustments can be moved to fund this request. Budget Amendment: Increase Bldg. Maint. Salaries .5021: \$1,562 Increase Bldg. Maint. FICA .5101_100: \$ 97 Increase Bldg. Maint. MED .5101_100: \$ 23 Increase Bldg. Maint. RET .5101_100: \$ 202 Decrease Co-Wide Salary Adj., .5091: (\$1,884). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Building Maintenance to hire the Facility Maintenance Worker, slot 200-004 at the 20th percentile effective May 2, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #25 RE: *EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – was pulled*

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:20 a.m. and reconvened into open court at 11:04 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, County Engineer, Jerry Borcharding, Assistant County Engineer, Alex Flores, Mike Shaunessy, Legal Support Services Specialist Janice Jones and Samantha Jones. No action taken.

Clerk's Note Agenda Item #27 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 – was pulled*



ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index 263. Per Hays County Fire Marshal Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #29 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:06 a.m.

I, LIZ Q. GONZALEZ, 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 May 1, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8TH DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, resident of San Marcos, and Harvey Jenkins resident of San Marcos made public comments.

33633A ADOPT A PROCLAMATION DECLARING THE WEEK OF MAY 7-11, 2018 AS JURY APPRECIATION WEEK

District Clerk, Beverley Crumley spoke. County Clerk, Liz Q. Gonzalez spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a Proclamation declaring the week of May 7-11, 2018 as Jury Appreciation Week. All present voting "Aye". MOTION PASSED

33634A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$5,701,249.25 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #3 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33635A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$2,510.69 and United Healthcare claims in the amount of \$169,033.64 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33636A APPROVE COMMISSIONERS COURT MINUTES OF MAY 1, 2018

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of May 1, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33637A APPROVE THE PAYMENT OF THE MAY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE MAY 15, 2018 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 Whisenant to approve the payment of the May 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective May 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33638A APPROVE UTILITY PERMITS

Permit 1070 Posey Road Century Link (Communication Line), Permit 1071 Jasper Trail (Stonefield Subd.) Goforth Water Supply (Water Line), Permit 1072 Main Street Texas Gas Service (Gas Line). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permits #1070 Posey Road issued to CenturyLink (Communication Line), Permit #1071 Jasper Trail (Stonefield Subd.)



issued to Goforth Water Supply (Water Line), and Permit #1072 Main Street Texas Gas Service (Gas Line), as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED

33639A APPROVE THE TRANSFER OF 2008 DODGE CHARGER FROM HAYS COUNTY BUILDING MAINTENANCE DEPARTMENT TO HAYS COUNTY CONSTABLE PCT 2 OFFICE, AND 2005 DODGE RAM PICKUP FROM HAYS COUNTY CONSTABLE PCT 2 OFFICE TO THE HAYS COUNTY BUILDING MAINTENANCE DEPARTMENT

The following asset is being requested for transfer from the Building Maintenance Inventory to be utilized by the PCT 2 Constable: 2008 Dodge Charger, VIN: 2B3KA43R97H714594, Hays County Tag 15611 The following asset is being requested for transfer from the Constable PCT 2 Inventory to be utilized by Building Maintenance: 2005 Dodge Ram Pickup, VIN: 1D7HA18DO5JS56541, Hays County Tag 013451 **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the transfer of 2008 Dodge Charger from Hays County Building Maintenance Department to Hays County Constable PCT 2 Office, and 2005 Dodge Ram Pickup from Hays County Constable PCT 2 Office to the Hays County Building Maintenance Department. All present voting "Aye". MOTION PASSED**

33640A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR THE HAZARD MITIGATION GRANT PROGRAM THROUGH TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

This grant application is for the 'Hays County Community Flood Mitigation Project.' The Hazard Mitigation Grant Program (HMGP) is funded by FEMA and administered by the state of Texas. It is a mitigation grant designed to prevent or reduce future loss of lives and property through the identification and funding of cost-effective mitigation measures as well as minimize the costs of future disaster response and recovery. This project was submitted to FEMA for Flood Mitigation Assistance funding, but was not awarded. The Notice of Intent for this project was submitted to TDEM on March 13, 2018. The proposed project was approved April 12, 2018 to move forward with the application process. The total project cost is \$10,588,950. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the submission of a grant application for the Hazard Mitigation Grant Program through Texas Department of Emergency Management. All present voting "Aye". MOTION PASSED**

33641A AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO UTILIZE FUNDS FROM COUNTYWIDE OPERATIONS DEPARTMENT FOR BUILDING MAINTENANCE AND REPAIRS AS NEEDED FOR THE REMAINDER OF FY' 18 AND AMEND THE BUDGET ACCORDINGLY

Additional funds will be needed for building maintenance and repairs for the remainder of fiscal year 2018. This is due to numerous unforeseen repairs on various equipment located throughout the County. The funds requested will be used towards pending repairs that are currently needed as well as general operating expenses for the remainder of year. Possible funding source: Countywide Operations Misc. Capital Improvements 001-712-00.5741. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Building Maintenance Department to utilize funds from Countywide Operations Department for building maintenance and repairs as needed for the remainder of FY' 18 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33642A AMEND THE INFORMATION TECHNOLOGY (IT) OPERATING BUDGET FOR FUEL EXPENSES RELATED TO COUNTY WIDE TRAVEL FOR THE IT STAFF TO ASSIST DEPARTMENTS AT SATELLITE OFFICES WITH REPAIRS

The IT Department received an Enterprise Lease vehicle this fiscal year to utilize when traveling to satellite offices to assist departments with technical computer related repairs. Funds are available in their operating budget to fund this request. Budget Amendment: Decrease Continuing Education .5551 Increase Fuel .5271. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Information Technology (IT) operating budget for fuel expenses related to county wide travel for the IT Staff to assist departments at satellite offices with repairs. All present voting "Aye". MOTION PASSED**

33643A APPROVE OUT OF STATE TRAVEL FOR TOM POPE FOR THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS ANNUAL CONFERENCE JUNE 17-21, 2018 IN PHOENIX, ARIZONA



After receiving The Floodplain Manager of the year award, Tom Pope was invited to attend The Association of State Floodplain Managers Annual Conference. The conference fees and all travel expenses are at no cost to the county. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve out of state travel for Tom Pope for The Association of State Floodplain Managers Annual Conference June 17-21, 2018 in Phoenix, Arizona. All present voting "Aye". MOTION PASSED**

33644A RATIFY THE EXECUTION OF THE THIRD AMENDMENT OF THE EMERGENCY WATERSHED PROTECTION GRANT AWARD # 68-7442-17-203 BETWEEN HAYS COUNTY AND THE U.S. DEPARTMENT OF AGRICULTURE- NATURAL RESOURCES CONSERVATION SERVICE

The purpose of this amendment is to extend the period of performance for the Emergency Watershed Protection Project #5098. The project is related to repairs at the 5 Upper San Marcos Watershed Dam Sites. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify the execution of the third amendment of the Emergency Watershed Protection Grant award # 68-7442-17-203 between Hays County and the U.S. Department of Agriculture- Natural Resources Conservation Service. All present voting "Aye". MOTION PASSED**

33645A APPROVAL TO AWARD IFB 2018-B06 AUXILIARY SPILLWAY REPAIRS TO HD ROCK SOLID, INC., AUTHORIZE EXECUTION OF CONTRACT DOCUMENTS AND AMEND THE BUDGET ACCORDINGLY

On April 10th the Court authorized Purchasing to solicit bids for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Hays County in partnership with the US Department of Agriculture, Natural Resources Conservation Service (NRCS) and the Texas State Soil and Water Conservation Board (TSSWCB) will repair the damages and mitigate the erosion potential on the spillways. Purchasing received five (5) bids from the following contractors: 1. Austin Filter Systems, 2. ERS, Inc., 3. HD Cooks Rock Solid, Inc., 4. MAC, Inc., 5. Smith Contracting. HD Cooks Rock Solid, Inc. submitted the lowest bid and the evaluating committee reviewed the detailed bid specifications submitted, checked references and is making a recommendation to the Court that this is a responsible bid and the contractor has the necessary resources to complete the required work. Recommendation Letters. Funding for this project is being provided through approved grants from NRCS (75 %); with matching funds provided by the TSSWCB (23.75 %) and Hays County (1.25 %). Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$981,890.01, Increase Construction: .5611_400 - \$994,319, Decrease Co-Wide Contingencies: .5399 - (\$12,428.99). A letter of acceptance is included with the contract documents for execution. A pre-construction meeting will be held on or about May 22nd to provide contractor with additional project instructions. Upon completion of a successful pre-con meeting and confirmation of all necessary financial & bonding requirements, the OES Director and staff will issue a Notice to Proceed (NTP) and authorize the contractor to mobilize. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to award IFB 2018-B06 Auxiliary Spillway Repairs to HD Rock Solid, Inc., authorize execution of contract documents and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33646A AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL NO. 4 TO THE PROFESSIONAL SERVICE AGREEMENT (PSA) (AS WELL AS WORK AUTHORIZATION #1 AND WORK AUTHORIZATION #2) WITH HDR ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES ON THE ROBERT S. LIGHT BLVD. EXTENSION (BUDA TRUCK BYPASS) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM

Commissioner Jones spoke. Additional funds will be used for completion of schematic design, environmental assessment and final design changes related to additional TxDOT comments and new TxDOT templates, forms and documentation now required for final project approvals. Also, the additional funds will support the completion of ROW acquisition services and will cover a new work authorization for construction phase services that will allow for the review of structural shop drawing/material submittals and contractor requests for information related to the structural design. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Supplemental No. 4 to the Professional Service Agreement (PSA) (as well as Work Authorization #1 and Work Authorization #2) with HDR Engineering, Inc. for professional engineering services on the Robert S. Light Blvd. Extension (Buda Truck Bypass) project as part of the Hays County TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**

33647A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION ONE (WA1) WITH AMERICAN STRUCTUREPOINT, INC. REGARDING THE DESIGN OF THE RELOCATION OF THE INTERSECTION OF RM 150 & RM 12



**INTERSECTION IN PRECINCT 4 AND AMEND THE BUDGET
ACCORDINGLY**

Commissioner Whisenant spoke. General Counsel Mark Kennedy spoke. The Engineer will prepare the Plans, Specifications, and Estimate (PS&E) for the realignment of FM 150 and relocation of the FM 150 & RR 12 intersection in Dripping Springs, Texas. The project consists of relocating the FM 150 intersection approximately 300 feet south of its existing location along RR 12. Budget Amendment: Increase 020-710-00-873.5621_400 Decrease 020-710-00.5448_008. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of Work Authorization One (WA1) with American Structurepoint, Inc. regarding the design of the relocation of the intersection of RM 150 & RM 12 intersection in Precinct 4 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33648A AUTHORIZE EXECUTION OF AN EMERGENCY ACCESS AGREEMENT AND
A LIMITED USE EASEMENT AGREEMENT FOR EMERGENCY ACCESS,
RELATED TO THE ESTABLISHMENT OF A POINT OF EMERGENCY
INGRESS AND EGRESS AT THE END OF HORACE HOWARD DRIVE, IN
PRECINCT 1**

Commissioner Ingalsbe spoke. Clint Garza, Executive Director of Countywide Operations spoke. General Counsel, Mark Kennedy spoke. Ryan Thomason spoke. Commissioner Whisenant spoke. In order to meet the requirements of plat approved by the City of San Marcos, Texas, Developer of the Parkers Pond Subdivision (Thomason) must establish (predevelopment) at least one additional point of ingress and egress for Lot 2 of the Lodges at Parkers Pond Subdivision. The point of ingress and egress may be for emergency access only, and need not be open to through traffic at all times. Jerrold Peters owns property that is uniquely situated (adjacent to the Development and at the end of Horace Howard Drive) to provide a point of emergency ingress and egress (hereinafter Emergency Access Point) to the Development and has stated a willingness to provide a route for such an Emergency Access Point if certain conditions are met, conditions which are incorporated into this Agreement. County Staff and the Precinct 1 Commissioner believe that there is value and public purpose in the establishment of an Emergency Access Point, not only for residents in the Development, but also for the existing residents along Horace Howard Drive, which is an existing public roadway with a single point of ingress and egress. So, in return for the County's no-cost participation in establishing the Emergency Access Point, Developer has agreed to perform certain Neighborhood Improvements that would benefit the orderly and healthful development of the area around the Development. The Parties agree that the County would be the best entity to hold the easement rights to the Emergency Access Point, ensuring that it remains only an Emergency Access Point, and not a thoroughfare, in perpetuity. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize execution of an Emergency Access Agreement and a Limited Use Easement Agreement for Emergency Access, related to the establishment of a point of emergency ingress and egress at the end of Horace Howard Drive, in Precinct 1. All present voting "Aye". MOTION PASSED**

**33649A AUTHORIZE EXECUTION OF AN ADVANCED FUNDING COMMITMENT
AGREEMENT BETWEEN HAYS COUNTY AND LODGES AT PARKER'S
POND, LLC, RELATED TO CONSTRUCTION OF AN EMERGENCY POINT OF
INGRESS AND EGRESS AT THE END OF HORACE HOWARD DRIVE, IN
PRECINCT 1**

Commissioner Ingalsbe spoke. General Counsel, Mark Kennedy spoke. In order to meet the requirements of plat approved by the City of San Marcos, Texas, Developer of the Parkers Pond Subdivision (Thomason) must establish (predevelopment) at least one additional point of ingress and egress for Lot 2 of the Lodges at Parkers Pond Subdivision. The point of ingress and egress may be for emergency access only, and need not be open to through traffic at all times. Jerrold Peters owns property that is uniquely situated (adjacent to the Development and at the end of Horace Howard Drive) to provide a point of emergency ingress and egress (hereinafter Emergency Access Point) to the Development and has stated a willingness to provide a route for such an Emergency Access Point if certain conditions are met, conditions which are incorporated into this Agreement. County Staff and the Precinct 1 Commissioner believe that there is value and public purpose in the establishment of an Emergency Access Point, not only for residents in the Development, but also for the existing residents along Horace Howard Drive, which is an existing public roadway with a single point of ingress and egress. So, in return for the County's no-cost participation in establishing the Emergency Access Point, Developer has agreed to perform certain Neighborhood Improvements that would benefit the orderly and healthful development of the area around the Development. The Parties agree that the County would be the best entity to hold the easement rights to the Emergency Access Point, ensuring that it remains only an Emergency Access Point, and not a thoroughfare, in perpetuity. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of an Advanced Funding Commitment Agreement between Hays County and Lodges at Parker's Pond, LLC, related to construction of an emergency point of ingress and egress at the end of Horace Howard Drive, in Precinct 1. All present voting "Aye". MOTION PASSED**



33650A SUB-974; REPLAT OF LOTS 7 & 8, STAGECOACH RANCH, SECTION 1. DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT; HOLD PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No public input. Commissioner Ingalsbe closed the public hearing. Hays County Planner, Marcus Pacheco spoke and gave full staff recommendation. Stagecoach Ranch, Section 1 is a recorded subdivision located off of Stagecoach Ranch Rd. in Precinct 4. The proposed replat will divide the 10.003 acre Lot 8 and the 10 acre lot 7 into 4 lots. Water service will be provided by individual water wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell hold a public hearing and to approve final plat of SUB-974. All present voting "Aye". MOTION PASSED**

33651A APPOINT TWO HAYS COUNTY COURT MEMBERS TO REPRESENT HAYS COUNTY, ON THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CARTPO), TO REPLACE COMMISSIONER DEBBIE INGALSBE AND FORMER COMMISSIONER WILL CONLEY

Hays County currently has 2 vacant positions on the Capital Area Regional Transportation Planning Organization (CARTPO). Please refer to attached CARTPO responsibilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to appoint Commissioner Jones with Roxie McInnis as Commissioner Jones representative and appoint Commissioner Shell with Jerry Borchering and Alex Flores as representatives for Commissioner Shell as the Hays County Court Members to represent Hays County, on the Capital Area Regional Transportation Planning Organization (CARTPO), to replace Commissioner Debbie Ingalsbe and former Commissioner Will Conley. All present voting "Aye". MOTION PASSED**

CLERK'S NOTE AGENDA ITEM #21 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled

Clerk's Note Agenda Item #22 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

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index 109. Per Hays County Fire Marshal Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR

Commissioner Jones spoke. Last night at CAMPO's Meeting, the Transportation Improvement plan was approved and Hays County will receive over \$68,000,000.00 for road projects. No Action Taken.

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:45 a.m.

I, LIZ Q. GONZALEZ, 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 May 8, 2018.



Liz Q. Gonzalez
 LIZ Q. GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS

HAYS COUNTY COMMISSIONERS' COURT MINUTES







STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 15TH DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor, Esperanza Baltazar Ramirez of El Buen Pastor UMC, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon San Marcos resident, Dwain ork, Superintendent, Wimberley ISD, made public comments.

33652A ADOPT A PROCLAMATION DECLARING MAY 2018 AS DRUG COURT MONTH

County Court at Law #2, Judge David Glickler spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation declaring May 2018 as Drug Court Month. All present voting "Aye". MOTION PASSED

33653A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$1,200,534.05 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33654A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$504.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33655A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Humana claims in the amount of \$9,297.20 and United Healthcare claims in the amount of \$111,112.61 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33656A APPROVE COMMISSIONERS COURT MINUTES OF MAY 8, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of May 8, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33657A AMEND THE JUSTICE OF PEACE, PCT. 1-2 OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION FUNDS NEEDED FOR CLERKS TO ATTEND THE TEXAS JUSTICE COURT TRAINING SEMINAR IN SAN MARCOS, TX ON JUNE 4-6 2018

The JP 1-2 Office is in need of additional training funds in order to allow her clerks to attend the annual Texas Justice Court Training Seminar held in San Marcos, Tx. This course will provide court personnel legal resources including Texas Statutes and Rules of Civil Procedure as well as an overview of the fundamentals of civil, eviction and truancy cases. Savings are available within the JP 1-2 operating budget to fund this request. Budget Amendment: Decrease Membership Fees .5302 - (\$173), Decrease Time Pymt. .5325 - (\$120), Increase



Cont. Ed .5551 - \$293. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Justice of Peace, Pct. 1-2 operating budget for additional continuing education funds needed for Clerks to attend the Texas Justice Court Training Seminar in San Marcos, TX on June 4-6 2018. All present voting "Aye". MOTION PASSED

33658A AUTHORIZE PAYMENT TO MILLER UNIFORMS FOR THE DISTRICT COURT BAILIFF'S UNIFORM EXPENSES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The District Court purchased uniforms for bailiffs in which no purchase order was obtained per County Purchasing Policy. Funds are available in their operating budget for this expense. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Miller Uniforms for the District Court Bailiff's uniform expenses in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33659A AUTHORIZE THE HAYS COUNTY COMMISSIONERS COURT TO SUBMIT A REQUEST FOR FUNDS TO THE TEXAS COMPTROLLER'S OFFICE FOR UNCLAIMED CAPITAL CREDITS PURSUANT TO THE TEXAS PROPERTY CODE, SECTION 74.602 AND CERTIFY ANY AVAILABLE FUNDING WILL BE USED PER LOCAL GOVERNMENT CODE, SECTION 381.004

The County Auditor's office has received notification from the Texas Comptroller of Public Accounts regarding possible available funding through unclaimed capital credits received from electric cooperatives in this area. The County must request these funds and certify that funds will be used for purposes as specified under section 381.004 of the Local Government Code. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Hays County Commissioners Court to submit a request for funds to the Texas Comptroller's Office for unclaimed capital credits pursuant to the Texas Property Code, Section 74.602 and certify any available funding will be used per Local Government Code, Section 381.004. All present voting "Aye". MOTION PASSED

33660A APPROVE THE CANCELLATION OF THE HAYS COUNTY COMMISSIONERS COURT ON JULY 3, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the cancellation of the Hays County Commissioners Court on July 3, 2018. All present voting "Aye". MOTION PASSED

33661A APPROVE UTILITY PERMITS

Permit: 1073, Road Name: CR 158, Utility: CenterPoint Energy (gas line). A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Utility Permit #1073 on CR 158 issued to CenterPoint Energy as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33662A AUTHORIZE AAA FENCE COMPANY TO FABRICATE AND INSTALL A FRONT ENTRY GATE AND GAME FENCE FOR THE DAHLSTROM RANCH NATURE PRESERVE

The Parks Department is needing to have a front entry gate fabricated and installed at the front entry gate at the Dahlstrom Ranch Nature Preserve. In addition to the installation of the gate, an 8' game fence will be installed. Per county purchasing policy, 3 bids were received with AAA Fence Company being the lowest bid. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize AAA Fence Company to fabricate and install a front entry gate and game fence for the Dahlstrom Ranch Nature Preserve. All present voting "Aye". MOTION PASSED

33663A AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO PURCHASE ONE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) FOR THE DEVELOPMENT SERVICES DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The HR Department would like to purchase one AED unit for the Development Services Department located at Arrington Road. The units are designed to assist with life-threatening cardiac arrhythmias through defibrillation, allowing the heart to reestablish an effective rhythm. With simple audio and visual commands, the units are easy to operate and have proven to be effective in saving lives. This portion of the building does not currently have a unit available; therefore the HR Director would like to utilize savings within their safety budget to fund this



request. Budget Amendment: Decrease Safety .5332, Increase Misc Eqpt .5719_400. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Human Resources Department to purchase one Automated External Defibrillator (AED) for the Development Services Department and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33664A REAPPROVE THE EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS COUNTY AND HAYS COUNTY EMERGENCY SERVICES DISTRICT #4 (WIMBERLEY FIRE) FOR THE REPAIR OF AN EXISTING WATER TANK LOCATED IN PRECINCT 3

This item and the funds associated with it were originally approved in Commissioners Court on March 27, 2018. This is just to approve the edited document. In return for Hays County's access to water, on an as-needed basis, and occasional use of the property on which the tank is located, Hays County has agreed to provide \$18,000 toward the cost of repairing the existing water tank, which is located north of Wimberley in Precinct 3. Budget Amendment: Increase 020-710-00.5600 Project Contribution, Decrease 020-710-00.5351 Road Materials and Supplies. A motion was made by Commissioner Jones, seconded by Commissioner Shell to reapprove the execution of an Interlocal Funding Agreement between Hays County and Hays County Emergency Services District #4 (Wimberley Fire) for the repair of an existing water tank located in Precinct 3. All present voting "Aye". MOTION PASSED

33665A AUTHORIZE THE EXECUTION OF AN AMENDMENT TO THE TYLER TECHNOLOGY TRANSPARENCY PORTAL AGREEMENT AND AMEND THE BUDGET ACCORDINGLY

The Auditor's Office is currently working on implementation of a new Citizen Transparency software program. This is a hosted service that integrates with NWS to organize our financial data into graphs and charts allowing public access to up to date financial data and clarity. The current term is from April 2018 to March 2019. The attached amendment will change the term to line up with the County fiscal year, April to September 2018 with future annual maintenance beginning October 1st. Funds were budgeted during the FY 18 budget process for this program and will be amended to the appropriate g/l account. Attachment: Tyler Technology Amendment, Budget Amendment: Decrease Software Capital .5718_700, Increase Software Maint. .5429. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of an Amendment to the Tyler Technology Transparency Portal Agreement and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33666A AUTHORIZE THE EXECUTION OF THE EXECUTION OF A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2019 IMMUNIZATION/LOCAL GRANT PROGRAM IN THE AMOUNT OF \$192,341.00

On January 2, 2018 the Commissioners Court approved the submittal of a renewal grant application to the Department of State Health Services. Funds will be utilized to provide support of the salary and benefits to the staff involved in the program. The grant period is from September 1, 2018 to August 31, 2019. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a contract with the Department of State Health Services (DSHS) for the FY2019 Immunization Local Grant Program in the amount of \$192,341.00. All present voting "Aye". MOTION PASSED

33667A AUTHORIZE THE OFFICE OF GENERAL COUNSEL TO PUBLISH NOTICE OF HAYS COUNTY'S OFFER AND INTENTION TO EXCHANGE REAL PROPERTY, THE FIRST PROPERTY BEING A PORTION OF 401 REBEL DRIVE IN KYLE, TEXAS AND THE SECOND BEING RIGHT OF WAY AT THE END OF PAUL'S VALLEY ROAD IN PRECINCT 4, THE PUBLICATION BEING MADE PURSUANT TO SECTION 272.001 OF THE TEXAS LOCAL GOVERNMENT CODE

Section 272.001 requires that before land owned by a political subdivision of the state may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county. The 1st property on Rebel Drive represents a portion of the old Constable property at 401, Rebel Drive. Hays County is proposing to convey the back of that property to the City of Kyle for use with Gregg Park in exchange for title to the Silverado property, further north on Rebel Drive (which is currently co-owned by Hays County and the City of Kyle). The 2nd property is an exchange between Hays County and a landowner at the end of Paul's Valley Road, in an effort to straighten out the ROW and provide a cul-de-sac for safer use by emergency response vehicles. Both of these transactions will come back to Court for consideration after publication of notice. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of General Counsel to publish notice of Hays



County's offer and intention to exchange real property, the first property being a portion of 401 Rebel Drive in Kyle, Texas and the second being Right of Way at the end of Paul's alley Road in Precinct 4, the publication being made pursuant to Section 272.001 of the Texas Local Government Code. All present voting "Aye". MOTION PASSED

33668A APPROVAL TO PRE-QUALIFY ALL RESPONDENTS OF RFQ 2018-P08 ENGINEERING SERVICES & RFQ 2018-P09 LAND SURVEYING SERVICES TO DEVELOP A POOL OF QUALIFIED FIRMS TO UTILIZE ON AN AS NEEDED BASIS FOR PROJECTS THROUGHOUT HAYS COUNTY

Mark Kennedy, General Counsel, Marisol Villarreal-Alonzo, Hays County Auditor, Jerry Borcharding, County Engineer and Vickie Dorsett, Assistant County Auditor spoke. On January 9th Commissioner's Court authorized the Purchasing Office to solicit for qualifications for Engineering and Land Surveying Services. We received responses from 61 Engineering Firms and 19 Land Surveying Firms. The County Engineer and staff reviewed the qualifications and are recommending that all new firms be added to the existing list of pre-qualified vendors (established with RFQ 2016-P03 for surveying RFQ 2016-P13 for engineering). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant approval to pre-qualify all listed respondents of RF 2018-P08 Engineering Services & RF 2018-P09 Land Surveying Services to develop a pool of qualified firms to utilize on an as needed basis for projects throughout Hays County.** All present voting "Aye". MOTION PASSED

33669A AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE DISTRICT ATTORNEY'S OFFICE

The District Attorney's legal staff currently utilizes Westlaw for legal research and requests the Courts to consider the modification to the terms to the current contract. The attached amendment will add one additional attorney (approved on April 24, 2018) to the current plan. Thomson Reuters offers an unparalleled suite of legal resources and tools for legal counsel and government professionals. The software allows access to the most comprehensive collection of legal information and is the only search engine designed specifically for the law. Funds are available within the DA's Office operating budget to fund this request. Attachment: Thomson Reuters Westlaw Contract Amendment #DIR-LGL-CALIR-02. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Contract Modification with Thomson Reuters Westlaw related to legal research for the District Attorney's Office.** All present voting "Aye". MOTION PASSED

33670A AMEND THE CONSTABLE PCT. 3 BUDGET FOR INSTALLATION COSTS RELATED TO GRAPHICS AND LAW ENFORCEMENT EQUIPMENT FOR NEW LEASED VEHICLES

The Constable requests the courts authorization to have law enforcement equipment installed in the new leased vehicles. Savings within their operating budget is available to fund this request. Budget Amendment: Increase .5413 - \$801 (graphics install), Increase .5411 - \$1,299 (equipment install), Decrease 5717_400. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to amend the Constable Pct. 3 budget for installation costs related to graphics and law enforcement equipment for new leased vehicles.** All present voting "Aye". MOTION PASSED

33671A AUTHORIZE PAYMENT TO PAUL SINCLAIR FOR FENCE REPLACEMENT EXPENSES RELATED TO THE MT. GAINOR ROAD PROJECT

Mark Kennedy, General Counsel spoke. The Court had previously authorized a purchase contract with Mr. Sinclair to purchase right of way (ROW) and provide a fence replacement as part of the prior Mt. Gainor road bond program. The ROW was purchased, however, due to delays on the re-design and construction of this project, the fence replacement was not completed. The property owner has now requested that payment be made to him so that he may hire the contractor and warranty the work. The Transportation Department secured quotes and has negotiated payment of the lowest quote with Mr. Sinclair. This will complete the County's obligation related to the previously approved purchase contract. Funding for this project is available within the Transportation Department's operating budget. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Paul Sinclair for fence replacement expenses related to the Mt. Gainor Road Project.** All present voting "Aye". MOTION PASSED

33672A SELECT HEWITT-ZOLLARS FOR A PRELIMINARY ENGINEERING STUDY OF THE REALIGNMENT OF ELDER HILL ROAD IN PRECINCT 4 AND AUTHORIZE THE PCT. 4 COMMISSIONER AND COUNTY STAFF TO NEGOTIATE A PROFESSIONAL SERVICE AGREEMENT (PSA) AND FEE STRUCTURE



Commissioner Whisenant spoke. Elder Hill Road has several 90 degree turns. The effort will enhance the safety of the roadway. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to select Hewitt-Zollars for a preliminary engineering study of the realignment of Elder Hill Road in Precinct 4 and authorize the Pct. 4 Commissioner and County staff to negotiate a Professional Service Agreement (PSA) and fee structure. All present voting "Aye". MOTION PASSED**

33673A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 FOR CLEARFIELD CONSTRUCTION, LLC RELATED TO IMPROVEMENTS ON THE RATTLER ROAD PROJECT

Jerry Borcharding, Hays County Engineer spoke. Clearfield Construction was awarded the contract for the Rattler Road Improvements through a formal procurement process (IFB 2018 B-02). The Change Order will address the following needs: CO No. 2: \$5,800 - remove warning pavers from the curb ramp and fill with concrete to ensure ramp is continuous. Funds needed for the additional work are available within the Transportation Departments operating budget. Attachment: Clearfield Construction Change Order No. 2. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order No. 2 for Clearfield Construction, LLC related to improvements on the Rattler Road project. All present voting "Aye". MOTION PASSED**

33674A SUB-998; REPLAT OF LOT 22, RIVER OAKS OF WIMBERLEY (2 LOTS) APPROVE FINAL PLAT; HOLD A PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Caitlyn Strickland, Hays County Planner gave staff recommendation. River Oaks of Wimberley is a recorded subdivision located off of Windmill Oaks in Precinct 3. The proposed re-plat will divide the 4.8 acre lot 22 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve final plat of SUB-998 Replat of Lot 22, River Oaks of Wimberley (2 lots). All present voting "Aye". MOTION PASSED**

33675A SUB-837; YULI-POSADA SUBDIVISION (3 LOTS) APPROVE THE FINAL PLAT

Caitlyn Strickland, Hays County Planner gave staff recommendation. uli-Posada is a proposed 3 lot subdivision located along Mathias Lane in PCT 2. Water service will be provided by GoForth SUD and wastewater service will be accomplished by individual OSSFs. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve final plat of SUB-837 Yuli-Posada Subdivision (3 Lots). All present voting "Aye". MOTION PASSED**

33676A SUB-634; TRIPLE R RANCHETTES - AMENDED LOT 15 (4 LOTS) GRANT A VARIANCE FROM SECTION 721.6.0.1 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

Caitlyn Strickland, Hays County Planner spoke. Triple R Ranchettes is a recorded subdivision located off of S Turnersville Road in Precinct 2. The property owner is wanting amend the lot lines for the lot 15D and 15C, which would allow for a water line to come down the property. Water will provided by Creedmoor - Maha Water Corporation and wastewater service will be accomplished by individual OSSF. The property owners are requesting a variance from Chapter 721.6.0.1 -- Right of way dedication for road facility per Hays County Transportation Plan. The reservation of 75 feet would have the right of way going through a portion of the owner of lot 15A's house. The owner is concerned of not being able sell the property, should the ROW go through the middle of their house. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to grant a variance from Section 721.6.0.1 of the Hays County Development Regulations for SUB-634; Triple R Ranchettes - Amended Lot 15 (4 lots) All present voting "Aye". MOTION PASSED**

33677A AUTHORIZE THE EXECUTION OF A LICENSE AGREEMENT BETWEEN HAYS COUNTY AND THE WIMBERLEY FIRE DEPARTMENT ESD#4 FOR THE USE OF A TRAINING FIELD AND BUILDINGS LOCATED AT 1691 CARNEY LANE, WIMBERLEY, TX, PCT 3

Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a License Agreement between Hays County and the Wimberley Fire Department ESD#4 for the use of a training field and buildings located at 1691 Carney Lane, Wimberley, TX, Pct 3. All present voting "Aye". MOTION PASSED**



33678A RECEIVE RECOMMENDATION OF STAFF REGARDING SELECTION AND TO MAKE SELECTION OF BOND COUNSEL PURSUANT TO RFQ 2018-P15; AND TO AUTHORIZE GENERAL COUNSEL TO NEGOTIATE AND EXECUTE AN ENGAGEMENT LETTER WITH THE SELECTED CANDIDATE

Mark Kennedy, General Counsel spoke. RFQ 2018-P15 yielded multiple Statements of Qualification. The SOQs were reviewed by the Office of General Counsel, the County Auditor's Office, and staff-members responsible for the County-wide budget. Deliberation among those staff members resulted in the selection of one candidate, which shall be brought to the Commissioners Court for consideration. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to receive recommendation of staff regarding selection and to select Orrick, Herrington & Sutcliffe, LLP. as Bond Counsel pursuant to RF 2018-P15; and to authorize General Counsel to negotiate and execute an engagement letter with the selected candidate. All present voting "Aye". MOTION PASSED**

33679A AUTHORIZE THE SHERIFF'S OFFICE TO HIRE THE ADMINISTRATIVE ASSISTANT III, SLOT 0271-003 AT THE 50TH PERCENTILE EFFECTIVE MAY 17, 2018

Gary Cutler, Hays County Sheriff spoke. This position is the direct executive assistant to the Sheriff as well as his Chief Deputy and three Captains. The Sheriff currently has a candidate for this position with over two years direct management experience as well as customer service related experience. Her back ground experience will benefit the office staff and will allow cross training as needed. If approved, this candidate will begin on 5/17 to enable a two-week double fill with the current staff member for training purposes. The Sheriff feels that she exceeds the qualifications necessary to meet the job functions of the position to support the staff. This position is currently budgeted for \$44,322; the 50th percentile of grade 110 is \$42,613. No additional funds are needed. Financial Impact: Base Salary Increase: \$ 8,523, Fringe: \$ 1, 755, Total: \$10,278 (annualized), \$ 3,854 (F 18 impact for 4.5 months covered through attrition). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to hire the Administrative Assistant III, slot 0271-003 at the 50th percentile effective May 17, 2018. All present voting "Aye". MOTION PASSED**

33680A AUTHORIZE THE COUNTY CLERK TO INCREASE THE DEPUTY CLERK II, SLOT 0454-008 SALARY UP TO THE 25TH PERCENTILE UPON SUCCESSFUL COMPLETION OF AN INTERNAL TRAINING PROGRAM

Liz Gonzalez, Hays County Clerk spoke. She is requesting authorization to increase a new hire salary up to the 25th percentile once cross trained. She anticipates this to occur no sooner than 3 months from employment date, with an effective date of August 16, 2018. The applicant has greater than 12 years County Clerk Deputy experience in another similar Texas county and will require very little training to adapt to the work in the Hays County Clerk's office. Savings within the Records Management Fund are available to fund this request. Financial Impact: Base Salary Increase: \$3,522, Fringe: \$ 725, Total: \$4,247 (annualized), \$531 (F 18 impact for 1.5 months for an 8/16/18 salary increase). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Clerk to increase the Deputy Clerk II, slot 0454-008 salary up to the 25th percentile upon successful completion of an internal training program. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #30 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY

Harvey Jenkins, Commissioner Shell and Director of Countywide Operations, Clint Garza spoke. No action taken.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshall, the Burn Ban will remain lifted.

Clerk's Note Agenda Item #33 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**



ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:59 a.m.

I, LIZ Q. GONZALEZ, 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 May 15, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 22ND DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, resident of San Marcos and Rodrigo Amaya resident of San Marcos made public comments.

33681A ADOPT A PROCLAMATION RECOGNIZING MAY 2018 AS HAYS COUNTY ELDER ABUSE AWARENESS MONTH

Jennifer Alvarado, supervisor of the Adult Protective Services spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation recognizing May 2018 as Hays County Elder Abuse Awareness Month. All voting "Aye". MOTION PASSED

33682A ADOPT A PROCLAMATION DECLARING MAY 21-MAY 25, 2018 AS FLOOD AWARENESS WEEK IN HAYS COUNTY

Justin McInnis, Asst. Emergency Management Coordinator spoke. A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a proclamation declaring May 21-May 25, 2018 as Flood Awareness week in Hays County. All voting "Aye". MOTION PASSED

PRESENTATION OF THE 2019-2022 CAMPO PROJECTS APPROVED FOR HAYS COUNTY

Commissioner Jones presented the Court with a power point presentation of the CAMPO Projects in Hays County Precinct 1, Hays County Precinct 2, Hays County Precinct 4, City of Buda, City of Kyle, City of San Marcos and Travis County.

33683A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment of County invoices in the amount of \$1,143,149.66 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33684A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment of Juror checks in the amount of \$2,862.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33685A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$18,376.92 and United Healthcare claims in the amount of \$132,037.98 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33686A APPROVE COMMISSIONERS COURT MINUTES OF MAY 15, 2018

HAYS COUNTY COMMISSIONERS' COURT MINUTES



A motion was made by Commissioner Shell seconded by Commissioner Whisenant to approve Commissioner Court Minutes of May 15, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33687A AUTHORIZE THE EXECUTION OF THE 3RD AMENDMENTS TO THE EXISTING LEASES BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS FOR THE WOMEN, INFANTS AND CHILDREN ("WIC") PROGRAM OFFICES LOCATED AT 150 LOCKHART STREET IN KYLE AND 401C BROADWAY IN SAN MARCOS

These proposed amendments make modifications to lease term. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of the 3rd Amendments to the existing leases between Hays County and the City of San Marcos for the Women, Infants and Children (WIC) Program offices located at 150 Lockhart Street in Kyle and 401C Broadway in San Marcos. All voting "Aye". MOTION PASSED

33688A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR THE HAZARD MITIGATION GRANT PROGRAM THROUGH TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

This grant application is for the 'Hays County Acquisition and Demolition Project'. The Hazard Mitigation Grant Program (HMGP) is funded by FEMA and administered by the state of Texas. It is a mitigation grant designed to prevent or reduce future loss of lives and property through the identification and funding of cost-effective mitigation measures as well as minimize the costs of future disaster response and recovery. This project was submitted to FEMA for Flood Mitigation Assistance funding, but was not awarded. The Notice of Intent for this project was submitted to TDEM on April 19, 2018. The proposed project was approved April 25, 2018 to move forward with the application process. The total project cost is \$3,838,012.00. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve authorize the submission of a grant application for the Hazard Mitigation Grant Program through Texas Department of Emergency Management. All voting "Aye". MOTION PASSED

33689A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE PUBLIC SAFETY FOUNDATION FOR PORTABLE AUTOMATED EXTERNAL DEFIBRILLATORS (AED) FOR THE HAYS COUNTY CONSTABLE OFFICES

The Firehouse Subs Public Safety Foundation was founded in 2005 in the aftermath of Hurricane Katrina. The mission is to impact the life-saving capabilities, and the lives, of local heroes and their communities. This grant application is for the purchase of 22 portable Automated External Defibrillators (AED) for each of the constable offices. This is a quarterly grant opportunity that is due on May 24, 2018 through an online portal and the requested amount of funding is \$29,427.20. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Public Safety Foundation for portable Automated External Defibrillators (AED) for the Hays County Constable Offices. All voting "Aye". MOTION PASSED

33690A APPROVE UTILITY PERMITS

Permit: 1074, Road Name: Mathias Lane, Utility: Goforth SUD (Water line). Permit: 1075, Road Name: Peaceful Valley Road, Utility: Goforth SUD (Water Line). Permit: 1076, Road Name: High Road, Plum Creek Utility Comp (Wastewater Line). Permit: 1077, Road name: South Plum Creek Road, Utility: Plum Creek Utility Comp (Wastewater Line). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permits # 1074 Mathias Lane issued to Goforth SUD (Water Line), Permit #1075 Peaceful alley Road issued to Goforth SUD (Water Line), Permit #1076 High Road issued to Plum Creek Utility Comp. (Wastewater Line), Permit #1077 South Plum Creek Road issued to Plum Creek Utility Comp. (Wastewater Line). All voting "Aye". MOTION PASSED

33691A ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORTS FOR THE SHERIFF'S OFFICE JAIL COMMISSARY ACCOUNT, SHERIFF'S OFFICE FEDERAL DISCRETIONARY ACCOUNT, SHERIFF'S OFFICE DRUG FORFEITURE FUND, TAX ASSESSOR-COLLECTOR OFFICE, AND THE DISTRICT ATTORNEY'S FORFEITURE FUND ACCOUNT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the delivery of the Internal Examination Reports for the Sheriff's Office Jail Commissary Account, Sheriff's Office Federal Discretionary Account, Sheriff's Office Drug Forfeiture Fund, Tax Assessor-Collector Office, and the District Attorney's Forfeiture Fund Account. All voting "Aye". MOTION PASSED



33692A APPROVE RENEWAL OF IFB 2017-B06 FOR COUNTYWIDE AIR CONDITIONING AND HEATING SERVICES WITH SI MECHANICAL, LLC FOR ONE (1) ADDITIONAL YEAR AS OUTLINED IN THE ORIGINAL BID SPECIFICATIONS

Pricing and all terms and conditions remain unchanged and in full force and effect as stated in the original bid. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve renewal of IFB 2017-B06 for Countywide Air Conditioning and Heating Services with SI Mechanical, LLC for one (1) additional year as outlined in the original bid specifications. All voting "Aye". MOTION PASSED

33693A AMEND THE HEALTH DEPARTMENT OPERATING BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO THE 2018 TEXAS EMERGENCY MANAGEMENT CONFERENCE IN SAN ANTONIO, TEXAS

The Emergency Management Coordinator attends the Texas Division of Emergency Management each year, per grant requirements. Funds have been identified within the Health Departments operating budget to fund this request. Budget Amendment: Decrease 120-675-99-058.5501 (Travel), Increase 120-675-99-058.5551 (Continuing Education). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Health Department operating budget for continuing education expenses related to the 2018 Texas Emergency Management Conference in San Antonio, Texas. All voting "Aye". MOTION PASSED

33694A AUTHORIZE THE PURCHASE OF A SURFACE PRO I5 AND A DELL LATITUDE 7490 FOR THE DEVELOPMENT SERVICES DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The Development Services Department is needing to replace two existing devices with a Surface Pro i5 and a Dell Latitude 7490. Funds within their budget have been identified to cover the cost of both devices. Budget Amendment: Increase 001-657-00.5712_400 \$1,410, Decrease 001-657-00.5429 (\$1,410). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the purchase of a Surface Pro i5 and a Dell Latitude 7490 for the Development Services Department and amend the budget accordingly. All voting "Aye". MOTION PASSED

33695A APPROVE CHANGE ORDER #1 FOR PARTNERS REMODELING, RESTORATION AND WATERPROOFING FOR DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENTS

On January 23, 2018 Commissioner's Court approved a contract for Partner's Remodeling in response to IFB 2018-B03. Additional funds are needed due to design issues for road base materials as well as safety control during project construction. Additionally, the contract term will be extended to June 22, 2018 due to delays and unforeseen circumstances. Attachment: Change Order #1. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Change Order #1 for Partners Remodeling, Restoration and Waterproofing for the Dahlstrom Ranch Public Access Development project. All voting "Aye". MOTION PASSED

33696A APPROVE THE TRANSFER OF A 2007 DODGE CHARGER FROM THE HAYS COUNTY BUILDING MAINTENANCE DEPARTMENT TO THE JUVENILE DETENTION OFFICE

The following vehicle has been taken out of service from Building Maintenance and request is made for it to be transferred to Juvenile Detention: 2007 Dodge Charger, VIN#2B3KA43R87H714604 Hays County Asset Tag #16110. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the transfer of a 2007 Dodge Charger from the Hays County Building Maintenance Department to the Juvenile Detention Office. All voting "Aye". MOTION PASSED

33697A AMEND THE CONSTABLE PRECINCT 3 OPERATING BUDGET FOR ADDITIONAL FUEL RELATED EXPENSES AS REQUIRED FOR THE REMAINDER OF THIS FISCAL YEAR

The Constable Pct. 3 has had an increase in staffing as well as a realignment of duties and assignments that have resulted in additional law enforcement travel throughout the precinct. The Constable's monthly consumption has continued to increase and it is estimated that an average of \$1,700 per month will be needed for the remainder of the year based on current usage. Potential Funding Source: Funds are budgeted in a County Wide fuel line item for potential price increases/increases in consumption and are available to fund this



request. Budget Amendment: Increase Constable 3 Fuel, Decrease County Wide Fuel 001-645-00.5271. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to amend the Constable Precinct 3 operating budget for additional fuel related expenses as required for the remainder of this fiscal year. All voting "Aye". MOTION PASSED

33698A AUTHORIZE THE COURT TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE ENGINEERING DESIGN SERVICES (PS&E) FOR IMPROVEMENTS TO THE SH 80/OLD BASTROP HIGHWAY (CR 266) AND SH 80/MILITARY DRIVE INTERSECTIONS IN PRECINCT 1 AS PART OF THE 2016 ROAD BOND PROGRAM

Commissioner Ingalsbe spoke. The SH 80/Old Bastrop Highway (CR 266) and SH 80/Military Drive intersections project is included in the County's 2016 Road Bond Program. Design services by Cobb Fendley will be partially funded with \$300,000.00 from Road & Bridge budget and the remaining \$400,000.00 from the project Road Bond budget. Construction of the project improvements is partially funded by \$600,000 of Category 7 funding (CAMPO) with the remainder funded out of 2016 Road Bonds designated project for SH 80/Military Drive Intersection Improvements. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Court to execute a Professional Service Agreement with Cobb, Fendley & Associates, Inc. to provide engineering design services (PS&E) for improvements to the SH 80 Old Bastrop Highway (CR 266) and SH 80 Military Drive intersections in Precinct 1 as part of the 2016 Road Bond Program. All voting "Aye". MOTION PASSED

33699A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #PB03010404346 IN THE AMOUNT OF \$1,148,837.50, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1060750 IN THE AMOUNT OF \$188,961.00 FOR SUNFIELD SUBDIVISION. PHASE 2, SECTION 8

Harvey Jenkins, resident of San Marcos made public comment. Clint Garza, Executive Director of Countywide Operations spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond and engineer's concurrence letter has been received. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the construction bond #PB03010404346 in the amount of \$1,148,837.50, and acceptance of the 2-year maintenance bond #1060750 in the amount of \$188,961.00 for Sunfield subdivision, Phase 2, Section 8. All voting "Aye". MOTION PASSED

33700A EXECUTE A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN HAYS COUNTY, THE CITY OF SAN MARCOS, AND LAZY OAKS RANCH, LP, RELATED TO THE PROPOSED LA CIMA SUBDIVISION IN PRECINCT 3

Commissioner Shell spoke, Clint Garza, Executive Director of Countywide Operations spoke. Eric Willis of La Cima spoke. The original Development Agreement was executed on September 16, 2014. In this second amendment, the owner has acquired an additional 390.52 acres with acreage now totaling 2,422.99 to develop the Existing Property and the Additional Property (collectively, the Property) as a single family residential, limited nonresidential and conservation, preservation and open space development. A motion was made by Commissioner Shell seconded by Commissioner Whisenant to execute a second amendment to the Development Agreement between Hays County, the City of San Marcos, and Lazy Oaks Ranch, LP, related to the proposed La Cima Subdivision in Precinct 3. All voting "Aye". MOTION PASSED

33701A APPROVE THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE HAYS COUNTY NARCOTICS TASK FORCE AND THE OFFICE OF THE CRIMINAL DISTRICT ATTORNEY OF COMAL COUNTY

Captain Mark Cumberland spoke. Mark Kennedy, General Counsel spoke. Approve the execution of an Interlocal Agreement for the Hays County Task Force to include the Comal County Criminal District Attorney. Pursuant to Texas Code of Criminal Procedures, this agreement is necessary to regulate the disposition of property seized by law enforcement officers and forfeited contraband. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the execution of an Interlocal Agreement between the Hays County Narcotics Task Force and the office of the Criminal District Attorney of Comal County. All voting "Aye". MOTION PASSED



33702A EXECUTE AN INTERLOCAL AGREEMENT WITH THE TEXAS STATE UNIVERSITY RELATED TO THE RE-DEVELOPMENT OF A STANDARD RESPONSE PROTOCOL (SRP) TRAINING VIDEO

Justin McInnis, Asst. Emergency Management Coordinator spoke. Commissioner Ingalsbe spoke. Commissioner Whisenant spoke. Over the past five years Hays County Officials have trained well over 100,000 students, teachers, and first responders on the Standard Response Protocols for school safety utilizing a single, internally created video. At the request of community members, school faculty, and through our own observation, the Office of Emergency Services would like to create a more kid friendly version of the training video for the elementary students and add closed captioning to the existing video. No additional funding is requested for this project as we will utilize existing operating funds. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute an Interlocal Agreement with the Texas State University related to the redevelopment of a Standard Response Protocol (SRP) training video. All voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:05 a.m. and reconvened into open court at 10:19 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, County Engineer, Jerry Borcharding, Assistant County Engineer, Alex Flores, and Legal Support Services Specialist Janice Jones. No action taken.

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 RENEW AND PROJECT KING. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 10:19am a.m. and reconvened into open court at 11:02 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, County Engineer, Jerry Borcharding, Assistant County Engineer, Alex Flores, and Legal Support Services Specialist Janice Jones. No action taken.

DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY

Harvey Jenkins, resident of San Marcos made public comment. No action taken.

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshall, the Burn Ban will remain lifted.

Clerk's Note Agenda Item #28 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:12a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 May 22, 2018.

A handwritten signature in cursive script, reading "Liz Q. Gonzalez", is written over a horizontal line.

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 29TH DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE
MARK JONES
LON A. SHELL
RAY O. WHISENANT JR.
CHRISTINE RODRIGUEZ

COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Esperanza Baltazar-Ramirez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, resident of San Marcos, Dan Lyon, resident of San Marcos made public comments. Mayor of Wimberley Susan Jagers and Mayor Pro-term of Wimberley, Gary Barchfeld introduced the Court with the returning and new City of Wimberley Council Members: Craig Fore, Allison Davis, Patricia Kelly, Mike McCoullough and City Administrator Shawn Cox.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Specialists, Kim Jeter, gave presentation of Hays County Service Awards. 5 Years – Aaron C. Jones – Transportation, James L. Parman – Transportation, Victoria Velasquez – Treasurer's Office, Elizabeth Shahan – Tax Office, Kristi White – Sheriff's Office, 10 Years –Erica A. Clark – Sheriff's Office, Lisa M. Deleon – JP 1-1 Office, Jessica Gonzales – Tax Office, Alfredo Munoz Jr. – Sheriff's Office, Retirement –Ricky Crews –County Court at Law, Jackie Jones – Juvenile Probation. Chief Juvenile Probation Officer, Shelly Williams spoke of Jackie Jones.

33703A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$1,610,745.66 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33704A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$3,002.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33705A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of United Healthcare claims in the amount of \$231,652.61 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33706A APPROVE COMMISSIONERS COURT MINUTES OF MAY 22, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of May 22, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33707A APPROVE THE PAYMENT OF THE MAY 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE MAY 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the May 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective



May 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33708A AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION & CONTROL GRANT FOR FY 2019 STATE FUNDS IN THE AMOUNT OF \$25,875.00

On February 13, 2018, the court authorized the submission of a grant application to the Department of State Health Services for the Tuberculosis Prevention and Control FY 2019 State funds. This grant provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The state funding is \$25,875, with a 20% match (\$5,175.00) required of the County for participation in the program, for a total project amount of \$31,050.00. The match will be budgeted within the Health Department for fiscal year 2019 from existing salaries, benefits, and operating expenses. The funding period for this program is from September 1, 2018 through August 31, 2019. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of Amendment No. 1 to a contract with the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention & Control Grant for FY 2019 State Funds in the amount of \$25,875.00. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #8 RE: AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE THREE (3) SOLAR SCHOOL SYSTEMS FROM ELTEC (ELECTROTECHNICS CORPORATION) FOR THE NEW UHLAND ELEMENTARY SCHOOL ON HIGH ROAD AND AMEND THE BUDGET ACCORDINGLY – was pulled

33709A AUTHORIZE THE REAPPOINTMENT OF JOHN "CLINT" BROWNING AS COUNTY FIRE MARSHAL, A TWO YEAR TERM ENDING ON MAY 29, 2020

Request the reappointment of John Browning to the position of County Fire Marshal as required by Texas Local Government Code 352.011 (b). A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the reappointment of John "Clint" Browning as County Fire Marshal, a two year term ending on May 29, 2020. All present voting "Aye". MOTION PASSED

33710A AMEND THE OFFICE OF EMERGENCY SERVICES OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION AND TRAINING COURSES FOR NEWLY HIRED EMERGENCY PLANNING STAFF

Due to the increase in department staffing, the OES Director is requesting additional continuing education funds in order to procure emergency related training for all new hires. Savings within the operating budget are available to fund this request. Budget Amendment: Decrease .5411 - Equipment Maintenance and Repair Increase .5551 - Continuing Education. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to amend the Office of Emergency Services operating budget for additional continuing education and training courses for newly hired emergency planning staff. All present voting "Aye". MOTION PASSED

33711A AUTHORIZE THE SHERIFF'S OFFICE, JAIL DIVISION, TO UTILIZE EXISTING FUNDS TO PURCHASE MISCELLANEOUS EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office, Jail Division is requesting court approval for the purchase of warehouse shelving for the new maintenance building. Shelving was not approved in the bond package and is needed to store supplies and materials. The total cost for new shelving is \$8,156. In addition to shelving, the Jail is also in need of a new caged ladder for access to the roof. At this time, staff currently uses an extension ladder posing employee safety issues. The total cost of a new caged ladder is \$4,100. A total of \$11,654 is needed for both purchases and has been identified in the Jail budget. Budget Amendment 001-618-03.5207 Building Maintenance & Supplies (\$11,654) 001-618-03.5719_400 Miscellaneous Equipment Operating \$11,654. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office, Jail Division, to utilize existing funds to purchase miscellaneous equipment and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33712A AUTHORIZE THE NOMINATION AND REAPPOINTMENT OF WILL CONLEY AS THE COUNTY REPRESENTATIVE TO THE SOUTH



CENTRAL TEXAS REGIONAL WATER PLANNING GROUP (REGION L), A FIVE YEAR TERM ENDING ON AUGUST 3, 2023

Harvey Jenkins resident of San Marcos and Dan Lyon resident of San Marcos made public comment. General Counsel Mark Kennedy spoke. Commissioner Shell spoke. Commissioner Whisenant spoke. The purpose of the South Central Texas Regional Water Planning Group (SCTRWPG), Region L, is to provide comprehensive regional water planning and to carry out the related responsibilities placed on regional water planning groups by state law. Foremost among those responsibilities is the development of a regional water plan for the planning area. The plan identifies both short and long-term water supply needs and recommends water management strategies for addressing them. The plan is updated every five years. The board is composed of members representing various interest groups from 21 Counties in the region. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the nomination and reappointment of Will Conley as the County representative to the South Central Texas Regional Water Planning Group (Region L), a five year term ending on August 3, 2023. All present voting "Aye". MOTION PASSED

33713A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 2580 KYLE CROSSING, KYLE, TX 78640

Jason's Custom Paint and Body Shop is proposing an OSSF to serve a paint shop with 6 office personnel, 10 factory workers and 28 customers. This permit was originally approved on 8/4/15 and this is a renewal application. This site is located inside the City Limits of Kyle and the site plan has been approved. Water will be supplied by a public water supply. The system designer, Clifford Conner, R.S., has designed a system, which consists of a 1500 gallon three compartment tank and a low pressure dose drainfield. The maximum daily usage rate is 200 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 2580 Kyle Crossing, Kyle, TX 78640. All present voting "Aye". MOTION PASSED

33714A APPROVE UTILITY PERMITS

Permit Road Name Utility 1078 Old Black Colony Rd Alliance Regional Water (water main line) 1079 Cole Springs Road Alliance Regional Water (water main line) 1080 Graef Road PEC (electric line pole) 1081 Saddlerock Ridge R&B Ventures (water service line). A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Utility Permits # 1078 Old Black Colony Rd. to Alliance Regional Water (Water Main Line), Permit # 1079 Cole Springs Road, Permit # 1080 Graef Road to PEC (Electric Line Pole), and Permit # 1081 Saddlerock Ridge to R&B Ventures (Water Service Line). All present voting "Aye". MOTION PASSED

33715A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE A REPLACEMENT SHREDDER AND TWO NEW CIS AND NET MOTION LICENSES AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting approval to utilize savings to purchase a replacement shredder for the Warrants Division; the cost of the shredder is \$1,550. The existing shredder is a shredder that was retrofitted to mount to a 50-gallon trash can and has reached its lifespan. In addition to the shredder, two new CIS and Net Motion licenses are needed for a Patrol Sergeant and a Crime Analyst. The total cost of all items is \$4,160. No additional funds are needed; funds have been identified in the Sheriff's Office operating budget. Budget Amendment: Shredder: Decrease 001-618-00.5717_400 Law Enf Eqpt Op (\$1,550) Increase 001-618-00.5711_400 Office Eqpt Op \$1,550 CAD & Net Motion Licenses: Decrease 001-618-00.5717_400 Law Enf Eqpt Op (\$2,610) Increase 001-618-00.5718_400 Software Op \$2,000 Increase 001-618-00.5429 Software Maint \$ 610. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize savings to purchase a replacement shredder and two new CIS and Net Motion licenses and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33716A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE ASSISTANCE, BULLETPROOF VEST PARTNERSHIP (BVP) TO PURCHASE BULLETPROOF VESTS FOR COUNTY LAW ENFORCEMENT OFFICERS

The grant application is for assistance in the purchase of bulletproof vests for County law enforcement officers. The grant program provides a reimbursement for 50% of the cost of each vest and the County must pay the remainder of the cost. The application includes needs for both new officers and the replacement of existing bulletproof vests. Vests are replaced based on a five-year usable protective wear cycle. We will be requesting up to 35 vests and the current cost of each vest is \$758.75 male and \$748.75 female. The total amount of the grant is \$26,526.25 and the county match is \$13,263.15. Matching funds will be allocated accordingly. Submission of the application is done electronically and is due on May 29, 2018. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Department of Justice, Office of Justice Assistance, Bulletproof Vest Partnership



(BVP) to purchase bulletproof vests for county law enforcement officers. All present voting "Aye". MOTION PASSED

33717A AUTHORIZE THE PURCHASE OF REPLACEMENT EQUIPMENT FOR THE SHARED BREAKROOM AT THE PRECINCT 2 BUILDING AND AMEND THE BUDGET ACCORDINGLY

The Precinct 2 Offices are in need of a replacement refrigerator for the shared breakroom. The Commissioner has agreed to transfer funds within their community program expense budget to cover the cost. Budget Amendment: Decrease Commissioner Pct. 2 Community Program Expense - 001-602-00.5353 Increase Building Maintenance Misc Equipment - 001-695-00.5719_400. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of replacement equipment for the shared breakroom at the Precinct 2 Building and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33718A AUTHORIZE THE PARKS DEPARTMENT TO ENTER INTO AN AGREEMENT WITH CHECKFRONT FOR VISITOR RESERVATIONS AT JACOB'S WELL NATURAL AREA AND DAHLSTROM NATURE PRESERVE

For the 2018 summer swim season, Parks staff had requested to enter into an agreement with RecDesk and GovPortal for a new online reservations and payment system to allow for pre-payments of entrance fees and streamlined financial reporting. The system went live at the end of April and Parks staff have encountered many issues with the user interface, payment reconciliation and the acceptance of international payments. In addition, the current system is not user-friendly to JWNA visitors wanting to make a reservation on-site so the Parks staff would like to request that they return to the previous reservation system, Checkfront. The Checkfront reservation system will also be able to accommodate reservations and payments at the Dahlstrom Nature Preserve once the site is open for public access. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Parks Department to enter into an agreement with Checkfront for visitor reservations at Jacob's Well Natural Area and Dahlstrom Nature Preserve. All present voting "Aye". MOTION PASSED

33719A AUTHORIZE THE CONSTABLE PRECINCT 4 OFFICE TO ACCEPT DONATED SUPPLIES THROUGH THE TEXAS LAW ENFORCEMENT SUPPORT OFFICE (LESO) PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Constable submitted a request and received supplies through the Texas LESO Program. The supplies received were twenty five (25) tourniquets and two (2) collagen, hemostatic agents. These are first aid items that will be issued to the deputies to assist in their role as first responders when necessary. The Constable had to cover the shipping costs (\$617.23) through this program. LESO Program Overview: The National defense Authorization Act authorizes the Secretary of Defense to transfer excess Department of Defense (DoD) personal property to Federal, state and local Law Enforcement Agencies (LEA). The LESO Program (formerly the 1033 Program) allows LEAs to receive DoD excess property. Budget Amendment: Increase .4301 - Intergovernmental Revenue Increase .5206 - Law Enforcement Supplies. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Constable Precinct 4 Office to accept donated supplies through the Texas Law Enforcement Support Office (LESO) Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33720A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER AND SETON MEDICAL CENTER HAYS FOR DY 7 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of DY7 UC 1115 waiver funds was announced on May 18, 2018. All LPPF funds are collected from Hays County Hospitals and are budgeted. Though the IGT of these funds do not require specific Court approval, having them approved (If sufficient notice is given by the State) or ratified (if sufficient notice is not provided by the State) ensures the Court and the public are informed of the process. IGT amount (settlement date of 6-1-18): \$1,469,321.34 A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) for Central Texas Medical Center and Seton Medical Center Hays for DY 7 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED



**33721A AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT
WITH THE TEXAS A&M AGRILIFE EXTENSION SERVICE FOR THE
FERAL HOG ABATEMENT PROGRAM**

Dan Lyon, resident of San Marcos made public comment. Commissioner Jones spoke. Clint Garza, Executive Director of Countywide Operations spoke. The County Feral Hog Abatement Grant is designed to encourage counties across the State of Texas to make a concentrated and coordinated effort to reduce the feral hog population and the damage caused by these animals throughout the year. Hays County will participate in a co-managed, regional feral hog abatement effort with cooperating counties including, Caldwell and Guadalupe. The grant will provide \$7,850 in funding assistance for this program. The grant period is from October 1, 2017 to August 31, 2018 and the county will work with the Texas State University Meadows Center for Water and Environment to provide professional services for this grant program. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an Interlocal Agreement with the Texas A&M Agrilife Extension Service for the Feral Hog Abatement Program. All present voting "Aye". MOTION PASSED

**33722A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE
TWO (2) ONKEN 500 GALLON WASTE OIL STORAGE TANKS AND
ADDITIONAL ROAD MAINTENANCE TOOLS AND AMEND THE
BUDGET ACCORDINGLY**

The County Engineer is requesting to replace two 20+ year waste oil recycle tanks that are showing signs of rusting. The vendor is listed on the State Buy Board, contract #501-15. Additionally, they would like to amend for other small maintenance tools needed throughout the remainder of this fiscal year. Equipment savings within their operating budget have been identified to fund this request. Budget Amendment: Decrease .5713_700 \$4,389 Decrease .5714_700 \$3,904 Increase .5719_400 \$8,293. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Transportation Department to purchase two (2) Onken 500 Gallon Waste Oil Storage tanks and additional road maintenance tools and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**33723A RELEASE OF THE MAINTENANCE BOND #1045283 FOR
\$81,826.40, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY
ROAD MAINTENANCE SYSTEM FOR THE MEADOWS AT BUDA
SUBDIVISION, SECTION 4B**

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. All items on the punch-list for repairs have been completed. The roads include: Peacock Trail (330 ft.), Wake Grove (125 ft.), Clear Water Path (854 ft.), and a segment of Blossom Valley Stream (720 ft.). A motion was made by Commissioner Jones, seconded by Commissioner Shell to release of the maintenance bond #1045283 for \$81,826.40, and acceptance of the roads into the county road maintenance system for the Meadows at Buda subdivision, Section 4B. All present voting "Aye". MOTION PASSED

**33724A ACCEPT SUBDIVISION BOND NO.K13533131 FOR STREET AND
DRAINAGE IMPROVEMENTS FOR BURBA RANCH IN THE AMOUNT
OF \$1,399,858.07**

Assistant Transportation Director, Alex Flores gave staff recommendation. Burba Ranch is a proposed 78 lot subdivision located along Sawyer Ranch Rd. in Precinct 4. Water service will be provided by West Travis County PUA and wastewater service will be provided by Individual On-Site Sewage Facilities. The final plat for Burba Ranch Subdivision 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. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept subdivision bond No.K13533131 for street and drainage improvements for Burba Ranch in the amount of \$1,399,858.07. All present voting "Aye". MOTION PASSED

**33725A SUB-677; LA CIMA PH 1 SUBDIVISION (139 LOTS). DISCUSSION
AND POSSIBLE ACTION TO ACCEPT AMENDMENT NO. 003 TO
LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE
IMPROVEMENTS FOR LA CIMA PH 1, REDUCING THE AMOUNT
FROM \$272,254.10 TO \$65,860.00**

Commissioner Shell spoke. La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is partially complete. The amendment will release \$206,394.90 back to the developer. The remaining amount is sufficient to complete the improvements, which have not yet been constructed. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant



to accept Amendment No. 003 to Letter of Credit No 5132 for street and drainage improvements for SUB-677 La Cima PH 1 Subdivision (139 Lots), reducing the amount from \$272,254.10 to \$65,860.00. All present voting "Aye". MOTION PASSED

33726A ACTION TO ADOPT A POLICY ALLOWING CERTAIN ADMINISTRATIVE VARIANCES AND DEVELOPMENT AUTHORIZATIONS BE GRANTED TO OWNERS OF PROPERTY WITHIN HAYS COUNTY'S PERMITTING JURISDICTION

County Planners, Caitlyn Strickland and Marcus Pacheco presented the court with a power point. Commissioner Shell spoke. Commissioner Ingalsbe spoke. Commissioner Whisenant spoke. Clint Garza, Executive Director of Countywide Operations spoke. On July 1st, 1997, the Hays County Commissioners Court approved a policy for administrative variances to platting procedures. The Environmental Health Director and precinct commissioners were authorized to issue an administrative variance to platting procedures, provided that the division of land took place at least 10 years before the request for variance, and all resulting tracts meet the subdivision and on-site sewage facility requirements in place at the time of the division. Due to the continued growth within the County, the Development Services office has seen a significant increase in the number of non-compliant parcels, including those within platted subdivisions. Property owners are frequently faced with unforeseen surveying costs for divisions of property which took place long before they owned the property in order to construct their homes or make repairs to their existing septic systems. In order to prevent property owners from being blocked from the full use of their property, staff would like a process that authorizes the permitting of single family residential development authorizations. - Administrative variance procedures are authorized for single family residential purposes only. Developments on a tract of land other than one single family residence and appurtenances may not utilize the provisions of administrative variances. Administrative variances issued after the effective date of this policy may be invalidated if construction other than one single family residence occurs. - Portions of lots within recorded subdivisions are eligible for administrative variance procedures, provided that the division of land took place at least 10 years before the request for variance, and all resulting tracts meet the subdivision and on-site sewage facility requirements that were in place at the time of the division. - The authorization form must be signed by the precinct commissioner and the Executive Director of Countywide Operations (or his/her assigns). - The required written request for approval must be substituted with an application for a development authorization. The complete policy is attached as backup. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a policy allowing certain administrative variances and development authorizations be granted to owners of property within Hays County's permitting jurisdiction. All present voting "Aye". MOTION PASSED

33727A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO SUBMIT AN APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR A CERTIFICATE OF AUTHORIZATION

Office of Emergency Management Director and EMC, Kharley Smith spoke. Director of Flight Team Training, John Buell spoke and introduced Director, IT/Equipment of Flight Team Training, Michael Joseph. Commissioner Shell spoke. Commissioner Whisenant spoke. Commissioner Ingalsbe spoke. The first responders are able to use the UAV to help the citizens in the County for response and recovery. The Office of Emergency Services, in conjunction with several emergency response agencies in Hays County, have identified the need to further aerial support capabilities throughout the county. In doing so, OES and all participating agencies have collaborated on the development of a countywide policy for minimum requirements of lifesaving missions as well as operating under a single Certificate of Authorization. The creation and adoption of a countywide policy will provide guidelines for authorized flights within each department and allow for a mechanism of shared resources. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to submit an application to the Federal Aviation Administration for a Certificate of Authorization. All present voting "Aye". MOTION PASSED

33728A AUTHORIZE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT AND MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN REAL ESTATE TRANSACTIONS BETWEEN HAYS COUNTY, TEXAS AND THE CITY OF KYLE, TEXAS

General Counsel, Mark Kennedy spoke. Commissioner Whisenant spoke. Commissioner Shell spoke. In the proposed MOU, the Parties agree that the County will convey to the City Lot 2 out of the County Property commonly known as the old Constable Property on Rebel Drive in Kyle, Texas; and the City will convey its joint interest in property on Rebel Drive in Kyle, Texas, located at the Northeast Corner of Rebel Drive (FM 150) and Silverado Drive, which is currently jointly-owned by the City and the County. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize execution of an Interlocal Cooperation Agreement and Memorandum of Understanding Regarding Certain Real Estate Transactions between Hays County, Texas and the City of Kyle, Texas. All present voting "Aye". MOTION PASSED



Clerk's Note Agenda Item #29 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE; CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – **was pulled**

Clerk's Note Agenda Item #30 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**

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Fire Marshal, Clint Browning spoke. The Drought Index is at 352. Burn Ban will remain lifted. No action taken.

Clerk's Note Agenda Item #32 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – *was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Fire Marshall gave the update. Today's Drought Index – 352 Burn Ban will remain lifted. Fire Marshall urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended. No action taken.

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 10:25 a.m.

I, LIZ Q. GONZALEZ, 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 May 29, 2018.





**LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS**





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 5TH DAY OF JUNE A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Whisenant gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident and Rodrigo Amaya, San Marcos resident spoke.

33729A ADOPT A PROCLAMATION DECLARING JUNE 2018 AS JUNETEENTH MONTH

Ollie Giles, Rose Brooks, Constable Pct. 1, David Peterson and General Counsel, Mark Kennedy spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring June 2018 as Juneteenth month. All present voting "Aye". MOTION PASSED

PRESENTATION OF THE TEXAS PACE AUTHORITY'S 2017 ANNUAL REPORT

Charlene Heydinger, President of the Texas Pace Authority gave a PowerPoint presentation to the Commissioners Court to summarize the Texas PACE Authority's 2017 annual report.

33730A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of County invoices in the amount of \$1,375,663.21 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33731A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of Juror checks in the amounts of \$1,838.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33732A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$0.00 and payment of United Healthcare claims in the amount of \$195,807.74 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33733A APPROVE COMMISSIONERS COURT MINUTES OF MAY 29, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of May 29, 2018 as presented by the County Court. All present voting "Aye". MOTION PASSED

33734A APPROVE THE PAYMENT OF THE JUNE 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JUNE 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED



Approve the June mid-month payroll disbursements not to exceed \$2,655,000.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the June 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective June 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33735A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #5 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the 2017 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33736A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #8 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the 2017 Hays County Emergency Services District #8 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33737A APPROVE THE APRIL 2018 TREASURER'S AND INVESTMENT REPORTS

Approve the April 2018 Treasurer's Report and Investment Report. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the April 2018 Treasurer's and Investment Reports. All present voting "Aye". MOTION PASSED

33738A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 109 BUNTON LANE, KYLE, TX 78640

Peggy Jansen is proposing an OSSF to serve a commercial baseball park with four fields and a concession stand. This site is located in Kyle's ETJ and the site plan has been approved. Water will be supplied by a public water supply. The system designer, Keith Schoenfelt, P.E., has designed a system, which consists of a grease trap, 2000 gallon trash tank, 5000 flow equalization tank, a Bio-Microbics 1.5 unit, a 2000 gallon pump tank and a drip emitter system. The maximum daily usage rate on average is 657 gallons. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 109 Bunton Lane, Kyle, TX 78640. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #12 RE: AUTHORIZE THE EXECUTION OF A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM – was pulled

33739A AUTHORIZE THE OFFICE OF GENERAL COUNSEL TO UTILIZE SALARY SAVINGS FOR ADDITIONAL TEMPORARY PERSONNEL RELATED TO THE FY2018 INTERN PROGRAM

Rodrigo Amaya and General Counsel, Mark Kennedy spoke. During the F 18 budget process, the Commissioner's Court authorized the Office of General Counsel to maintain an intern program and budgeted 1,040 hours for this purpose. The OGC has utilized special project interns as well as placed interns in several departments throughout the county. Due to the success of the program, General Counsel is requesting an additional 420 hours \$12 per hour to complete special projects throughout a summer intern program. Funds Requested: \$5,040 - Temp Salary for 420 hours, \$ 385 - FICA/ Medicare, \$5,425 - Total Fiscal Impact. Salary savings within the OGC operating budget are available to fund this request. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Office of General Counsel to utilize salary savings for additional temporary personnel related to the FY2018 intern program. All present voting "Aye". MOTION PASSED

33740A AUTHORIZE PAYMENT TO KENT POWERSPORTS OF AUSTIN RELATED TO MAINTENANCE AND REPAIRS TO A 2006 HONDA MOTORCYCLE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY



Rodrigo Amaya and Commissioner Whisenant spoke. The Constable had necessary repairs completed on a law enforcement motorcycle in which no purchase order was obtained per County Purchasing Policy. This is a marked police motorcycle unit for traffic enforcement within Pct. 4. Funds are available in their operating budget for this expense. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Kent Powersports of Austin related to maintenance and repairs to a 2006 Honda Motorcycle in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33741A AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH LONGHORN COMMERCIAL ROOFING FOR REPAIRS TO THE GOVERNMENT CENTER ROOF AND AMEND THE BUDGET ACCORDINGLY

Commissioner Shell and Director of Countywide Operations, Clint Garza spoke. During the last heavy rain event, the Building Maintenance Department discovered multiple areas of the Government Center roof that are in need of repairs. Longhorn Commercial Roofing has identified the source of the damage and has proposed to repair a torn seam to the TPO membrane, repair and replace perimeter flashing with new mastic, remove and replace a section of damaged roof, pressure wash and do a thorough inspect seams for further tears. Funds to cover the repairs are being requested from Countywide Contingencies as a repair of this magnitude would significantly deplete the Building Maintenance operating budget. Budget Amendment: Decrease Countywide Contingency, Increase 001-695-00.5741 (Miscellaneous Capital Improvements). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an agreement with Longhorn Commercial Roofing for repairs to the Government Center roof and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33742A AUTHORIZE THE PURCHASE OF A REPLACEMENT 3.5-TON SEER SPLIT HEATING AND COOLING SYSTEM FOR THE PRECINCT 5 OFFICE AND AMEND THE BUDGET ACCORDINGLY

Harvey Jenkins and Director of Countywide Operations, Clint Garza spoke. The PCT 5 Buda Office is in need of a replacement heating and cooling system. The current unit is over 20 years old and is not functioning. SI Mechanical is the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age and the high cost of the repair that is needed to get it running again. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease Building Maintenance and Repair 001-695-00.5451. Increase Misc. Equipment Operating 001-695-00.5719_400. Attachment: SI Mechanical Quote. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement 3.5-Ton Seer Split Heating and Cooling System for the Precinct 5 office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33743A ESTABLISH A CHANGE FUND OF \$150 FOR THE TAX ASSESSOR-COLLECTOR OFFICE AS RECOMMENDED BY THE COUNTY AUDITOR PER TEXAS LOCAL GOVERNMENT CODE 130.902 (A)

Harvey Jenkins and Hays County Auditor, Marisol Villarreal-Alonzo spoke. The Tax Assessor is requesting to establish a new change fund for the Dripping Springs Sub-station. Due to the increased volume at this sub-station it has become necessary to have a change fund available to process cash receipts at the beginning of the day. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to establish a change fund of \$150 for the Tax Assessor-Collector Office as recommended by the County Auditor per Texas Local Government Code 130.902 (a). All present voting "Aye". MOTION PASSED**

33744A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FOR COBB, FENDLEY & ASSOCIATES, INC. ON THE WINTERS MILL INTERSECTION IMPROVEMENTS PROJECT

A change order requesting additional funds for the Winters Mill at RM 3237 Project to add the cost of TxDOT Coordination and Environmental Investigation (refer to Attachment A for detailed Scope of Services) and for Winters Mill at RM 12 Project add Intersection Planning Meetings (refer to Attachment A). To and additional time to the schedule accordingly. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 for Cobb, Fendley & Associates, Inc. on the Winters Mill Intersection Improvements project. All present voting "Aye". MOTION PASSED**

33745A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH K FRIESE & ASSOCIATES, INC. FOR ENGINEERING SERVICES ON RM 150 BETWEEN ARROYO RANCH RD AND YARRINGTON RD



Commissioner Whisenant spoke. PSA is for preparation of documentation in compliance with TxDOT requirements as delegated by the FHWA through assignment of National Environmental Policy Act (NEPA) responsibility, preparation of a design schematic, right-of-way determination, and right-of-way mapping for the relocation of a portion of Ranch to Market (RM) 150. This work will include participating in a scoping process, agency coordination including their consultant(s), subconsultant coordination, schematic development, a Preliminary Drainage Report, preliminary water quality design, traffic analysis, surveying, right-of-way mapping, and support for public involvement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Professional Services Agreement (PSA) with K Friese & Associates, Inc. for engineering services on RM 150 between Arroyo Ranch Rd and Yarrington Rd. All present voting "Aye". MOTION PASSED**

**33746A SUB-1021; O'NEILL RANCH TRACT 9 SUBDIVISION (2 LOTS)
APPROVE PRELIMINARY PLAN**

Hays County Planner, Caitlyn Strickland gave staff recommendation. O'Neill Ranch is an unrecorded subdivision located off of Gatlin Creek Rd in Precinct 4. The proposed prelim will create lot 9A and 9B, both being 5.0 acres. The subdivision will be served by private wells, and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve preliminary plan for SUB-1021 O'Neil Ranch Tract 9 Subdivision. All present voting "Aye". MOTION PASSED**

**33747A AUTHORIZE THE COUNTY CLERK TO UTILIZE KOFI
TECHNOLOGIES FOR PHASE II OF THE PRESERVATION OF VITAL
RECORDS PROJECT**

Hays County Clerk, Liz Gonzalez spoke. On 9/5/17 the County Clerk began Phase I to preserve birth records utilizing Kofile Technologies for off sight management and preservation. This project was finished successfully and the Clerk would like to proceed with Phase II which will consist of scanning and indexing 20,392 Death and Marriage records. The proposed preservation services include conservation, deacidification, mending, encapsulation, binding, archival imaging, security backups on microfilm, and indexing. Dedicated funds within the County Clerks Records Management and Archive fund are available to fund this project. Attachment: Kofile Quote (requires Court signature if approved). GSA Schedule 70 Contract No: GS-35F-275AA. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Clerk to utilize Kofile Technologies for Phase II of the Preservation of Vital Records project. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #22 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

Clerk's Note Agenda Item #23 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 – **was pulled**

33748A IMPOSE THE 90 DAY BURN BAN

Clint Browning, Hays County Fire Marshal spoke. Today's KDBI is 439. Mr. Browning spoke of the drought forecast and recommended implementing the Burn Ban. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to impose the 90 Day Burn Ban. All present voting "Aye". MOTION PASSED**

Clerk's Notes Agenda Item #25 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

ADJOURNMENT

Court adjourned at 10:02 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on June 5, 2018.



Liz Q. Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19TH DAY OF JUNE A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Jones gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins resident of San Marcos, Dan Lyon resident of San Marcos, and Rodrigo Amaya resident of San Marcos all made public comment.

33749A ADOPT A PROCLAMATION COMMEMORATING THE 12TH ANNIVERSARY OF THE DEATH OF U.S. ARMY PRIVATE FIRST CLASS KRISTIAN MENCHACA

Gary Job Corps Business Community Liaison, Randolph Goodman spoke. US Army Captain, Tyler M. Reid spoke. Gary Job Corps Major Troy Oldbury, Army Recruiting Station Commander Staff Sgt. Robert Stallings, Hays County Emergency Preparedness Coordinator Mike Jones, Gary Job Corps Captain Sean Schultz and Gary Job Corps Captain Preston Smith, as well as the six cadets in front of the dais: Gary Job Corps Corrections Cadets Caleb Burreo, Joseph Bailey, Micayla Poland and Kevin Viera, and Security Cadets Deonetavon Brooks and Jessina Johnson. Center Director Patty Lankfor, Student Volunteer Coordinator Irma Pardo, Business Community Liaison Randolph Goodman, Director of Marketing Homewood Suites Monica Ybarra, Gary CRC Member Ruben Becerra were all in attendance. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation commemorating the 12th Anniversary of the death of U.S. Army Private First Class Kristian Menchaca. All present voting "Aye". MOTION PASSED

33750A PRESENTATION FROM BLANCO RIVER REGIONAL RECOVERY, BR3T, PROVIDING AN UPDATE ON THE RECOVERY EFFORTS FROM THE 2015 FLOODS AND THE FUTURE DIRECTION OF THE ORGANIZATION

Office of Emergency Management Director, Kharley Smith spoke. Executive Director Tre Bell spoke. Board of Directors President, Earl Bolls spoke. Board Member & Hays County Emergency Preparedness Coordinator, Mike Jones. Hays County Recovery Specialist, Denise Treadwell was in attendance. The Blanco River Regional Recovery Team is the long term recovery organization created to assist the citizens of Bastrop, Caldwell, Guadalupe and Hays Counties after the devastation of the Memorial Weekend Flood in 2015. Trey Bell, the current Executive Director, will speak on the help they have been able to provide to hundreds of citizens over the past three years.

33751A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$2,060,105.96 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33752A APPROVE PAYMENTS OF JUROR CHECKS



A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks invoices in the amount of \$2,313.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33753A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the United Healthcare claims in the amount of \$141,175.16 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33754A APPROVE COMMISSIONERS COURT MINUTES OF JUNE 5, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of June 5, 2018. All present voting "Aye". MOTION PASSED

33755A AUTHORIZE THE EXECUTION OF AMENDMENT 5 TO THE GRANT PROJECT AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD) TO EXTEND THE COMPLETION DATE FOR THE DAHLSTROM RANCH TRAILS PROJECT TO JUNE 30, 2019

On January 25, 2011 the Commissioners Court accepted a grant award from the Texas Parks and Wildlife Department, Texas Recreational Trails Fund for \$100,000 for development of the Dahlstrom Ranch Public Access Area (trail construction and associated amenities). The original Project Agreement was set to expire on August 31, 2014 and Amendment 1 approved by Commissioners Court on April 1, 2014 extended the Agreement termination date to July 15, 2015. Amendment 2 was approved by the Commissioners Court on June 2, 2015 extended the project completion date to July 15, 2016. Amendment 3, approved by the Commissioners Court on May 31, 2016, extended the Agreement completion date to June 30, 2017. Amendment 4, approved by the Commissioners Court on May 16, 2017, extended the Agreement completion date to June 30, 2018. TPWD was contacted to request an extension to the grant agreement. Amendment 5, approved by TPWD on June 6, 2018, will extend the Project Agreement termination date to June 30, 2019. However, we only foresee needing an additional 2 months. All terms and conditions of the original agreement remain the same. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Amendment 5 to the grant project agreement with the Texas Parks and Wildlife Department (TPWD) to extend the completion date for the Dahlstrom Ranch Trails project to June 30, 2019). All present voting "Aye". MOTION PASSED

33756A APPROVE OUT OF STATE TRAVEL FOR CAPTAIN JULIE VILLALPANDO TO ATTEND THE FBI NATIONAL ACADEMY IN QUANTICO, VA

Out of state travel is requested for Captain Julie Villalpando who has been accepted by the National Academy Unit (NAU) to attend the Federal Bureau of Investigation National Academy. Funding for travel, supplies and materials will be utilized from Sheriff's Federal Discretionary funds. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Captain Julie Villalpando to attend the FBI National Academy in Quantico, VA. All present voting "Aye". MOTION PASSED

33757A RATIFY THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION AND CONTROL (FEDERAL) FOR FY 2019 IN THE AMOUNT OF \$22,297.00

The Department of State Health Services provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The federal funding is \$22,297, with a 20% match (\$4,459) required of the County for participation in the program, for total project amount of \$26,756. The match will be budgeted within the Health Department for fiscal 2019 from existing salaries, benefits, and operating expenses. The funding period for the program is from January 1, 2019 through December 31, 2019. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the execution of an Interlocal Agreement with the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention and Control (Federal) for FY 2019 in the amount of \$22,297.00. All present voting "Aye". MOTION PASSED



33758A RECEIVE THE COUNTY JUDGE'S DELEGATION OF A COUNTY OFFICER PURSUANT TO SECTION 61.312 OF THE TEXAS ALCOHOLIC BEVERAGE CODE

Pursuant to Section 61.312 of the Texas Alcoholic Beverage Code, the County Judge may file an order with the Commissioners Court of the county delegating to another county officer the duty to hear applications for a license under this chapter. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to receive the County Judge's delegation of a county officer pursuant to Section 61.312 of the Texas Alcoholic Beverage Code. All present voting "Aye". MOTION PASSED

33759A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 3100 WINDY HILL RD, BUDA, TX 78610

Buda (Kyle) DTP, LLC is proposing an OSSF to serve a Dollar General retail store. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Jerry Ince, P.E., has designed a system, which consists of a 1000 gallon trash tank, 1000 flow equalization tank, a Clearstream aerobic treatment unit, a 1000 gallon pump tank and a drip emitter system. The maximum daily usage rate on average is 320 gallons. A motion was made by Commissioner Jones, seconded by Whisenant to authorize Institutional OSSF Permit at 3100 Windy Hill Rd, Buda, TX 78610. All present voting "Aye". MOTION PASSED

33760A AUTHORIZE THE PRECINCT 1 CONSTABLE'S OFFICE TO ADMINISTER A RETIRED PEACE OFFICER'S PROGRAM AS REQUIRED BY SECTION 614.124 OF THE TEXAS GOVERNMENT CODE

Rodrigo Amaya resident of San Marcos made public comment. General Counsel Mark Kennedy spoke. Section 614.124 of the Texas Government Code requires the head of a law enforcement agency to issue a honorably retired peace officers identification card to those individuals who request and meet the qualifications listed in both the Texas Government Code and the Texas Occupations Code. Section 1701.357(g) of the Texas Occupations Code states, A county law enforcement agency must obtain approval of the program authorized by this section from the Commissioners Court of the county before issuing a certificate of proficiency under this section. A motion was made by Commissioner Jones, seconded by Whisenant to authorize the Precinct 1 Constable's Office to administer a Retired Peace Officer's Program as required by Section 614.124 of the Texas Government Code. All present voting "Aye". MOTION PASSED

33761A APPROVE OUT OF STATE TRAVEL FOR ERICA CARPENTER AND MEGAN JONES TO ATTEND THE EMERGENCY TELECOMMUNICATOR INSTRUCTOR COURSE IN SALT LAKE CITY, UTAH

Approval for out of state travel is needed to send Erica Carpenter and Megan Jones to attend the Emergency Telecommunicator Instructor Course in Salt Lake City, Utah beginning August 22-24, 2018. This training will teach Erica and Megan about how to train others to become Emergency Telecommunicators. This training will also allow Erica and Megan to improve personal training skills and abilities, and grow more familiar with Emergency Telecommunicator Course content, and to gain insight into ways to incorporate local policies and procedures. Funding for registration, travel and miscellaneous fees are identified in the Sheriff's Office Continuing Education general ledger. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Erica Carpenter and Megan Jones to attend the Emergency Telecommunicator Instructor Course in Salt Lake City, Utah. All present voting "Aye". MOTION PASSED

33762A APPROVE UTILITY PERMITS

Permit: 1082 Road Name: Posey Road Utility: Fiber Optic Cable (Centurylink). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit # 1028 on Posey Road for a Fiber Optic Cable (Centurylink). All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #15 RE: RECEIVE AND RECOGNIZE ADOPTION OF A POLICY REGARDING HAYS COUNTY LAW ENFORCEMENT USE OF COUNTY EQUIPMENT AND VEHICLES BY THE FIVE HAYS COUNTY CONSTABLES – was pulled



**33763A AMEND THE SHERIFF'S OFFICE OPERATING BUDGET FOR
ADDITIONAL OVERTIME COMPENSATION FOR LAW ENFORCEMENT
PERSONNEL**

Rodrigo Amaya resident of San Marcos made a public comment. The Sheriff's Office is experiencing a shortage in law enforcement personnel which has caused an increase in overtime expenses to maintain the level of service needed for public safety. The Sheriff is requesting to utilize the salary savings due to attrition to cover the overtime shortages. Budget Amendment: 001-618-00.5021 Staff Salaries (\$200,000), 001-618-00.5031 Overtime \$200,000. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Sheriff's Office operating budget for additional overtime compensation for Law Enforcement personnel. All present voting "Aye". MOTION PASSED

**33764A AMEND THE SHERIFF'S OFFICE DRUG FORFEITURE FUND FOR
SUPPLEMENTAL PAY FOR TWO LAW ENFORCEMENT POSITIONS
RELATED TO TEMPORARY SUPERVISORY DUTY ASSIGNMENTS**

The Sheriff is requesting supplemental pay for two positions in the Jail Division; Lieutenant, slot number 0473-006 and Sergeant, slot number 0620-005 due to the existing Captain attending a three and a half month FBI Training Course. Supervisory positions will temporarily be re-assigned to fill this gap effective July 1, 2018 through October 15, 2018. Sheriff Drug Forfeiture Funds are available to fund this request. Budget Amendment: Increase Salaries - \$9,116, Increase Fringe - \$1,897, Decrease Criminal Investigation - (\$11,013). Attachment: Financial Impact for duty reassignment A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Sheriff's Office Drug Forfeiture Fund for supplemental pay for two law enforcement positions related to temporary supervisory duty assignments. All present voting "Aye". MOTION PASSED

**33765A RATIFY THE EXECUTION OF AN AGREEMENT WITH MCLIFF COFFEE
& VENDING FOR VENDING SERVICES AT THE COURTHOUSE**

The County Wide Operations Department would like to enter into a services agreement with Mcliff Coffee & Vending to bring vending services to the Courthouse. Mcliff offers a number of vending options that will be available to employees and the public at no cost to the County. Services are to include snack & soda vending available to employees and public. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the execution of an agreement with Mcliff Coffee & Vending for vending services at the Courthouse. All present voting "Aye". MOTION PASSED

**33766A AMEND THE RECYCLING AND SOLID WASTE DEPARTMENT
OPERATING BUDGET FOR CONTINUING EDUCATION EXPENSES
RELATED TO STAFF CERTIFICATIONS**

Additional funds are needed to cover the cost of the Texas Commission on Environmental Quality (TCEQ) Exam (\$50) and a Compliance Solutions Hazwoper Refresher Course (\$119) in order for staff to maintain their current certifications. Savings within the operating budget are available to fund this request. Budget Amendment: Decrease 001-716-00.5201 General Supplies, Increase 001-716-00.5551 Continuing Education. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Recycling and Solid Waste Department operating budget for continuing education expenses related to staff certifications. All present voting "Aye". MOTION PASSED

**33767A AUTHORIZE THE EXTENSION OF THE TEXAS WATER DEVELOPMENT
BOARD AND HAYS COUNTY CONTRACT FOR THE FLOOD WARNING
SYSTEM GRANT TO SEPTEMBER 30, 2018**

The requested amendment is meant to extend the period of performance between the Texas Water Development Board and Hays County to further develop the Hays County Flood Warning System. Hays County -TWDB Contract No. 160012045 Section I, Article I, Item 11 & 13 extension to September 30, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the extension of the Texas Water Development Board and Hays County contract for the Flood Warning System grant to September 30, 2018. All present voting "Aye". MOTION PASSED

**33768A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR
DAMAGED LOW WATER CROSSING MONITORING EQUIPMENT AT
TWO LOCATIONS AND AMEND THE BUDGET ACCORDINGLY**



The master pole at Chapparral Rd was damaged during a vehicular accident on the evening of May 4, 2018. The vehicle broke the pole base, causing the pole to fall over and damage the pole base, electronics box, solar panel, ALERT2 encoder board, ALERT2 decoder board, ALERT2 board back plate, and the GPS antenna cable. All of these items must be replaced before the station can be re-installed. The flasher #1 pole at York Creek Rd was damaged during a vehicular accident on the morning of May 17, 2018. The vehicle broke the pole base, causing the pole to fall over and damage the pole base, one of the batteries, and the 900Mhz antenna cable. All of these items must be replaced before the station can be re-installed. The Emergency Services Director has received quotes from our current LWC installation vendor to complete both repairs. Hays County will be seeking reimbursement from at fault parties; however it is imperative that these repairs are completed in a timely manner for safety reasons. Funding from County-Wide self-insurance is available to fund this request. Any reimbursements received will be deposited back into that g/l account. Attachments: Water & Earth Technologies quotes: #A637-205 - \$9,983.07, #A637-206 - \$2,198.83. Budget Amendment: Increase OES Equipment Maint & Repairs Decrease Co-Wide Self Insurance. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Office of Emergency Services to repair damaged Low Water Crossing Monitoring equipment at two locations and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33769A AUTHORIZE COMMERCIAL OSSF PERMIT AT 12495 SILVER CREEK ROAD, DRIPPING SPRINGS, TEXAS 78620

Hospital Housekeeping Services, LLC is proposing an OSSF to serve a business that includes an office building, a cafeteria, and 5 condominiums. This 120.177-acre tract of land will be served by a public water well. The system designer, Jon Maass, R.S., has designed a non-standard treatment system, which consists of a grease interceptor, pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 4800 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 12495 Silver Creek Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #23 RE: *AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE SIX (6) ULTRASITE BENCHES AND FOUR (4) VACKER NPS CANTILEVER STYLE EXHIBIT SIGNS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE – was pulled*

33770A AUTHORIZE THE EXTENSION OF THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD AND HAYS COUNTY CONTRACT TO JULY 31, 2019

The purpose of this amendment is to extend the period of performance for the Texas State Soil and Water Conservation Board and Hays County Hays County -EWP-ST-50040. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the extension of the Texas State Soil and Water Conservation Board and Hays County contract to July 31, 2019. All present voting "Aye". MOTION PASSED

33771A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH RPS INFRASTRUCTURE, INC. FOR ENGINEERING SERVICES AT THE INTERSECTION OF RR12 AND FM3237

Transportation Director Jerry Borcharding spoke. PSA is for engineering services of a proposed project at the RR 12 and FM 3237 intersection consisting of pavement widening to accommodate a westbound to north bound free right-turn lane; northbound acceleration lane; southbound to eastbound left-turn lane; and southbound to westbound right-turn lane. Pavement widening will require removal and replacement of the existing traffic and pedestrian signals with new traffic signal, safety lighting and related infrastructure. Driveways and drainage culverts will also be updated to accommodate the improvements. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement (PSA) with RPS Infrastructure, Inc. for engineering services at the intersection of RR12 and FM3237. All present voting "Aye". MOTION PASSED

33772A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND



#K09568785 IN THE AMOUNT OF \$1,935,419.35, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1848963 IN THE AMOUNT OF \$180,609.38, AND ACCEPT THE 1-YEAR REVEGETATION BOND #1063822 IN THE AMOUNT OF \$12,600.00 FOR SHADOW CREEK SUBD., PHASE 9, SECTION 2

Transportation Director Jerry Borcharding spoke and gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond, revegetation bond, and engineer's concurrence letter have been received. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the construction bond #K09568785 in the amount of \$1,935,419.35, acceptance of the 2-year maintenance bond #1848963 in the amount of \$180,609.38, and accept the 1-year revegetation bond #1063822 in the amount of \$12,600.00 for Shadow Creek subd., Phase 9, Section 2. All present voting "Aye". MOTION PASSED

33773A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE PERFORMANCE BOND #1155049 IN THE AMOUNT OF \$84,080.96, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1048985 IN THE AMOUNT OF \$76,578.77, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #1048985 IN THE AMOUNT OF \$70,783.20 FOR CALITERRA SUBD., PHASE 2, SECTION 8

Transportation Director Jerry Borcharding spoke and gave staff recommendation. Transportation Director Jerry Borcharding spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond, revegetation bond, and engineer's concurrence letter have been received. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the performance bond #1155049 in the amount of \$84,080.96, acceptance of the 2-year maintenance bond #1048985 in the amount of \$76,578.77, and acceptance of the 2-year revegetation bond #1048985 in the amount of \$70,783.20 for Caliterra subd., Phase 2, Section 8. All present voting "Aye". MOTION PASSED

33774A RENAME THE ROAD TULIP GARDEN TRAIL TO SPLIT ROCK PATH IN THE LA CIMA, PH 1, WEST CENTERPOINT ROAD PLAT

Attached letter describes the road in question. A copy of the original plat has been attached. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to rename the road Tulip Garden Trail to Split Rock Path in the La Cima, PH 1, West Centerpoint Road Plat. All present voting "Aye". MOTION PASSED

32775A SUB-1002; ACOSTA ADDITION SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN

County Planner Marcus Pacheco spoke and gave staff recommendation. Acosta Addition Subdivision is located off of Mussey Rd in Precinct 3. The proposed prelim will create 1 lot across 4.72 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant approve preliminary plan of SUB-1002 Acosta Addition Subdivision (1 Lot). All present voting "Aye". MOTION PASSED

33776A SUB-1021; O'NEILL RANCH TRACT 9 SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT

County Planner Caitlyn Strickland spoke and gave staff recommendation. Oneill Ranch is an unrecorded subdivision located off of Gatlin Creek Rd in Precinct 4. The proposed prelim will create lot 9A and 9B, both being 5.0 acres. The subdivision will be served by private wells, and wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell approve final plat of SUB-1021 O'Neill Ranch Tract 9 Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33777A SUB-526 BREAKWATER SUBDIVISION (21 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT



County Planner Caitlyn Strickland spoke. The proposed Breakwater Subdivision is a 21 lot subdivision located off of Rim Rock Trail in Precinct 4. This proposed subdivision spans across both Hays and Travis County. Only 2.575 acres, which will be 4 lots, will be within Hays County. The subdivision will be served by the West Travis County Public Utility Agency. Wastewater service will be provided by individual on-site sewage facilities. All the roads being constructed in Breakwater Subdivision will be solely within and maintained by Travis County. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell approve final plat of SUB-526 Breakwater Subdivision (21 Lots). All present voting "Aye". MOTION PASSED

33778A CALL FOR A PUBLIC HEARING ON JULY 17, 2018 TO DISCUSS THE CANCELLATION OF LOT 1 IN THE RIM ROCK RANCH ESTATES SUBDIVISION

County Planner Marcus Pacheco spoke. The Rim Rock Ranch Estates subdivision is a 4 lot recorded subdivision located off Rim Rock Ranch Rd. in Precinct 3. The subdivision was recorded in 2007. The owner of lot 1 now wishes to cancel the 3 acre parcel and reestablish the lot as an acreage tract. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on July 17, 2018 to discuss the cancellation of lot 1 in the Rim Rock Ranch Estates Subdivision. All present voting "Aye". MOTION PASSED

33779A APPROVE THE APPOINTMENT OF BERT BRONAUGH, TO REPLACE TOM DAHLSTROM, ON THE BOARD OF EMERGENCY SERVICES DISTRICT #2, TERM ENDING DECEMBER 31, 2019

Commissioner Jones spoke. Bert Bronaugh has agreed to serve out the term of Tom Dahlstrom beginning June 21, 2018. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Bert Bronaugh, to replace Tom Dahlstrom, on the board of Emergency Services District #2, term ending December 31, 2019. All present voting "Aye". MOTION PASSED

33780A AUTHORIZE THE EXECUTION OF A REMOTE BIRTH ACCESS CONTRACT BETWEEN HAYS COUNTY AND DEPARTMENT OF STATE HEALTH SERVICES (DSHS) VITAL STATISTICS UNIT RELATED TO STATE WIDE BIRTH CERTIFICATES

Contract renewal for the Hays County Clerk's Office to access the Texas Electronic Registration Remote System (TER Remote System) for the purpose of issuing individual birth certificates. The current contract expires on 8/31/2018. This renewal is for a 5 year period beginning 9/1/2018 and ending 8/31/2023. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Remote Birth Access Contract between Hays County and Department of State Health Services (DSHS) Vital Statistics Unit related to state wide birth certificates. All present voting "Aye". MOTION PASSED

33781A EXECUTE A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM AND AMEND THE BUDGET ACCORDINGLY

Transportation Assistant Director Alex Flores spoke. Transportation Director Jerry Borcharding spoke. Funds are allocated by the United States Department of Housing and Urban Development through the Community Development Block Grant Program to provide disaster recovery and restoration of infrastructure for communities impacted by the Floods of 2015. The 2015 Floods and Storms overwhelmed Hays County's street and drainage system. Flows exceeding the capacity of drainage channels prohibited storm water from draining effectively, inundating streets and threatening public health, safety, and welfare. As part of the CDBG-DR program, Hays County will conduct street infrastructure improvements to facilitate proper storm water conveyance and provide continued ingress/egress to the area. The project total is \$9,104,085 with a total of \$5,003,006 in CDBG-DR funding and \$4,101,079 matching funds from Hays County General Fund. The contract will become effective on the date signed by the last party and will terminate on September 22, 2020. FY18 fiscal impact is anticipated to be approximately \$20,000. Co-Wide Operations miscellaneous capital improvements are available to fund this request. Additionally, the remaining match commitments will be budgeted during the 2019 & 2020 fiscal years as appropriate per the anticipated project timeline. Budget Amendment: Increase Intergovernmental Revenue .4301 - \$150,000, Increase Professional & Admin Fees .5303 - \$170,000, Decrease Co-Wide Operations Misc Capital Imprv 001-712-00.5741 - (\$20,000). A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to execute a contract with the General Land Office for the Community Development Block Grant Disaster Recovery (CDBG-DR) program and amend the budget accordingly. All present voting "Aye". MOTION PASSED



33782A APPOINT COMMISSIONER DEBBIE GONZALES INGALSBE AND COMMISSIONER LON SHELL TO REPRESENT HAYS COUNTY, ON THE JOINT COMMUNITY PARTNERSHIP COMMITTEE WITH THE CITY OF SAN MARCOS AND THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

Commissioner Shell spoke. Commissioner Ingalsbe spoke. Hays County has 2 positions on the newly formed Joint Community Partnership Committee with the City of San Marcos and San Marcos Independent School District. Each entity will appoint 2 members to the Committee which will focus on common partnership opportunities and public interest. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to appoint Commissioner Debbie Gonzales Ingalsbe and Commissioner Lon Shell to represent Hays County, on the Joint Community Partnership Committee with the City of San Marcos and the San Marcos Consolidated Independent School District. All present voting "Aye". MOTION PASSED

33783A AUTHORIZE THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY TO BE PERFORMED BY THE MEADOWS CENTER FOR WATER AND THE ENVIRONMENT RELATED TO THE 2018 HAYS COUNTY FERAL HOG PROGRAM

Commissioner Jones spoke. Texas State University - The Meadows Center for Water and the Environment will provide services associated with Texas A&M AgriLife Extension Feral Hog Abatement Grant program as follows: General Project Management, Website Development/Social Media Campaign, 4 Landowner Outreach Events, Hays County Feral Hog Removal Tracking including a County Level Damage Assessment, Hays County Feral Hog Bounty Program, Remote-Operated Feral Hog Trap Sharing Cooperative, Development of Final Report: Central Texas Feral Hog Action and Sustainability Plan. The Feral Hog Abatement Grant Program will provide \$7,850 in funding assistance for this program of which \$6,000 will be utilized for the services. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an Interlocal Cooperation Agreement between Hays County and Texas State University to be performed by the Meadows Center for Water and the Environment related to the 2018 Hays County Feral Hog Program. All present voting "Aye". MOTION PASSED

33784A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HANNAH RIFKIN FOR PRODUCTION SERVICES RELATED TO THE 2015 MEMORIAL DAY FLOOD DOCUMENTARY

Historical Commission Chairman, Kate Johnson spoke. General Counsel, Mark Kennedy spoke. The Historical Commission Director would like to secure services with the Rifkin to assist with production, editing and delivery of the 2015 Memorial Day Flood Documentary. Mrs. Johnson respectfully requests the court to authorize selection of this vendor without securing additional quotes as required by the purchasing policy. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of a Professional Services Agreement with Hannah Rifkin for production services related to the 2015 Memorial Day Flood Documentary. All present voting "Aye". MOTION PASSED

33785A AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH MCLIFF COFFEE & VENDING FOR VENDING SERVICES AT THE DEVELOPMENT SERVICES/TRANSPORTATION FACILITY

Assistant Director of Countywide Operations, Tammy Crumley spoke. The County Wide Operations Department would like to enter into a services agreement with Mcliff Coffee & Vending to bring vending services to the Development Services/Transportation facility. Mcliff offers a number of vending options that will be available to employees and the public at no cost to the County. Services are to include the following: 1. Snack & Soda vending machines in lobby, available to employees and the public. 2. Coffee services for employees in the Development Services breakroom. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of an agreement with Mcliff Coffee & Vending for vending services at the Development Services Transportation facility. All present voting "Aye". MOTION PASSED

33786A AUTHORIZE THE HAYS COUNTY CHILD PROTECTIVE BOARD TO SUBMIT A PARTICIPATE APPLICATION TO THE VILLAGE OF SAN MARCOS FOR FUTURE INFRASTRUCTURE NEEDS RELATED TO A "RAINBOW ROOM" DISTRIBUTION CENTER

Hays County Child Protective Board Member, Karen Brown spoke. The Hays County Child Protective Board is seeking the Court's authorization to submit an application to the Village of San Marcos for consideration for future infrastructure needs. CPS, with funding from the Board, maintains what is called a Rainbow Room, where items children in custody need are stored. Currently, the Rainbow Room consists of two small rooms



in CPS offices. Because the number of children served by the Board has increased dramatically in the last eight years from 32,948 in 2010 to 53,169 in 2017 we have had to rent storage space for items that children need, which makes access to the items in emergencies difficult, time-consuming, and sometimes impossible. Further, even with rented storage space we have too little room to allow the acceptance of many donations, or to buy in bulk to reduce costs. The Board's vision is to build a free-standing building at the Village to serve as a Rainbow Room that provides ample space for storage, distribution, record-keeping and immediate needs of children, and that provides safe access for the children and for the CPS workers. This application process is a first step toward improving the current Rainbow Room and the services it provides. Submitting the application to the Village does not obligate the Board to join, but it will allow a path forward with project planning, identifying cost, and seeking potential funding sources. Attachment: Participate Application. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Hays County Child Protective Board to submit a Participate Application to the Village of San Marcos for future infrastructure needs related to a Rainbow Room distribution center. All present voting "Aye". MOTION PASSED

33787A APPOINT COMMISSIONER LON SHELL TO REPRESENT HAYS COUNTY, ON THE GREATER SAN MARCOS PARTNERSHIP BOARD ("GSMP") OF DIRECTORS, TO REPLACE WILL CONLEY

Dan Lyon resident of San Marcos made public comment. Harvey Jenkins resident of San Marcos made public comment, Rodrigo Amaya resident of San Marcos made public comment. Hays County has 2 positions on the GSMP Board of Directors. The positions are to be held by members of Commissioner Court. Mr. Conley's seat needs to be filled by a current court member. Pursuant to Section 5.9 of the Second Amended and Restated Bylaws of the Greater San Marcos Economic Development Corporation, Commissioner Shell has been nominated as a replacement Director to the GSMP Board of Directors contingent on the County's approval. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to appoint Commissioner Lon Shell to represent Hays County, on the Greater San Marcos Partnership Board (GSMP) of Directors, to replace Will Conley. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #42 RE: *EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled*

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING APPLICATION OF THE HAYS COUNTY REINVESTMENT ZONE POLICY TO SELECT PROJECTS WITHIN HAYS COUNTY

Court convened into Executive session at 10:18 a.m. and reconvened into open court at 10:43 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. No action taken.

Clerk's Note Agenda Item #44 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*

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave the update of the Burn Ban. The Burn Ban will remain in place. No action taken.

Clerk's Note Agenda Item #46 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW – was pulled*

ADJOURNMENT

HAYS COUNTY COMMISSIONERS' COURT MINUTES



A motion was made by Commissioner Jones to adjourn court at 10:55a.m.

I, **LIZ Q. GONZALEZ**, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on June 19, 2018.





**LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS**





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26TH DAY OF JUNE A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
OSCAR MEJIA, JR.	DEPUTY COUNTY CLERK

WITH COMMISSIONER, PCT. 4, RAY O. WHISENANT, JR., AND COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon and Rodrigo Amaya, San Marcos residents, and Ari Axelrod, a Wimberley resident all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5 years - Virginia A. Larvin, Tax Customer Service Representative. 10 Years - Kimberli Dawn Andrews, Auditor Accounts Payable Manager, Paula Gilardi, Tax Substation Chief Deputy, Brooke Denise Leftwich, Dev. Svcs. Natural Resources Manager. 15 Years - Carmen J. Alvarez, Auditor Senior Internal Auditor. 20 Years - Kathrine Weiss, Dev. Svcs. GIS Analyst, Andrew W. Cable, JP 3 Justice Of The Peace. 25 Years - Mary E. Torres, Dev. Svcs. Customer Service Representative. Retirement - Margaret Buentello, Dev. Svcs. Customer Service Representative, Severa Valdez Pineda, Transportation Road Supervisor.

33788A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$3,377,257.72 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33789A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of Juror checks invoices in the amount of \$ 6,688.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33790A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the United Healthcare claims in the amount of \$ 421,446.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33791A APPROVE COMMISSIONER COURT MINUTES OF JUNE 19, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioner Court Minutes of June 19, 2018. All present voting "Aye". MOTION PASSED

33792A APPROVE THE PAYMENT OF THE JUNE 30, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE JUNE 29, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the June end of the month payroll disbursements not to exceed \$3,560,000.00. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of the



June 30, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective June 29, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33793A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE THREE (3) SOLAR SCHOOL SYSTEMS FROM ELTEC (ELECTROTECHNICS CORPORATION) FOR THE NEW UHLAND ELEMENTARY SCHOOL ON HIGH ROAD AND AMEND THE BUDGET ACCORDINGLY

As a result of a new Hays CISD elementary school (Uhland Elementary) currently being built on the east end of High Road, Hays County will need to install solar school systems for enforcement of a speed zone before classes begin in the fall. The Transportation Dept. currently does not have these materials in stock. Budget Amendment: Decrease Road Materials .5351, Increase Misc Equipment .5719_400. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Transportation Department to purchase three (3) solar school systems from Eltec (Electrotechnics Corporation) for the new Uhland Elementary School on High Road and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33794A APPROVE UTILITY PERMITS

Permit #1083 High Mesa Drive, Campfire Way, Campfire Cir. To Water Line. Permit #1084 5225 Fischer Store Rd Electric. Permit #1085 Horace Howard Drive Water Line. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Utility Permit #1083 on High Mesa Drive, Campfire Way, and Campfire Cir issued to Cedar Oaks Mesa Water Supply Corporation, Utility Permit #1084 on 5225 Fischer Store Rd. issued to Pedernales Electric Cooperation, Inc. and Utility Permit #1085 on Horace Howard Drive issued to City of San Marcos as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33795A AUTHORIZE THE ORDER OF A FORD UTILITY POLICE INTERCEPTOR FOR THE SHERIFF'S OFFICE AS PART OF THE FY 18 VEHICLE LEASE PROGRAM

Dan Lyon, and Rodrigo Amaya, San Marcos residents, spoke. On 4-18-18, Commissioner's Court approved an amendment of self-insurance funds for front body, suspension and rear bumper repairs to unit # 1715. At the time, repairs totaled \$6,357.00; since then the vendor discovered additional underlying damages. Other damages total an additional \$17,384.2. The vehicle is totaled and is more cost effective to approve a replacement vehicle in the lease program. Financial Impact: FY18: \$1,826.00. Annualized: \$7,301.40. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the order of a Ford Utility Police Interceptor for the Sheriff's Office as part of the FY 18 vehicle lease program. All present voting "Aye". MOTION PASSED

33796A ADOPT THE ELECTION SERVICE FEES FOR THE REMAINDER OF 2018

These fees will be used for elections held for the remainder of 2018 and then reviewed later for the upcoming year. A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt the Election Service Fees for the remainder of 2018. All present voting "Aye". MOTION PASSED

33797A AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE AN AED (AUTOMATIC EXTERNAL DEFIBRILLATOR) AND AMEND THE BUDGET ACCORDINGLY

The Natural Resources Parks Department would like to purchase a portable Automatic External Defibrillator to be used by the Park staff. The equipment would be a medical asset to both the visitors and citizens of Hays County who visit Jacob's Well when EMS or other medical responders are delayed in their response. Budget Amendment: Decrease 001-700-00.5201 General Supplies Increase Misc. Eqpt. 001-700-00.5719_400. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Natural Resources Parks Department to purchase an AED (Automatic External Defibrillator) and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33798A AUTHORIZE AN INTERGOVERNMENTAL TRANSFERS (IGT) AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER), IN AN AMOUNT NOT TO EXCEED \$1,291,036.54



Commissioner Shell and Texas Chief Officer from Seton Medical Center, Geronimo Rodriguez spoke. The transfer date deadline is June 29th for settlement date of July 2nd for DY7 Round in the amounts of: DSRIP payments are used for monitoring activities of the Texas 1115 waiver program as required by the State's agreement with the Centers for Medicaid Medicare Services (CMS). A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize an Intergovernmental Transfers (IGT) as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver), in an amount not to exceed \$1,291,036.54. All present voting "Aye". MOTION PASSED

33799A AMEND THE COUNTY COURT AT LAW, TEXAS VETERAN'S COMMISSION (TVC) GRANT BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO THE ANNUAL NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS CONFERENCE

The TVC agency authorized a budget adjustment for the veteran's program staff to attend the National Drug Court Professionals conference in Houston Texas in May. Additional funds are needed to cover the per diem for county staff. No County matching funds are needed. Budget Amendment: Decrease .5021 - Staff Salaries Increase .5551 - Continuing Education. A motion was made by Commissioner Jones, seconded by Commissioner Shell to amend the County Court at Law, Texas Veteran s Commission (TVC) grant budget for continuing education expenses related to the annual National Association of Drug Court Professionals Conference. All present voting "Aye". MOTION PASSED

33800A AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO ACCEPT ADDITIONAL GRANT FUNDING FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) FOR A RISK & NEEDS ASSESSMENT SOFTWARE TOOL AND AMEND THE BUDGET ACCORDINGLY

The Texas Juvenile Justice Department awarded the Hays County Juvenile Probation Department an additional \$13,947 for expenses related to a Risk & Needs Assessment software tool and staff training upon the completed implementation. The Hays County Juvenile Board approved a contract with Noble Software Group, LLC which is the only company that provides a risk score and generates a case plan that interfaces with the department's case management software system. No County matching funds are required. Budget Amendment: Increase .5448 Contract Services Increase .4301 Intergovernmental Revenue. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Juvenile Probation Department to accept additional grant funding from the Texas Juvenile Justice Department (TJJD) for a Risk & Needs Assessment software tool and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33801A APPROVE SPECIFICATIONS FOR IFB 2018-B07 REGULATORY ROAD SIGNS AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve specifications for IFB 2018-B07 Regulatory Road Signs and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

33802A APPROVE SPECIFICATIONS FOR IFB 2018-B08 ROAD IMPROVEMENTS - HOT MIX OVERLAY AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve specifications for IFB 2018-B08 Road Improvements - Hot Mix Overlay and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

33803A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #3 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept the 2017 Hays County Emergency Services District #3 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33804A ACCEPT REVEGETATION EFFORTS WITHIN COUNTY ROW, RELEASE THE REVEGETATION BOND #70144632 IN THE AMOUNT OF \$9,799.20 FOR REUNION RANCH SUBD., PHASE 2, SECTION 5, AND



RELEASE THE REVEGETATION BOND #4407309MNT-2 IN THE AMOUNT OF \$8,499.00 FOR REUNION RANCH SUBD., PHASE 3, SECTION 1

Staff recommends acceptance of revegetation efforts within the County ROW. A separate revegetation bond was issued for each section. Revegetation has reached or exceeded the minimum of 70%. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept revegetation efforts within County ROW, release the revegetation bond #70144632 in the amount of \$9,799.20 for Reunion Ranch subd., Phase 2, Section 5, and release the revegetation bond #4407309MNT-2 in the amount of \$8,499.00 for Reunion Ranch subd., Phase 3, Section 1. All present voting "Aye". MOTION PASSED

33805A CALL FOR A PUBLIC HEARING ON JULY 10, 2018 TO REDUCE THE EXISTING SPEED LIMIT OF 30 MPH TO 20 MPH ON HAZY HILLS LOOP AND ON DAYRIDGE DRIVE IN THE HEADWATERS AT BARTON SPRINGS SUBDIVISION

This action would reduce the existing speed limit of 30 MPH on both Hazy Hills Loop and Dayridge Drive within the Headwaters at Barton Springs subdivision to 20 MPH. A motion was made by Commissioner Jones, seconded by Commissioner Shell to call for a public hearing on July 10, 2018 to reduce the existing speed limit of 30 MPH to 20 MPH on Hazy Hills Loop and on Dayridge Drive in the Headwaters at Barton Springs subdivision. All present voting "Aye". MOTION PASSED

33806A CALL FOR A PUBLIC HEARING ON JULY 10, 2018 TO ESTABLISH A SPEED LIMIT OF 35 MPH ON MADRONE RANCH TRAIL IN MADRONE RANCH SUBDIVISION

This action would establish a speed limit of 35 MPH for Madrone Ranch Trail, after conducting a speed study last month. This subdivision has large acre lots and is in a rural part of the county. Speed limits were not established after construction. A motion was made by Commissioner Jones, seconded by Commissioner Shell to call for a public hearing on July 10, 2018 to establish a speed limit of 35 MPH on Madrone Ranch Trail in Madrone Ranch subdivision. All present voting "Aye". MOTION PASSED

33807A RELEASE THE MAINTENANCE BOND #K0923245A IN THE AMOUNT OF \$36,938.10, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SHADOW CREEK SUBDIVISION, PHASE 4, SECTION 1B

Staff recommends acceptance of the roads into the county maintenance system. All items on the punch-list for repairs have been completed. The roads include segments of: Twisted Oaks Lane (1,217 ft.) and Vestral Road (145 ft.). A motion was made by Commissioner Jones, seconded by Commissioner Shell to release of the maintenance bond #K0923245A in the amount of \$36,938.10, and acceptance of the roads into the county road maintenance system for Shadow Creek subdivision, Phase 4, Section 1B. All present voting "Aye". MOTION PASSED

33808A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE THE LETTER OF CREDIT #5135-500 IN THE AMOUNT OF \$761,261.00 FOR KEY RANCH SUBDIVISION, SECTION 3. A MAINTENANCE BOND AND 2-YEAR WARRANTY PERIOD IS NOT NEEDED AS THESE ROADS WILL REMAIN PRIVATELY MAINTAINED

Staff recommends acceptance of construction of roads and drainage improvements. An engineer's concurrence letter and as-built construction plans have been received. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept road construction and drainage improvements, and release the Letter of Credit #5135-500 in the amount of \$761,261.00 for Key Ranch subdivision, Section 3. A maintenance bond and 2-year warranty period is not needed as these roads will remain privately maintained. All present voting "Aye". MOTION PASSED

33809A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 FOR HDR ENGINEERING, INC. ON THE CENTERPOINT ROAD EXTENSION PROJECT



Commissioner Shell spoke. A supplemental agreement to amend the original contract completion date from December 31, 2017 to December 31, 2018. Extension needed to accommodate delays encountered during the right of way negotiation process with one of the two property owners along the corridor and coordination with an adjacent development. No change in the amount of contract. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Supplemental No. 1 for HDR Engineering, Inc. on the Centerpoint Road Extension project. All present voting "Aye". MOTION PASSED

33810A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 TO WORK AUTHORIZATION NO. 2 WITH PRIME STRATEGIES, INCORPORATED RELATED TO ENGINEERING MANAGEMENT SERVICES AND AMEND THE BUDGET ACCORDINGLY

Commissioner Shell and Director of Transportation, Jerry Borcharding spoke. Additional funding for projected efforts in relation to cash flow management and TxDOT coordination. Supplemental No. 1 raises the compensation cap stipulated in the original Work Authorization No. 2 from \$75,000 to \$165,000, an increase of \$90,000. Further, the Supplemental redefines the responsibilities of general management divided between the County and Prime Strategies. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Supplemental No. 1 to Work Authorization No. 2 with Prime Strategies, Incorporated related to engineering management services and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33811A APPROVE THE SELECTION OF LNV, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR IMPROVEMENT TO THE INTERSECTION OF SH 21 AND FM 1966 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Ingalsbe spoke. Installation of a traffic signal at the intersection of SH 21 and FM 1966 is included in the 2016 Road Bond Program. Projected work for the contract would include completion of a Traffic Signal Warrant Analysis, navigation of the TxDOT approval process, and necessary design including, but not limited to, creation of and Plans, Specifications and Estimates (PS&E). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of LNV, Inc. for professional engineering services for improvement to the intersection of SH 21 and FM 1966 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED

33812A SUB-1002; ACOSTA ADDITION SUBDIVISION (1 LOT) APPROVE FINAL PLAT

County Planner, Marcus Pacheco spoke. Staff gave recommendation. Acosta Addition Subdivision is located off of Mussey Rd in Precinct 3. The proposed prelim will create 1 lot across 4.72 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve final plat SUB-1002 Acosta Addition Subdivision 1 Lot. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #27 RE: APPROVE THE APPOINTMENTS OF KERRI JONES AND KYLE NATIONS TO THE CLAIBORNE KYLE LOG HOUSE COMMISSION – was pulled

33813A APPROVE AN ASSESSMENT AND COLLECTION AGREEMENT BETWEEN HAYS COUNTY AND THE NORTH HAYS COUNTY MUNICIPAL UTILITY DISTRICT (MUD) #2

North Hays County Municipal Utility District #2 would like to begin collecting taxes starting with the 2018 tax year. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve an Assessment and Collection Agreement between Hays County and the North Hays County Municipal Utility District (MUD) #2. All present voting "Aye". MOTION PASSED

33814A ENTER INTO A PLANNED MAINTENANCE AGREEMENT WITH CLIFFORD POWER FOR GENERATOR MAINTENANCE AT THE LOCAL HEALTH DEPARTMENT AND THE DEVELOPMENT SERVICES DEPARTMENT

Director of Countywide Operations, Clint Garza spoke. The Building Maintenance Department would like to enter into a Planned Maintenance Agreement with Clifford Power for preventative maintenance and annual



inspections on two generators; one located at the Local Health Department and one located at the Development Services Department. A motion was made by Commissioner Shell, seconded by Commissioner Jones to enter into a Planned Maintenance Agreement with Clifford Power for generator maintenance at the Local Health Department and the Development Services Department. All present voting "Aye". MOTION PASSED

33815A AWARD RFP 2018-P04 WEBSITE REDESIGN TO ELECTRONIC COMMERCE LINK, INC. (DBA E-GOV LINK) AND AUTHORIZE EXECUTION OF CONTRACT DOCUMENTS

Director of Countywide Operations, Clint Garza spoke. On March 20th the Commissioner's Court approved specifications and authorized Purchasing to solicit for Website Redesign Services. Seven (7) proposals were received from the following vendors: BrightLeaf Group, CivicPlus, E-Gov Link, Eisenberg & Associates, Planeteria Media, SHI Government Solutions, West Interactive Services. After evaluation and scoring of the proposals by five staff members (the evaluation committee), it is recommended that contract award be made to Electronic Commerce Link, Inc. (dba E-Gov Link). Funds were budgeted during the FY18 budget process to fund this project. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to award RFP 2018-P04 Website Redesign to Electronic Commerce Link, Inc. (dba E-Gov Link) and authorize execution of contract documents. All present voting "Aye". MOTION PASSED

33816A AUTHORIZE PAYMENT FOR ACCRUED COMPENSATION HOURS TO THE VTC MENTOR & RESOURCES COORDINATOR FROM THE COUNTY COURT AT LAW 2, TEXAS VETERAN'S COMMISSION GRANT BUDGET

County Court at Law #2, Judge David Glickler spoke. The current Texas Veteran's Commission grant is scheduled to close out on 6/30/18. The VTC Mentor & Resources Coordinator has accrued 87 comp hours that the granting agency has authorized submission of a reimbursement request due to current funding that is available in the remaining grant budget. This position is responsible for recruiting, training, and coordinating volunteers within the Veteran's Court Division Program. These mentors are advocates for veterans and are committed to providing training and technical assistance to help them be successful in their communities. Due to the increased number of volunteers and training needs, the VTC Mentor & Resources Coordinator accrued comp hours that need to be paid down. The granting agency has authorized submission of reimbursement requests as follows: Reimbursement for 90 day window (Apr to Jun 2018): 51 hours, Reimbursement for period prior to Apr (Nov 2017 to Mar 2018): 36 hours. Financial Impact: \$1,179 - Base Salary, \$ 246 – Fringe, \$1,425 – Total. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment for accrued compensation hours to the VTC Mentor & Resources Coordinator from the County Court at Law 2, Texas Veteran's Commission grant budget. All present voting "Aye". MOTION PASSED

33817A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 BETWEEN HAYS COUNTY AND CAHABA DISASTER RECOVERY, LLC FOR WORK RELATED TO THE BLANCO RIVER DEBRIS REMOVAL PROJECT

Director of Countywide Operations, Clint Garza and Commissioner Shell spoke. This Change Order No. 1 will cover fees for labor and equipment rental that was not included in the per cubic yard contract rate. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 between Hays County and Cahaba Disaster Recovery, LLC for work related to the Blanco River Debris Removal Project. All present voting "Aye". MOTION PASSED

33818A EXECUTE A CONTRACT WITH LONGHORN COMMERCIAL ROOFING FOR BUILDING REPAIRS AT THE PRECINCT 3 FACILITY

Commissioner Shell, Director of Countywide Operations, Clint Garza, and General Counsel, Mark Kennedy spoke. Staff recommendation. The Building Maintenance Department would like to enter into an agreement with Longhorn Commercial Roofing to have portions of the roof and stucco siding repaired at the Precinct 3 facility. After a recent rain event, several serious leaks have appeared. Upon inspection it was found that there are areas of the roof that need to be redone and portions of the stucco siding are pulling away from the building allowing water to enter. This has caused damage to some of the interior office spaces and in order to prevent further damage the repairs need to be made as soon as possible. Additionally, the County Operations Director is requesting a discretionary exemption pursuant to Texas Local Government Code 262.023(3) in the event that there are future change orders needed which would push the contract over the bidding requirement threshold. Savings within the County Wide Miscellaneous Capital Improvements are available to fund this project. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute a contract with Longhorn Commercial Roofing for building repairs at the Precinct 3 facility, with the exemption to the procurement process under Section 262.024A3 having to do with unforeseen damage to public property. All present voting "Aye". MOTION PASSED



EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 12:45 p.m. and reconvened into open court at 12:54 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. No action taken.

33819A 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 PURPLE MOUNTAIN AND PROJECT KING. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Mike Kamalander and Director of Economic Development, Diana Torres from the City of Kyle spoke. Court convened into Executive session at 12:15 p.m. and reconvened into open court at 12:44 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Mike Kamalander, Director of Economic Development from the City of Kyle, Diana Torres, and Legal Support Services Specialist Janice Jones. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of a Chapter 381 Economic Development Incentives Agreement between Hays County and Majestic Realty Plum Creek, LLC, as presented in executive session. All present voting "Aye". MOTION PASSED

33820A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE COUNTY COURT AT LAW 1 & 2. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 10:31 a.m. and reconvened into open court at 12:14 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, County Court at Law #2, Judge David Glickler, Director of Countywide Operations, Clint Garza, Director of Transportation, Jerry Borchering, Director of Human Resources, Shari Miller, General Counsel, Mark Kennedy, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. A motion was made by Commissioner Shell, seconded by Commissioner Jones to regrade the two court reporter positions within the County Court at Law from their current grade of 117 to a new grade of 118 for each position, effective July 1, 2018. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #37 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 – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave an update of the burn ban, which remains in place.

Clerk's Note Agenda Item #39 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

ADJOURNMENT

Commissioner Ingalsbe called to adjourn court at 1:07 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on June 26, 2018.



Liz Q. Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10TH DAY OF JULY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Nahum Melendez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident, and Rodrigo Amaya, San Marcos resident, made public comments.

PRESENTATION OF THE DISTINGUISHED SERVICE AWARD FROM TEXAS HISTORICAL COMMISSION TO THE HAYS COUNTY HISTORICAL COMMISSION

Kate Johnson, Chairman of the Hays County Historical Commission accepted the award on behalf of the Hays County Historical Commission and spoke.

33821A APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices for the week of 7 3 2018 in the amount of \$39,248.13 and invoices for the week of 7 10 2018 in the amount of \$3,391,132.51 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33822A APPROVE PAYMENT OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks invoices in the amount of \$3,578.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33823A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the United Healthcare claims in the amount of \$550,154.46 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33824A APPROVE COMMISSIONER COURT MINUTES OF JUNE 26, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of June 26, 2018. All present voting "Aye". MOTION PASSED

33825A APPROVE THE PAYMENT OF THE JULY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JULY 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the July mid-month payroll disbursements not to exceed \$2,655,00.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the July



15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective July 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33826A APPROVE UTILITY PERMITS

Permit, Roadname, Utility. 1086, 2181 Mathias Lane, Water Service Line (Goforth SUD). 1087, 355 Graef Road, Water Service Line (Goforth SUD). 1088, 2311 Mathias Lane, Water Service Line (Goforth SUD). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve permit #1086 on Mathias Lane to Goforth SUD permit #1087 on Graef Road to Goforth SUD permit #1088 on Mathias Lane to Goforth SUD, as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33827A AUTHORIZE THE EXECUTION OF GRANT AWARD FOR THE HAYS COUNTY VETERANS TREATMENT COURT FROM THE TEXAS VETERANS COMMISSION FUND FOR VETERANS IN THE AMOUNT OF \$200,000.00

On October 31, 2017, the Commissioners Court authorized the submission of a grant application to the Texas Veterans Commission for funding in the amount of \$200,000.00 for the Hays County Veterans Treatment Court. The grant will provide funding for a probation officer, part-time mentor coordinator, program manager, treatment services, and supplies/travel expenses for the Veterans Treatment Court Program. The Veterans Treatment Court provides for voluntary participation of defendants whose criminal cases are attributed to physical and mental injuries sustained during their tenure in military services. The grant period is July 1, 2018 - June 30, 2019. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of grant award for the Hays County Veterans Treatment Court from the Texas Veterans Commission Fund for Veterans in the amount of \$200,000.00. All present voting "Aye". MOTION PASSED

33828A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 17 LOCAL SOLICITATION IN THE AMOUNT OF \$13,580 FOR HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, Assistant County Auditor, Vickie Dorsett, and Director of Countywide Operations, Clint Garza, spoke. On August 31, 2017, the Commissioners Court authorized submission of a grant with the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY17 Local Solicitation. Hays County will receive a funding allocation that will be used to purchase 18 Rifle-Resistant Vests in the amount of \$14,112 for the Constables, an additional \$532.00 of local county funds are necessary to complete the purchase. Budget Amendment: Increase Intergovernmental Revenue .4301 - \$13,580, Increase Law Enforcement Equipment .5717_400 - \$14,112, Decrease Contingencies .5399 - (\$532). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY 17 Local Solicitation in the amount of \$13,580 for Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33829A ACCEPT THE 2017 NORTHEAST HAYS COUNTY EMERGENCY SERVICES DISTRICT #2 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the 2017 Northeast Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33830A AUTHORIZE THE EXECUTION OF MULTI-SERVICE AND EQUIPMENT RESALE AGREEMENTS WITH AT&T CORP. RELATED TO FIRSTNET FOR THE OFFICE OF EMERGENCY SERVICES COMMAND TRAILER AND AMEND THE BUDGET ACCORDINGLY

The Office of Emergency Services Director is requesting equipment needed to allow FirstNet capabilities for First Responders utilizing the Command Trailer. FirstNet is a reliable, highly secure, interoperable, and innovative public safety communications platform for public safety agencies and first responders. The



broadband LTE network allows first responders and other public safety personnel to send and receive voice, data, video, images, and text without concerns about network congestion. The FirstNet network offers guaranteed priority and preemption when they're needed. Additionally, FirstNet provides interoperable communications for the public safety community, enabling information sharing across jurisdictions, and improved situational awareness. The Cradlepoint equipment needed is a branch router with antennas that provides an all-inclusive branch networking solution for the Command Trailer during any type of emergency. AT&T will provide the equipment through the resale agreement, which will require an on-going cloud storage and maintenance fee. Savings within the OES operating budget are available to fund this request. Budget Amendment: Decrease Contract Services .5448, Increase Software Maintenance .5429. Attachments: AT&T Multi-Service Agreement, AT&T Equipment Resale Agreement. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Multi-Service and Equipment Resale agreements with AT&T Corp. related to FirstNet for the Office of Emergency Services Command Trailer and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33831A APPROVE OUT OF STATE TRAVEL FOR THE DISTRICT CLERK TO ATTEND THE EIGHTH ANNUAL COURTS & JUSTICE EXECUTIVE FORUM IN BOULDER, COLORADO SEPTEMBER 4TH-6TH, 2018

The District Clerk has been invited to attend the Eighth Annual Courts & Justice Executive Forum, which is by invitation only. This Forum connects leaders and innovators in the justice community who are Odyssey users. Key topics include Modra implementation progress, Empowering Legal Professionals' access to case information and documents through redaction and cross-jurisdictional searches, Tyler's acquisition of Socrata, and Evolving the Odyssey Foundation. There is no registration fee associated with the conference, just travel costs and associated per diems (approximately \$800 total, depending on airfare). Funds are available in the District Clerk's operating budget to cover these expenses. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for the District Clerk to attend the Eighth Annual Courts & Justice Executive Forum in Boulder, Colorado September 4th-6th, 2018. All present voting "Aye". MOTION PASSED

33832A AUTHORIZE PAYMENT TO DIVERSE PLANNING & DEVELOPMENT FOR EXPENSES RELATED TO THE DAHLSTROM NATURE PRESERVE GROUNDBREAKING IN WHICH NO PURCHASE ORDER WAS OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY

A purchase order was not obtained prior to acquiring services for the Dahlstrom Nature Preserve Groundbreaking event. A total of \$5,539.88 was spent on the planning and coordination of this event. Potential Funding Source: County Wide Contingencies. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize payment to Diverse Planning & Development for expenses related to the Dahlstrom Nature Preserve Groundbreaking in which no purchase order was obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED

33833A APPROVE CHANGE ORDER #2 FOR PARTNERS REMODELING, RESTORATION AND WATERPROOFING FOR THE DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENT PROJECT

On January 23, 2018, Commissioners Court approved a contract for Partner's Remodeling in response to IFB 2018-B03. Additional funds are needed due to design issues for asphalt in the parking lot area. Additionally, the contract term will be extended to July 13, 2018, due to delays and unforeseen circumstances. Attachment: Change Order # 2. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Change Order #2 for Partners Remodeling, Restoration and Waterproofing for the Dahlstrom Ranch Public Access Development project. All present voting "Aye". MOTION PASSED

33834A AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE SIX (6) ULTRASITE BENCHES AND FOUR (4) KVO NPS STYLE CANTILEVERED EXHIBIT SIGNS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE AND AMEND THE BUDGET ACCORDINGLY

The Natural Resources Parks Department would like to purchase six (6) UltraSite benches and four (4) KVO NPS Style Cantilevered Exhibit signs for the Gay Ruby Dahlstrom Nature Preserve. The benches will provide resting areas for park visitors. The signs will display information such as park rules/maps, Dahlstrom family history, and geology of the Gay Ruby Dahlstrom Nature Preserve. Budget Amendment: Decrease



.5611_700, Increase .5719_400. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Natural Resources Parks Department to purchase six (6) UltraSite benches and four (4) KVO NPS Style Cantilevered Exhibit signs for the Gay Ruby Dahlstrom Nature Preserve and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33835A APPROVE CHANGE ORDER #1 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS AND AMEND THE BUDGET ACCORDINGLY

On May 8th the Court approved a contract with HD Cooks Rock Solid, Inc. for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Change Order No. 1 is needed to complete the required work at Site 4. Attachment: Change Order No. 1. Funding for this project is being provided through approved grants from NRCS (75%); with matching funds provided by the TSSWCB (23.75%) and Hays County (1.25%). Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$187,329 Increase Construction: .5611_400 - \$189,700. Decrease Co-Wide Contingencies: .5399 - (\$2,371.00). A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Change Order #1 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33836A AUTHORIZE THE EXECUTION OF A RESOLUTION SUPPORTING CALDWELL COUNTY'S SUBMISSION OF A UNITED STATES DEPARTMENT OF TRANSPORTATION BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) TRANSPORTATION DISCRETIONARY GRANTS PROGRAM FOR THE SAN MARCOS, AIR, RAIL, AND TRUCK (SMART) TERMINAL

The owner of approximately 1000 acres in Caldwell County, fully within the City of San Marcos ETJ, has begun planning an intermodal industrial park called the San Marcos Air, Rail, and Truck Terminal (SMART). The industrial park will have rail connections to lines served by Union Pacific and BNSF. Future planning should result in connection to the San Marcos Regional Airport concentrating freight traffic into a single location where shipping into and out of the region is made more efficient. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution supporting Caldwell County's Submission of a United States Department of Transportation Better Utilizing Investments To Leverage Development (BUILD) Transportation Discretionary Grants Program for the San Marcos, Air, Rail, and Truck (SMART) Terminal. All present voting "Aye". MOTION PASSED

33837A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO TEXAS WATER DEVELOPMENT BOARD FOR THE FLOOD PROTECTION GRANT IN THE AMOUNT OF \$285,370

The Texas Water Development Board (TWDB) has recently issued a call for applications for Flood Protection Assistance grants, with a relatively short deadline for submission of July 11, 2018. The purpose of these grants is to provide assistance to political subdivisions to implement preventive and/or corrective measures for reducing loss of life and property, such as early warning systems and the development of response plans to protect life and property from floodwaters. As a result of the 2015 Flood Disasters, Hays County has determined a need to enhance our warning system capabilities and has placed a high priority on deploying such systems. Specifically, this would include technology upgrades for existing, and the installation of new, road low water crossing warning systems, possible stream/rainfall gaging sites at select locations, and dam water level monitoring systems. This grant application is for funding to installation of water level monitoring stations at dam sites, camera monitoring, and rain gauges to the existing Flood Monitoring System that TWDB funded previously. The total project cost is \$285,370. Texas Water Development Board will fund up to fifty percent of the total project cost. The anticipated award date is September 2018 and the grant application is due July 11, 2018. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution and the submission of a grant application to Texas Water Development Board for the Flood Protection Grant in the amount of \$285,370. All present voting "Aye". MOTION PASSED

33838A RELEASE MAINTENANCE BOND #K08639048 IN THE AMOUNT OF \$37,774.80 FOR SHADOW CREEK SUBD., PH. 7, SEC. 2, RELEASE OF THE MAINTENANCE BOND #K08639061 IN THE AMOUNT OF \$39,673.20 FOR SHADOW CREEK SUBD., PH. 11, SEC. 1, AND



ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM

Director of Transportation, Jerry Borcharding, gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. All items on the punch-list for repairs have been completed for both sections of the subdivision. The roads include: Wildfire Cove (368 ft.), Pebble Creek Lane (492 ft.), Albatross Cove (504 ft.) and Eagle Brook Lane (596 ft.). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release of the maintenance bond #K08639048 in the amount of \$37,774.80 for Shadow Creek subd., Ph. 7, Sec. 2, release of the maintenance bond #K08639061 in the amount of \$39,673.20 for Shadow Creek subd., Ph. 11, Sec. 1, and acceptance of the roads into the county road maintenance system. All present voting "Aye". MOTION PASSED

33839A HOLD A PUBLIC HEARING TO ESTABLISH A SPEED LIMIT OF 35 MPH FOR MADRONE RANCH TRAIL IN MADRONE RANCH SUBDIVISION

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding, gave staff recommendation. This action would establish a speed limit of 35 MPH for Madrone Ranch Trail, after conducting a speed study last month. This subdivision has large acre lots and is in a rural part of the county. Speed limits were not established after construction. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to hold a public hearing to establish a speed limit of 35 MPH for Madrone Ranch Trail in Madrone Ranch subdivision. All present voting "Aye". MOTION PASSED

33840A HOLD A PUBLIC HEARING TO REDUCE THE EXISTING SPEED LIMIT OF 30 MPH TO 20 MPH ON HAZY HILLS LOOP AND ON DAYRIDGE DRIVE IN THE HEADWATERS AT BARTON SPRINGS SUBDIVISION

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding, gave staff recommendation. This action would reduce the existing speed limit of 30 MPH on both Hazy Hills Loop and Dayridge Drive within the Headwaters at Barton Springs subdivision to 20 MPH. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to hold a public hearing to reduce the existing speed limit of 30 MPH to 20 MPH on Hazy Hills Loop and on Dayridge Drive in the Headwaters at Barton Springs subdivision. All present voting "Aye". MOTION PASSED

33841A NAME A PRIVATE DRIVEWAY IN PRECINCT 4, BROKEN BIT TRAIL

The owners of two properties located off Prochnow Road in Precinct 4, would like to name their private driveway, Broken Bit Trail. Each property owner has signed the request and has communicated with the Hays County GIS Analyst to coordinate 911 address assignment. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to name a private driveway in Precinct 4, Broken Bit Trail. All present voting "Aye". MOTION PASSED

33842A EXECUTE A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM

Director of Countywide Operations, Clint Garza, spoke. Funds are allocated by the United States Department of Housing and Urban Development through the Community Development Block Grant Program to provide financial assistance to facilitate disaster recovery, restoration, and economic revitalization and to affirmatively further fair housing in areas affected by DR-4223 and DR-4255. A total of \$2,349,747.24 in CDBG-DR funding will be utilized for this project. The contract will become effective on the date signed by the last party and will terminate on October 8, 2020. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to execute a contract with the General Land Office for the Community Development Block Grant Disaster Recovery (CDBG-DR) program. All present voting "Aye". MOTION PASSED

33843A ADOPT NEW RULES AND REGULATIONS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE, ADOPT FEE SCHEDULE, AND AUTHORIZE THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS TO AMEND PARK RULES FOR ALL HAYS COUNTY FACILITIES, AS NECESSARY



Director of Countywide Operations, Clint Garza, spoke. Adopt new rules and regulations for Gay Ruby Dahlstrom Nature Preserve. (Attached). Adopt new fee schedule for Gay Ruby Dahlstrom Nature Preserve. (Attached). Authorize the Executive Director of Countywide Operations to amend park rules as needed in order to establish and maintain reasonable standards for the Hays County owned and/or leased park facilities. Approval of this action would allow the Executive Director of Countywide Operations to make such changes without the need of additional court action. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt new rules and regulations for the Gay Ruby Dahlstrom Nature Preserve, adopt fee schedule, and authorize the Executive Director of Countywide Operations to amend park rules for all Hays County facilities, as necessary. All present voting "Aye". MOTION PASSED

33844A RATIFY A REQUEST FOR CONTESTED CASE HEARING MADE BY THE HAYS COUNTY COMMISSIONER FOR PRECINCT 3 ON OR ABOUT JUNE 25, 2018, REGARDING ELECTRO PURIFICATION LLC'S PRODUCTION PERMIT APPLICATION TO THE BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT FOR THE PRODUCTION OF GROUNDWATER FROM THE MIDDLE TRINITY AQUIFER FOR THE PURPOSE OF WHOLESALE PUBLIC WATER SUPPLY

Dan Lyon, Rodrigo Amaya, Willis Rockel, Will Conley, Chris Elliott, Commissioner Shell, Commissioner Ingalsbe, and Commissioner Whisenant spoke. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify a request for contested case hearing made by the Hays County Commissioner for Precinct 3 on or about June 25, 2018, regarding Electro Purification LLC's Production Permit application to the Barton Springs Edwards Aquifer Conservation District for the production of groundwater from the Middle Trinity Aquifer for the purpose of wholesale public water supply. All present voting "Aye". MOTION PASSED

33845A AMEND THE HAYS COUNTY PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAM. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO ADOPTING AN AMENDED REPORT AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009

Lee McCormick, Lone Star Pace, Jonathan Blackburn, Texas Pace Authority, Mark Kennedy, General Counsel, Commissioner Shell, Commissioner Ingalsbe, and Commissioner Whisenant spoke. Hays County established a PACE program in January 2017. PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more dwelling units) real property. Property owners who participate in the program repay the financings through a voluntary contractual assessment collected together with their property taxes. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed. PACE financing enables businesses to align the costs of energy and water efficiency improvements with the utility savings provided by the improvements. PACE financings are paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered adoption of energy and water efficiency for many property owners. Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years reflecting the useful life of the improvements. Currently Hays County has one PACE administrator. The proposed amended Program Report allows additional PACE administrators to accept applications from owners of property within the County's territory for financing of qualified improvements. It also authorizes additional administrators to conduct assessment proceedings to levy assessments against the property of participating owners within the territory of the County. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the amendment to the report of the Hays County Property Assessed Clean Energy ("PACE") program and adopt the Resolution as presented by General Counsel. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #27 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled



EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:46 a.m. and reconvened into open court at 11:40 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. No action taken.

Clerk's Note Agenda Item #29 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE POYBUIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW – was pulled*

33846A ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Hays County Fire Marshal, Clint Browning spoke of the recent rains and recommended lifting the Burn Ban. He's also consulted with the surrounding Fire Chiefs and they are all in agreement of lifting the Burn Ban. He urged the citizens of Hays County to be cautious and safe while conducting outdoor burning. A motion was made by Commissioner Jones, seconded by Commissioner Shell to lift the Burn Ban. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #31 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, NHTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW – was pulled*

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 11:45 a.m.

I, LIZ Q. GONZALEZ, 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 July 10, 2018.



Liz Q. Gonzalez
**LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS**



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 17TH DAY OF JULY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Denise Grant chaplain at CTMC gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins resident of San Marcos, Dan Lyon resident of San Marcos, Rodrigo Amaya resident of San Marcos all made public comments.

33847A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$ 1,484,057.44 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33848A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$ 2,323.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33849A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$ 382,466.99 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33850A APPROVE COMMISSIONERS COURT MINUTES OF JULY 10, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of July 10, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33851A APPROVE OUT OF STATE TRAVEL FOR DEPUTY PAUL MOONEY TO ATTEND THE LAW ENFORCEMENT TOTAL BREACHING COURSE IN BYHALIA, MISSISSIPPI

Approval for out of state travel is needed to send Deputy Paul Mooney to attend the Law Enforcement Total Breaching Course in Byhalia, Mississippi on September 21-28, 2018. Deputy Mooney is on the Hays County SWAT Team. During this training, Deputy Mooney will learn all facets of mechanical, thermal, power tool, ballistic and explosive breaching techniques. Upon successfully completing this course, Deputy Mooney will possess the knowledge to correctly identify the most suitable method of entry for a given target, the skill to conduct a 100 positive breach, and become a certified high energy breacher. The San Marcos Police Department will be covering the hotel fees, as they're sending one of their officers to this training as well. Funding for registration, travel and miscellaneous fees are identified in the Sheriff's Office Continuing Education general ledger. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Deputy Paul Mooney to attend the Law Enforcement Total Breaching Course in Byhalia, Mississippi. All present voting "Aye". MOTION PASSED



**33852A AUTHORIZE COMMERCIAL OSSF PERMIT AT 700 FARRELL ROAD,
DRIPPING SPRINGS, TEXAS 78620**

Fall Creek Weddings LLC is proposing an OSSF to serve an event center and chapel. The system is designed to accommodate up to 280 guests and employees for only 3 days a week. This 12.01-acre property will be served by a public water supply. The system designer, Greg Johnson, P.E., has designed an aerobic treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 600 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 700 Farrell Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**33853A AUTHORIZE COMMERCIAL OSSF PERMIT AT 179 S. CANYONWOOD
DRIVE, DRIPPING SPRINGS, TEXAS 78620**

Chris Staff of C Staff Construction LLC is proposing an OSSF located at 179 S. Canyonwood Drive. This system will serve two 4500 square foot office buildings with up to 20 employees and no customers. This 1.73-acre tract of land is Lot 21 in Section 2 of the Sunset Canyon subdivision. This lot will be served by a private well. The system designer, Stephen Jetton, R.S., has designed a standard treatment system. After treatment, the effluent will be pumped to a standard drainfield for a maximum daily rate of 100 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 179 S. Canyonwood Drive, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**33854A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 WITH
TRANS TEXAS RAIL SHOP FOR ADDITIONAL SERVICES RELATED
TO THE KYLE DEPOT RESTORATION PROJECT AND AMEND THE
BUDGET ACCORDINGLY**

On August 15, 2017 the Commissioner's Court approved a contract with Trans Texas Rail Shop in response to RFP 2017-P06 for the restoration of the wooden caboose at the Kyle Depot. Additional funds are requested for upholstery finish of the bunk and cupolo areas. To date, contract amendments are less than the 25 allowed per Local Government Code Ch. 262.031 (original contract award \$94,250 - CO's cannot exceed \$23,562.50). \$ 94,250 - Original Contract Award \$ 19,279 - CO #1 \$ 1,950 - CO #2 \$115,479 Total The Historical Commission Director has donated funds available in the Historical Publication Fund for the additional cost associated with this change order. Attachment: Trans Texas Rail Shop Change Order No. 2 Budget Amendment: Decrease Misc Capital Improvements .5741 Increase Contract Services .5448. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Change Order No. 2 with Trans Texas Rail Shop for additional services related to the Kyle Depot Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33855A ACCEPT A DONATION FROM THE BURDINE JOHNSON
FOUNDATION FOR THE MEMORIAL DAY FLOOD 2015
DOCUMENTARY AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission has received a donation for expenses related to the Memorial Day Flood 2015 Documentary. Funds will be utilized to cover professional services expenses related to the research and development of the documentary. Budget Amendment: Increase Contributions Increase Contract Services. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept a donation from The Burdine Johnson Foundation for the Memorial Day Flood 2015 Documentary and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33856A AUTHORIZE OUT OF STATE TRAVEL FOR THE HISTORICAL
COMMISSION DIRECTOR AND ONE MEMBER TO VISIT THE BUCK
WINN MURAL RESTORATION SITE IN CARLISLE, PENNSYLVANIA**

Harvey Jenkins, resident of San Marcos made public comment. The Historical Commission Director and the Film Director will visit the site where the Buck Winn Murals are currently being restored to film a portion of the restoration process. This section of filming will be included in the History of Ranching film. The Willett Foundation had previously donated funds for the restoration and associated expenses. No County Funds are needed. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize out of state travel for the Historical Commission Director and one Member to visit the Buck Winn Mural restoration site in Carlisle, Pennsylvania. All present voting "Aye". MOTION PASSED**



33857A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO UTILIZE CERT FUNDS FOR EXPENDITURES RELATED TO EMPLOYMENT TESTING FOR VOLUNTEER STAFF

The OES Director would like to utilize existing budgeted funds to provide employment testing necessary for volunteer staff that holds TCOLE certifications. No additional county funds are required. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to utilize CERT funds for expenditures related to employment testing for volunteer Staff. All present voting "Aye". MOTION PASSED**

33858A APPROVE SPECIFICATIONS FOR IFB 2018-B09 CEDAR OAK MESA WATERLINE IMPROVEMENTS AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

This project has been funded through a grant from the Texas Department of Agriculture, Community Development Block Grant Program and local matching funds from the Cedar Oak Mesa Water Supply Corporation. Project elements include the installation of approximately 2300 feet of 6" water line and associated appurtenances within the Cedar Oaks Mesa Water Supply Corporation service area near Wimberley. Plans and specifications have been prepared for the project and are available in the Hays County Purchasing Office for review. Bids are scheduled to be opened on August 10, 2018. Due to size IFB 2018-B09 will be emailed under separate cover. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for IFB 2018-B09 Cedar Oak Mesa Waterline Improvements and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

33859A AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO UTILIZE FUNDS FROM COUNTYWIDE OPERATIONS DEPARTMENT FOR BUILDING MAINTENANCE AND REPAIRS AS NEEDED FOR THE REMAINDER OF FY'18 AND AMEND THE BUDGET ACCORDINGLY

Harvey Jenkins, resident of San Marcos made public comment. Rodrigo Amaya, resident of San Marcos made public comment. Director of Countywide Operations, Clint Garza spoke. Additional funds are needed for building maintenance and repairs and general supplies for the remainder of the fiscal year 2018. This is due to numerous unforeseen repairs on various equipment located throughout the County. The Building Maintenance Department have made several high cost repairs to items such as HVAC equipment, security equipment, and building repairs. In addition, the account for janitorial services is expected to be depleted before the end of the fiscal year. Funds are being requested to cover multiple accounts. Possible Funding Source: Decrease-001-712-00.5741 (\$103,000) Increase- Building Maintenance and Repairs 001-695-00.5451 \$65,000 Increase-General Supplies 001-695-00.5201 \$8,000 Increase- Janitorial Services 001-695-00.5456 \$30,000. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Building Maintenance Department to utilize funds from Countywide Operations Department for building maintenance and repairs as needed for the remainder of FY'18 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33860A APPROVE THE SELECTION OF CP&Y, INC. FOR ENVIRONMENTAL PROFESSIONAL SERVICES ON SH 21 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

An environmental study will be performed along the SH 21 corridor. The study will consider the long-term future of the roadway including a possible 5 or 6 lane cross-section. The effort will be sufficient to allow the County to begin to receive right-of-way dedication or purchase right-of-way when available. This work is part of the 2016 Bond Program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the selection of CP&Y, Inc. for environmental professional services on SH 21 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33861A SUB-1062; CANCELLATION OF LOT 1 IN THE RIM ROCK RANCH ESTATES SUBDIVISION; HOLD A PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Hays County Planner, Marcus Pacheco spoke and gave full staff recommendation. The Rim Rock Ranch Estates subdivision is a 4 lot recorded subdivision located off Rim Rock Ranch Rd. in Precinct 3. The subdivision was recorded in 2007. The owner of lot 1 now wishes to cancel the 3 acre parcel and reestablish the lot as an acreage tract. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to hold a public hearing to approve the Cancellation of SUB-1062; Lot 1 in the Rim Rock Ranch Estates Subdivision. All present voting "Aye". MOTION PASSED**



33862A

APPROVE CHANGES TO THE CURRENT HAYS COUNTY CELL PHONE POLICY

Commissioner Shell spoke. Director of Countywide Operations, Clint Garza spoke. A review of the current Cell Phone Policy is warranted to determine essential needs for County issued phones, type of phones and coverage or cell phone stipends. Proposed changes in the policy are: Raising the cell phone stipend to \$45 from \$35 effective 10/1/2018. Allowing employees with Hays County issued devices, to pay for a device upgrade for any amount over \$0.99. All devices, whether upgraded or not, will remain property of Hays County throughout and beyond the employees last working day. Disposal of all devices will still follow guidelines set forth by the Auditor's office. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the changes as provided in Court for the Cell Phone Policy effective 10 1 2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #17 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – **was pulled**

Clerk's Note Agenda Item #18 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**

33863A

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index 486. A motion was made by Commissioner Whisenant to reinstate Burn Ban today July 17, 2018. Motion failed due to lack of second. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to reinstate the Burn Ban effect Friday July 20, 2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #20 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW.

Dan Lyon resident of San Marcos, Harvey Jenkins residents of San Marcos made public comment. Commissioner Shell spoke. Commissioner Whisenant spoke.

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 9:50 a.m.

I, LIZ Q. GONZALEZ, 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 July 17, 2018.



Liz Q. Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 24TH DAY OF JULY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins resident of San Marcos, Dan Lyon resident of San Marcos, Laura G. Hughes resident of San Marcos, Rodrigo Amaya resident of San Marcos, Ari Axelrod resident of Driftwood, Matt Ocker resident of Buda, and Sam Brannon resident of San Marcos all made public comment.

33864A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$ 943,737.53 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33865A APPROVE COMMISSIONERS COURT MINUTES OF JULY 17, 2018

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of July 17, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33866A APPROVE THE PAYMENT OF THE JULY 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE JULY 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the July end of the month payroll disbursements not to exceed \$3,560,000.00. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of the July 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective July 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33867A ACCEPT A DONATION OF \$500.00 TO THE SHERIFF'S OFFICE COMMUNITY OUTREACH DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office Community Outreach Division received a donation of \$500 from the Wimberley VFW. The VFW members request to have the donation used for the Jr. Deputy Academy program. Budget Amendment Special Projects Fund Increase 052-618-00.4610 Contributions \$500.00 Increase 052-618-00.5222 Crime Prevention \$500.00. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept a donation of \$500.00 to the Sheriff's Office Community Outreach Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED



33868A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE SELF-INSURANCE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting court approval of county-wide self-insurance funds for replacement parts to Hays County unit number 1718. The vehicle was in transit to a call, crossed the median where an object punctured the fuel tank; the total cost of a replacement fuel tank and tubes is \$802.00. Budget Amendment Increase Sheriff's Office Vehicle Maintenance and Repair: 001-618-00.5413 Decrease County-wide Self-Insurance: 001-645-00.5342 Attachment: Bluebonnet Motors quote. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize countywide self-insurance funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33869A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE ATTORNEY GENERAL TO THE SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION FOR THE INVESTIGATIONS OF INTERNET CRIMES AGAINST CHILDREN (ICAC) AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya made public comment. Captain Mark Cumberland spoke. The Sheriff's Office Criminal Investigations Division are highly active members of the Internet Crimes Against Children (ICAC) Task Force Program. The Attorney General has awarded up to \$3,000 to the Sheriff's Office for the use of equipment dedicated to the investigation of child exploitation cases. The Criminal Investigations Division is requesting to use the award on computer equipment, specifically an iMac computer and software for investigative use. This system will complement the current systems being utilized. The County IT Director has reviewed and approved the purchase of this system. Budget Amendment: Increase .4301 Intergovernmental Revenue Increase .5712_400 Computer Equipment. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from The Office of the Attorney General to the Sheriff's Office Criminal Investigation Division for the investigations of Internet Crimes Against Children (ICAC) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33870A AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE GENERAL COUNSEL'S OFFICE

Harvey Jenkins resident of San Marcos and Rodrigo Amaya resident of San Marcos made public comments. General Counsel, Mark Kennedy spoke. The General Counsel's staff currently utilizes Westlaw for legal research and requests the Courts to consider the modification to the terms to the current contract. The attached amendment will add one additional attorney to the current plan. Thomson Reuters offers an unparalleled suite of legal resources and tools for legal counsel and government professionals. The software allows access to the most comprehensive collection of legal information and is the only search engine designed specifically for the law. Funds are available within the General Counsel's Office operating budget to fund this request. Attachment: Thomson Reuters Westlaw Contract Amendment #DIR-LGL-CALIR-02. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a contract modification with Thomson Reuters Westlaw related to legal research for the General Counsel's Office. All present voting "Aye". MOTION PASSED**

33871A AUTHORIZE THE EXECUTION OF A RENEWAL FIELD AGREEMENT FOR WILDLIFE DAMAGE MANAGEMENT AND PREDATOR CONTROL THROUGH THE TEXAS WILDLIFE SERVICES PROGRAM (TWSP) EFFECTIVE JANUARY 1, 2019

The Texas AgriLife Extension, through the US Department of Agriculture assists Hays County with Wildlife Damage Management and Predator Control. The TWSP, Trapper Program provides statewide leadership in the science, education and practice of wildlife management to protect the local agricultural, industrial and natural resources, as well as the public's health, safety and property. TWSP provides the necessary personnel and travel to Hays County to respond to the problems wildlife cause locally, while at the same time protecting the resource being damaged. The new field agreement will become effective January 1, 2019, and includes a \$500 monthly increase from \$2,700 to \$3,200 per month. The TWSP has not increased their monthly assessment fee to Hays County since 2013. The increase in funding will be included in the F 19 budget planning process. Attachment: TWSP Field Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Renewal Field Agreement for Wildlife Damage**



Management and Predator Control through the Texas Wildlife Services Program (TWSP) effective January 1, 2019. All present voting "Aye". MOTION PASSED

33872A AUTHORIZE THE EXECUTION OF A LETTER AGREEMENT WITH THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) RELATED TO THE FY 2019 VETERAN'S TREATMENT COURT GRANT FOR ADULT PROBATION SERVICES

Hays County receives grant funding from the Texas Veteran's Commission for the veteran's treatment court. As part of this program, CSCD provides an adult probation officer to participant/collaborate in weekly staff meetings with the veteran's court team to discuss participants, supervise the participants in the program and utilize Texas Risk Assessment System (TRAS) case classification instruments per Community Justice Assistance Standards & Local Adult Probation procedure. The renewal grant period is July 1, 2018 through June 30, 2019 and will reimburse all costs associated with the Adult Probation officer assigned to these duties. Attachment: CSCD Letter Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Letter Agreement with the Community Supervision and Corrections Department (CSCD) related to the FY 2019 Veteran's Treatment Court grant for Adult Probation Services. All present voting "Aye". MOTION PASSED**

33873A AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH TRAVIS COUNTY FOR THE FY 2019 SHERIFF'S COMBINED AUTO THEFT TASK FORCE (SCATTF) GRANT AWARD

The SCATTF is comprised of an 18-county task force formed as a regional effort to combat vehicle related criminal activity. The Task Force works with police agencies and municipalities within their respective counties to help reduce auto theft and auto burglary. The renewal grant period is September 1, 2018 through August 31, 2019 and will reimburse the base salary associated with the officer assigned to these duties. Attachment: Travis County ILA. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an Interlocal agreement with Travis County for the FY 2019 Sheriff's Combined Auto Theft Task Force (SCATTF) grant award. All present voting "Aye". MOTION PASSED**

33874A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 800 HIGH RD, KYLE, TX 78610

Sergio Arrieta is proposing an OSSF to serve a daycare. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Clifford Conner, R.S., has designed a system, which consists of a 1750 gallon two compartment tank, 1000 gallon pump tank, and a low pressure dose drainfield. The maximum daily usage rate on average is 400 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 800 High Rd, Kyle, TX 78610. All present voting "Aye". MOTION PASSED**

33875A AUTHORIZE THE HISTORICAL COMMISSION DIRECTOR AND VOLUNTEER MEMBERS TO ATTEND THE PRESERVATION TEXAS WORKSHOP HELD IN NACOGDOCHES, TEXAS ON AUGUST 8TH-10TH

The Historical Commission Director and nine volunteer members will attend the Preservation Texas workshop held in Nacogdoches in August 2018. The workshop covers in-depth discussions regarding a wide range of preservation issues as well as insights and strategies on how to work with local building codes to ensure that the historic character and fabric of historic resources can be protected. Additionally, information regarding the Certified Local Government Grant Program will be discussed which assists local governments to develop and sustain an effective local preservation program critical to preserving local historic resources. The Director has secured donations to provide training opportunities for her volunteer members. No county funds are needed. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Historical Commission Director and Volunteer Members to attend the Preservation Texas workshop held in Nacogdoches, Texas on August 8th-10th. All present voting "Aye". MOTION PASSED**

33876A AMEND THE RECORDS MANAGEMENT BUDGET FOR REQUIRED PRE-EMPLOYMENT SCREENING AND TESTING

The Records Management Officer would like to utilize Records Preservation funds to provide fingerprint testing necessary for interns digitizing and handling Criminal District Attorney records. Fingerprint testing is a requirement of TLETS for handling criminal history records. Decrease 106-610-00.5448 Contract Services



(\$200.00) Increase 106-610-00.5335 Employment Testing \$200.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jonesto amend the records management budget for required pre-employment screening and testing. All present voting "Aye". MOTION PASSED

33877A AMEND THE HUMAN RESOURCES OPERATING BUDGET FOR TRAVEL EXPENDITURES RELATED TO EMPLOYMENT RECRUITMENT

The HR Director is requesting to utilize savings within her operating budget for travel expenses for staff to attend and manage booths at local job fairs. Budget Amendment: Increase Travel .5501 Decrease Public Notice .5462. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Human Resources operating budget for travel expenditures related to employment recruitment. All present voting "Aye". MOTION PASSED

33878A AUTHORIZE PAYMENT TO XEROX BUSINESS SOLUTIONS FOR PRIOR SERVICES RELATED TO THE MICROFILM PROJECT FOR PERMANENT LAND RECORDS

The former County Clerk procured services through Xerox Business Solutions (formerly Affiliated Computer Services) to microfilm all permanent land records for the period of 1848-2000. The services were ordered and a purchase order issued in 2009, however the invoice was not paid. Funds were budgeted in the Records Management & Archive Fund to cover this outstanding issue. The payment will not be processed until receipt of goods is certified. No county funds are required. Attachments: Xerox Invoices. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Xerox Business Solutions for prior services related to the microfilm project for permanent land records. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #16 RE: ACTION TO APPROVE THE SELECTION OF BOWMAN CONSULTING GROUP, LTD. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT – was pulled

33879A APPROVE THE SELECTION OF FSC INC. FOR PROFESSIONAL ENGINEERING SERVICES ON US 290 AT THE INTERSECTIONS OF MARTIN ROAD AND HENLY LOOP AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Whisenant spoke. Transportation Director, Jerry Borcharding spoke and gave staff recommendation. As part of the 2016 Bond Program, FSC Inc. will propose changes in the design for both intersections of US 290 Henly Loop and the intersection of US 290 and Martin Road. Changes will focus on improving the safety and mobility of the intersection. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the selection of FSC Inc. for professional engineering services on US 290 at the intersections of Martin Road and Henly Loop and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED

33880A AMEND THE DEVELOPMENT SERVICES FEE SCHEDULE, REMOVE THE ANNUAL OSSF REGISTRATION FEE, AND ESTABLISH AN OSSF MAINTENANCE CONTRACT LATE FEE

Commissioner Shell spoke, Commissioner Whisenant spoke. Commissioner Ingalsbe spoke. Director of Countywide Operations, Clint Garza spoke. Remove the current \$20.00 annual OSSF Registration Fee from the Fee Schedule and replace it with a \$50.00 OSSF Maintenance Contract Late Fee. The late fee is to be paid by homeowners when submitting an OSSF Maintenance Contract past due, or past the expiration date of the previous maintenance contract on file. Copies of the current and proposed fee schedule attached. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to amend the Development Services Fee Schedule, remove the annual OSSF Registration Fee, and establish an OSSF Maintenance Contract Late Fee. All present voting "Aye". MOTION PASSED

33881A APPOINT THE ELECTION PRESIDING JUDGES AND ALTERNATE JUDGES FOR THE NOVEMBER 2018 GENERAL ELECTION AND TO APPOINT THE CENTRAL COUNT STATION MANAGER AND TABULATION SUPERVISOR



Elections Administrator, Jennifer Anderson spoke. Dan Lyon resident of San Marcos made public comment. Pursuant to TEC 32.002, the Commissioners Court shall appoint judges for each regular election precinct. List to be submitted and appointees will be recommended by the two main Party Chairs. The Commissioners Court shall also appoint the Central Counting Station Manager and Tabulation Supervisor (127.002 & 127.003). Recommendations will be brought to Court. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to appoint the Election Presiding Judges and Alternate Judges for the November 2018 General Election and to appoint the Central Count Station Manager and Tabulation Supervisor. All present voting "Aye". MOTION PASSED**

33882A AUTHORIZE THE ELECTIONS ADMINISTRATION OFFICE TO PURCHASE VOTER REGISTRATION EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY

Elections Administrator, Jennifer Anderson spoke. Jay Bollenbacher with Tenex Software Solutions spoke. Dan Lyon resident of San Marcos made public comment. Harvey Jenkins, resident of San Marcos spoke. The Election Administrator request the courts approval to purchase voter registration equipment to include poll pads and an overall election management system. Tenex Software Solutions provides the technology of both the hardware and software to upgrade our current system, which will include amenities that will benefit our voters, our poll workers, and our election staff. The programs include the Precinct Central application, which is a well-rounded election management software that will allow for poll workers to clock in out at the polling place, real time correspondence with the elections team from the polling place, real time monitoring of the check-in equipment power supply and data from the elections office, and comprehensive reporting that include graph and statistical information that can be embedded into our website for more information on election night reporting. The physical benefits to the Tenex system are equally as appealing. The technology will be a poll pad component that allows for the voter to sign-in on the iPad streamlining the check-in process and limiting lines. In addition, the printer is Bluetooth, which will assist our poll workers with easier and faster set-up of the polling place. Additionally, Tenex will work with our current voter registration software and is easier to transport and will limit the amount of paper/supplies used at the polling place. Partial funding (\$35,909.71) is available through the Office of Secretary of State for use of Chapter 19 funds. The remaining funds needed (\$63,695.29) will be provided through the Election Contract Fee Fund. No County funds are required. Procurement requirements are met through the Tarrant County Interlocal Agreement for Cooperative Purchasing per Texas Local Government Code Chapter 272.101. Tarrant County formal solicitation RFP 2018-070, contract number 127634. Attachment: Tenex Software Solutions Quote. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Elections Administration Office to purchase voter Registration Equipment and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #21 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – **was pulled**

33883A EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:12a.m. and reconvened into open court at 11:37 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize General Counsel to engage outside Counsel related to the contested case hearing on Electro Purification LLC permit application to the Barton Springs Edwards Aquifer Conservation District for a wholesale groundwater production permit. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #23 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**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in effect. No action taken.



Clerk's Note Agenda Item #25 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – was pulled*

DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW

Harvey Jenkins resident of San Marcos made public comment. Commissioner Shell spoke.

ADJOURNMENT

A motion was made by Commissioner Ingalsbe to adjourn court at 11:40 a.m.

I, LIZ Q. GONZALEZ, 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 July 24, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 31ST DAY OF JULY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Josh Murrilo gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon resident of San Marcos, Matt Ocker resident of Buda, Harvey Jenkins resident of San Marcos, Rodrigo Amaya resident of San Marcos, Ariel Axelrod resident of Driftwood, Ruben Garza resident of Kyle, all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5 year Service Awards IT Department Robert L. Donald, Transportation Department Michael Davidson, County Court at Law Anna Velasquez, Constable Pct. 5 John H. Ellen, 15 year Service Awards Constable Pct. 1 Frank Cheatham, Auditor's Office Patricia Wiley, Commissioner Pct. 1. Sylvia Boasi, 20 year Service Awards Transportation Mario Garcia, Sheriff's Office Jesse Raymond Hernandez, Sheriff's Office Kelly Ray Woodard, 30 year Service Award District Attorney's Office Edna M. Chagolla, Retirement Sheriff's Office Pedro C. Hernandez, and Sheriff's Office Woodie Leon Hall III.

33885A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$ 1,356,418.50 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33886A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$ 4,862.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33887A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$ 186,706.39 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33888A APPROVE COMMISSIONERS COURT MINUTES OF JULY 24, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of July 24, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33889A APPROVE OUT OF STATE TRAVEL FOR DEPUTY BLAINE HAMILTON FOR CONTINUING EDUCATION IN SOCORRO, NEW MEXICO FROM SEPTEMBER 23RD - SEPTEMBER 27TH, 2018



Rodrigo Amaya resident of San Marcos made public comment. Out of state travel is requested for Deputy Blaine Hamilton, who has been accepted by New Mexico Tech, to attend the Incident Response to Terrorist Bombing (IRTB) Class B Course in Socorro, NM. Funding (Training, Airfare, Hotel Accommodations, and Per-Diem) is provided by the U.S. Department of Home Land Security (DHS / Federal Emergency Management (FEMA)). The IRTB course provides first responders with the knowledge and skills necessary to safely respond to incidents involving explosives. The IRTB course focuses on first responder health and safety by addressing personal protection issues that arise when responding to terror incidents involving commercial and homemade explosive devices. Additionally, the course includes information on the recognition of Improvised Explosive Devices (IEDs). This information better prepares first responders to safely recognize and respond to bombing threats. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Deputy Blaine Hamilton for continuing education in Socorro, New Mexico from September 23rd - September 27th, 2018. All present voting "Aye". MOTION PASSED**

33890A AUTHORIZE COMMERCIAL OSSF PERMIT AT 651 PLANT LADY LANE, DRIPPING SPRINGS, TEXAS 78620

Emmet Boyd is proposing a new OSSF for the property located at 651 Plant Lady Lane. This system will serve four small short-term rental cabins. This 10.201-acre tract of land will be served by rainwater collection. The system designer, Stephen Jetton, R.S., has designed a proprietary treatment system using flow equalization. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 651 Plant Lady Lane, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

33891A APPROVE UTILITY PERMITS

Permit Road Name Utility 1089 C.R. 158 Waste Water Line 1090 C.R. 158 Water Line. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit 1089 located on CR158 to Waste Water Line and Permit 1090 located on CR158 to Water Line as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED**

33892A AUTHORIZE THE SUBMISSION OF THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) GRANT PROGRAM APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) IN THE AMOUNT OF \$11,492

The Texas LEPC Grant Program is an opportunity for LEPCs to establish, maintain, and/or improve their implementation of the Emergency Planning and Community Right-to-Know Act (EPCRA). The funds for this grant program are appropriated to the TCEQ and this grant round is up to \$200,000 total for all awards. Hays County will request a total of \$11,492 of funds for the maintenance of the Remote Automated Weather Stations (RAWS) and public educational/outreach material. The application is due by August 3, 2018 and will be submitted electronically. The grant period is September 1, 2018 - August 31, 2019 and there is not match requirement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of the Local Emergency Planning Committee (LEPC) Grant Program application to the Texas Commission on Environmental Quality (TCEQ) in the amount of \$11,492. All present voting "Aye". MOTION PASSED**

33893A AUTHORIZE THE EXECUTION OF A GRANT AGREEMENT BETWEEN HAYS COUNTY AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

Rodrigo Amaya resident of San Marcos made public comment. The total project cost is \$65,809.77. In the attached agreement, \$49,959.71 is the eligible amount for reimbursement by the Texas Department of Transportation with a Match Amount of \$15,850.06 which will be met through County Funds - partial salaries, fringe, and travel expenses. The acquired funds aim to perform overtime STEP activities including enforcement of Impaired Driving, Occupant Protection, Speed, Intersection Traffic Control, and Distracted Driving. STEP enforcement efforts seek to reduce the number of crashes through data-driven, highvisibility enforcement in areas with chronically high fatal and serious-injury crash rates. The Grant becomes effective 10/01/2018 or on the date of final signatures of both parties, whichever is later, and ends on 09/30/2019 unless terminated or otherwise modified. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a grant agreement between Hays County and the State of Texas, acting by and through the Texas Department of Transportation for the Selective Traffic Enforcement Program (STEP). All present voting "Aye". MOTION PASSED**



33894A APPROVE AWARD OF IFB 2018-B08 ROAD IMPROVEMENTS - HOT MIX OVERLAY TO AUSTIN MATERIALS, LLC AND AUTHORIZE THE EXECUTION OF THE SAME

Purchasing received 4 bids from Austin Materials LLC, Alpha Paving Industries LLC, Lone Star Paving, and Clark Construction Company of Texas, Inc. Staff recommends award of a contract to Austin Materials, LLC. Attachments: Bid Tabulation. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve award of IFB 2018-B08 Road Improvements - Hot Mix Overlay to Austin Materials, LLC and authorize the execution of the same. All present voting "Aye". MOTION PASSED**

33895A APPROVE THE PAYMENT OF CHANGE ORDER NO. 1 BETWEEN HAYS COUNTY AND LONGHORN COMMERCIAL ROOFING FOR WORK RELATED TO THE GOVERNMENT CENTER ROOF REPAIRS

Harvey Jenkins resident of San Marcos and Rodrigo Amaya made public comments. Director of Countywide Operations, Clint Garza spoke. During the course of roof repairs at the Government Center, Longhorn Commercial Roofing, identified an additional 30 punctures in the roof and TPO membrane. In an effort to reduce cost and prevent further damage from occurring, Longhorn Commercial Roof proceeded with making the additional repairs. The project has since been completed and the requested payment is for the final invoice. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Change Order No. 1 between Hays County and Longhorn Commercial Roofing for work related to the Government Center roof repairs. All present voting "Aye". MOTION PASSED**

33896A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE VEHICLE LEASE SAVINGS TO RETROFIT A BUS INTO A SECURED INMATE TRANSPORTATION BUS AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon resident of San Marcos, Harvey Jenkins resident of San Marcos, Rodrigo Amaya resident of San Marcos made public comments. Commissioner Shell spoke. Sheriff Gary Cutler spoke. Earlier this year, the Jail found a need for larger transportation units due to a steady increase in the inmate population (maximum jail population is 313, an average daily population is 348 , the overall total for jail population is 630). Because of the exigent circumstances, the Sheriff authorized utilization of Commissary Funds for the purchase of a 2012 International Integrated RE C Passenger Bus for \$15,000.00. The bus is in need of mechanical repairs as well as a retrofit from a passenger bus to a correctional inmate transportation bus. Mechanical repairs to be completed by Longhorn International Trucks Ltd. include service and repair to the engine, a replacement camshaft, a replacement window as well as other areas requiring maintenance. This service will be paid for by commissary funds. Retrofitting is to be completed by the Texas Correctional Industries - Ellis Bus Repair Facility and includes a replacement floor for the installation of 24 security seats and exterior painting. The cost of retrofitting from a passenger bus to a transportation bus is \$31,093. The Sheriff is requesting to use savings in the Sheriff's Office Vehicle Lease g/l. Budget Amendment 001-618-00.5475 Vehicle Lease (\$31,093.00) 001-618-03.5413 Vehicle Mtc. & Repair \$31,093 Attachments: Quote 14765REV1 - Ellis Bus Repair Facility. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize vehicle lease savings to retrofit a bus into a secured inmate transportation bus and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33897A APPROVE SPECIFICATIONS FOR RFQ 2018-P16 UTILITY COORDINATOR FOR THE 2016 ROAD BOND PROGRAM AND OTHER COUNTY TRANSPORTATION DEPARTMENT PROJECTS; AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE; CLOSE CONSIDERATION OF STATEMENTS OF QUALIFICATION FOR RFQ 2018-P12; AND ALLOW STATEMENTS OF QUALIFICATION FOR RFQ 2018-P12 TO BE RESUBMITTED FOR RFQ 2018-P16

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for RF 2018-P16 Utility Coordinator for the 2016 Road Bond Program and other County Transportation Department projects; authorize Purchasing to solicit for qualifications and advertise; close consideration of Statements of ualification for RF 2018-P12; and allow Statements of ualification for RF 2018-P12 to be resubmitted for RF 2018-P16. All present voting "Aye". MOTION PASSED

33898A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 6 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT



HOK Additional Services Request #06 for Reimbursable Expenses for the PSB and Uhland Phase II. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Additional Services No. 6 from HOK for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

33899A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 9 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

HOK Additional Services Request #09 for additional grading south of the Government Center to address drainage at the PSB. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Additional Services No. 9 from HOK for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

33900A APPROVAL TO MODIFY THE PRE-QUALIFIED LIST OF ENGINEERING & LAND SURVEYING FIRMS TO DEVELOP A POOL OF QUALIFIED FIRMS TO UTILIZE ON AN AS NEEDED BASIS FOR PROJECTS THROUGHOUT HAYS COUNTY

On May 15th Commissioner's Court approved the Pre-Qualified List of Engineers and Land Surveying Firms qualifications for Engineering and Land Surveying Services. This action was in response to RFQ 2018-P08 & P09 and combined the existing lists of pre-qualified vendors (established with RFQ 2016-P03 & 2016-P13). Staff requests the courts approval to include firms that were pre-qualified as a result of RFQ 2016-P02, which was inadvertently left out of the action taken on 5/15/18. Attachment: List of Pre-Qualified Firms. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approval to modify the Pre-qualified List of Engineering & Land Surveying Firms to develop a pool of qualified firms to utilize on an as needed basis for projects throughout Hays County. All present voting "Aye". MOTION PASSED**

33901A APPROVE THE SELECTION OF BOWMAN CONSULTING GROUP, LTD. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Survey, engineering, and environmental services for preliminary schematic and construction cost estimate for the Cotton Gin Road improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the selection of Bowman Consulting Group, Ltd. for professional engineering services for the Cotton Gin Road rehabilitation project-Phase 2 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33902A SUB-975; EDGAR ORTEGA SUBDIVISION (1 LOT). APPROVE PRELIMINARY PLAN

County Planner Marcus Pacheco spoke and gave staff recommendation. Edgar Ortega Subdivision is located off of East Gatlin Creek Rd in Precinct 4. The proposed prelim will create 1 lot across 5.31 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve preliminary plan SUB-975; Edgar Ortega Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

33903A GRANT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF A PORTION OF LOT 8, BLOCK P, SECTION 2 GREEN PASTURES SUBDIVISION

County Planner Marcus Pacheco spoke. The owner applied for a development authorization permit to construct an On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start construction OSSF. The property owner was been made aware of the platting requirement, and the plat is already in the review process. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to grant a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a development authorization to the owner of a portion of Lot 8, Block P, Section 2 Green Pastures Subdivision. All present voting "Aye". MOTION PASSED**



33904A APPROVE THE APPOINTMENTS OF KERRI JONES AND KYLE NATIONS TO THE CLAIBORNE KYLE LOG HOUSE COMMISSION

The Claiborne Kyle Log House Commission is in need of additional volunteers to serve. The Claiborne Kyle Log House Commission Members are appointed by the Hays County Commissioners Court to oversee the log house trust for its care and act as docents for visitors. Please refer to attached bios. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointments of Kerri Jones and Kyle Nations to the Claiborne Kyle Log House Commission. All present voting "Aye". MOTION PASSED**

33905A AUTHORIZE THE EXECUTION OF AN ADMINISTRATIVE SERVICES AGREEMENT AND STOP LOSS POLICY WITH UNITED HEALTHCARE INSURANCE COMPANY

On January 1, 2018, United Healthcare began providing health and dental insurance to Hays County employees and dependents per Commissioners Court approval on 10/3/2017. These agreements set out the terms of such coverage. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Administrative Services Agreement and Stop Loss Policy with United Healthcare Insurance Company. All present voting "Aye". MOTION PASSED**

ACTION REGARDING THE FY 2019 BUDGET INCLUDING A PRESENTATION OF THE JUDGE'S RECOMMENDED BUDGET AND THE SELECTION OF DATES FOR BUDGET WORKSHOPS

Director of Countywide Operations, Clint Garza spoke. Budget Workshop dates are set for August 7, 2018 at 10:00 a.m. and on August 14, 2018 at 10:00 a.m. No action taken.

Clerk's Note Agenda Item #24 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:26 a.m. and reconvened into open court at 10:59 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, and Legal Support Services Specialist, Janice Jones. No action taken.

Clerk's Note Agenda Item #26 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

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in effect.

Clerk's Note Agenda Item #28 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – was pulled

Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – was pulled

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at

HAYS COUNTY COMMISSIONERS' COURT MINUTES



11:02 a.m.

I, LIZ Q. GONZALEZ, 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 July 31, 2018.



Liz Q Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 7TH DAY OF AUGUST A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
OSCAR MEJIA JR.	DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Melendez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, a San Marcos resident, Dan Lyon, a San Marcos resident, Kate Shaw, a San Marcos resident, Sharri Boyett, a San Marcos resident, Rodrigo Amaya, a San Marcos resident, and Beth Richards, a San Marcos resident, all spoke.

33906A ADOPT A PROCLAMATION DECLARING AUGUST 2018 AS NATIONAL IMMUNIZATION AWARENESS MONTH

Eric Schneider, Epidemiologist of the Hays County Local Health Department spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring August 2018 as National Immunization Awareness Month. All present voting "Aye". MOTION PASSED

33907A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$ 1,169,057.45 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

33908A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$5,470.00 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #4 RE: APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS. – was pulled

33909A APPROVE COMMISSIONERS COURT MINUTES OF JULY 31, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of July 31, 2018 as presented by the Hays County Clerk. All present voting "Aye". MOTION PASSED

33910A APPROVE THE PAYMENT OF THE AUGUST 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE AUGUST 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the August 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective August 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED



33911A AUTHORIZE THE EXECUTION OF APPLICATIONS FOR PARTICIPATION IN THE TEXAS 1033 SURPLUS PROPERTY PROGRAM BY THE SHERIFF'S OFFICE AND CONSTABLE OFFICES

The Sheriff's or Constable's Office will complete forms specific to their agency as needed. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of applications for participation in the Texas 1033 Surplus Property Program by the Sheriff's Office and Constable Offices. All present voting "Aye". MOTION PASSED

33912A APPROVE UTILITY PERMITS

Permit: 1091; Road: McCarty Lane; Utility PEC (Electric). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permit 1091 on McCarty Lane for PEC (Electric). All present voting "Aye". MOTION PASSED

33913A AUTHORIZE THE COURT TO EXECUTE A TRAINING AGREEMENT WITH THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) RELATED TO TRAINING FOR HAYS COUNTY EMPLOYEES

The Human Resources Department would like to arrange for Joe Bontke, Outreach and Education Coordinator from the EEOC to provide multiple sessions of required civility and harassment training to county employees on 9/20/18. Funds are available within their operating budget. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Court to execute a Training Agreement with the U.S. Equal Employment Opportunity Commission (EEOC) related to training for Hays County employees. All present voting "Aye". MOTION PASSED

33914A APPROVE RENEWAL OF IFB 2015-B07 CONCRETE CONTRACTOR WITH MYERS CONCRETE CONSTRUCTION FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID

All terms and conditions remain unchanged and in full force and effect as stated in the original bid. The Road Department uses this contract whenever concrete work is needed for various projects. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of IFB 2015-B07 Concrete Contractor with Myers Concrete Construction for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

33915A APPROVE THE REAPPOINTMENT OF SHAWN CONNOLLY TO THE HAYS COUNTY DEVELOPMENT DISTRICT #1, TERM ENDING SEPTEMBER 1, 2022

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Shawn Connolly to the Hays County Development District #1, term ending September 1, 2022. All present voting "Aye". MOTION PASSED

33916A ACCEPT AND AUTHORIZE THE EXECUTION OF A MAINTENANCE CONTRACT FROM THE OFFICE OF THE ATTORNEY GENERAL FOR STATEWIDE CRIME VICTIM NOTIFICATION SERVICE (SAVNS) IN THE AMOUNT OF \$28,546.78

The grant program (SAVNS) is to assist Texas counties and other entities in maintaining a statewide system that provides offender release information, notification of court settings or events, supports the rights of victims of crime and public safety. The system provides immediate access to offender information that prosecutors, victim advocates and other criminal justice professionals can obtain through the SAVNS program. The contract period begins on September 1, 2018 through August 31, 2019. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and authorize the execution of a Maintenance Contract from The Office of the Attorney General for Statewide Crime Victim Notification Service (SAVNS) in the amount of \$28,546.78. All present voting "Aye". MOTION PASSED

33917A AUTHORIZE PAYMENT TO AMG PRINTING & MAILING FOR THE TREASURER'S OFFICE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Treasurer purchased letterhead envelopes in which no purchase order was obtained per County Purchasing



Policy. This was an oversight as the process for obtaining printed letterhead materials changed in F 2018. Funds are available in their operating budget for this purchase. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to AMG Printing & Mailing for the Treasurer's Office in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33918A AUTHORIZE THE EXECUTION OF THE FY19 INTERLOCAL CONTRACT FOR THE NEXT GENERATION 9-1-1 DATABASE PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) FOR EMERGENCY COMMUNICATIONS GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES TO BE PROVIDED BY THE COUNTY

This is an annual renewal grant in the amount of \$156,607 for fiscal year 2019 to assist with salaries and operational costs related to GIS services. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of the FY19 Interlocal Contract for the Next Generation 9-1-1 Database Program with the Capital Area Emergency Communications District (CAECD) for emergency communications Geographic Information System (GIS) services to be provided by the County. All present voting "Aye". MOTION PASSED

33919A AMEND THE DEVELOPMENT & COMMUNITY SERVICES OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE ESRI USER CONFERENCE

Additional funds are needed for the DC&S Staff that attended the Esri User Conference in July related to networking and resources for GIS best practices. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease 001-657-00.5429 Software Maintenance and Licensing. Increase 001-657-00.5551 Continuing Education. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Development & Community Services operating budget for additional Continuing Education expenses related to the Esri User Conference. All present voting "Aye". MOTION PASSED

33920A APPROVE SPECIFICATIONS FOR RFQ 2018-P17 INDEPENDENT THIRD PARTY REVIEWER FOR THE HAYS COUNTY PACE PROGRAM AND AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

Rodrigo Amaya, a San Marcos resident and General Counsel, Mark Kennedy spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RF 2018-P17 Independent Third Party Reviewer for the Hays County PACE Program and authorize Purchasing to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED

33921A AUTHORIZE THE PURCHASE OF ADDITIONAL LAW ENFORCEMENT EQUIPMENT FOR CONSTABLE'S PRECINCTS 1, 2, 4 & 5 LEASED VEHICLES AND AMEND THE BUDGET ACCORDINGLY

The Constable's Offices received leased vehicles during the F 2018 budget process and need additional equipment to be fully functional law enforcement vehicles. Funds are available in their respective operating budgets to fund this request. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the purchase of additional law enforcement equipment for Constable's Precincts 1, 2, 4 & 5 leased vehicles and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33922A AUTHORIZE THE EXECUTION OF A SOFTWARE & LICENSE AGREEMENT WITH TENEX SOFTWARE SOLUTIONS, INC. RELATED TO VOTER REGISTRATION EQUIPMENT APPROVED ON JULY 24, 2018

On July 24, 2018 the Commissioner's Court authorized the purchase of the Precinct Central ePollbooks related to Voter Registration Equipment. The attached agreement outlines the software and licensing terms that will be provided for the equipment. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Software & License Agreement with Tenex Software Solutions, Inc. related to Voter Registration Equipment approved on July 24, 2018. All present voting "Aye". MOTION PASSED

33923A APPROVE A LETTER AGREEMENT BETWEEN HAYS COUNTY AND HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT FOR PROFESSIONAL



SERVICES ON OLD SAN ANTONIO ROAD AND AMEND THE BUDGET ACCORDINGLY

As part of ongoing improvements on Old San Antonio Road to accommodate a new HCISD elementary school, the County and HCISD will enter into an agreement to include the design of needed utilities into the design of roadway improvements. The estimated cost of this design is \$40,332.00 and the entirety of the cost will be paid by HCISD. HCISD will provide payment to the County and the County will increase the Consultant's contract accordingly. The amount of the agreement is below the threshold requiring School Board approval and is signed with discretionary authority of the Chief Operating Officer. Budget Amendment: Increase Intergovernmental Revenue .4301. Increase Contract Consulting .5448_008. Harvey Jenkins, a San Marcos resident, spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a Letter Agreement between Hays County and Hays Consolidated Independent School District for professional services on Old San Antonio Road. All present voting "Aye". MOTION PASSED**

33924A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO.1 BETWEEN HAYS COUNTY AND DOUCET & ASSOCIATES, INC. FOR ROADWAY, DRAINAGE, AND UTILITY IMPROVEMENTS ON OLD SAN ANTONIO ROAD AND TO AMEND THE BUDGET ACCORDINGLY

In conjunction with the Letter Agreement between HCISD and Hays County, dated August 7th, 2018, this change order covers the increase in cost necessary to design a needed waterline along Old San Antonio Road in preparation for a new elementary school. The cost of the design of the waterline will be paid by HCISD to Hays County rather than HCISD creating a new contract and new design documents directly with Doucet. This will save time and money on the construction of the project. Funding will be provided by the Hays Consolidated Independent School District. Harvey Jenkins, a San Marcos resident, spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Change Order No.1 between Hays County and Doucet & Associates, Inc. for roadway, drainage, and utility improvements on Old San Antonio Road and to amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33925A CALL FOR A PUBLIC HEARING ON AUGUST 21, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF PT LOT 18, RIVER OAKS OF WIMBERLEY SUBDIVISION, SECTION TWO

River Oaks of Wimberley, Section Two is a recorded subdivision located off of Windmill Oaks in Precinct 3. Lot 18 was originally platted in 1973 and was divided by metes and bounds rather than the requisite plat revision throughout the following years. This 5.234 acre portion has been in the same configuration since 1981 and has been served by private well and on-site wastewater treatment service since 1999. Current Hays County minimum lot size requirements dictate that new lots in this area which are served by private wells and advanced on-site sewage facilities be at least 2.00 acres in size. Given the date that the parcel was created and the lot size requirements in place at that time, a variance to the county's minimum lot size requirements has been requested and will be heard upon final plat approval. The proposed re-plat will divide the 5.234 acre lot 18 into 3 1.54 acre lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on August 21, 2018 to approve final plat of the Replat of PT Lot 18, River Oaks of Wimberley Subdivision, Section Two. All present voting "Aye". MOTION PASSED**

33926A SUB-975; EDGAR ORTEGA SUBDIVISION (1 LOT) APPROVE FINAL PLAT

Edgar Ortega Subdivision is located off of East Gatlin Creek Rd in Precinct 4. The proposed prelim will create 1 lot across 5.31 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. Caitlyn Strickland, Hays County Planner, spoke. Staff gave recommendation. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve final plat SUB-975; Edgar Ortega Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

33927A APPROVE EARLY VOTING AND ELECTION DAY POLLING PLACES FOR THE UPCOMING NOVEMBER 6, 2018 GENERAL ELECTION

Pursuant to section 43.002 of the Texas Election Code the Commissioners court shall designate the recommended location as the polling place unless the court finds good cause to reject the recommendation. In that case, the Commissioners court shall designate another location. Jennifer Anderson, Elections Administrator, Harvey Jenkins, a San Marcos resident, Donna Haschke, a Buda resident, and Jon Leonard, a San Marcos resident spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Early voting and Election Day polling places for the upcoming November 6, 2018 General Election. All present voting "Aye". MOTION PASSED**



33928A AUTHORIZE COMMERCIAL OSSF PERMIT AND GRANT A VARIANCE TO SECTION 10 M. 1. (B) OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AT 630 WINN RANCH RD., WIMBERLEY, TX 78676

Brian and Ann Konradi are proposing an OSSF to serve three short term rental cabins. Each cabin is 320 sq ft. with one bedroom and no kitchen. The property is located at 630 Winn Ranch Rd. in Wimberley and is just over ten acres. This OSSF will utilize proprietary treatment with surface irrigation disposal. This system is designed for a maximum daily rate of 300gpd. The system designer, Stan Burrier, P.E., is requesting a variance to section 10 M.1. (B) of the Hays County Rules for On Site Sewage Facilities, which requires non-residential OSSFs and multi-family OSSFs to have a hydraulic equalization tank prior to the treatment system. His justification for the variance is that equal protection will be provided given that the rental units will only be occupied 60-70 % of the time. To prevent surges from not being treated, he has oversized the ATU to an 800gpd ATU. In addition, during non-occupied times, the owner will feed the ATU by introducing dog food. Commissioner Shell, Commissioner Whisenant, and Clint Garza, Director of Countywide Operation spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize commercial OSSF permit and grant a variance to section 10 M. 1. (B) of the Hays County Rules for On-Site Sewage Facilities at 630 Winn Ranch Rd., Wimberley, TX 78676. All present voting "Aye". MOTION PASSED**

33929A APPROVE THE APPOINTMENT OF KITTEN FRANKS TO THE HAYS COUNTY DEVELOPMENT DISTRICT #1, TERM ENDING SEPTEMBER 1, 2022

Ms. Franks is a resident of Hays County. She and her husband, Terry, reside in the Belterra Community. Ms. Franks went to Southwest Texas State for college and Bastrop High School. Ms. Franks was appointed by the Board to fill the unexpired term of Mike McKinney. Pursuant to enabling legislation, the Board appoints individuals to fill unexpired board vacancies. Mr. McKinney resigned in August 2017. The Hays County Development District No. 1 board appointed Ms. Franks to finish his term shortly thereafter. Kitten Franks has agreed to serve another term ending September 1, 2022. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the appointment of Kitten Franks to the Hays County Development District #1, term ending September 1, 2022. All present voting "Aye". MOTION PASSED**

33930A SUPPORT THE 2018 ANNUAL RAINWATER FESTIVAL

The purpose of the Hill Country Living & Rainwater Revival Festival event is to educate, promote and celebrate rainwater collection. The event will include a day-long schedule of presentations by professionals and users of rainwater from across Texas. There will be water conservation-related business vendor booths, rainwater system displays and experts to provide guidance, information and services. The level of Sponsorship will be determined in Court and the suggested source of funding would be the LCRA Fund. The County has sponsored this festival in the past. Karen Ford, a San Marcos resident, and Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to support the 2018 Annual Rainwater Festival and move \$1,000 from the Community Services budget at Pct. 4 for sponsorship and to cover the \$175 booth fee. All present voting "Aye". MOTION PASSED**

33931A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LONE STAR PACE, RELATED TO THE ADMINISTRATION OF THE PACE PROGRAM IN HAYS COUNTY

The amended PACE Resolution and Program Report which allows for additional PACE administrators was approved in Court on July 10, 2018. Lone Star PACE has expressed interest in participating in Hays County PACE projects. In order for Lone Star PACE to have the authority to provide PACE financing in the County, it is necessary for the County to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the County executing such agreement. There are no costs to the County associated with participation in the Hays County PACE Program. Roger Gordon from Lone Star PACE, and Commissioner Shell spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement between Hays County and Lone Star PACE, related to the administration of the PACE program in Hays County. All present voting "Aye". MOTION PASSED**

33932A APPROVE THE PROCESS FOR THE APPOINTMENT OF A JUDGE TO HAYS COUNTY COURT AT LAW #3

Materials that would facilitate the nomination process may be provided in Court. Since the position of the Judge for County Court at Law #3 has been created for October 2018, the process for appointment should be concluded by the end of F 18. Gregory D. Drummond, CEO of Wellbridge Healthcare, John Rogers, a Kyle resident, Rodrigo Amaya, a San Marcos resident, Terry Jackson, Corporate Community Education Director and CTMC Senior Behavioral Health Unit spoke. Commissioner Shell and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the**



process for the appointment of a Judge to Hays County Court at Law #3 as presented in the instrument County Court at Law Judge Appointment application to include the items Mr. Kennedy included in regard to information as well as qualification for these applicants and also allow Mr. Kennedy to put this together online and state where they should be turned in, how they should be submitted and disburse those individually to court members on a weekly basis. All present voting "Aye". MOTION PASSED

Clerk's Note: Court took a break at 11:11 a.m. and returned into open session at 11:27 a.m.

33933A 10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2019 HAYS COUNTY BUDGET. POSSIBLE ACTION MAY FOLLOW

Dan Lyon, a San Marcos resident, and Commissioner Shell spoke. Britney Richie, presented the Retiree Committee's recommendations and also spoke on behalf of the Hays County Treasurers' office requesting staff increase. A position in the Treasurers' office that has been part time for over 15 years is being requested to become full-time as well as re-grading the position to a 109. Ms. Richie also requested on behalf of the Treasurers' office to reinstate the \$500 that they currently have in their budget that was cut from next year's budget, for staffing requirements relating to sign language interpreters. Commissioner Shell reiterated the importance of having a plan together for the new jail staffing. Commissioner Ingalsbe stated that there are \$2 million set aside for 34 new positions and personnel changes. Commissioner Ingalsbe and Commissioner Shell spoke on the \$935,000 for a 3 merit pool for employees, Department Heads and Elected officials. Commissioner Ingalsbe asked Vickie Dorsett to drop the merit pool from 3 to 2 excluding Elected Officials. Hays County District Attorney, Wes Mau spoke about the amount of cases coming into the District Attorney's office increasing around 15 a year, sometimes even exceeding that on civil cases. Mr. Mau is requesting to increase the staffing that was requested on the judges recommended budget which was significantly less than what was requested this year. Mr. Mau also is requesting an increase in staffing for intake personnel and in the Criminal and Civil divisions he is also requesting for an additional attorney, particularly in the Civil division. With the addition of a new attorney, they will get paired with a paralegal that Mr. Mau is willing to pay for using the Drug Forfeiture Funds and move the current position they are paying for from Drug Forfeitures into the regular budget. Ms. Angie Roberts, Civil Chief at the District Attorney's office spoke on the dramatic increase in CPS removals and emphasized the need for staffing in her division. Hays County Court at Law #1 Judge Robert Updegrave and Hays County Court at Law #2 Judge David Glickler spoke on the current bailiff situation and the need for administrative help for the future County Court at Law #3. They both spoke on converting the 2 current empty bailiff positions into coordinator positions and moving the current bailiff position under the Hays County Sheriff's budget. Both Judges spoke about potentially using Juror room 1 for multiple employee space for the future. Judge Glickler spoke about a position that is funded by the Governor's office that they would like to keep so that they can diversify the responsibilities that are handled by the Veterans' Court team. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to keep the Humana Medicare Advantage Insurance Plan for Medicare eligible retirees. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #30 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 1:14 p.m. and reconvened into open court at 1:53 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant. No action taken.

33934A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE DEPARTMENT OF COUNTYWIDE OPERATIONS. POSSIBLE ACTION MAY FOLLOW. INGALSBE

Court convened into Executive session at 12:12 p.m. and reconvened into open court at 1:09 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, and Director of Human Resources, Shari Miller. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the County Wide Operations divisions proposed re-organization as presented: Eliminating the Director of Co-Wide**



Operations (grade 122) effective 9/1/18, Re-titling the Assistant Director of Co-Wide Operations (grade 117) to Director of Co-Wide Operations (grade 118) with a 6 increase, base salary \$81,020, Re-titling the Operations Manager (grade 115) to Budget & Operations Manager (grade 116) with a 6 Increase, base salary \$60,426, Re-titling the Budget & Financial Manager (grade 115) to Operations Coordinator (grade 111), Re-titling the Assistant Director of Development & Community Services (grade 117) to Director of Development & Community Services (grade 118), Re-titles and re-grades effective 8/7/18. Proposed re-structure annualized savings of \$181,840. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #33 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**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in place. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while working outside with materials that can spark or has open flames, such as welding.

Clerk's Note Agenda Item #35 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

Clerk's Note Agenda Item #36 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 1:59 p.m.

I, LIZ Q. GONZALEZ, 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 August 7, 2018.



Liz Q Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14TH DAY OF AUGUST A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Sasha Edwards, Austin resident, Jack Hugman, Wimberley resident, Dan Lyon, San Marcos resident, Casey Cutler, Driftwood resident, Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, Gloria Salazar, San Marcos resident, Esther Garcia, San Marcos resident, Roland Saucedo, San Marcos resident, and County Court-at-Law #2 Judge, David Glickler.

33935A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve county invoices in the amount of \$1,774,933.28 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #2 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33936A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the payment of United Healthcare Claims in the amount of \$217,667.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33937A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 7, 2018

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 7, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33938A AMEND THE DEVELOPMENT & COMMUNITY SERVICES CAPCOG 911 ADDRESSING GRANT BUDGET FOR ADDITIONAL CONTRACT SERVICES EXPENSES RELATED TO GEOMAPPING

Additional funds are needed for the DC&S CAPCOG 911 Addressing Grant to cover expenses related to GeoMapping. The GeoMaps are an integral part of the GIS 911 system and the mapping of the County was fully updated in 2018. Savings within the CAPCOG Grant's Continuing Education budget have been identified to fund this request. Budget Amendment: Decrease 001-657-99-037.5551 Continuing Education (\$5,831) Increase 001-657-99-037.5448 Contract Services \$5,831. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Development & Community Services CAPCOG 911 Addressing Grant Budget for additional Contract Services expenses related to Geomapping. All present voting "Aye". MOTION PASSED

33939A APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve utility permit #1092 on Mathias Lane for water service line issued to Goforth SUD, utility permit #1093 on



Windy Hill Road for fire hydrant issued to L Squared LLC, as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33940A ACCEPT A DONATION IN THE AMOUNT OF FOUR THOUSAND DOLLARS (\$4,000.00) FROM THE FIRST PRESBYTERIAN CHURCH OF SAN MARCOS TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

The First Presbyterian Church of San Marcos has graciously donated funds to be passed through to the Hays County Child Protective Board for operating expenses associated with programs for the children. Budget Amendment: Increase Contributions - 001-895-98-354.4610 Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a donation in the amount of four thousand dollars (\$4,000.00) from the First Presbyterian Church of San Marcos to be used for the Child Protective Board Services within Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33941A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 31560 RR 12, DRIPPING SPRINGS, TX 78620

Garner Holdings LLC is proposing an addition to the existing OSSF to serve a restaurant and nine offices (no public restrooms). This site is located outside Dripping Springs ETJ. Water will be supplied by a private water well. The system designer, Greg Johnson, P.E., has designed a system, which consists of a new 3000 gallon aeration tank, a new 1000 gallon grease trap and an addition of 600 feet of drip tubing to the existing drainfield. The maximum daily usage rate on average is 768 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 31560 RR 12, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED

33942A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE AMMUNITION FOR THE BASIC PEACE OFFICER ACADEMY AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is in need of purchasing ammunition for the upcoming Basic Peace Officer Academy. The ammo will be used to train and qualify cadets in the use of firearms. The total cost of ammunition is \$7,500.00, and the Sheriff's Office has identified a total of \$6,700 of savings from 00.5718_700 and 00.5717_700. Available funds will cover the remaining balance in Law Enforcement Supplies. Budget Amendment: Decrease 001-618-00.5718_700 (\$4,000) Decrease 001-618-00.5717_700 (\$2,700) Increase 001-618-00.5206 \$6,700. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize savings to purchase ammunition for the Basic Peace Officer Academy and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33943A APPROVE THE MAY 2018 TREASURER'S AND INVESTMENT REPORT

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the May 2018 Treasurer's and Investment Report. All present voting "Aye". MOTION PASSED

33944A RATIFY THE EXECUTION OF THE FY 19 INTERLOCAL CONTRACT FOR THE PUBLIC SAFETY ANSWERING POINT (PSAP) MAINTENANCE, EQUIPMENT AND TRAINING PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT CAECD IN THE AMOUNT OF \$3,000.00

The Capital Area Emergency Communications District (CAECD) is a regional emergency communications district and political subdivision of the State of Texas organized and operating under Chapter 772, subchapter G of the Health & Safety code. This contract is between CAECD and Hays County under chapter 791 of the Health and Safety code so that Hays County can maintain its PSAP(s), upgrade 9-1-1 equipment and train its personnel to participate in the Next Generation 9-1-1 emergency communications service within the District. CAECD will compensate the County a total amount of \$3,000.00 for its performance of this contract. The contract period is from October 1, 2018 through September 30, 2019. Funds were budgeted during the FY 19 budget process for this contract. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to ratify the execution of the FY 19 Interlocal Contract for the Public Safety Answering Point (PSAP) Maintenance, Equipment and Training Program with the Capital Area Emergency Communications District CAECD in the Amount of \$3,000.00. All present voting "Aye". MOTION PASSED



33945A AUTHORIZE THE SHERIFF'S OFFICE TO TEMPORARILY CONVERT TEN DEPUTY SLOTS TO CIVILIAN CADET SLOTS AT CADET PAY; AND AUTHORIZE CONVERSION OF THOSE SLOTS BACK TO DEPUTY SLOTS AFTER COMPLETION OF THE HAYS COUNTY SHERIFF'S OFFICE TRAINING ACADEMY

The Sheriff's Office is requesting to temporarily convert ten Deputy Slots to Cadet Slots for the upcoming Basic Peace Officer Academy. Cadet slots will be filled with existing employees. Cadets are not included in the Collective Bargaining Agreement. Proposed Cadet pay is \$19.50 per hour, the Cadet position will be considered a full-time position with benefits. At the conclusion of the Academy, the Deputy slots will be reinstated, and the Cadet slots will be eliminated. Rodrigo Amaya, Commissioner Shell, Commissioner Whisenant, and Capt. Cumberland spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to temporarily convert ten Deputy Slots to Civilian Slots at Cadet pay; and authorize conversion of those slots back to Deputy Slots after completion of the Hays County Sheriff's Office Training Academy. All present voting "Aye". MOTION PASSED**

33946A AUTHORIZE THE DISTRICT CLERK'S OFFICE TO PURCHASE TWO (2) FUJITSU FI-7180 DOCUMENT SCANNERS AND AMEND THE BUDGET ACCORDINGLY

The District Clerk currently has 2 scanners that are not functioning. These are used to scan in court documents for cases on file in the District Courts. Many of the casefiles are electronic, therefore it is imperative that these are replaced so that the court's record is not delayed being placed in the case management system. Funds are available in the Records Preservation Fund to replace this equipment. Budget Amendment: Decrease .5448 Increase .5712_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the District Clerk's Office to purchase two (2) Fujitsu Fi-7180 Document Scanners and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33947A AUTHORIZE THE TREASURER TO EXECUTE AN INVESTMENT SELECTION AND DISCLOSURE FORM WITH BOK FINANCIAL (BOKF, NA) RELATED TO THE LA CIMA PUBLIC IMPROVEMENT DISTRICT FINANCING AGREEMENT

BOKF, NA is the financial institute and acting trustee for the La Cima Public Improvement District Financing Agreement. The attached investment selection and disclosure form directs the trustee to invest per County terms and is required to meet the indenture guidelines. Commissioner Ingalsbe spoke.

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Treasurer to execute an Investment Selection and Disclosure Form with BOK Financial (BOKF, NA) related to the La Cima Public Improvement District Financing Agreement.

An amended motion was made by Commissioner Whisenant, and seconded by Commissioner Shell to direct the Treasurer to invest in the Cavanal Hill U.S. Treasury Fund (1) cusip 14956P802, APGXX and authorize the Treasurer to sign the Investment Selection and Disclosure Form for Short-Term Investment vehicle. All present voting "Aye". MOTION PASSED

33948A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO.10 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

HOK Additional Services Request #10 for redesign of the (11) large holding cells from Steel Modular Cell to CMU construction in response to the increasing steel prices. Due to this change, the project will realize \$162,000 credit against the escalation costs. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Additional Services No. 10 from HOK for work related to the Hays County Public Safety Bond Project. All present voting "Aye". MOTION PASSED**

33949A APPROVE CHANGE ORDER #2 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS

On May 8th the Court approved a contract with HD Cooks Rock Solid, Inc. for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Additionally, change order #1 was approved on 7/10/18 for required work at Site 4. Change Order No. 2 is a price deduction due to changes in construction specification 33, Shotcrete. The supplier recommended a weight decrease from 100 lbs. to 35 lbs. per cubic yard, which translates into a cost savings for the project. The design engineer has reviewed the change order and approves the decrease as an acceptable strength for the project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Change Order #2 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs. All present voting "Aye". MOTION PASSED**



33950A SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS) APPROVE PRELIMINARY PLAN

Marcus Pacheco, Hays County Planner gave staff recommendation. Heaton Hollow Subdivision is a proposed 18 lot subdivision located along FM 2325 in PCT 3. Lots range in size from 24 acres to 181 acres. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan for SUB-1054 Heaton Hollow Subdivision (18 Lots). All present voting "Aye". MOTION PASSED**

33951A AUTHORIZE PAYMENT OF ALL ACCRUED VACATION HOURS AS OF AUGUST 31, 2018 FOR THE DIRECTOR OF COUNTY WIDE OPERATIONS

Per Section 6.05 of the Personnel Policy, upon termination employees may only be paid for accrued vacation hours capped at 240 hours. The Director of County Wide Operations will terminate employment on 8/31 with a total of 323 accrued vacation hours, 83 hours over the cap. Due to the high volume of county projects and staffing shortages, the Director was unable to take planned vacations this year and respectfully requests the Courts approval to be paid in full for all accrued vacation hours. Financial Impact (83 hours): \$5,188 - Base Salary \$1,080 Fringe. Commissioner Whisenant, and Rodrigo Amaya, Director of County Wide Operations, Clint Garza, Commissioner Shell and Commissioner Ingalsbe spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment of all accrued vacation hours as of August 31, 2018 for the Director of County Wide Operations. All present voting "Aye". MOTION PASSED**

33952A RE-APPOINT COMMISSIONER LON SHELL AND COMMISSIONER DEBBIE INGALSBE, TO THE GREATER SAN MARCOS PARTNERSHIP (GSMP) BOARD OF DIRECTORS

Hays County has 2 positions on the GSMP Board of Directors. The positions are to be held by members of Commissioner Court. Commissioner Shell and Commissioner Ingalsbe have been nominated to be re-appointed Directors to the GSMP Board of Directors contingent on the County's approval. Dan Lyon, and Harvey Jenkins spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to re-appoint Commissioner Lon Shell and Commissioner Debbie Ingalsbe, to the Greater San Marcos Partnership (GSMP) Board of Directors. All present voting "Aye". MOTION PASSED**

33953A APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TREEFOLKS, INC., CONTINUING THE ASSESSMENT AND IMPLEMENTATION PROGRAM FOR RIPARIAN REVEGETATION AND RESTORATION ALONG THE BLANCO RIVER

In September of 2015, Hays County entered into an agreement with TreeFolks, Inc. to begin restoration programs for areas along the Blanco River affected by the Memorial Day 2015 Flood. Over the past three years the program has seen great deal of success and has continued to have significant local and regional support. A proposed agreement is attached that would allow TreeFolks to: Consult with and assess the interest of landowners and determine site conditions of land in Hays County along the Blanco River that was damaged by the Memorial Day Flood of 2015. Determine program characteristics required to provide continued comprehensive reforestation services to landowners. Perform reforestation task on private properties during the 2018 planting season and continue performing test methods that will help to refine characteristics for effective implementation across Hays County. Work will commence on October 1, 2018. The contract cost exceeds \$50,000, the Court, in authorizing execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024(a)(3). Dan Lyon, Harvey Jenkins, Commissioner Shell, County Wide Director, Clint Garza, Andreina Alexatos, TreeFolks Restoration Manager, Commissioner Ingalsbe, and Commissioner Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Shell to approve a Professional Services Agreement with Treefolks, Inc., continuing the assessment and implementation program for riparian revegetation and restoration along the Blanco River, since the contract cost exceeds \$50,000, the Court, in authorizing the execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024 (a)(4). Commissioner Ingalsbe voting "No". Commissioner Shell and Commissioner Whisenant voting "Aye". MOTION PASSED**

Clerk's Note Court took a break at 10:16 a.m. and reconvened into open session at 10:23 a.m.

10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2019 HAYS COUNTY BUDGET

Dan Lyon, Harvey Jenkins, Rodrigo Amaya, and Roland Saucedo spoke. Sheriff's Office Sheriff Cutler and Capt. Davenport spoke of needs. 1) Reprioritization move the Admin. III to Evidence Tech (swap), move equipment with reprioritization. 2) Vehicles they will need more. Office of Emergency Services Director, Kharley Smith Requesting Level A HazMat Suit, HazMat Gloves, PEAC Station Licenses, SRP Video

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Upgrade, Surface Pro, iPad, replacement Sierra Device to Cradlepoint with cameras/evidence.com, Admin. II (108) convert to Office and Finance Manager (110), and Asst. EMC (115) to Asst. Director OES (116). Constable Pct. 5, John Ellen, is requesting an additional Deputy position. Constable Pct. 4, Ron Hood requesting a replacement motorcycle for traffic control. Constables are requesting a salary increase. Constable Pct. 3, Gary Griffin, Deputy Constable Requesting operational technology, VDI's (2), telephones (3), Field fleet cameras (2), Ticket Writer/Printers and tablets (2), mobile data terminal, and additional Deputy s. Constable Pct. 2, Michael Torres 1) requesting (2) replacement vehicles, 2) requesting additional Continuing Education, 3) requesting (3) Ticket Writer but will take at least (1). Constable Pct. 1, David Peterson requesting salary increase for Justice Clerk Salary, FTO Pay, Law Enforcement Supplies (taser cartridges, vehicle markings & window tint, ammo for training), Misc. (unforeseen items for training & equipment), Lease Vehicle (2), Continuing Education, Office Equipment (new chair), Operating Comp. Equip. (1 Surface Pro & 1 Dell Latitude for training & presentations), Operating (Axon Camera System), Law Enforcement Equipment (1 shotgun & 1 taser & taser download kit), Operating Law Enforcement (onetime lights, cage, rifle locks, 3 radar units, rifle). Human Resources Director, Shari Miller spoke of counties used in salary comparisons for Constables are the same used in the Collective Bargaining. Tax Assessor/Collector, Luanne Caraway, requesting (3) new phones for Sub Stations, Bank Fees for Sub Stations are extremely high. Employee Chairs would like to replace (3). Dripping Springs lobby chairs need to be replaced. Drive-thru problems with the tubing jamming. David Edwards, Chairman of City of Dripping Springs TIRZ, requesting TIRZ #1 & #2, Town Center, Old Fitzhugh Rd., Triangle, Parking, TIRZ PM Amendment #2, Bojoroquez, Taussig, EPS, and TIRZ Independent Counsel money that will be reimbursed. Human Resources Director, Shari Miller, spoke of Hays County's population and growth. The unemployment statistics, and the vacancies. She is requesting instead of 2 merit if the Court would consider a COLA increase. She is requesting a salary increase for HR Specialist that took on additional duties within this past year. If awarded the position would not be given merit increase. Transportation Department Director, Jerry Borchering, is requesting a re-grade of Road Worker Grade 107 to Admin. II Grade 108. He is also asking for a Salary Analysis for Director of Transportation.

Clerk's Note Agenda Item #22 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 12:35 p.m. and reconvened into open court at 1:49 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Shell, Commissioner Whisenant, Human Resources Director, Shari Miller, Office of Emergency Services Director, Kharley Smith, and Director of Countywide Operations, Clint Garza. No action taken.

Clerk's Note Agenda Item #24 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in effect. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #26 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

Clerk's Note Agenda Item #27 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adjourn court at 1:51 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 August 14, 2018.



Liz Q Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 20TH DAY OF AUGUST A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., AND COMMISSIONER, PCT. 1, DEBBIE GONZALES INGALSBE, BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

33954A ORDER A GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018

Elections Administrator, Jennifer Anderson spoke. An election is hereby ordered to be held on November 6, 2018, in Hays County, Texas, for the purpose of electing the county and precinct officers as required by Article XVI, Section 65 of the Texas Constitution. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Order a General Election to be held on November 6, 2018. All present voting "Aye". MOTION PASSED

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:32 a.m.

I, LIZ Q. GONZALEZ, 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 August 20, 2018.



Liz Q Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21ST DAY OF AUGUST A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Jones gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins resident of San Marcos, Linda Coker resident of San Marcos, Dan Lyon resident of San Marcos, Rodrigo Amaya resident of San Marcos all made public comments.

33955A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$ 1,383,051.61 as submitted by the Hays County Auditor. All present voting "Aye". MOTION PASSED

33956A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$ 3,442.00 as submitted by the Hays County Auditor. All present voting "Aye". MOTION PASSED

33957A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$ 3,520.00 and United Healthcare claims in the amount of \$ 174,141.02. All present voting "Aye". MOTION PASSED

33958A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 14, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 14, 2018. All present voting "Aye". MOTION PASSED

33959A ACCEPT AND AUTHORIZE THE EXECUTION OF A MAINTENANCE CONTRACT FROM THE OFFICE OF THE ATTORNEY GENERAL FOR STATEWIDE CRIME VICTIM NOTIFICATION SERVICE (SAVNS) IN THE AMOUNT OF \$28,546.78

The grant program (SAVNS) is to assist Texas counties and other entities in maintaining a statewide system that provides offender release information, notification of court settings or events, supports the rights of victims of crime and public safety. The system provides immediate access to offender information that prosecutors, victim advocates and other criminal justice professionals can obtain through the SAVNS program. The contract period begins on September 1, 2017 through August 31, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and authorize the execution of a Maintenance Contract from The Office of the Attorney General for statewide crime victim notification service (SA NS) in the amount of \$28,546.78. All present voting "Aye". MOTION PASSED



**33960A APPROVE RENEWAL OF IFB 2015-B03 HAULING OF SOLID WASTE
WITH TEXAS DISPOSAL SYSTEMS FOR ONE (1) ADDITIONAL YEAR**

All terms and conditions remain unchanged and in full force and effect as stated in the current contract. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of IFB 2015-B03 Hauling of Solid Waste with Texas Disposal Systems for one (1) additional year. All present voting "Aye". MOTION PASSED

**33961A APPROVE RENEWAL OF IFB 2015-B03 HAULING OF SOLID WASTE
(GLASS RECYCLING ONLY) WITH CENTRAL WASTE & RECYCLING
FOR ONE (1) ADDITIONAL YEAR**

Harvey Jenkins, resident of San Marcos made public comment. Dan Lyon, resident of San Marcos made public comment. Director of Countywide Operations, Clint Garza spoke. The vendor has proposed a price increase for the final renewal option of this contract. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of IFB 2015-B03 Hauling of Solid Waste (glass recycling only) with Central Waste & Recycling for one (1) additional year. All present voting "Aye". MOTION PASSED

**33962A APPROVE RENEWAL OF IFB 2017-B02 COUNTYWIDE DUMPSTERS
WITH TEXAS DISPOSAL SYSTEMS FOR ONE (1) ADDITIONAL YEAR
AS STATED IN THE ORIGINAL BID**

All terms and conditions remain unchanged and in full force and effect as stated in the original bid. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve renewal of IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

**33963A APPROVE RENEWAL OF IFB 2015-B10 EMULSION OILS WITH
ERGON ASPHALTS & EMULSIONS, INC. FOR ONE (1) ADDITIONAL
YEAR**

Harvey Jenkins, resident of San Marcos made public comment. Dan Lyon, resident of San Marcos made public comment. The vendor has proposed a price increase for the final renewal option of this contract. A motion was made by Commissioner Jones seconded by Commissioner Whisenant to approve renewal of IFB 2015-B10 Emulsion Oils with Ergon Asphalts & Emulsions, Inc. for one (1) additional year. All present voting "Aye". MOTION PASSED

**33964A APPROVE OUT OF STATE TRAVEL FOR THE OFFICE OF
EMERGENCY SERVICES DIRECTOR TO ATTEND THE NATIONAL
EMERGENCY MANAGEMENT ASSOCIATION CONFERENCE IN
ATLANTA, GA ON OCTOBER 1-4, 2018**

Requesting approval for Kharley Smith to attend the National Emergency Management Association forum in Atlanta, GA. The conference runs from 10/1/18 to 10/4/18 with travel dates on 9/30/18 and 10/4/18. Contingent on final adoption of the F 19 budget (funding for this conference was requested in the F 19 budget and has been approved in the Judge's Recommended budget). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for the Office of Emergency Services Director to attend the National Emergency Management Association conference in Atlanta, GA on October 1-4, 2018. All present voting "Aye". MOTION PASSED

**33965A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE
U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2018 LOCAL
SOLICITATION FOR RIFLE-RESISTANT VESTS FOR LAW
ENFORCEMENT PERSONNEL IN THE AMOUNT OF \$13,275.00**



Hays County is eligible to receive funding in the amount of \$13,275 from the U.S. Department of Justice through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program F 2018 Local Solicitation. The allocation will be used to purchase 15 rifle-resistant vests in the amount of \$13,205.00 for Law Enforcement Officers. The application is due by August 22, 2018 and will be submitted electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation for Rifle-Resistant Vests for Law Enforcement Personnel in the amount of \$13,275.00. All present voting "Aye". MOTION PASSED**

33966A APPROVE AWARD OF IFB 2018-B07 REGULATORY ROAD SIGNS TO VULCAN INC. (DBA VULCAN SIGNS) AS PRIMARY VENDOR AND BLACKTOP INDUSTRIES LLC, PATHMARK TRAFFIC EQUIPMENT LLC, AND CENTERLINE SUPPLY ON AN AS NEEDED BASIS AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAME

Purchasing received 5 bids from Eastern Metal of Elmira Inc., Vulcan Inc. (dba Vulcan Signs), Blacktop Industries LLC, Lightle Enterprises of Ohio LLC, PathMark Traffic Equipment LLC, Osburn Associates Inc., and Centerline Supply. Staff recommends award of contracts to Vulcan Inc. (dba Vulcan Signs) as primary vendor and Blacktop Industries LLC, PathMark Traffic Equipment LLC, and Centerline Supply on an as needed basis. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve award of IFB 2018-B07 Regulatory Road Signs to Vulcan Inc. (dba Vulcan Signs) as primary vendor and Blacktop Industries LLC, PathMark Traffic Equipment LLC, and Centerline Supply on an as needed basis and authorize the County Judge to execute same. All present voting "Aye". MOTION PASSED**

33967A AUTHORIZE PAYMENT TO GRAHAM & ASSOCIATES FOR THE OFFICE OF GENERAL COUNSEL'S OFFICE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

Harvey Jenkins, resident of San Marcos made public comment. The Office of General Counsel requested appraisal services for the Lime Kiln Road project and did not secure a purchase order as required per County Purchasing Policy. Funds are available in the Transportation Department operating budget for this project. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Graham & Associates for the Office of General Counsel's Office in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33968A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR THE HAZARD MITIGATION GRANT PROGRAM THROUGH TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

The Hazard Mitigation Grant Program (HMGP) is funded by FEMA and administered by the state of Texas. It is a mitigation grant designed to prevent or reduce future loss of lives and property through the identification and funding of cost-effective mitigation measures as well as minimize the costs of future disaster response and recovery. This grant application is for the 'Hays County Drainage' project. The Notice of Intent for this project was submitted on March 13, 2018 and the project was approved on April 10, 2018 to move forward with the application process. The total project cost is \$2,527,000 including the county 25% match of \$631,750. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of a grant application for the Hazard Mitigation Grant Program through Texas Department of Emergency Management. All present voting "Aye". MOTION PASSED**

33969A AUTHORIZE COMMERCIAL OSSF PERMIT 901 WILLIAMSON RD, BUDA, TX 78610

Stanley Kolodzey is proposing a new advanced treatment OSSF to serve a meeting center for non-profit groups. This site is approximately 215.9 acres located within the City of Austin and Niederwald's ETJ. Water will be supplied by a Goforth SUD. The system designer, Bucky Smith, R.S., has designed a system for 150 people max (no food preparation), which consists of a new 750 gallon trash tank, a 2000 gallon equalization tank, a new 1000 gallon Nuwater B-1000 aeration tank, followed by a 2000 gallon pump tank. The design will utilize 2 fields of 1,500 sq.ft. of drip tubing for the drain field. The maximum daily usage rate on average is 600 gallons. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Commercial OSSF Permit 901 Williamson Rd, Buda, TX 78610. All present voting "Aye". MOTION PASSED**



33970A AUTHORIZE THE EXECUTION OF THE COUNTY CHILD WELFARE SERVICES NON-FINANCIAL AGREEMENT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES (DFPS)

This is a joint renewal agreement to establish and maintain a child welfare board to administer a county wide, jointly financed, state administered, and regionally operated child welfare program to meet the needs of children in the county who need protective services. The contract term is October 1, 2018 through September 30, 2025. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the County Child Welfare Services Non-Financial Agreement between Hays County and the Texas Department of Family and Protective Services (DFPS). All present voting "Aye". MOTION PASSED**

33971A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 BETWEEN HAYS COUNTY AND WSB AND ASSOCIATES, INC. ON THE PROFESSIONAL SERVICES AGREEMENT FOR THE RM 967 WEST OF FM 1626 PROJECT

Transportation Director Jerry Borcharding spoke and gave staff recommendation. Contract change is to allow for the addition of new personnel categories to the billing categories needed since WSB's acquisition of Rogers Design Services. Total amount in compensation is not to change. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 2 between Hays County and WSB and Associates, Inc. on the Professional Services Agreement for the RM 967 West of FM 1626 Project. All present voting "Aye". MOTION PASSED**

33972A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 BETWEEN HAYS COUNTY AND WSB AND ASSOCIATES, INC. ON THE PROFESSIONAL SERVICES AGREEMENT FOR THE US290 INTERSECTIONS PROJECT

Transportation Director Jerry Borcharding spoke. Contract change is to allow for the addition of new personnel categories to the billing categories needed since WSB's acquisition of Rogers Design Services. Change order will also allow a 365 day extension in time to execute the services, additional scheduling needed for coordination efforts with the Texas Department of Transportation. Total amount in compensation is not to change. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Change Order No. 2 between Hays County and WSB and Associates, Inc. on the Professional Services Agreement for the US290 Intersections Project. All present voting "Aye". MOTION PASSED**

33973A ACCEPT CONSTRUCTION AND DRAINAGE IMPROVEMENTS, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1060751 IN THE AMOUNT OF \$231,755.60, AND ACCEPTANCE OF THE 1-YEAR REVEGETATION BOND #1060751 IN THE AMOUNT OF \$58,725.00 FOR SUNFIELD SUBDIVISION, PHASE 2, SECTION 11

Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. There was neither a construction bond nor a performance bond issued for this project for release. Both a maintenance bond for streets & drainage, and a revegetation bond for ROW are needed for this project. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, acceptance of the 2-year maintenance bond #1060751 in the amount of \$231,755.60, and acceptance of the 1-year revegetation bond #1060751 in the amount of \$58,725.00 for Sunfield subdivision, Phase 2, Section 11. All present voting "Aye". MOTION PASSED**

33974A GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND APPROVE FINAL PLAT SUB-1020; REPLAT OF PORTION OF LOT 18, RIVER OAKS OF WIMBERLEY SUBDIVISION, SECTION TWO (3 LOTS). DISCUSSION AND POSSIBLE ACTION TO; HOLD PUBLIC HEARING

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Commissioner Ingalsbe opened public hearing. No public input. Commissioner Ingalsbe Close public hearing. County Planner Caitlyn Strickland spoke. River Oaks of Wimberley, Section Two is a recorded subdivision located off of Windmill Oaks in Precinct 3. Lot 18 was originally platted in 1973 and was divided by metes and bounds rather than the requisite plat revision throughout the following years. This 5.234 acre portion has been in the same configuration since 1981 and has been served by private well and on-site wastewater treatment service since 1999. Current Hays County minimum lot size requirements dictate that new lots in this area which are served by private wells and advanced on-site sewage facilities be at least 2.00 acres in size. Given the date that the parcel was created and the lot size requirements in place at that time, a variance to the county's minimum lot size requirements has been requested. The owner's justification for the variance is provided in backup. The proposed re-plat will divide the 5.234 acre lot 18 into 3, 1.54 acre lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance from Table 10-1 of the Hays County Rules for On-site Sewage Facilities and approve final Plat SUB-1020; Replat of Portion of Lot 18, River Oaks of Wimberley Subdivision, Section Two (3 Lots). All present voting "Aye". MOTION PASSED**

33975A APPROVE PRELIMINARY PLAN SUB-1054; FARMHOUSE ON ELDER HILL SUBDIVISION (2 LOTS)

County Planner, Caitlyn Strickland spoke. Farmhouse on Elder Hill Subdivision is a proposed 2 lot subdivision located along Elder Hill Rd in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve preliminary plan SUB-1054; Farmhouse on Elder Hill Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33976A GRANT A VARIANCE TO SECTION 721.5 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS TO APPROVE THE FINAL PLAT SUB-1054; FARMHOUSE ON ELDER HILL SUBDIVISION (2 LOTS)

County Planner, Caitlyn Strickland spoke. Farmhouse on Elder Hill Subdivision is a proposed 2 lot subdivision located along Elder Hill Rd in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to grant a variance to Section 7205.9 of the Hays County Development Regulations to approve the final plat SUB -1054; Farmhouse on Elder Hill Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33977A APPROVE FINAL PLAT SUB-1018; NORTHRIDGE - PHASE 3 SUBDIVISION (12 LOTS) AND ACCEPT FISCAL SURETY FOR STREET AND DRAINAGE IMPROVEMENTS

County Planner, Caitlyn Strickland spoke. Doug Cones, resident of Dripping Springs made public comment. Northridge Phase 3 Subdivision is a proposed 12 lot subdivision, located off of Vail River Road in Pct 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner to approve final plat SUB -1018; Northridge Phase 3 Subdivision (12 Lots) and accept fiscal surety for street and drainage improvements. All present voting "Aye". MOTION PASSED**

10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2019 HAYS COUNTY BUDGET

Harvey Jenkins, resident of San Marcos made public comment. Mary Cauble, Treasurer of the Hays County Child Protective Board requested full funding for the 2019 operating budget and for a special request of the Rainbow Room funding. Rodrigo Amaya resident of San Marcos made public comment. Lee Ikels of the Child Protective Board spoke. Veteran Services Office, Jude Prather spoke requested Veteran s Office software. Dan Miller, Financial advisor spoke. Assistant Auditor Vickie Dorset spoke.

33978A APPROVE THE PROPOSED BUDGET AND TAX RATE FOR FISCAL YEAR 2019 AND SCHEDULE PUBLIC HEARINGS; SET THE ELECTED OFFICIALS SALARIES AND ALLOWANCES

First Assistant County Auditor, Vickie Dorsett spoke. Dan Lyon, resident of San Marcos made public comment. Harvey Jenkins, resident of San Marcos made public comment. General Maintenance and Operation: 26.53 cents, General Debt 12.46 cents, Road and Bridge Maintenance and Operation: 4.38 cents. Ad valorem: 43.37

HAYS COUNTY COMMISSIONERS' COURT MINUTES



is the effective tax rate. Notice of F 2019 Tax Year Proposed Property Tax Rate for Hays County. A tax rate of \$.4337 per \$100 valuation has been proposed by the governing body of Hays County. Proposed Tax Rate: \$.4337 per \$100; Preceding Years Tax Rate \$.4450 per \$100; Effective Tax Rate \$.4337 per \$100. The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for Hays County from the same properties in both the F 2018 tax year and the F 2019 tax year. Your taxes owed under any of the above rates can be calculated as follows: property tax amount (rate) x (taxable value of your property)/100. For assistance or detailed information about tax calculations, please contact: Luanne Caraway, Hays County, 712 S Stagecoach Trail, San Marcos, Texas 78666, 512-393-5545, luanne@co.hays.tx.us or www.co.hays.tx.us. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to vote on proposed budget and tax rate for effective tax rate of 43.37 on fiscal year 2019 and set the elected officials salaries and allowances and schedule public hearing on September 18, 2018 at 1:00 p.m. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #26 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – **was pulled**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 11:10 a.m. and reconvened into open court at 12:41 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, IT Director, Jeff McGill, and Veterans Services Officer, Jude Prather. No action taken.

Clerk's Note Agenda Item #28 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**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

The burn ban will remain in effect.

Clerk's Note Agenda Item #30 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

Clerk's Note Agenda Item #31 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 12:43 a.m.

I, LIZ Q. GONZALEZ, 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 August 21, 2018.




LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 28TH DAY OF AUGUST A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Mike Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Rodrigo Amaya, San Marcos resident and Dan Lyon, San Marcos resident spoke.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller presented the Hays County Service Awards. 5 ears Christina Briggs, Mindi Duckworth, and Juan Zesati Sheriff's Office, Erika Price District Attorney's Office. 10 ears Amelia Flores Health Department, Dustin Speckles Sheriff's Office. 20 ears Stanley Schulz, Timothy Vandevor, and Mario Garcia Transportation Department. 25 ears Michael Davenport Sheriff's Department. 35 ears Maryann Deleon Juvenile Probation. Special Presentation Clint Garza County Wide Operations.

33979A ADOPT A PROCLAMATION DECLARING SEPTEMBER 2018 AS EMERGENCY PREPAREDNESS MONTH

Clint Browning, Hays County Fire Marshall spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring September 2018 as Emergency Preparedness Month. All present voting "Aye". MOTION PASSED

33980A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$644,129.13 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33981A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$888.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33982A APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$230,882.04 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33983A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 21, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 21, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33984A APPROVE THE PAYMENT OF THE AUGUST 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,610,000.00 EFFECTIVE AUGUST 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the August 31, 2018 payroll disbursements in an amount not to exceed \$3,610,000.00 effective August 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33985A AUTHORIZE PAYMENT TO THOMSON REUTERS FOR BOOK SUBSCRIPTION FOR THE DISTRICT ATTORNEY'S OFFICE WHERE NO PURCHASE ORDER WAS ISSUED PER COUNTY PURCHASING POLICY

The District Attorney's Office received four 4 TX FAMIL CODE ANNOTATED 2018 books for 26 attorneys. The books have been on subscription since 2001. No purchase Order was obtained per County Purchasing Policy. Dan Lyon spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Thomson Reuters for book subscription for the District Attorney's office where no purchase order was issued per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33986A APPROVE UTILITY PERMITS

#1094 Spoke Hollow Road Water Service Line/Main (Wimberley Water Supply). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit #1094 on Spoke Hollow Road issued to Wimberley Water Supply as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33987A AUTHORIZE COMMERCIAL OSSF PERMIT AT 14001 W HWY 290, DRIPPING SPRINGS, TEXAS 78620

14101 W 290, LLC is proposing an OSSF to serve an 110,000 square foot storage building with a small office. The system will accommodate up to 60 daily customers including employees. This 14.51-acre property will be served by a public water supply. The system designer, John Fox, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 240 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 14001 W Hwy 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33988A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 612 OAKWOOD LOOP SAN MARCOS, TX

Pasternak Ranch Roughhouse Brewery is proposing an OSSF to serve a beer brewery with a maximum of 250 people per day including employees. This site is located outside Wimberley ETJ. The owners are currently working with the TCEQ to certify the water well for public use. There will be no food preparation, and process waste from the brewery will not flow into the OSSF. The system designer, Stephen Jetton, has designed a system consisting of a 1000 gallon trash tank, a 3000 gallon flow equalization tank, a 1500 GPD aerobic treatment unit, a 2000 gallon pump tank, and 5000 feet of drip tubing. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 612 Oakwood Loop San Marcos, TX. All present voting "Aye". MOTION PASSED

33989A AUTHORIZE COMMERCIAL OSSF PERMIT AT 2965 RANCH ROAD 165, DRIPPING SPRINGS, TEXAS 78620

The Public for Animal Welfare, Inc. is proposing an animal shelter facility. The system is designed to accommodate up to 80 animals and 7 employees. This 10.651-acre property will be served by a private well. The system designer, Doug Dowlearn, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 1371 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 2965 Ranch Road 165, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED



33990A AMEND THE JUVENILE DETENTION CENTER'S OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE FOUNDATION SKILLS FOR TRAINERS CONFERENCE

Additional funds are needed for two JDC staff members to attend the Foundation Skills for Trainers Conference in September in Huntsville, Tx. This conference is sponsored by the Correctional Management Institute of Texas and is designed to benefit agencies that are regulated by the Texas Juvenile Justice Department (TJJD). This training will help participants develop the preparation, presentation and platform delivery skills needed to conduct training using curricula developed by the National Institute of Corrections. Focus areas include the needs and characteristics of adult learners, learning styles, the role of the correctional trainer, managing a learner centered training environment, asking and responding to questions, facilitating lesson plans, teaching to performance objectives, and basic teaching methods. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease .5211 - Office Supplies Increase .5551 - Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to amend the Juvenile Detention Center's operating budget for additional Continuing Education expenses related to the Foundation Skills for Trainers Conference. All present voting "Aye". MOTION PASSED**

33991A AUTHORIZE THE EXECUTION OF THE FY19 GRANT AGREEMENT WITH THE UNITED STATES SECRET SERVICE (USSS) FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE CENTRAL TEXAS FINANCIAL CRIME TASK FORCE

The Sheriff's Office receives funding annually from the Secret Service to offset overtime costs for a detective assigned to the Central Texas Financial Crime Task Force. Funding has been budgeted in the F 19 budget process for this grant award. Rodrigo Amaya spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of the FY19 Grant Agreement with The United States Secret Service (USSS) for overtime reimbursements related to the Sheriff's Office Central Texas Financial Crime Task Force. All present voting "Aye". MOTION PASSED**

33992A RATIFY THE ADDITION OF THE 2018 FORD FUSION TO THE LOCAL HEALTH DEPARTMENT THROUGH THE ENTERPRISE MASTER EQUITY LEASE AGREEMENT

On April 3, 2018, Commissioners Court authorized the order of a Dodge Caravan for the Juvenile Probation Department and transfer of a 2018 Ford Fusion to another department. For clarification purposes, the 2018 Ford Fusion, VIN 3FA6P0G7XJR170558 was transferred to the Local Health Department and added to the F 18 vehicle lease program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the addition of the 2018 Ford Fusion to the Local Health Department through the Enterprise Master Equity Lease Agreement. All present voting "Aye". MOTION PASSED**

33993A AMEND THE ELECTION'S CONTRACT FEE FUND BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE NEW VOTER REGISTRATION EQUIPMENT

The Elections Administrator, elections staff, poll workers and IT Director will receive onsite training at the end of September for the new ePoll pads and voter registration equipment. Funding within the Election Contract Fee Fund is available to cover all training needs. Budget Amendment: Decrease .5712_400 Computer Equipment_Ops Increase .5551 - Continuing Education. Commissioner Ingalsbe gave a Congratulations to Elections Administrator, Jennifer Anderson. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Election's Contract Fee Fund budget for additional Continuing Education expenses related to the new Voter Registration equipment. All present voting "Aye". MOTION PASSED**

33994A APPROVE PAYMENT TO METRO FIRE APPARATUS SPECIALISTS, INC. FOR THE OFFICE OF EMERGENCY SERVICES DEPARTMENT RELATED TO EQUIPMENT REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED, OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Repairs were made to the Hays County Hazmat Vehicle camera system which did not follow the County procurement policies. Funds are available within the operating budget for these repairs. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment to Metro Fire Apparatus Specialists, Inc. for the Office of Emergency Services department related to equipment repairs in which no purchase order was issued, or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**



33995A REVISE THE HAYS COUNTY BUDGET CALENDAR FOR FISCAL YEAR 2019

On August 21st the Commissioners Court voted on a proposed effective tax rate. Due to this action, the two tax rate public hearings are not required and are being removed from the calendar. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to revise the Hays County budget calendar for Fiscal Year 2019. All present voting "Aye". MOTION PASSED**

33996A AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO PURCHASE AN ID BADGE PRINTER AND AMEND THE BUDGET ACCORDINGLY

The Human Resources Department is responsible for printing and issuing ID badges to all Hays County employees, as well as visiting attorneys. The current usable machine was discontinued over 5 years ago and is no longer supported for maintenance or parts by the manufacturer. The purchase of a new, warranty-maintained printer will provide continued ID badge printing services to the county. Budget Amendment: Decrease .5213 - \$1,000 Decrease .5429 - \$ 333 Decrease .5302 - \$ 350 Decrease .5332 - \$ 725. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Human Resources Department to purchase an ID badge printer and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33997A ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #46BCSHY1378 IN THE AMOUNT OF \$188,835.86 FOR BURBA RANCH SUBDIVISION

Jerry Borcharding, Transportation Director gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. There was neither a construction bond nor a performance bond issued for this project for release. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept of road construction and drainage improvements, acceptance of the 2-year maintenance bond #46BCSHY1378 in the amount of \$188,835.86 for Burba Ranch subdivision. All present voting "Aye". MOTION PASSED**

33998A RELEASE OF THE MAINTENANCE BOND #K09232941 FOR \$120,000.00 FOR CALITERRA SUBDIVISION, PH. 1, SEC. 3, RELEASE OF THE MAINTENANCE BOND #K08774237 FOR \$3,393,456.08 FOR CALITERRA SUBDIVISION, PH. 1, SEC. 4, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM

Jerry Borcharding, Transportation Director gave staff recommendation Staff recommends acceptance of the roads into the county maintenance system. The roads from both sections include: Capstone Court (408 ft.), Waters View Court (847 ft.), Waters Edge Cove (1,698 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to release of the maintenance bond #K09232941 for \$120,000.00 for Caliterra subdivision, Ph. 1, Sec. 3, release of the maintenance bond #K08774237 for \$3,393,456.08 for Caliterra subdivision, Ph. 1, Sec. 4, and acceptance of the roads into the county road maintenance system. All present voting "Aye". MOTION PASSED**

33999A ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE LOC #5132 IN THE AMOUNT OF \$1,488,723.10, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #70164635 IN THE AMOUNT OF \$493,366.37, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #70164641 IN THE AMOUNT OF \$92,391.00 FOR LA CIMA SUBDIVISION., PHASE 1, SECTION 1, ROADWAY IMPROVEMENTS TO CENTERPOINT ROAD AND CENTRAL PARK LOOP

Jerry Borcharding, Transportation Director gave staff recommendation Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the LOC #5132 in the amount of \$1,488,723.10, acceptance of the 2-year maintenance bond #70164635 in the amount of \$493,366.37, and acceptance of the 2-year revegetation bond #70164641 in the amount of \$92,391.00 for La Cima subdivision., Phase 1, Section 1, Roadway Improvements to Centerpoint Road and Central Park Loop. All present voting "Aye". MOTION PASSED**

34000A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PHASE 1



Jerry Borcharding, Transportation Director gave staff recommendation La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is complete. There is a letter of credit of \$65,860.00 recorded at the Treasurer's Office for release back to the contractor. The Transportation Department has inspected and approved the improvements. These roads will be maintained by the City of San Marcos. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept road construction and drainage improvements, and release Letter of Credit No 5132 for street and drainage improvements for La Cima Phase 1. All present voting "Aye". MOTION PASSED**

34001A CREATE THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE FOR THE REMAINDER OF THE FISCAL YEAR

This item includes the selection of members for the committee. Additional information to be provided in court. Rodrigo Amaya, Mark Kennedy, General Counsel and Liz Q. Gonzalez, County Clerk spoke. 20 names were selected from the Grand Jurors List. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to create the Hays County Salary Grievance Committee for the remainder of the fiscal year. All present voting "Aye". MOTION PASSED**

34002A AUTHORIZE THE EXECUTION OF A SERVICE AGREEMENT WITH BECKWITH ELECTRONIC SYSTEMS, LLC FOR THE CRESTRON DIGITAL MEDIA UPGRADE IN DISTRICT COURTROOM #10 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D) AND AMEND THE BUDGET ACCORDINGLY

Director of County Wide Operations, Clint Garza spoke. The original equipment was installed 2010-2011 and will need to be updated as media needs have evolved. Work will include the replacement of Extron switching and control equipment to Crestron Digital Media as well as the replacement of cable connectivity components in both council tables. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Service Agreement with Beckwith Electronic Systems, LLC for the Crestron Digital Media upgrade in District Courtroom #10 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34003A AUTHORIZE THE PURCHASE OF ELECTRICAL SERVICES AND EQUIPMENT NEEDED FOR UPGRADES TO COUNTY COURT AT LAW COURTROOMS 1 & 2 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D) AND AMEND THE BUDGET ACCORDINGLY

Director of County Wide Operations, Clint Garza spoke. Authorize the purchase of patch cords, switches, data lines, and a variety of other equipment needed to complete upgrades in County Court at Law courtrooms 1 & 2. Service labor is included in the attached quotes. Vendors: Beckwith Electronic Systems, LLC: \$46,948.80 Shi Government Solutions: \$280.00 CT Electric: \$10,190.00 Dell: \$8,206.74. Dan Lyon spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the purchase of electrical services and equipment needed for upgrades to County Court at Law courtrooms 1 & 2 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34004A AUTHORIZE THE EXECUTION OF A CHANGE ORDER 001 OF THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION COMPANY FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Director of County Wide Operations, Clint Garza and Cody Newsom spoke. Change Order 001 of the Agreement between Hays County and Turner Construction Company for unforeseen conditions related to the site conditions at the Jail Addition. Change Order 001 will address the following issues: A. Soil conditions associated with failed under-ream bell shape piers due to the soils caving in and unable to hold the under-ream bell shape requiring a revised straight-shaft drilled pier foundation. B. Water infiltration into the drilled pier shafts requiring the use of steel casing in order to complete the foundation work. C. Discovered underground utilities that vary from and/or were not identified on as-built plans requiring adjustments to pier locations and relocation of existing pipes. D. Discovered building debris in Jail Addition Area D requiring removal, additional excavation to native soil and additional fill. The following documents are attached for further detail: Change Order 001, Turner Notice of Change - PCO 181, and Turner Notice of Change - PCO 147. Dan Lyon spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of**



a Change Order 001 of the Agreement between Hays County and Turner Construction Company for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

34005A AUTHORIZE THE EXECUTION OF A CONTRACT BETWEEN IRIS BARRERA, RN AND THE HAYS COUNTY LOCAL HEALTH DEPARTMENT, FOR THE PURPOSES OF TRAINING THE NEW TB NURSE

Director of County Wide Operations, Tammy Crumley, General Counsel, Mark Kennedy and Commissioner Ingalsbe spoke. The Local Health Department would like to contract with Iris Barrera, RN to finish the training process of the newly hired TB nurse. Ms. Barrera will be leaving the county effective August 31, 2018. The newly hired RN started on August 24, 2018. This will only provide for one week of training for the new hire. Ms. Barrera has agreed to make herself available for additional hours of training. Schedule adjustments will be made and no overtime will be paid to the new hire for additional training time. A Contract will be provided in open court. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a contract between Iris Barrera, RN and the Hays County Local Health Department, for the purposes of training the new TB nurse in an amount not to exceed \$1,400 and to amend the budget accordingly. All present voting "Aye". MOTION PASSED

AMEND THE 2018 SHERIFF & CONSTABLE FEES PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 118.131

The Constable's Offices would like the Courts consideration to grant a waiver of vehicle usage fees for certain public services performed within the community. Rodrigo Amaya spoke. General Counsel, Mark Kennedy, Director of County Wide Operations, Clint Garza, and the Court discussed the fees and fees that can be waived. This item will be brought back next week for Court approval.

Clerk's Note: Court took break at 10:45 a.m. and reconvened into open session at 11:00 a.m.

34006A HOLD A PUBLIC HEARING AT 11:00 AM IN ACCORDANCE WITH SECTION 293.101 OF THE TEXAS HEALTH AND SAFETY CODE, INCLUDING BUT NOT LIMITED TO DISCUSSION AND POSSIBLE ACTION TO ESTABLISH THE ASSESSMENT RATE AND STATE FISCAL YEAR 2018 MANDATORY PAYMENTS, AND AUTHORIZE THE INTERGOVERNMENTAL TRANSFER OF THE FUNDS DERIVED FROM THOSE MANDATORY PAYMENTS TO PROVIDE THE NONFEDERAL SHARE OF THE SUPPLEMENTAL PAYMENT PROGRAM AUTHORIZED UNDER THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM ("SEC 1115") WAIVER

Commissioner Ingalsbe opened the public hearing. Commissioner Shell, Jason Garet, Allied Healthcare Adventist, Eric Weatherford, CTMC, and Geronimo Rodriguez, Seaton Health spoke. Commissioner Ingalsbe closed the public hearing. Hays County's participation in a County Health Care Provider Participation Program is authorized by HB 3175 passed during the 84th Texas Legislature. A County Health Care Provider Participation Program authorizes a county to collect a mandatory payment from each institutional health care provider located in the county to be deposited in a local provider participation fund established by the county. Money in the fund may be used by the county to fund certain intergovernmental transfers and indigent care programs as provided by Chapter 293 of the Texas Health and Safety Code. Central Texas Medical Center of San Marcos and Seton Medical Center Hays supported passage of HB 3175 and the creation of the program in Hays County. The Hays County Commissioners Court adopted and Order authorizing the County's participation in the LPPF program on 9-15-15. On 9-29-15 a public hearing was held to establish the LPPF. Notice of the Public Hearing has been posted in accordance with 293.101 of the Texas Health and Safety Code. During the hearing, the Court will set the state fiscal year 2018 assessment rate, consider the approval of the amount of payments for each hospital as determined by 293.151 THSC and consider other issues related to the program. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to establish the assessment rate of 1.5 and state fiscal year 2018 mandatory payments, and authorize the Intergovernmental Transfer of the funds derived from those mandatory payments to provide the nonfederal share of the supplemental payment program authorize under the Texas Healthcare Transformation and uality Improvement Program ("sec 1115") waiver. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #31 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – was pulled

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION



REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 12:27 p.m. and reconvened into open court at 12:57 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, and General Counsel, Mark Kennedy. No action taken.

34007A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS FOR THE DEVELOPMENT SERVICES DEPARTMENT

Court convened into Executive session at 11:13 a.m. and reconvened into open court at 11:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Director of Countywide Operations, Tammy Crumley, and Janice Jones, Legal Support Services Specialist. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to appoint Caitlyn Strickland as the Interim Director of Development Services, effective September 1, 2018, compensating for the Interim position with an annualized stipend of \$12,000.00 in addition to current salary. All present voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 11:56 a.m. and reconvened into open court at 12:27 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley, Janice Jones, Legal Support Services Specialist, and Assistant General Counsel, Jordan Powell. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to engage counsel related TCE Permit Application W 0010549002, related to wastewater discharge by the City of Blanco, Texas. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #35 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 – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index 703. Per Clint Browning, Hays County Fire Marshal Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #37 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

Clerk's Note Agenda Item #38 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 1:07 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 AUGUST 28, 2018.



Liz Q Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 4TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
OSCAR MEJIA, JR.	SR. DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Josh Murillo from the 7th day Adventist Church gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Rodrigo Amaya, San Marcos resident and Dan Lyon, San Marcos resident spoke.

34008A ADOPT A PROCLAMATION DECLARING SEPTEMBER 2018 AS "HUNGER ACTION" MONTH

Commissioner Jones and Director of the Hays County Food Bank, Denise Block spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a Proclamation declaring September 2018 as "Hunger Action" Month. All present voting "Aye". MOTION PASSED

34009A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$1,042,817.50, as presented by the County Auditor. All present voting "Aye". MOTION PASSED

34010A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$1,768.00, as presented by the County Auditor. All present voting "Aye". MOTION PASSED

34011A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$0.00 and United Healthcare claims in the amount of \$158,155.60, as presented by the County Auditor. All present voting "Aye". MOTION PASSED

34012A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 20 AND AUGUST 28, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 20 and August 28, 2018, as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34013A APPROVE UTILITY PERMITS

Permit Road Name Utility 1095 Harmon Hills Road Electric Service Line (PEC) 1096 Tall Oaks Trail Water Service Line (WTCPUA). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permits #1095 located on Harmon Hills Road Electric Service to PEC (Electric Service Line) and permit #1096 located on Tall Oaks Trail to WTCPUA (Water Service Line), as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

34014A APPROVE THE JUNE 2018 TREASURER'S AND INVESTMENT REPORTS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the June 2018 Treasurer's and Investment Reports. All present voting "Aye". MOTION PASSED

34015A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #7 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082



A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept the 2017 Hays County Emergency Services District #7 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

34016A APPROVE AWARD OF IFB 2018-B09 CEDAR OAK MESA WATER LINE IMPROVEMENTS TO M&C FONSECA CONSTRUCTION COMPANY, INC. AND AUTHORIZE THE EXECUTION OF THE SAME

Purchasing received eight bids from M&C Fonseca Construction Co. Inc., Qro Mex Construction Co. Inc., Smith Contracting Co. Inc., Pendleton Excavation LLC, Austin Underground Inc., JKB Construction Company LLC, and Central Road & Utility Ltd. (dba CRU Ltd.). Staff recommends award of the contract to M&C Fonseca Construction Co. Inc. in the amount of \$219,729.50. Funding for this project is provided by a grant from the Texas Department of Agriculture's Community Development Block Grant Program for Rural Texas (TxCDBG) with matching funds from Cedar Oak Mesa Water Supply Corporation. No County funds will be expended for this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve award of IFB 2018-B09 Cedar Oak Mesa Water Line Improvements to M&C Fonseca Construction Company, Inc. and authorize the execution of the same. All present voting "Aye". MOTION PASSED**

34017A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 19580 S IH 35, KYLE, TX, 78640

William R Holm is proposing an OSSF to serve a self-storage facility with two employees and no public restroom. There will be a small kitchenette and the condensation amounts from the climate controlled facility will flow into the proposed septic system. This is a 3.58 acre property in the Kyle Industrial Park subdivision and lies inside the City of Kyle. Water will be supplied by a public water supply. The system designer, Stan Burrier, PE, has designed a system, which consists of a 1250 gallon septic tank, a 750 gallon pump tank with dispersal by a low pressure dose system. The maximum daily usage rate is 330 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 19580 S IH 35, Kyle, TX, 78640. All present voting "Aye". MOTION PASSED**

34018A APPROVE CHANGE ORDER #3 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS AND AMEND THE BUDGET ACCORDINGLY

On May 8th the Court approved a contract with HD Cooks Rock Solid, Inc. for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Additionally, change order #1 was approved on 7/10/18 for required work at Site 4, and change order #2 on 8/14/18 decrease in shotcrete materials. Change Order No. 3 - \$48,573.00 increase in square yards of topsoil needed for Site 3 - \$30,897.59 increase due to time delays on Site 4 related to Golden Cheek Warbler breeding Season - \$79,470.59 total increase - performance time change, increase term by 21 calendar days All change orders to date are 26% of the original contract award, and allowable per Local Government Code, 262.031(b). Funding for this project is provided by NRCS (75%), TSSWCB (23.75%) and Hays County (1.25%). Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$78,477. Increase Construction: .5611_400 - \$79,471. Decrease Co-Wide Contingencies: .5399 - (\$994). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Change Order #3 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34019A AUTHORIZE THE PURCHASE OF ADDITIONAL EQUIPMENT FOR CONSTABLE'S PRECINCTS 1, 2, 3, 4 & 5 LAW ENFORCEMENT VEHICLES AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya and Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the purchase of additional equipment for Constable's Precincts 1, 2, 3, 4 & 5 law enforcement vehicles and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34020A RATIFY THE EXECUTION OF A TERMINATION LETTER FROM GENERAL COUNSEL RELATED TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND HDR ENGINEERING, INC. FOR SERVICES ON THE DACY LANE PROJECT

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify the execution of a termination letter from General Counsel related to the Professional Services Agreement between Hays County and HDR Engineering, Inc. for services on the Dacy Lane project. All present voting "Aye". MOTION PASSED

34021A AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH AIS TO PERFORM ANNUAL FIRE PANEL AND FIRE SUPPRESSION SYSTEM INSPECTIONS AT THE GOVERNMENT CENTER AND AMEND THE BUDGET ACCORDINGLY



Annual inspection of the fire alarm panel, fire sprinklers, and FM 200 fire suppression system is required to ensure the proper functionality of the equipment in case of an emergency, as well as to remain in compliance with Jail Standards Inspection. Increase 001-695-00.5411. Decrease 001-695-00.5201. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an agreement with AIS to perform annual fire panel and fire suppression system inspections at the Government Center and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34022A CALL FOR A PUBLIC HEARING ON SEPTEMBER 11, 2018 REGARDING AN APPLICATION FOR HOUSING TAX CREDITS RELATED TO SUBMITTED BY KYLE DACY APARTMENT LTD, PURSUANT TO SECTION 230.67071 OF THE TEXAS GOVERNMENT CODE

Kyle Dacy Apartments Ltd. has proposed a development for affordable rental housing of approximately 324 units that will be located at 3800 Dacy Lane, Kyle, Hays County, Texas. This application is to obtain 2018 tax credits. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on September 11, 2018 at 10:30 a.m. regarding an application for housing tax credits related to submitted by Kyle Dacy Apartment Ltd, pursuant to Section 230.67071 of the Texas Government Code. All present voting "Aye". MOTION PASSED**

34023A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER, SETON MEDICAL CENTER HAYS, METROPLEX ADVENTIST HOSPITAL FOR DY 7 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of D 7 UC 1115 waiver funds was announced on August 30, 2018. All LPPF funds are collected from Hays County Hospitals and are budgeted. Though the IGT of these funds do not require specific Court approval, having them approved (If sufficient notice is given by the State) or ratified (if sufficient notice is not provided by the State) ensures the Court and the public are informed of the process. IGT amount (settlement date of 9-6-18): \$1,487,627.87. CTMC amount: \$230,184.49. Seton Hays amount: \$717,419.86. Metroplex Adventist Hospital, Inc. dba Rollins Brook Com: \$540,023.52. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) for Central Texas Medical Center, Seton Medical Center Hays, Metroplex Adventist Hospital for DY 7 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

34024A ACCEPT A REVEGETATION BOND #K13533428 IN THE AMOUNT OF \$61,000.00 FOR BURBA RANCH SUBDIVISION

Staff recommends acceptance of the revegetation bond regarding establishment within the disturbed areas of the County ROW until approximately 70% of coverage is attained. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept a revegetation bond #K13533428 in the amount of \$61,000.00 for Burba Ranch subdivision. All present voting "Aye". MOTION PASSED**

34025A RELEASE THE MAINTENANCE BOND #1048974 IN THE AMOUNT OF \$30,764.84 FOR SHADOW CREEK SUBDIVISION, PH. 7, SEC. 3, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM

Staff recommends acceptance of the roads into the county maintenance system. The roads include: Heron Drive (431 ft.), Noddy Road (1,435 ft.), Marsh Lane (235 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release the maintenance bond #1048974 in the amount of \$30,764.84 for Shadow Creek subdivision, Ph. 7, Sec. 3, and acceptance of the roads into the county road maintenance system. All present voting "Aye". MOTION PASSED**

34026A RELEASE MAINTENANCE BOND #EAIC881700005 IN THE AMOUNT OF \$74,213.52, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR STONEFIELD SUBDIVISION, SECTION 10, EXCEPT FOR ADOQUIN TRAIL WHICH HAS ONE YEAR REMAINING ON A SEPARATE BOND

Staff recommends acceptance of the roads into the county maintenance system. The roads include: Shale Circle (990 ft.) and Moon Stone Trail (199 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release maintenance bond #EAIC881700005 in the amount of \$74,213.52, and acceptance of the roads into the county road maintenance system for Stonefield subdivision,**



Section 10, except for Adoquin Trail which has one year remaining on a separate bond. All present voting "Aye". MOTION PASSED

34027A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION CONSTRUCTION BOND #0722765 IN THE AMOUNT OF \$709,843.20, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #9636041 IN THE AMOUNT OF \$52,771.01 FOR STONEFIELD SUBDIVISION, SECTION 12

Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the subdivision construction bond #0722765 in the amount of \$709,843.20, and acceptance of the 2-year maintenance bond #9636041 in the amount of \$52,771.01 for Stonefield subdivision, Section 12. All present voting "Aye". MOTION PASSED

34028A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION ONE (WA2) WITH AMERICAN STRUCTUREPOINT, INC. IN REGARDS TO PROVIDING SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE RM 3237 SAFETY IMPROVEMENT PROJECT FROM RM 150 TO RM 12 IN PRECINCT 3 AS PART OF THE 2016 ROAD BOND PROGRAM

The RM 3237 safety improvement project from RM 150 to RM 12 is included in the 2016 Road Bond Program and is one of the highest priorities in Precinct 3 and in the County. A Professional Services Agreement with American Structurepoint was approved by the Hays County Commissioners Court in October of 2017. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Work Authorization One (WA2) with American Structurepoint, Inc. in regards to providing schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the RM 3237 safety improvement project from RM 150 to RM 12 in Precinct 3 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #22 RE: DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE EXECUTION OF A TRI-PARTY AGREEMENT BETWEEN CITY OF KYLE, HAYS COUNTY, AND THE TRAILS, LLC, PROVIDING FOR REGULATION OF SUBDIVISION AND APPROVAL OF THE TRAILS AT WINDY HILL DEVELOPMENT- was pulled

Clerk's Note Agenda Item #23 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT- was pulled

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:21 a.m. and reconvened into open court at 10:50 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, Legal Support Services Specialist, Janice Jones, and Human Resources Director, Shari Miller. No action taken.

34029A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS FOR THE SHERIFF'S OFFICE

Court convened into Executive session at 9:37 a.m. and reconvened into open court at 9:52 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, Legal Support Services Specialist, Janice Jones, Captain Mike Davenport of the Sheriff's Office, and Human Resources Director, Shari Miller. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to permit the placement of Deputy Jeffrey McKinney in Merit Based Step 4 of the pay plan for Sheriff's Deputies, pursuant to Article 20 of the Collective Bargaining Agreement for Hays County, effective September 1, 2018 and also reference policy going forward to reflect the Lateral Entry position on the payroll change notice and or offer letter in order to express intentions at the time of hire. All present voting "Aye". MOTION PASSED

34030A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE,



VALUE OF REAL PROPERTY IN OR NEAR RM 3237 BETWEEN FM 150 AND RR 12 IN PCT. 3

Court convened into Executive session at 9:52 a.m. and reconvened into open court at 10:21 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, Legal Support Services Specialist, Janice Jones, and Human Resources Director, Shari Miller. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize General Counsel to retain survey and appraisal services for the acquisition of approximately 1 acre of land near the intersection of RM 3237 and Camino de Rancho in Pct. 3. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #27 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- **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Hays County Fire Marshall Clint Browning gave an update on the burn ban. He recommended the County wait on lifting the burn ban to later this week, depending on the rainfall predicted. Burn Ban will remain in place. No action was taken.

Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR - **was pulled**

Clerk's Note Agenda Item #30 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION - **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:58 a.m.

I, LIZ Q. GONZALEZ, 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 September 4, 2018.



Liz Q Gonzalez

 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
OSCAR MEJIA, JR.	SR. DEPUTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Miss Dirje Childs with the United Wimberley Church gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident, and Rodrigo Amaya, San Marcos resident gave public comments.

34031A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$1,157,254.50 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34032A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$1,188.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34033A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$89,859.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34034A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 4, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of September 4, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34035A APPROVE THE PAYMENT OF THE SEPTEMBER 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,690,000.00 EFFECTIVE SEPTEMBER 14, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of the September 15, 2018 payroll disbursements in an amount not to exceed \$2,690,000.00 effective September 14, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

34036A APPROVE UTILITY PERMITS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve permit #1097 on CR 157 issued to Goforth SUD, permit #1098 on Prochnow Rd. issued to PEC, permit #1099 on Posey Rd. issued to City of San Marcos, and permit #1100 on Old Bastrop Hwy. issued to City of San Marcos as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED



34037A AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER WITH ARBITRAGE COMPLIANCE SPECIALISTS, INC. (ACS) RELATED TO ARBITRAGE COMPLIANCE COMPUTATIONS FOR TAX-EXEMPT DEBT

ACS will provide arbitrage calculations as required by the Department of the U.S. Treasury, Internal Revenue Service for all Hays County tax-exempt debt. ACS is an independently owned firm which specializes in post issuance bond compliance services to include: arbitrage rebate, yield reduction, spending exceptions, and record retention. ACS founders have been at the forefront of every advance and reform of the Tax Code since 1986. Their compliance reports have been relied upon for over 17,500 debt issues tied to over 1,600 separate governmental clients. ACS has provided arbitrage calculations for Hays County for over 13 years with no rate increase in their fee schedule. Estimated expenditures are less than \$50k annually, however; a discretionary exemption is requested pursuant to Local Government Code Ch. 262.024(a)(4) in order to utilize the firm in future years per the renewal terms outlined in the Engagement Letter. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an Engagement Letter with Arbitrage Compliance Specialists, Inc. (ACS) related to arbitrage compliance computations for tax-exempt debt. All present voting "Aye". MOTION PASSED**

34038A APPROVE PAYMENT TO MEDICAL EXPLORERS POST 4077 FOR THE OFFICE OF EMERGENCY SERVICES DEPARTMENT RELATED TO CPR TRAINING IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The number of CERT students able to be trained for CPR increased and a PO was not issued in advance to pay for the instructors and the class. Savings within the CERT Operating budget are available to cover this expense. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment to Medical Explorers Post 4077 for the Office of Emergency Services Department related to CPR Training in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

34039A AUTHORIZE THE EXECUTION OF AN ADDENDUM TO THE CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE HAYS COUNTY FLOOD MONITORING SYSTEM BETWEEN HAYS COUNTY AND HALFF ASSOCIATES, INC

This Addendum to Contract (Addendum) shall modify that PROFESSIONAL SERVICES AGREEMENT related to the Hays County Flood Monitoring System (Contract), dated April 17, 2018, between Hays County, Texas, a political subdivision of the State of Texas (Client) and Halff Associates, Inc. (Engineer). This addendum includes the addition of the Work Product and the No Debt Against the State Clause. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Addendum to the Contract for Professional Services related to the Hays County Flood Monitoring System between Hays County and Halff Associates, Inc. All present voting "Aye". MOTION PASSED**

34040A AUTHORIZE THE EXECUTION OF THE AMENDED AND RESTATED PHASING AGREEMENT FOR HEADWATERS AT BARTON CREEK SUBDIVISION

The Headwaters at Barton Creek Subdivision is an approximately 1000 residential lot planned development in Precinct 4. A previous phasing agreement was authorized on April 17, 2018. The execution of this amended and restated agreement will allow the project to implement changes to the phasing schedule and clarify expiration terms for proposed phases. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of the amended and restated phasing agreement for Headwaters at Barton Creek Subdivision. All present voting "Aye". MOTION PASSED**

34041A AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO THE GENERAL LAND OFFICE (GLO) CONTRACT NO. 18-501-000-B226 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM INFRASTRUCTURE PROJECTS NON-RESEARCH & DEVELOPMENT 2015 FLOOD ALLOCATION

Amendment No. 1 to the GLO Contract No. 18-501-000-B226 addresses minor wording, periods, and preferences. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Amendment No. 1 to the General Land Office (GLO) Contract No. 18-501-000-B226 Community Development Block Grant Disaster Recovery Program Infrastructure Projects Non-Research & Development 2015 Flood Allocation. All present voting "Aye". MOTION PASSED**



34042A ACCEPT THE MONTHLY FINANCIAL REPORT FOR FISCAL YEAR TO DATE THROUGH JUNE 30, 2018 AS PRESENTED BY THE OFFICE OF THE COUNTY AUDITOR

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the monthly financial report for fiscal year to date through June 30, 2018 as presented by the office of the County Auditor. All present voting "Aye". MOTION PASSED

34043A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE TWO ARC GIS SOFTWARE LICENSES RELATED TO FIELD PROCESS IMAGERY AND AMEND THE BUDGET ACCORDINGLY

The Office of Emergency Services and GIS will be able to assist the UAV team with post process imagery collected from the field. Budget Amendment: Decrease Eqpt Maint. & Repair .5411, Increase Software Maint. .5429. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Office of Emergency Services to purchase two ARC GIS software licenses related to field process imagery and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34044A APPROVE PAYMENT TO THOMSON REUTERS FOR BOOK SUBSCRIPTIONS FOR THE COUNTY COURT AT LAW 2 OFFICE IN WHICH NO PURCHASE ORDER WAS ISSUED AND AMEND THE BUDGET ACCORDINGLY

The CCL Judge ordered Texas Estates and Family Codes books for the courts and did not follow the County procurement policies. Additional funds are needed to cover this expense and are available within the operating budget. Budget Amendment: Decrease .5202 - (\$405), Increase .5213 - \$405. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment to Thomson Reuters for book subscriptions for the County Court at Law 2 office in which no purchase order was issued and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34045A APPROVE PAYMENT TO KING FEED HARDWARE FOR THE EXTENSION OFFICE RELATED TO EQUIPMENT FOR THE FERAL HOG PROGRAM IN WHICH NO PURCHASE ORDER WAS ISSUED, OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Supplies necessary to build the feral hog trap were purchased and did not follow the County procurement policies. Funds are available within the grant budget to cover these expenses. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment to King Feed Hardware for the Extension Office related to equipment for the feral hog program in which no purchase order was issued, or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

34046A APPROVE THE TRANSFER OF A 2004 CHEVY SILVERADO FROM THE HAYS COUNTY PARKS DEPARTMENT TO THE HAYS COUNTY LOCAL HEALTH DEPARTMENT

The following vehicle has been removed from services from the Parks Department and is being requested for transfer to the Local Health Department be utilized by the Emergency Preparedness Coordinator: 2004 Chevy Silverado, VIN: 1GCEC19V24Z247443, Hays County Tag EH-04. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the transfer of a 2004 Chevy Silverado from the Hays County Parks Department to the Hays County Local Health Department. All present voting "Aye". MOTION PASSED

34047A AUTHORIZE COMMERCIAL OSSF PERMIT AT 301 HAYS COUNTRY ACRES ROAD, DRIPPING SPRINGS, TEXAS 78620

Holy Spirit Episcopal Church is proposing to replace their existing system with an OSSF to the church and recently constructed school. This 39.86-acre tract of land will be served by a public water supply. The system designer, Dan Balboa, R.S., has designed a non-standard treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 540 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 301 Hays Country Acres Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

34048A AUTHORIZE THE COURT TO EXECUTE A SUPPLEMENTAL NO. 2 TO THE PROFESSIONAL SERVICE AGREEMENT (PSA) WITH LJA ENGINEERING,



INC. FOR PROFESSIONAL ENGINEERING SERVICES NECESSARY TO ADDRESS THE INCLUSION OF AN ADDITIONAL BRIDGE AND RELATED IMPROVEMENTS AT YARRINGTON ROAD AS WELL AS MODIFICATIONS OF THE BRIDGE OVER THE UNION PACIFIC RAILROAD AND ARNOLD AVE AS PART OF THE FM 110 NORTH (IH-35 TO SH 80) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM

Commissioner Ingalsbe, and Laura Harris of HNTB spoke. Additional funds will be used for completion of 90 and Final plans, specifications, and estimate (PS&E) development, and construction phase services to develop FM 110 from IH 35 to SH 80. The main changes in design are the inclusion of a bridge to address local access issues and associated roadway/drainage modifications for that bridge. The modification of the bridge over the Union Pacific Railroad and Arnold Ave and associated roadway/drainage modification for that bridge. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Court to execute a Supplemental No. 2 to the Professional Service Agreement (PSA) with LJA Engineering, Inc. for professional engineering services necessary to address the inclusion of an additional bridge and related improvements at Yarrington Road as well as modifications of the bridge over the Union Pacific Railroad and Arnold Ave as part of the FM 110 North (IH-35 to SH 80) project as part of the Hays County TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**

34049A AUTHORIZE EXECUTION OF A TRI-PARTY AGREEMENT BETWEEN CITY OF KYLE, HAYS COUNTY, AND THE TRAILS, LLC, PROVIDING FOR REGULATION OF SUBDIVISION AND APPROVAL OF THE TRAILS AT WINDY HILL DEVELOPMENT

Commissioner Jones, Interim Director of Development Services, Caitlyn Strickland and General Counsel Mark Kennedy spoke. Hays County staff, along with the Precinct 2 Commissioner, have met on multiple occasions with the parties involved in the above-mentioned agreement. It is meant to delineate the responsibilities for review and maintenance of improvements made in the Trails at Windy Hill subdivision. At the time of the posting of this agenda item, Staff is conducting one more review of the attached agreement. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of a Tri-Party Agreement between City of Kyle, Hays County, and The Trails, LLC, providing for regulation of subdivision and approval of the Trails at Windy Hill Development. All present voting "Aye". MOTION PASSED**

34050A AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ANITA MANCINI-MICHELL FOR PERFORMANCE OF PRE-EMPLOYMENT PSYCHOLOGICAL EVALUATIONS

General Counsel, Mark Kennedy spoke. Anita Mancini-Michell currently performs pre-employment psychological evaluations for prospective employees of the Sheriff's Office, including the jail. Ms. Mancini-Michell charges a per-evaluation rate on an as-needed basis. It was determined that entering into a Professional Services Agreement for payment would be preferable to obtaining purchase orders. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize execution of a Professional Services Agreement with Anita Mancini-Michell for performance of pre-employment psychological evaluations. All present voting "Aye". MOTION PASSED**

34051A AUTHORIZE ADMINISTRATIVE WAIVER OF THE OSSF LATE FEE FOR HAYS COUNTY CITIZENS, AS NECESSARY

Interim Director of Development Services, Caitlyn Strickland spoke. On July 24th, 2018, Hays County Commissioners Court enacted the OSSF Maintenance Contract Late Fee and removed the annual OSSF Registration fee. The late fee is to be paid by homeowners when submitting an OSSF Maintenance Contract past due, or past the expiration date of the previous maintenance contract on file. The Director of Development Services would like an ability to waive the OSSF Late Fee, as needed, to establish and maintain reasonable standards for the citizens of Hays County. Approval of this action would allow the Director Of Development Services to make such changes without the need of additional court action. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize administrative waiver of the OSSF Late Fee for Hays County citizens, as necessary. All present voting "Aye". MOTION PASSED**

RECEIVE THE UNANIMOUS RECOMMENDATION OF THE SALARY GRIEVANCE COMMITTEE FOR FY 2019, AND TO INCLUDE THE INCREASE IN THE FY 2019 BUDGET, PURSUANT TO TX LOCAL GOVERNMENT CODE §152.016

Dan Lyon, a San Marcos resident and Rodrigo Amaya, a San Marcos resident gave public comments. General Counsel, Mark Kennedy spoke. A public meeting of the Salary Grievance Committee met on September 7th at 8:30am to hear from three filers. In a 9-0 vote, the Committee recommended setting the filers salaries at \$74,000 plus fringe benefits. No action taken.



34052A 10:30AM - HOLD A PUBLIC HEARING ON THE PROPOSED KYLE DACY APARTMENTS DEVELOPMENT IN ACCORDANCE WITH TEX. GOV'T CODE, §2306.67071(B) AND AUTHORIZE THE EXECUTION OF A RESOLUTION OF NO OBJECTION FOR AN APPLICATION SUBMITTED BY KYLE DACY APARTMENT LTD TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Commissioner Ingalsbe opened the public hearing at 10:33 a.m. Jason Arechiga of the NRP Group gave a presentation on the project. Commissioner Ingalsbe closed the public hearing at 10:42 a.m. Kyle Dacy Apartments Ltd. has proposed a development for affordable rental housing of approximately 324 units that will be located at 3800 Dacy Lane, Kyle, Hays County, Texas. This application is to obtain 2018 tax credits. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Resolution of No Objection for an application submitted by Kyle Dacy Apartment Ltd to the Texas Department of Housing and Community Affairs. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #24 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:03 a.m. and reconvened into open court at 10:27a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, and Legal Support Services Specialist, Janice Jones. No action taken.

34053A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, VALUE OF REAL PROPERTY IN OR NEAR RM 3237 BETWEEN FM 150 AND RR 12 IN PCT. 3

Court convened into Executive session at 10:03 a.m. and reconvened into open court at 10:27a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Commissioner for Pct. 1 to execute a Purchase and Sale Agreement, as presented in executive session, for the purchase of approximately 1 Acre, as an Emergency Water Supply Site, from Dana and Dennis Pape, located in Pct. 3, for a total purchase and closing cost not to exceed \$60,000; to authorize the Treasurer to provide said costs for closing by wire transfer; and to authorize General Counsel to execute any and all documents incidental to closing. All present voting "Aye". MOTION PASSED**

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a Professional Services Agreement between Hays County and Erin Banks & Associates, as negotiated by General Counsel, related to the development of permitting and entitlements on property owned or to be owned by Hays County in Precinct 3. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #27 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– **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe informed the citizens of Hays County that the Burn Ban was lifted Friday, September 7, 2018, after consultation with the Hays County Fire Marshall.

Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

Clerk's Note Agenda Item #30 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION– **was pulled**



ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 10:43 a.m.

I, LIZ Q. GONZALEZ, 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 September 11, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 18TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

San Marcos Police Chaplain, Vernon Cooper gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident, Rodrigo Amaya, San Marcos resident, Constable Pct. 4, Ron Hood, and Office of Emergency Management Director, Kharley Smith spoke.

34054A ADOPT A PROCLAMATION DECLARING SEPTEMBER 17-23, 2018 AS CONSTITUTION WEEK

Sandy Fontenberry, Daughters of the American Revolution, Jacob's Well Chapter, spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Proclamation declaring September 17-23, 2018 as Constitution Week. All present voting "Aye". MOTION PASSED

34055A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment of county invoices in the amount of \$2,907,972.19, Independence Title for Property Purchase (RBG) \$23,635.85 and (TAB) \$23,635.85 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34056A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of juror checks in the amount of \$440.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34057A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$25,037.23 and for United Imprest Increase \$189,000 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34058A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 11, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of September 11, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34059A APPROVE OUT OF STATE TRAVEL FOR SERGEANT BRAD DORING TO ATTEND THE INTERNATIONAL BREACHERS SYMPOSIUM IN SOUTH HAVEN, MISSISSIPPI

Out of state travel is needed to send Sgt. Brad Doring to attend the International Breachers Symposium in South Haven, Mississippi on October 21-25, 2018. This training will allow for Sgt. Doring, who is on the Hays County SWAT Team, to learn the latest breaching practices and industry standards for current breaching methods used by the Hays County Sheriff's Office. This training will give Sgt. Doring the opportunity to see and evaluate methods that are not currently used by the SWAT team, but could be added as breaching assets in the future.



Sgt. Doring will be introduced to case studies, after action reviews, and hands on training during this course. Funding for registration, travel, hotel and miscellaneous fees are identified in the Sheriff's Office Continuing Education General Ledger. Harvey Jenkins spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Sergeant Brad Doring to attend the International Breachers Symposium in South Haven, Mississippi. All present voting "Aye". MOTION PASSED**

34060A AUTHORIZE THE PURCHASE OF A REPLACEMENT MINI-SPLIT HEATING AND COOLING SYSTEM AND AMEND THE BUDGET ACCORDINGLY

The Wimberley Road ard is in need of a replacement heating and cooling system. The current unit is not functioning and unrepairable. SI Mechanical is the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age and nature of the unsalvageable damaged parts. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease .5351. Increase 5719_400. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement mini-split heating and cooling system and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34061A AUTHORIZE THE CONSTABLE PRECINCT 4 TO PURCHASE A PATROL RIFLE MOUNT FOR THE 2006 HONDA MOTORCYCLE AND AMEND THE BUDGET ACCORDINGLY

Southern Composites, of Stuart, FL manufactures a patrol rifle mount that enables a motor officer to securely carry a patrol issued rifle inside the saddlebag of a Honda motorcycle. The ability to carry the rifle secured inside the motorcycle's saddlebag ensures the weapon is available to the officer when needed. Funds are available in the Constable's operating budget to cover this request. Budget Amendment: Decrease LE Supplies .5206. Increase LE Equipment .5717_400. Rodrigo Amaya and Constable Pct. 4 spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Constable Precinct 4 to purchase a Patrol Rifle Mount for the 2006 Honda Motorcycle and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34062A AUTHORIZE THE EXECUTION OF A RENEWAL CONTRACT WITH WEST THOMPSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES IN THE HAYS COUNTY DISTRICT COURTS

Per Section 323.023(b)(3) of the Texas Local Government Code, Law Library funds may be used for the purchase of electronic research subscriptions for use by judges in the County. The District Courts office is currently using WestlawNext for their services and the Law Librarian respectfully requests the Courts consideration to renew the contract. The District Courts office Westlaw subscription is a one-year renewable contract. The subscription cost includes access for 4 users and an upgrade in services and features to Westlaw Edge. The current contract expires on September 30, 2018. Funds to cover the subscription cost were budgeted for F 19. 084-690-00.5448: Contract Services \$12,459.72. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Renewal Contract with West Thompson Reuters for Online Legal Research Services in the Hays County District Courts. All present voting "Aye". MOTION PASSED**

34063A AUTHORIZE THE EXECUTION OF CONTRACT RENEWALS WITH WEST THOMSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES AND PRINT RESOURCES IN THE HAYS COUNTY LAW LIBRARY AND DISTRICT COURTS OFFICES

Per Section 323.023 of the Texas Local Government Code, Law Library funds may be used for the purchase of electronic research and print materials for use by Judges, patrons and County residents representing themselves in legal matters. The Law Library contracts for WestlawNext and print legal products, provided by Thomson Reuters, expire on September 30, 2018. Both contracts were signed in September 2016. The WestlawNext renewal contract includes the addition of an additional computer terminal and increased services. The print resources contract includes O'Connor's print titles; Thomson Reuters acquired O'Connor's books this year. In addition, the print resource contract includes print titles for the District Courts office. The WestlawNext contract is a one-year renewable contract and the print resource contract is a three-year renewable contract. The Law Library currently uses WestlawNext services and print resources from Thomson Reuters and respectfully requests the Courts consideration to renew the contracts. The required funding was budgeted in the F 2019 Law Library fund budget. 084-690-00.5213: Books & Periodicals \$18,770.88. 084-690-00.5448: Contract Services \$38,135.88. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of contract renewals with West Thomson Reuters for online legal research services and print resources in the Hays County Law Library and District Courts offices. All present voting "Aye". MOTION PASSED**



34064A AUTHORIZE THE EXECUTION OF A CONTRACT RENEWAL WITH TRANS UNION (TLO) FOR INVESTIGATIVE SERVICES IN THE DISTRICT ATTORNEY'S OFFICE

The District Attorney uses this agency to locate witnesses and victims during investigations for upcoming jury trials and cases. The cost for this service is \$150 per month for one Chief and currently five Investigators to access this database. The required funding has already been approved during the F 2019 budget process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Contract Renewal with Trans Union (TLO) for Investigative Services in the District Attorney s Office. All present voting "Aye". MOTION PASSED**

34065A APPROVE UTILITY PERMITS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve permit #1101 on C.R. 131 issued to CenterPoint Energy for a gas line, permit #1102 on 845-Crest Circle issued to Century Link for a communication line, and permit #1103 on White Wing Trail issued to TGD for a gas line. All present voting "Aye". **MOTION PASSED**

34066A RESCIND AWARD OF WORK FOR COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 TO BOWMAN CONSULTING GROUP, LTD

Bowman Consulting Ltd. was selected on July 31, 2018 for professional engineering services on Cotton Gin Road rehabilitation project-Phase 2. After discussion between staff and grant consultants, it was determined that a Work Authorization would be sufficient to complete the additional work. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to rescind award of work for Cotton Gin Road Rehabilitation Project Phase 2 to Bowman Consulting Group, Ltd. All present voting "Aye". MOTION PASSED**

34067A AUTHORIZE THE EXECUTION OF AN ADDENDUM TO THE CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE HAYS COUNTY FLOOD MONITORING SYSTEM BETWEEN HAYS COUNTY AND HALFF ASSOCIATES, INC

This Addendum to Contract (Addendum) shall modify that PROFESSIONAL SERVICES AGREEMENT related to the Hays County Flood Monitoring System (Contract), dated April 17, 2018, between Hays County, Texas, a political subdivision of the State of Texas (Client) and Halff Associates, Inc. (Engineer). This addendum includes the addition of specific clauses requirements from the Texas Water Development Board Subcontracting Guidelines. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an Addendum to the Contract for Professional Services related to the Hays County Flood Monitoring System between Hays County and Halff Associates, Inc. All present voting "Aye". MOTION PASSED**

34068A RATIFY THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE HURRICANE RECOVERY CRISIS COOPERATIVE AGREEMENT IN THE AMOUNT OF \$79,389.00

Texas was awarded \$16 million for targeted hurricane recovery and preparedness activities from the Centers for Disease Control and Prevention. Of this total, \$11 million has been dedicated to funding local public health activities with a strong link to hurricane recovery and/or preparedness activities. Funding will be used to purchase immunizations for first responders in addition to equipment necessary for storage and distribution of immunizations. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to ratify the submission of a grant application to the Texas Department of State Health Services (DSHS) for the Hurricane Recovery Crisis Cooperative Agreement in the amount of \$79,389.00. All present voting "Aye". MOTION PASSED**

34069A AUTHORIZE THE AUDITOR'S OFFICE TO PURCHASE ONE (1) REPLACEMENT DELL LATITUDE 5590 LAPTOP AND AMEND THE BUDGET ACCORDINGLY

The County Auditor's current laptop is not functional and out of warranty. IT has assessed the damages and determined that repairs to the existing machine would be cost prohibitive to the useful life expectancy. Savings are available within the Auditor's operating budget to fund this request. Budget Amendment: Decrease .5551. Increase .5712_400. Harvey Jenkins spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Auditor's Office to purchase one (1) replacement Dell Latitude 5590 Laptop and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



34070A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE ONE (1) DYNAPAC F800W WHEEL ASPHALT PAVER AND AMEND THE BUDGET ACCORDINGLY

The Transportation Department is requesting approval to utilize salary savings to purchase an Asphalt Paver due to the increased number of maintenance projects for hot mix roads. Having this piece of equipment will reduce the need for outsourcing contract work. Savings within the departments operating budget are available due to attrition. Budget Amendment: Increase Heavy Equipment. Decrease Staff Salaries. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Transportation Department to purchase one (1) Dynapac F800W Wheel Asphalt Paver and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34071A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE TEXAS CONVERSION TO THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) IN THE AMOUNT OF \$899,150

On March 27, 2018 the Commissioners Court authorized submission of a grant application to the Office of the Governor, Criminal Justice Division for the Texas Conversion to the National Incident-Based Reporting System funding. House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by September 1, 2019. In addition the FBI has announced that it will discontinue its support of Summary Reporting System for crime statistics and fully transition to NIBRS data collection methodology by January 1, 2021. Funding will be utilized to ensure Hays County stays proactive in meeting the transition to NIBRS goal. Notice of award has been received and acceptance is done electronically for this Grant Number 3642001. Total project costs are anticipated to be over \$1.8M, with matching funds budgeting in the F 19 budget. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Office of Governor Criminal Justice Division for the Texas Conversion to the National Incident-Based Reporting System (NIBRS) in the amount of \$899,150. All present voting "Aye". MOTION PASSED**

34072A AUTHORIZE THE ACCEPTANCE AND EXECUTION OF A SERVICE AGREEMENT RENEWAL WITH APPRISS SAFETY FOR THE VICTIM INFORMATION AND NOTIFICATION EVERYDAY (VINE) PROGRAM

The VINE Program is administered by the Office of the Attorney General (OAG), to provide a statewide automated system that will provide relevant offender release information, notification of relevant court settings or events, promote public safety, and support the rights of victims of crime. Appriss Safety is the provider selected by the OAG to support the VINE program and will provide services from September 1, 2018 - August 31, 2019. The renewal agreement is in the amount of \$28,546.78. The OAG SAVNS grant program will cover the expenses for these services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Acceptance and Execution of a Service Agreement Renewal with Appriss Safety for the Victim Information and Notification Everyday (VINE) Program. All present voting "Aye". MOTION PASSED**

34073A AUTHORIZE A SALARY EXCEPTION AT THE 25TH PERCENTILE FOR THE REGISTERED NURSE, SLOT 1135-002 AT THE HAYS COUNTY LOCAL HEALTH DEPARTMENT FOR THE TB PROGRAM

The Director of County Wide Operations is requesting the court to ratify the hiring of the Local Health Department's TB nurse at the 25th percentile, effective August 23, 2018 date of hire. The newly hired RN has over two years of direct nursing experience and satisfies all the required certifications. Financial Impact: Base Salary Increase: \$6,239 Fringe: \$1,283 Total: \$7,522 (annualized) \$ 784 (F 18 impact for 1.25 months) This position is currently budgeted at \$64,547; the 25th percentile of grade 114 is \$56,152 resulting in an overall savings within the Local Health Departments operating budget. Additionally, over 50 of the positions salary and benefits are reimbursed by the Department of State Health Services (DSHS) grant under the Local Public Health Services funds. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize a salary exception at the 25th Percentile for the Registered Nurse, Slot 1135-002 at the Hays County Local Health Department for the TB Program. All present voting "Aye". MOTION PASSED** An amended motion was made by Commissioner Whisenant, seconded by Commissioner Shell to make the effective date August 23, 2018. All present voting "Aye". MOTION PASSED

34074A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION NO. 2 BETWEEN HAYS COUNTY AND BOWMAN CONSULTING GROUP, LTD RELATED TO IMPROVEMENTS ON COTTON GIN ROAD



Hays County has requested that Bowman extend the length of the project to encompass all of Cotton Gin Road, from SH 21 to Goforth Road, an addition of approximately 1-mile. All tasks described in the original scope remain the same for the increased project length, except the environmental services which are done under a different contract. Contract will increase from \$301,500.00 to \$432,949.00 an increase of \$131,449.00. Decrease 020-710-00.5351 Road Materials and Supplies \$131,449.00. Increase 020-710-00.5448_008 Contract Services Consultant \$131,449.00. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Work Authorization No. 2 between Hays County and Bowman Consulting Group, Ltd. Related to improvements of Cotton Gin Road. All present voting "Aye". MOTION PASSED**

34075A AUTHORIZE THE EXECUTION OF A CONSTRUCTION CONTRACT WITH INTERMOUNTAIN SLURRY SEAL, INC. FOR THE TRANSPORTATION DEPARTMENT RELATED TO ROAD IMPROVEMENTS

The Transportation Department would like to utilize Intermountain Slurry Seal for micro surfacing to extend the life of the road pavement for named projects. Projects to be completed include: High Meadows Subdivision, Pct. 1 Sierra West Subdivision, Pct. 3 Friendship Ranch Subdivision, Pct. 4. These projects will be scheduled during the fall and are budgeted within the F 19 Transportation Departments operating budget. Procurement is allowable through the Bexar County ILA purchasing agreement and in accordance with Bexar County solicitation #564. Alex Flores, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Construction Contract with Intermountain Slurry Seal, Inc. for the Transportation Department related to road improvements. All present voting "Aye". MOTION PASSED**

34076A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 WITH HDR ENGINEERING, INC. RELATED TO THE MOUNTAIN CITY LOOP PROJECT

On December 19, 2017 the Commissioner's Court authorized a contract (\$60k) with HDR Engineering related to the evaluation of environmental constraints and route alternatives for the Mountain City Loop. A supplemental to the original contract is needed due to additional work necessary to determine reasonable and feasible alignment alternatives for the Project. Additionally, the project timeline will be extended to December 31, 2018. Savings within the departments operating budget are available to fund this supplemental. Commissioner Pct. 2, Mark Jones spoke. Alex Flores, Assistant Director Transportation Department, gave staff recommendation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Supplemental No. 1 with HDR Engineering, Inc. related to the Mountain City Loop Project. All present voting "Aye". MOTION PASSED**

34077A SUB-827; BIG VALLEY SUBDIVISION (17 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO SECTION 715.2.01 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

The proposed Big Valley Subdivision is an 18 lot subdivision across 106.3 acres located off of FM 1626 in Precinct 2. The subdivision crosses two county boundaries: Hays County and Travis County. 17 of the proposed lots are either fully or partially located within the Hays County boundary across 85.19 acres. Water service will be accomplished through City of Austin for lots located within the City of Austin ETJ and Rainwater Harvesting for lots not located within the City of Austin ETJ. Wastewater service will be accomplished through City of Austin for lots located within the City of Austin ETJ and Individual OSSF for lots not located within the City of Austin ETJ. Section 715.2.07 of the Hays County Development Regulations establishes criteria for the submittal of a Water Service Plan at the time of Preliminary Plan approval. Since this development is proposing the use of Rainwater Harvesting for 9 lots, a water availability demonstration utilizing Rainwater Harvesting is required. The owner is requesting that the requirement for water availability be waived at this time of preliminary approval with conditions in place that will require a water availability study to be submitted prior to any issuance of a development authorization on each lot within the County's jurisdiction. Justification for the variance is included in the backup. Marcus Pacheco, Hays County Planner, Commissioner Pct. 2, Mark Jones, and Commissioner Pct. 4, Ray Whisenant spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan and grant a variance to Section 715.2.01 of the Hays County Development Regulations for SUB-827 Big Valley Subdivision (17 Lots). All present voting "Aye". MOTION PASSED**

34078A AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND MILLIMAN, INC. FOR ACTUARIAL SERVICES RELATED TO RETIREE DRUG SUBSIDY

This agreement authorizes Milliman, Inc. to determine whether Hays County's retiree pharmacy plans provide creditable coverage and are actuarially equivalent to the standard Medicare Part D plan as defined by the Centers for Medicare and Medicaid Services (CMS). Shari Miller, Human Resources Director spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution**



of an Agreement between Hays County and Milliman, Inc. for Actuarial Services related to Retiree Drug Subsidy. All present voting "Aye". MOTION PASSED

34079A EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH JERRY CASTILLEJA, M.D. RELATED TO PHYSICIAN SERVICES PROVIDED TO THE HAYS COUNTY LOCAL HEALTH DEPARTMENT TB PROGRAM

The physician currently providing services to the Hays County Local Health Department TB Program has given notice to terminate the current contract effective September 30, 2018. Dr. Castilleja graduated from the University of Texas Medical School at San Antonio and has over 29 years' experience. Services will be for on-site consultation at an hourly rate not to exceed \$150 per hour as well as a monthly fee of \$150 for on call services. Funds are budgeted in the F 2019 budget for these services and are reimbursable through the Department of State Health Services (DSHS) grant under the State TB Program funding. Professional Services Agreement will be brought to Court. Tammy Crumley, Director of Countywide Operations spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Professional Services Agreement with Jerry Castilleja, M.D. related to Physician Services provided to the Hays County Local Health Department TB Program. All present voting "Aye". MOTION PASSED**

34080A APPROVE THE 2019 SHERIFF AND CONSTABLE FEES AS FINALIZED IN OPEN COURT AND AUTHORIZE A WAIVER OF THOSE FEES IN THE FOLLOWING CIRCUMSTANCES: FUNERAL PROCESSION ASSISTANCE AND PERFORMING TRAFFIC CONTROL FOR MUNICIPALITIES AND INDEPENDENT SCHOOL DISTRICT EVENTS, SUCH AS PARADES OR MARCHES

The Sheriff and Constable fees must be adopted each year pursuant to Texas Local Government Code Section 118.131. The approved fees are then submitted to the Texas Comptroller's Office. The fees would go into effect on January 1, 2019. The fees need to be approved by the Commissioners Court. Certain fees are desired to be waived by the Sheriff's Office and the Constables' Offices in particular circumstances. General Counsel, Mark Kennedy, Commissioner Pct. 3, Lon Shell, Constable Pct. 4, Ron Hood, and Commissioner Pct. 4, Ray Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the 2019 Sheriff and Constable Fees as finalized in open court and authorize a waiver of those fees in the following circumstances: funeral procession assistance and performing traffic control for municipalities and Independent School District events, such as parades or marches. All present voting "Aye". MOTION PASSED**

34081A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A RENEWAL CONTRACT WITH CORRECT CARE SOLUTIONS (CCS) RELATED TO THE HEALTHCARE PROGRAM AT THE HAYS COUNTY JAIL

The Sheriff's Office, Jail Division, is requesting court approval to extend the medical care services contract with Correct Care Solutions (CCS) for one additional year. CCS is currently providing all medical services for jail inmates and has agreed to renew at the standard 3% increase. Due to the complexity of outsourcing medical services, a discretionary exemption is requested and allowable per Local Government Code, Ch. 262.04(a)(4). Funds were included in the F 2019 Proposed Budget for the contract renewal. Sheriff, Gary Cutler, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Commissioners Court to execute a Renewal Contract with Correct Care Solutions (CCS) related to the Healthcare Program at the Hays County Jail and to authorize discretionary exemptions per Local Government Code, Ch. 262.04(a). All present voting "Aye". MOTION PASSED**

34082A APPROVE THE DEFEASANCE OF A PORTION OF THE UNLIMITED TAX BONDS TOTALING AN AMOUNT NOT TO EXCEED \$5,000,000 OF PRINCIPAL AND AUTHORIZE STAFF TO TAKE NECESSARY ACTIONS TO ACCOMPLISH THE DEFEASANCE

During F 2019 planning, \$5,000,000 has been identified for debt reduction. If approved, this item will authorize the County Auditor and the County Bond's Counsel to carry out the necessary actions. County Auditor, Marisol, Commissioner Pct. 2, Mark Jones, Harvey Jenkins, and Commissioner Pct. 1, Debbie Ingalsbe spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the Defeasance of a portion of the Unlimited Tax Bonds totaling an amount not to exceed \$5,000,000 of Principal and authorize staff to take necessary actions to accomplish the Defeasance. All present voting "Aye". MOTION PASSED**

34083A AUTHORIZE EXECUTION OF AN ASSESSMENT AND COLLECTION AGREEMENT BETWEEN HAYS COUNTY TAX ASSESSOR COLLECTOR AND



**THE LA CIMA PUBLIC IMPROVEMENT DISTRICT, RELATED TO THE
COLLECTION OF ASSESSMENTS WITHIN THE DISTRICT**

Commissioner Pct. 3, Lon Shell, Commissioner Pct. 2, Mark Jones, Harvey Jenkins, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of an Assessment and Collection Agreement between Hays County Tax Assessor Collector and the La Cima Public Improvement District, related to the collection of assessments within the district. All present voting "Aye". MOTION PASSED**

**34084A HOLD A PUBLIC HEARING ON THE FY 2019 HAYS COUNTY PROPOSED
BUDGET - 1:00 P.M.**

Commissioner Ingalsbe opened the public hearing. Dan Lyon, Dave Donnelly, President of Prevent a Litter (PALS), Tricia Schneider, CASA, Shari Miller, Human Resources Director, County Court at Law #2, David Glickler, Clay DeStefano, Price Center, Vickie Dorsett, and Assistant County Auditor spoke. Commissioner Ingalsbe closed the public hearing. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept the proposed changes as discussed. All present voting "Aye". MOTION PASSED**

**34085A SET THE FY 2019 SALARIES AND ALLOWANCES FOR HAYS COUNTY
ELECTED OFFICIALS**

Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to set the FY 2019 Salaries and Allowances for Hays County Elected Officials. All present voting "Aye". MOTION PASSED**

**34086A ADOPT THE FY 2019 HAYS COUNTY BUDGET AFTER MAKING ANY FINAL
CHANGES AS A RESULT OF THE PUBLIC HEARING**

A list of final changes to the FY 2019 budget for the Court to consider will be provided. Additional items for consideration may be submitted by the Court members or as a result of the public hearing. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt the FY 2019 Hays County Budget after making any final changes as a result of the public hearing. All present voting "Aye". MOTION PASSED**

**34087A RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FY 2019
HAYS COUNTY BUDGET**

Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the Commissioner's Court to ratify the property tax increase reflected in the budget. This budget will raise more revenue from property taxes than last year's budget by an amount of \$1,463,086, which is a 1.96 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$3,789,867.13. Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the property tax increase reflected in the FY 2019 Hays County Budget; this budget will raise more revenue from property taxes than last year's budget by an amount of \$1,463,086, which is a 1.96 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$3,789,867.13. All present voting "Aye". MOTION PASSED**

**34088A APPROVE AN ORDER ADOPTING THE TAX RATE FOR FY 2019 AND LEVY
THE TAXES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to move that the property tax rate be set by the adoption of a tax rate of 43.37 ; 26.53 - General Maintenance & Operations, 12.46 - General Debt, 4.38 Road and Bridge Maintenance & Operations, which is the effective tax rate. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #36 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 - was pulled



EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:52 a.m. and reconvened into open court at 11:29 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley, Human Resources Director, Shari Miller, General Counsel, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, VALUE OF REAL PROPERTY IN OR NEAR RM 3237 BETWEEN FM 150 AND RR 12 IN PCT. 3

Court convened into Executive session at 11:29 a.m. and reconvened into open court at 11:46 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, General Counsel, Jordan Powell, Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE OFFICE OF EMERGENCY SERVICES

Court convened into Executive session at 10:24 a.m. and reconvened into open court at 10:51 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Human Resources Director, Shari Miller, Legal Support Services Specialist, Janice Jones and Director of Office of Emergency Services, Kharley Smith. No action taken.

Clerk's Note Agenda Item #40 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended

Clerk's Note Agenda Item #42 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

Clerk's Note Agenda Item #43 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 2:19 p.m.

I, LIZ Q. GONZALEZ, 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 September 18, 2018.



Liz Q. Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, resident of San Marcos and Rodrigo Amaya, resident of San Marcos made public comment.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller presented the Hays County Service Awards. 5 years Roger Nebergall, Stephen Traeger, Thomas McGreevy and Anthony Schafer Sheriff's Office. 10 years Dustin Oliver Sheriff's Office. 15 years Erica Tobias Juvenile Detention. 20 years Debra C. Zoerb District Attorney's Office. Retirement Vicki Davis Sheriff's Office.

34089A ADOPT A PROCLAMATION DECLARING OCTOBER 2, 2018 AS NATIONAL NIGHT OUT

Sheriff, Gary Cutler spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a proclamation declaring October 2, 2018 as National Night Out. All present voting "Aye". MOTION PASSED

34090A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$ 1,873,539.19 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34091A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of juror checks in the amount of \$ 6,670.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34092A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$ 363,294.25 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34093A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 18, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of September 18, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34094A APPROVE THE PAYMENT OF THE SEPTEMBER 30, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,410,000.00



EFFECTIVE SEPTEMBER 28, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of the September 30, 2018 payroll disbursements in an amount not to exceed \$3,410,000.00 effective September 28, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

34095A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 2381 BEBEE RD, KYLE, TX 78610

Matthew Philip Fleming is proposing an OSSF to serve a daycare. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Karel Zaleski, R.S., has designed a system, which consists of a 1250 gallon two compartment tank, a 750 gallon pump tank, and a low pressure dose drainfield. The maximum daily usage rate is 263 gallons per day. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 2381 Bebee Rd, Kyle, TX 78610. All present voting "Aye". MOTION PASSED

34096A AUTHORIZE COMMERCIAL OSSF PERMIT AT 12305 FM 967, DRIFTWOOD, TEXAS 78619

Commissioner Whisenant spoke. Interim Director of Development Services, Caitlyn Strickland spoke. Don Curry is proposing an OSSF to serve a private event center for non-profit functions. The system is designed to accommodate up to 250 guests no more than once per week. This 12.21-acre property is Lot 7 of the Grand Cypress at Onion Creek Subdivision. This lot is served by a private well. The system designer, Dan Balboa, R.S., has designed an aerobic treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via surface application for a maximum daily rate of 180 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Authorize Commercial OSSF Permit at 12305 FM 967, Driftwood, Texas 78619. All present voting "Aye". MOTION PASSED

34097A AUTHORIZE PAYMENT TO VERITIV OPERATING COMPANY FOR JANITORIAL SUPPLIES FOR THE BUILDING MAINTENANCE DEPARTMENT WHERE NO PURCHASE ORDER WAS ISSUED PER COUNTY PURCHASING POLICY

Dan Lyon, resident of San Marcos, made public comment. The Building Maintenance Department received janitorial supplies in August 2017 without obtaining a purchase order per County Purchasing Policy. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize payment to eritiv Operating Company for janitorial supplies for the Building Maintenance Department where no purchase order was issued per County Purchasing Policy. All present voting "Aye". MOTION PASSED

34098A AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO THE GENERAL LAND OFFICE (GLO) CONTRACT NO. 18-421-000-B130 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM HOUSING PROJECTS NON-RESEARCH & DEVELOPMENT 2015 FLOOD ALLOCATION

Amendment No. 1 to the GLO Contract No. 18-421-000-B130. Attachments A-F were revised to include contractual language that was more clarifying for the purposes of the contract. A motion was made by Commissioner Shell, seconded by Commissioner Jones to Authorize the execution of Amendment No. 1 to the General Land Office (GLO) Contract No. 18-421-000-B130 Community Development Block Grant Disaster Recovery Program Housing Projects Non-Research & Development 2015 Flood Allocation. All present voting "Aye". MOTION PASSED

34099A AUTHORIZE THE EXECUTION OF THE RESOLUTION AUTHORIZING SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER PROGRAM (CDBG-DR) THROUGH THE GENERAL LAND OFFICE (GLO) TO PROVIDE INFRASTRUCTURE IMPROVEMENTS



A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of the Resolution Authorizing Signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant Disaster Program (CDBG-DR) through the General Land Office (GLO) to provide infrastructure improvements. All present voting "Aye". MOTION PASSED

34100A AUTHORIZE THE EXECUTION OF THE RESOLUTION AUTHORIZING SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER PROGRAM (CDBG-DR) THROUGH THE GENERAL LAND OFFICE (GLO) PROVIDING HOUSING IMPROVEMENTS

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of the Resolution Authorizing Signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant Disaster Program (CDBG-DR) through the General Land Office (GLO) providing housing improvements. All present voting "Aye". MOTION PASSED

34101A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE HAYS COUNTY VETERANS COURT IN THE AMOUNT OF \$77,069.48

On February 13, 2018 the Commissioners Court approved the submission of a grant application and accompanying Resolution to the Office of the Governor Criminal Justice Division for funding to support the Hays County Veterans Court. This grant award is to continue the support and operations of the Court. Notice of award has been received and acceptance is done electronically for this Grant Number 2775905. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the acceptance of a grant award from the Office of the Governor Criminal Justice Division for the Hays County Veterans Court in the amount of \$77,069.48. All present voting "Aye". MOTION PASSED

34102A APPROVE UTILITY PERMITS

Permit Road Name Utility; 1104 Crystal Hills Drive Water Line (Goldenwood West WSC), 1105 High Road Water Line (Goforth SUD), 1106 Pioneer Trail Electric Line (PEC), 1107 Martin Road Electric Line (PEC), 1108 Fitzhugh Road Electric Line (PEC), 1109 Mathias Lane Water line (Goforth SUD) A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Utility Permit # 1104 on Crystal Hills issued to Water Line (Goldenwood West WSC), Permit # 1105 on High Road issued to Water Line (Goforth SUD), Permit # 1106 on Pioneer Trail issued to Electric Line (PEC), Permit # 1107 on Martin Road issued Electric Line (PEC), Permit # 1108 on Fitzhugh Road issued to Electric Line (PEC), and Permit # 1109 on Mathias Lane issued to Water Line (Goforth SUD) as presented by the Transportation Director. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #16 RE: AUTHORIZE RESOLUTION OF COURT REGARDING THE WAIVER OF SHERIFF & CONSTABLE FEES IN CERTAIN CIRCUMSTANCES – was pulled

34103A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 201 MOUNTAIN CITY, MOUNTAIN CITY, TX, 78610

Hays County Emergency Services District No. 5/Kyle Fire Department is proposing an OSSF to serve a fire station with three employees. The fire house will be occupied as a residence for the fire fighters who are on duty. This is on Lot 7 and part of Lot 8 in Mountain City Oaks subdivision and lies inside Mountain City. Water will be supplied by a public water supply. The system designer, Dave McGhee, R.S., has designed a system, which consists of an aerobic treatment unit with dispersal by drip irrigation. The maximum daily usage rate is 360 gallons. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 201 Mountain City, Mountain City, TX, 78610. All present voting "Aye". MOTION PASSED

34104A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A RESOLUTION CERTIFYING THAT THE COUNTY HAS APPROVED A \$13,000 GRANT FOR FY 2019 TO COMBINED COMMUNITY ACTION, AN ORGANIZATION THAT PROVIDES HOME DELIVERED MEALS TO HOMEBOUND PERSONS IN THE COUNTY THAT ARE ELDERLY OR HAVE A DISABILITY



A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute a resolution certifying that the County has approved a \$13,000 grant for FY 2019 to Combined Community Action, an organization that provides home delivered meals to homebound persons in the county that are elderly or have a disability. All present voting "Aye". MOTION PASSED

34105A AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2018 YEAR-END PROCESS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend various departmental operating budgets in preparation for the County's FY 2018 year-end process. All present voting "Aye". MOTION PASSED

34106A APPROVE ACCEPTANCE OF QUALIFIED RESPONDENTS PURSUANT TO RFQ 2018-P17INDEPENDENT THIRD-PARTY REVIEWER FOR THE HAYS COUNTY PACE PROGRAM AND AUTHORIZE EXECUTION OF CONTRACTS BETWEEN HAYS COUNTY AND LISTED FIRMS, ONCE FINALIZED BY GENERAL COUNSEL

Rodrigo Amaya, resident of San Marcos, made public comment. General Counsel Mark Kennedy spoke. Purchasing received Statements of Qualifications from the following firms in response to RFQ 2018-P17 Independent Third-Party Reviewer for the Hays County PACE Program: Green Living, LLC, EEA Consulting Engineers, Simple Payback, LLC, Harrison, French & Associates, Ltd., EMC Engineers, KCI Technologies, Inc., Edwards Energy Environmental & Waste Management, DBR Engineering Consultants, Inc., Precision Building Controls, LLC, Vision Building Energy Efficiency, LLC (dba Bee). The evaluating committee has reviewed the respondents' qualifications and will provide a list of qualified applicants in court. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve acceptance of qualified respondents pursuant to RF 2018-P17 Independent Third-Party Reviewer for the Hays County PACE Program and authorize execution of contracts between Hays County and listed firms, once finalized by General Counsel. All present voting "Aye". MOTION PASSED

34107A AUTHORIZE THE EXECUTION OF A RENEWAL SERVICE AGREEMENT WITH GRANICUS FOR THE COUNTY CLERK'S OFFICE RELATED TO SOFTWARE AND HARDWARE SUPPORT FOR THE LIVE STREAMING, TRANSPARENCY AND MEETING SOLUTIONS FOR COMMISSIONERS COURT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a Renewal Service Agreement with Granicus for the County Clerk's Office related to software and hardware support for the live streaming, transparency and meeting solutions for Commissioners Court. All present voting "Aye". MOTION PASSED

34108A AUTHORIZE THE EXECUTION OF A "KEEP IT" PROGRAM AGREEMENT WITH DELL MARKETING, LP AND TO ALLOW THE INFORMATION TECHNOLOGY DEPARTMENT TO ACCEPT DONATED HARDWARE FOR A WYSE 5070 THIN CLIENT (VDI) SOLUTION AND AMEND THE BUDGET ACCORDINGLY

Dell Marketing has provided the County with a new Virtual Desktop Thin Client to be utilized for testing purposes within the IT Department. Attachments: Dell VDI Solution Quote 30000025863589.1 (for value of donated hardware) Dell Keep It Program Agreement Budget Amendment: Increase Contributions - .4610 Increase Computer Equipment_Operating - .5712_400. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a Keep It Program Agreement with Dell Marketing, LP and to allow the Information Technology Department to accept donated hardware for a Wyse 5070 Thin Client (DI) Solution and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34109A AUTHORIZE THE ACCEPTANCE OF COMPUTER RELATED EQUIPMENT DONATIONS AND AMEND THE BUDGET ACCORDINGLY

Two departments have received computer related equipment from vendors to utilize within their respective offices as needed. The Jail Division received a computer from 4Inmates Email Commission service vendor, value \$150. The County Clerk received 14 monitors from Xerox/ACS, value \$50 each total value \$700 Attachments: 4 Inmates Donation Letter ACS Donation Letter Budget Amendment: Jail: Increase Contributions - 001-618-03.4610 Increase Data Supplies - 001-618-03.5202 County Clerk: Increase Contributions - 001-617-00.4610 Increase Data Supplies - 001-617-00.5202. A motion was made by Commissioner Ingalsbe,



seconded by Commissioner Shell to Authorize the acceptance of computer related equipment donations and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34110A AUTHORIZE THE COUNTY AUDITOR'S OFFICE TO WRITE OFF PRIOR YEAR ACCOUNTS RECEIVABLES RELATED TO THE TAX OFFICE AND THE FAMILY HEALTH SERVICES CLINIC AND AMEND THE BUDGET ACCORDINGLY

The County Auditor would like the Courts permission to write off prior year receivables that are currently on the balance sheet related to the Tax Office Motor Vehicle Division NSF Checks and the Family Health Services Clinic billings. Funds are available in the department's budgets to allow for this action. Budget Amendments: \$ 1,126.18 - Tax Assessor Collector NSF Checks - decrease longevity \$12,492.56 - Family Health Clinic Billings - decrease salary adjustments. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Auditor's Office to write off prior year accounts receivables related to the Tax Office and the Family Health Services Clinic and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34111A ABANDONMENT OF COMMERCE COURT, A COUNTY-MAINTAINED ROAD ABUTTING ROBERT S. LIGHT BLVD. AND RELINQUISHING ALL RIGHTS AND RESPONSIBILITIES OF THE ROAD AND ROW FOR THE PURPOSE OF A NEWLY PLANNED DEVELOPMENT

Dan Lyons, resident of San Marcos, made public comment. Commissioner Jones spoke. General Counsel Mark Kennedy Spoke. Assistant Transportation Director, Alex Flores spoke and gave full staff recommendation. Staff recommends abandonment of the county-maintained road Commerce Court for the purpose of allowing a new development to be constructed called Harvest Meadows. All surrounding property along Commerce Court is owned by the same entity. The road is approximately 700 ft. in length. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the abandonment of Commerce Court, a county-maintained road abutting Robert S. Light Blvd. and relinquishing all rights and responsibilities of the road and ROW for the purpose of a newly planned development. All present voting "Aye". MOTION PASSED**

34112A RELEASE OF THE MAINTENANCE BOND #PB10553700073 IN THE AMOUNT OF \$64,585.59, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR REUNION RANCH SUBDIVISION, PHASE 2, SECTION 1

Assistant Transportation Director, Alex Flores spoke and gave full staff recommendation. Staff recommends acceptance of the roads into the county road maintenance system. The roads include: a segment of Reunion Boulevard (1,524 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to release of the maintenance bond #PB10553700073 in the amount of \$64,585.59, and the acceptance of roads into the county road maintenance system for Reunion Ranch subdivision, Phase 2, Section 1. All present voting "Aye". MOTION PASSED**

34113A RELEASE OF THE MAINTENANCE BOND #K08774973 IN THE AMOUNT OF \$130,575.04, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR STONEFIELD SUBDIVISION, SECTION 8

Staff recommends acceptance of the roads into the county road maintenance system. The roads include: Shale Circle (1,303 ft.), Adoquin Trail (836 ft.), Red Morganite (1,369 ft.), Coral Stone Trail (181 ft.), Sandstone Trail (160ft.), and Marlstone Trail (875 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release of the maintenance bond #K08774973 in the amount of \$130,575.04, and the acceptance of roads into the county road maintenance system for Stonefield subdivision, Section 8. All present voting "Aye". MOTION PASSED**

34114A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 BETWEEN HAYS COUNTY AND BROWN AND GAY ENGINEERS, INC. ON THE PROFESSIONAL SERVICES AGREEMENT FOR THE RATTLER ROAD SHARED USE PATH

Commissioners Ingalsbe spoke. Assistant Transportation Director, Alex Flores spoke. Contract change is to cover the cost of services including utility replacements and an inspection by a Americans with Disabilities Act qualified Registered Accessibility Specialist. Change is for an additional \$6,059.24 to the original contract amount of \$50,000. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 between Hays County and Brown and Gay Engineers,**



Inc. on the Professional Services Agreement for the Rattler Road Shared Use Path. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #29 RE: SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS). DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 725.3.07 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, ACCEPT FISCAL SURETY, AND APPROVE FINAL PLAT- was pulled

34115A SUB-1064; CALL FOR A PUBLIC HEARING ON OCTOBER 16, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 4-5, ROLLING OAKS SECTION 3

Rolling Oaks Section 3 is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 12.0382 acre lots 4-5 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A variance from Chapter 721.5.05.B of the Hays County Development Regulations will be requested at the time of the public hearing. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on October 16, 2018 to discuss final plat approval of SUB-1054; replat of lot 4-5, Rolling Oaks Section 3. All present voting "Aye". MOTION PASSED**

Clerk's Note: Court took break at 9:59 a.m. and reconvened back into open court at 10:07 a.m.

34116A AUTHORIZE THE EXECUTION OF A LETTER OF AGREEMENT BETWEEN HAYS COUNTY AND CENTRAL TEXAS MEDICAL CENTER (CTMC) AND AUTHORIZE THE PAYMENT OF \$1,500,000 ON OR BEFORE 9/28/18 RELATED TO INDIGENT HEALTH CARE COSTS

Central Texas Medical Center (CTMC), Chief Executive Officer, Anthony Stahl spoke. Commissioner Ingalsbe spoke. Commissioner Shell spoke. Commissioner Whisenant spoke. The \$2,000,000 that is budget each year for indigent care and also the LPPF which is Hospital Funds from CTMC and 2 private hospitals. Dedicated funds are budgeted each year to be used for payments to CTMC associated with providing indigent health care through the 1115 waiver and the Indigent Program at the Live Oak Community Clinic. There is approximately \$2,000,000 remaining for F 18 budgeted payments. The Letter of Agreement only authorizes the payment of funds currently budgeted for F 2018. Additional funding remaining in F 18 has been rolled to the F 19 budget as well as the standard \$2M commitment to address future payments. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Letter of Agreement between Hays County and Central Texas Medical Center (CTMC) and authorize the payment of \$1,500,000 on or before 9 28 18 related to Indigent health care costs. All present voting "Aye". MOTION PASSED**

34117A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND CALDWELL COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES

Rodrigo Amaya, resident of San Marcos made public comment. Dan Lyon, resident of San Marcos of San Marcos made public comment. General Counsel, Mark Kennedy spoke. Commissioner Shell spoke. Sheriff's Office, Captain Julie Villapando spoke. Sheriff, Gary Cutler spoke. Commissioner Whisenant spoke. This Agreement will be utilized if and when the Hays County corrections inmate population exceeds capacity, as it will be a closer facility to receive transfer of inmates. Beginning January 1, 2019, Caldwell County will guarantee 40 medium-security custody beds for use exclusively by Hays County inmates. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute an Interlocal Cooperation Agreement between Hays County and Caldwell County for housing and care of Hays County corrections inmates. All present voting "Aye". MOTION PASSED**

34118A ADOPT THE FY 2019 COUNTY HOLIDAY CALENDAR

Dan Lyon, resident of San Marcos made public comment. Commissioner Ingalsbe spoke. In order to schedule court dockets, we have been requested to consider approving our F 2019 County Holiday Calendar. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt the FY 2019 County Holiday Calendar. All present voting "Aye". MOTION PASSED**

34119A AUTHORIZE THE EXECUTION OF AN AMENDMENT TO A STANDARD SOFTWARE LICENSE AND SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TYLER TECHNOLOGIES, INC., RELATED TO INFORMATION TECHNOLOGY HARDWARE, SOFTWARE, AND SERVICES



I.T. Director, Jeff McGill spoke. Sheriff's Office Director of Communications, Erica Carpenter spoke. Sheriff, Gary Cutler spoke. Constable, John Ellen spoke. North Hays County Fire Rescue Chief, Scott Collard spoke. San Marcos Hays County EMS and President of Hays County Fire Chief's Association, David Smith spoke. Kyle Police Department, Chief of Police, Jeff Barnett spoke. Buda Police Department Captain, Brandon Hale spoke. Commissioner Shell spoke. Commissioner Ingalsbe spoke. Commissioner Jones spoke. Commissioner Whisenant spoke. I.T. Director, Jeff McGill will be present in open court to provide a summary of the scope of this Amendment, which makes the requisite modifications to prepare Hays County for a more integrated criminal justice system. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of an amendment to a Standard Software License and Services Agreement between Hays County and Tyler Technologies, Inc., related to information technology hardware, software, and services. All present voting "Aye". MOTION PASSED**

34120A AUTHORIZE THE EXECUTION OF CHANGE ORDER 001 OF THE AGREEMENT BETWEEN HAYS COUNTY AND SI MECHANICAL FOR WORK RELATED TO THE WATER TREATMENT SYSTEM LOCATED IN THE GOVERNMENT CENTER

Tammy Crumley, Director of Countywide Operations spoke. On April 10, 2018, Commissioners Court approved a contract for SI Mechanical in response to IFB 2018-B04. Additional time will be needed in order to complete the work outlined in the original contract and a request to extend then contract deadline has been submitted. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Change Order 001 of the agreement between Hays County and SI Mechanical for work related to the Water Treatment System located in the Government Center. All present voting "Aye". MOTION PASSED**

34121A APPOINT A REPLACEMENT ALTERNATE FOR COMMISSIONER JONES ON THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CARTPO)

Commissioner Jones spoke. Commissioner Whisenant spoke. Interim Director of Development Services, Caitlyn Strickland spoke. A new representative for Commissioner Jones will need to be appointed to replace Roxie McInnis, former Assistant Director of Planning and Public Health. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to appoint Caitlyn Strickland as a replacement alternate for Commissioner Jones on the Capital Area Regional Transportation Planning Organization (CARTPO). All present voting "Aye". MOTION PASSED**

34122A APPROVE THE AMENDED SERVICE AND ASSESSMENT PLAN FOR THE LA CIMA PUBLIC IMPROVEMENT DISTRICT

Interim Director of Development Services, Caitlyn Strickland spoke. La Cima Public Improvement District was approved on September 23, 2014 in accordance with the PID Act to finance certain public improvements projects for the benefit of certain property within the PID. The service and assessment plan (SAP) must be reviewed and updated annually by the commissioner's court for the purpose of determining the annual budget for the Public Improvements. This 2018 Annual Service Plan Update serves to combine the SAP and Neighborhood Improvement Area #1 SAP Update into one document and is the annual update to both the SAP and the NIA # 1 SAP Update for 2018. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the amended service and assessment plan for the La Cima Public Improvement District. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #38 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW.

Court convened into Executive session at 11:41 a.m. and reconvened into open court at 11:55 a.m.. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Legal Support Services Specialist, Janice Jones. No action taken.



34123A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL APPLICANTS FOR APPOINTMENT AS JUDGE OF THE HAYS COUNTY COURT AT LAW #3. POSSIBLE ACTION MAY FOLLOW.

Court convened into Executive session at 10:45 a.m. and reconvened into open court at 11:41a.m.. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize staff to arrange interviews with the top 3 or 4 common applicants for appointment to County Court at Law, as independently recommended by each member of Court, outside of executive session. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #41 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

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Burn Ban will remain lifted. No action taken.

Clerk's Note Agenda Item #43 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – was pulled

Clerk's Note Agenda Item #44 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – was pulled

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:58 a.m.

I, LIZ Q. GONZALEZ, 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 September 25, 2018.



Liz Q. Gonzalez

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 2ND DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Vilma Resendiz gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, resident of San Marcos, David Crowell, resident of Kyle, Rodrigo Amaya, resident of San Marcos, Constable Pct. 1, David Peterson made all made public comment. Constable Pct. 1, David Peterson spoke of National Night out.

34124A ADOPT A PROCLAMATION DECLARING OCTOBER 7-13, 2018 AS NATIONAL 4-H WEEK IN TEXAS

Hays County Extension Agent for AG & Natural Resources, Jason Mangold, spoke. Justin Nino, a member of the 4-H program spoke. Also present was Hays County Extension Agent, Kate Blankenship. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a proclamation declaring October 7-13, 2018 as National 4-H week in Texas. All present voting "Aye". MOTION PASSED**

34125A ADOPT A PROCLAMATION DECLARING OCTOBER 7-13, 2018 AS MENTAL ILLNESS AWARENESS WEEK

Ed Kuny, Chair of the board at the Shieb Center spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation declaring October 7-13, 2018 as Mental Illness Awareness Week. All present voting "Aye". MOTION PASSED**

34126A APPROVE PAYMENTS OF COUNTY INVOICES

An addition to the invoices, invoice # 2173 from Partners Remodeling Restoration and Waterproofing, authorizing \$64,001.41 and deferring payment of \$11,700.00 that is itemized on the invoice. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$ 1,392,072.43 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED**

34127A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$ 1,120.00 as submitted by the County Auditor. All present voting "Aye". **MOTION PASSED**

34128A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana and United Healthcare claims in the amount of \$ 257,756.93 as submitted by the County Auditor. All present voting "Aye". **MOTION PASSED**

34129A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 25, 2018



A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of September 25, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34130A APPROVE THE PAYMENT OF THE OCTOBER 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,850,000.00 EFFECTIVE OCTOBER 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the October 15, 2018 payroll disbursements in an amount not to exceed \$2,850,000.00 effective October 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

34131A AUTHORIZE COMMERCIAL OSSF PERMIT AT 4000 BELL SPRINGS ROAD, DRIPPING SPRINGS, TEXAS 78620

Oak Grove Partners is proposing an OSSF to accommodate The Barn event center, a proposed tennis center, and four guest cottages. This 15.80-acre property will be served by a public water supply. The system designer, Dan Balboa, R.S., has designed a non-standard treatment system, which includes pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 700 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 4000 Bell Springs Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

34132A AUTHORIZE THE EXECUTION OF A SCHEDULED MAINTENANCE PROGRAM WITH HOLT POWER SYSTEMS FOR EMERGENCY GENERATORS LOCATED AT THE JAIL

Rodrigo Amaya, resident of San Marcos, made public comment. The Sheriff's Office, Jail Division is requesting the approval of a three year scheduled maintenance program with Holt Power Systems for emergency generators. The contract is expected to begin 10/1/2018 and end in 2021 and includes annual and triennial service. Funding is available in the Jail Equipment Maintenance and Repair g/l. Attachments: Holt Power Systems Customer Support Agreement (Generator Serial #'s: T3400194 & 346424). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a scheduled maintenance program with Holt Power Systems for emergency generators located at the Jail. All present voting "Aye". MOTION PASSED

34133A AUTHORIZE THE EXECUTION OF AN AMENDMENT TO THE ADMINISTRATIVE SERVICES AGREEMENT WITH UNITED HEALTHCARE INSURANCE COMPANY

This amended Administrative Services Agreement, effective 10/1/18, with United Healthcare Insurance Company adjusts the Shared Savings rate from 35 to 29 . This is the percentage of claim payment payable by Hays County and the member participant to health care providers if there are no discounts available for the services received. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an amendment to the Administrative Services Agreement with United Healthcare Insurance Company. All present voting "Aye". MOTION PASSED

34134A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 980 SOUTH LOOP 4, BUDA, TX, 78641

Derrick Lormand, R.S., is proposing a modification of the existing low pressure dose system at 980 S Loop 4 in Buda. The owners are expanding the office/warehouse building on the property and will be adding a 1250 gallon septic tank to treat wastewater from the new addition. The drainfield will not be modified, as it was already oversized in anticipation of this expansion. The expansion is expected to accommodate about 30 new employees and 5 visitors per day. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Institutional OSSF Permit at 980 South Loop 4, Buda, TX, 78641. All present voting "Aye". MOTION PASSED

34135A AUTHORIZE A WAIVER TO THE PURCHASING POLICY FOR THE TAX ASSESSOR COLLECTOR TO UTILIZE AMG PRINTING & MAILING SERVICES RELATED TO ANNUAL TAX STATEMENTS



The Tax Assessor Collector would like to request a waiver to the Purchasing Policy which requires three written quotes for services exceeding \$1,500. The office has utilized AMG Printing in that past, therefore this vendor has the necessary templates on file and no additional set up fees are necessary. Additionally, they are familiar with our software vendor and converting our data to statements accurately and in a timely manner. Funds are budgeted during the annual budget process for this expenditure. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize a waiver to the purchasing policy for the Tax Assessor Collector to utilize AMG Printing & Mailing services related to annual Tax Statements. All present voting "Aye". MOTION PASSED**

34136A AUTHORIZE THE EXECUTION OF A RENEWAL LEASE AGREEMENT WITH RICOH CORPORATION FOR A COPIER/FAX/SCANNER FOR THE OFFICE OF GENERAL COUNSEL

The Office of General Counsel has requested adjustments to their current copier lease. The new plan will reduce copy overages and save approximately \$125 per month. Attachment: Ricoh Quote #25290804 DIR Contract #DIR-TSO-3041. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a renewal lease agreement with Ricoh Corporation for a copier fax scanner for the Office of General Counsel. All present voting "Aye". MOTION PASSED**

34137A AUTHORIZE THE EXECUTION OF SOCIAL SERVICE CONTRACTS AS APPROVED IN THE FY 2019 BUDGET

Annual contracts that outline approved funding, services provided, and reporting requirements will be executed as approved during the F 19 budget process. Attachment: F 19 Social Service Funding. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Social Service contracts as approved in the FY 2019 budget. All present voting "Aye". MOTION PASSED**

34138A AUTHORIZE THE EXECUTION OF A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES, INC. FOR SERVICES RELATED TO THE 2-DIMENSIONAL MODELING OF PURGATORY CREEK AND WILLOW SPRINGS CREEK

As provided in the Professional Services Agreement, Halff Associates, Inc. has requested an extension to complete the work related to the 2-Dimensional Modeling of the Purgatory Creek and Willow Springs Creek Overflow area. Amendment request attached. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Second Amendment to the Professional Services Agreement with Halff Associates, Inc. for services related to the 2-Dimensional Modeling of Purgatory Creek and Willow Springs Creek. All present voting "Aye". MOTION PASSED**

34139A AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES, INC. FOR SERVICES RELATED TO THE HAYS COUNTY DRAINAGE MANUAL, CRS, AND FLOODPLAIN REGULATIONS

As provided in the Professional Services Agreement, Halff Associates, Inc. has requested an extension to complete the Hays County Drainage Criteria Manual, FEMA's Community Rating System, and the Hays County Floodplain Regulations. Amendment request attached. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a First Amendment to the Professional Services Agreement with Halff Associates, Inc. for services related to the Hays County Drainage Manual, CRS, and Floodplain Regulations. All present voting "Aye". MOTION PASSED**

34140A AUTHORIZE THE EXECUTION OF CHANGE ORDER 001 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BLAIR WILDLIFE CONSULTING FOR SERVICES RELATED TO REQUIRED THIRD PARTY INSPECTIONS ON THE DAHLSTROM PRESERVE

As provided in the Professional Services Agreement, Blair Wildlife Consulting has requested an extension to complete the required third party inspections that are required during the construction of the parking areas and hiking trails located at the Dahlstrom Preserve. Amendment request attached. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order 001 to the Professional Services Agreement with Blair Wildlife Consulting for services related to required third party inspections on the Dahlstrom Preserve. All present voting "Aye". MOTION PASSED**



34141A RECEIVE THE HAYS COUNTY 2015 HOUSING GUIDELINES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR)

Eligible housing activities supported by these funds will be administered by Hays County under the guidelines and oversight of the GLO. Thus, Hays County adopts with minor changes the general housing guidelines put forth by GLO published August 3, 2018 for the 2015-2016 Community Development Block Grant Disaster Recovery (CDBGDR) Flood Recovery. The purpose of these Guidelines is to aid in the long-term recovery efforts following the 2015 storms and floods; specifically, to facilitate the replenishment of housing stock lost during the storms and subsequent flooding and to assist in moving eligible homeowners out of harm's way through fair market value buyouts or acquisitions. Upon approval the Hays County 2015 Housing Guidelines will be posted for a 14 day public comment period. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to receive the Hays County 2015 Housing Guidelines for the Community Development Block Grant Disaster Recovery (CDBG-DR). All present voting "Aye". MOTION PASSED**

34142A AUTHORIZE THE DIRECTOR OF COUNTYWIDE OPERATIONS TO EXECUTE ALL NECESSARY DOCUMENTS PERTAINING TO THE ENTERPRISE VEHICLE LEASE PROGRAM

Authorization rights will need to be given to the Director of Countywide Operations to finalize any necessary F 18 vehicle lease documents as well as execute any documents necessary for the F 19 lease program. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Director of Countywide Operations to execute all necessary documents pertaining to the Enterprise Vehicle Lease Program. All present voting "Aye". MOTION PASSED**

34143A RECEIVE AND ACCEPT THE UPDATED MERIT-BASED STEP PLAN ASSOCIATED WITH THE COLLECTIVE BARGAINING AGREEMENT BETWEEN HAYS COUNTY AND THE HAYS COUNTY LAW ENFORCEMENT ASSOCIATION (HCLEA), AS BARGAINING AGENT

The current Collective Bargaining Agreement, which has a 4-year term, barring Evergreen, ending in 2020, provides for an update to the Merit-Based Step Plan in 2018, to be implemented in the 2019 budget. That update has been done. It is reflected in the MBS Plan attached hereto. The Commissioners Court has already substantially accepted the terms of that update by budgeting the funds needed to fulfill the plan. Acceptance of the plan creates an official clerk record of the change and confirms the Court's agreement with the analysis done to provide the update. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to receive and accept the updated Merit-Based Step Plan associated with the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association (HCLEA), as bargaining agent. All present voting "Aye". MOTION PASSED**

34144A ACCEPT THE RESIGNATION OF THE FIRE MARSHAL, CLINT BROWNING, EFFECTIVE OCTOBER 5, 2018; AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PERFORM THE DUTIES OF THE FIRE MARSHAL UNTIL A REPLACEMENT IS APPOINTED

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the resignation of the Fire Marshal, Clint Browning, effective October 5, 2018; authorize the Office of Emergency Services to perform the duties of the Fire Marshal until a replacement is appointed. All present voting "Aye". **MOTION PASSED**

34145A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE LETTER OF CREDIT #SBP702571 IN THE AMOUNT OF \$758,411.55, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #70164632 IN THE AMOUNT OF \$30,280.64 FOR BELTERRA SUBDIVISION, SECTION 20-1

Transportation Director, Jerry Borcharding spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the Letter of Credit #SBP702571 in the amount of \$758,411.55, and acceptance of the 2-year maintenance bond #70164632 in the amount of \$30,280.64 for Belterra subdivision, Section 20-1. All present voting "Aye". MOTION PASSED**



34146A RELEASE OF THE CONSTRUCTION BOND#PB03010404350 IN THE AMOUNT OF \$2,360,556.00 FOR THE SUNFIELD SUBDIVISION, PHASE 2, SECTION 11

Transportation Director, Jerry Borcharding spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. Both a maintenance bond for streets & drainage, and a revegetation bond for ROW have been accepted for this project on August 21, 2018. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to release of the construction bond#PB03010404350 in the amount of \$2,360,556.00 for the Sunfield subdivision, Phase 2, Section 11. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #24 RE: SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS). DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 725.3.07 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, ACCEPT FISCAL SURETY, AND APPROVE FINAL PLAT – was pulled

34147A AUTHORIZE EXECUTION OF AN AGREEMENT REGARDING COST ALLOCATION AND REIMBURSEMENT FOR THE DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONES NUMBERS 1 AND 2, BETWEEN HAYS COUNTY, THE CITY OF DRIPPING SPRINGS, THE DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT, AND THE DRIPPING SPRINGS LIBRARY DISTRICT

Commissioner Whisenant spoke. General Counsel, Mark Kennedy spoke. The entities involved in the improvements that are contemplated within the Dripping Springs TIRZ boundaries (1 and 2) have proposed the attached agreement to further define the possible cost allocations associated with the improvements. This agreement does not represent the commitment of any additional monies, other than those appropriated by Commissioners Court in past budgets or in present or future budgets by way of the existing TIRZ Interlocal Agreement between Hays County and Dripping Springs. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize execution of an Agreement regarding Cost Allocation and Reimbursement for the Dripping Springs Tax Increment Reinvestment Zones Numbers 1 and 2, between Hays County, the City of Dripping Springs, the Dripping Springs Independent School District, and the Dripping Springs Library District. All present voting "Aye". MOTION PASSED**

34148A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:59 a.m. and reconvened into open court at 11:05 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Human Resources Director, Shari Miller, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize settlement between Hays County and Curby Olanheiser, Diane Deringer, and Carolyn Scurlock for Right of Way associated with the FM 110 project in the amount of \$1,866,000.00. All present voting "Aye". MOTION PASSED**

34149A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL EXEMPT LAW ENFORCEMENT POSITIONS AND ALL EXEMPT CIVILIAN POSITIONS WITHIN THE SHERIFF'S OFFICE. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 10:24 a.m. and reconvened into open court at 10:58 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Captain Mike Davenport, Human Resources Director, Shari Miller, County Treasurer, Michelle Tuttle, Sheriff Admin. Sandra Galvan, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to provide interpretation to the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association. Effective October 1, 2018, interpret Article 11, Section 2 to include Lieutenants who are required to work holidays as part of regularly-scheduled shift. All present voting "Aye". MOTION PASSED**



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 SHAMROCK. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 9:59 a.m. and reconvened into open court at 10:22 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chris Duran and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, DIRECTOR OF COUNTYWIDE OPERATIONS AND INTERIM DEVELOPMENT SERVICES DIRECTOR

Court convened into Executive session at 11:07 a.m. and reconvened into open court at 11:48 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE USE OF THE HAYS COUNTY PROPERTY LOCATED AT 111 E. SAN ANTONIO ST, SAN MARCOS, TEXAS. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 11:48 a.m. and reconvened into open court at 12:05 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 12:05 p.m. and reconvened into open court at 12:27 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. No action taken.

Clerk's Note Agenda Item #32 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*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain lifted.

Clerk's Note Agenda Item #34 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW – was pulled*

Clerk's Note Agenda Item #35 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW – was pulled*



ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 12:32 p.m.

I, LIZ Q. GONZALEZ, 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 October 2, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 16TH DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Josh Murrillo gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, resident of San Marcos, Dan Lyon, resident of San Marcos, Rodrigo Amaya, resident of San Marcos, Sharri Boyett resident of San Marcos, all made public comments.

34150A ADOPT A PROCLAMATION DECLARING OCTOBER 15, 2018 AS WHITE CANE SAFETY DAY

Members of the San Marcos Lions Club were present. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation declaring October 15, 2018 as White Cane Safety Day. All present voting "Aye". MOTION PASSED

34151A ADOPT A PROCLAMATION DECLARING OCTOBER 2018 AS MANUFACTURING MONTH

Members of Hays Consolidated School District and San Marcos Consolidated School District were present. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation declaring October 2018 as Manufacturing Month. All present voting "Aye". MOTION PASSED

34152A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$ 2,755,836.24 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34153A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$ 2,884.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #5 RE: APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS – was pulled

34154A APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 2, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of October 2, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34155A AUTHORIZE COMMERCIAL OSSF PERMIT AT 2984 E HWY 290, DRIPPING SPRINGS, TEXAS 78620

3000 HW 290 Parcels B & C, LLC is proposing an OSSF to accommodate two office buildings and a customer



restroom for customer storage units. This 22.68-acre property will be served by a public water supply. The system designer, Derrick Lormand, R.S., has designed a standard treatment system, which includes a 1500 gallon septic tank. After treatment, the effluent will be dispersed via low pressure dose for a maximum daily rate of 250 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 2984 E HWY 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34156A AUTHORIZE THE TRANSFER STATION TO ADD A TELEPHONE STIPEND FOR THE RECYCLING AND SOLID WASTE COORDINATOR, SLOT 0170-001 EFFECTIVE OCTOBER 1, 2018 AND AMEND THE BUDGET ACCORDINGLY

The position of Recycling and Solid Waste Coordinator for the Transfer Stations is responsible for managing the Transfer Station staff and overseeing the day to day operations of the sites. It is required that this position be available to staff, vendors, and supervisors to remain productive and perform duties effectively. Partial funds are available in the line item, remaining funds needed will be moved from operating budget savings. Budget Amendment:(\$270) - Decrease Telephone Expense \$270 - Increase Telephone Allowance. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Transfer Station to add a telephone stipend for the Recycling and Solid Waste Coordinator, slot 0170-001 effective October 1, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34157A AUTHORIZE COMMERCIAL OSSF PERMIT AT 601 SANDY POINT RD., WIMBERLEY, TX 78676

David and Elizabeth Livingston are proposing an OSSF for a wedding venue. The property itself is 11.133 acres. The venue does not meet the requirements necessary for a public water supply at this time, but they understand that it may be required in the future. The system designer, Dave McGhee, D.R., S.E., R.S., has designed a treatment system which will utilize an aerobic treatment system. The system will consist of a 2000 gallon pretreatment/trash tank which will flow into (2) 3000 gallon meter dosing tanks. The maximum peak usage limitation is 560 gallons per event (1120 per week). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize commercial OSSF Permit at 601 Sandy Point Rd., Wimberley, TX 78676. All present voting "Aye". MOTION PASSED**

34158A AUTHORIZE THE EXECUTION OF A RENEWAL WARRANTY, SUPPORT AND LICENSE AGREEMENT WITH HART INTERCIVIC FOR THE ELECTIONS ADMINISTRATION OFFICE RELATED TO ELECTION SOFTWARE SUPPORT AND MAINTENANCE

Rodrigo Amaya, resident of San Marcos, made public comment. Dan Lyon, resident of San Marcos, made public comment. The renewal agreement will extend the term to September 2021 for software support and maintenance for election equipment previously purchased from Hart Intercivic. A discretionary exemption per Local Government Code, Ch. 262.024(a)(7) is requested due to sole source services that can only be provided by the vendor. A statement from the IT Director will be submitted to the County Clerk to enter into the record of minutes to this effect. Funds were budgeted during the budget process for this maintenance agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a renewal Warranty, Support and License Agreement with Hart Intercivic for the Elections Administration Office related to election software support and maintenance. All present voting "Aye". MOTION PASSED**

34159A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM IN THE AMOUNT OF \$13,275 FOR RIFLE RESISTANT VESTS FOR LAW ENFORCEMENT OFFICERS AND AMEND THE BUDGET ACCORDINGLY

On August 21, 2018, the Commissioners' Court authorized submission of a grant with the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program F 2018 Local Solicitation. Hays County will receive a funding allocation that will be used to purchase 15 rifle-resistant vests in the amount of \$13,275 for Law Enforcement Officers. No county matching funds are required. Budget Amendment: Increase Intergovernmental Revenue .4301 Increase Law Enforcement Equipment .5717_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the acceptance of a grant award from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program in the amount of \$13,275 for rifle resistant vests for Law Enforcement Officers and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34160A AUTHORIZE THE RENEWAL OF THE ANNUAL MAINTENANCE CONTRACT WITH AAMS WASTE WATER FOR THE OSSF SERVICES AT THE



PRECINCT 3 BUILDING AND AUTHORIZE THE DIRECTOR OF COUNTYWIDE OPERATIONS TO RENEW FUTURE OSSF MAINTENANCE CONTRACTS FOR HAYS COUNTY PROPERTY WITHOUT ADDITIONAL COURT ACTION

The County currently contracts with AAMS Waste Water for the OSSF services provided to the Precinct 3 building located at 200 Stillwater. The contract renewal will begin 11/15/2018 and run through 11/15/2019. Funds were budgeted during the F 19 budget process for this service. Authorize the Director of Countywide Operations to renew future AAMS Waste Water annual contracts for Pct. 3 and Pct. 4 without the need of additional Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the renewal of the annual maintenance contract with AAMS Waste Water for the OSSF services at the Precinct 3 building and authorize the Director of Countywide Operations to renew future OSSF maintenance contracts for Hays County property without additional Court action. All present voting "Aye". MOTION PASSED**

34161A RATIFY THE EXECUTION OF AN AGREEMENT BY THE SHERIFF'S OFFICE WITH STAR ASSET SECURITY, LLC TO SERVICE, MAINTAIN AND MONITOR THE FIRE SYSTEM

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify the execution of an agreement by the Sheriff's Office with Star Asset Security, LLC to service, maintain and monitor the fire system. All present voting "Aye". **MOTION PASSED**

34162A AUTHORIZE PAYMENT TO BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT (BSEACD) FOR A GROUNDWATER WELL PERMIT FOR COUNTY OWNED PROPERTY LOCATED NEAR THE INTERSECTION OF FM 3237 AND CAMINO DE RANCHO, PRECINCT 3, AND AMEND THE BUDGET ACCORDINGLY

This permit will allow for the drilling of a well on the recently purchased property for an Emergency Water Supply for the County. Budget Amendment: Decrease Contract Services .5448 Increase Permit Fees .5324. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Barton Springs Edwards Aquifer Conservation District (BSEACD) for a groundwater well permit for County owned property located near the intersection of FM 3237 and Camino de Rancho, Precinct 3, and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34163A AUTHORIZE HAYS COUNTY TO BECOME A MEMBER OF PROTECT OUR BLANCO AND APPROVE PAYMENT OF MEMBERSHIP FEE

Membership allows participation in a contested case to legally challenge the proposed discharge into the Blanco River. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize Hays County to become a member of Protect Our Blanco and approve payment of membership fee. All present voting "Aye". MOTION PASSED**

34164A APPROVE UTILITY PERMITS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Utility Permit # 1110 at Knox Drive issued to water line (Goforth SUD) and Utility Permit # 1111 at C.R. 211 issued to Main Water Line (Goforth SUD) as submitted by the Transportation Director. All present voting "Aye". **MOTION PASSED**

34165A AUTHORIZE COMMERCIAL OSSF PERMIT AT 23490 RR 12, DRIFTWOOD, TX 78619

The owner Nicholas Dotin is proposing an OSSF to accommodate a dance hall and bar with plans to operate 6 days a week. This 10.97-acre property will be served by a TCEQ approved potable water system and tank (pending approval). The system designer, Kyle DeHart, R.S., has designed an advanced treatment system, which includes a 1500 gallon septic tank followed by a 3000 gallon equalization tank and Nuwater B-800 aerobic treatment unit. After treatment, the effluent will be pumped to a leaching chamber absorption field for a maximum daily rate of 500 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 23490 RR 12, Driftwood, TX 78619. All present voting "Aye". MOTION PASSED**

34166A AUTHORIZE THE JUVENILE DETENTION CENTER TO ACCEPT A GRANT AWARD FROM TEXAS STATE UNIVERSITY RELATED TO THE HISET GED PROGRAM AND AMEND THE BUDGET ACCORDINGLY



The Juvenile Detention Center has received a two-year grant award for collaborative programs involving STEM (Science, Technology, Engineering and Math). The mission of the program is to develop a sustainable model for increasing the number of historically underrepresented and underserved minorities, with special emphasis on highrisk youth, who will attain undergraduate STEM degrees. The grant will provide funding (two \$1,000 annual installments) for GED study guides and supplies. No county funds are required. Attachment: Tx State STEM grant award notification Budget Amendment: Increase Intergovernmental Revenue .4301 - (\$1,000) Increase Software Maint & Licenses .5429 - \$675 Increase General Supplies .5201 - \$325. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Juvenile Detention Center to accept a grant award from Texas State University related to the HiSET GED Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34167A AUTHORIZE THE ACCEPTANCE OF AN AWARD FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE ASSISTANCE, BULLETPROOF VEST PARTNERSHIP (BVP) IN THE AMOUNT OF \$29,200.89

The grant funds are for assistance in the purchase of bulletproof vests for County law enforcement officers. The grant program provides a reimbursement for 50% of the cost of each vest and the County must pay the remainder of the cost. Funds may be used for both new officers and the replacement of existing bulletproof vests. Vests are replaced based on a five-year usable protective wear cycle. County matching funds were budgeted during the FY 2019 budget process. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the acceptance of an award from the Department of Justice, Office of Justice Assistance, Bulletproof Vest Partnership (BVP) in the amount of \$29,200.89. All present voting "Aye". MOTION PASSED**

34168A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE DISTRICT ATTORNEY'S OFFICE RELATED TO THE VICTIM'S ASSISTANCE PROGRAM AND AMEND THE BUDGET ACCORDINGLY

On February 13, 2018 the Commissioners Court approved the submission of a grant application and accompanying Resolution to the Office of the Governor, Criminal Justice Division, to provide support to the salary, benefits, and supplies for a Victims Assistance Coordinator position for the District Attorney's Office. A Victim Assistance Coordinator will provide direct victim services to victims of crime, and their families within Hays County. The grant period is 10/1/18 to 9/30/19, matching funds were budgeted during the FY 2019 budget process. Attachment: CJD Notice of award - Grant Number 3607601 (grant award acceptance completed electronically) Budget Amendment: Move Salary/Fringe & Intergovernmental Revenue from DA Operating budget to Grant Cost Center. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division for the District Attorney's Office related to the Victim's Assistance Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34169A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS INDIGENT COMMISSION (TIDC) FOR THE FY 2019 HAYS COUNTY FORMULA GRANT PROGRAM

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a Resolution and the submission of a grant application to the Texas Indigent Commission (TIDC) for the FY 2019 Hays County Formula Grant Program. All present voting "Aye". MOTION PASSED

34170A APPROVE THE TRANSFER OF 2004 CHEVY SILVERADO FROM HAYS COUNTY TRANSPORTATION DEPARTMENT TO HAYS COUNTY LOCAL HEALTH DEPARTMENT

The following asset is being requested for transfer from the Transportation inventory to be utilized by the Emergency Preparedness Coordinator: 2004 Chevy Silverado, VIN: 1GCHC24U14E316356, Hays County Tag 13383, Asset ID 8997. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the transfer of 2004 Chevy Silverado from Hays County Transportation Department to Hays County Local Health Department. All present voting "Aye". MOTION PASSED**



34171A RATIFY THE EXECUTION OF AN AGREEMENT BY THE JUVENILE DETENTION CENTER WITH STAR ASSET SECURITY, LLC TO SERVICE, MAINTAIN, AND MONITOR THE FIRE SYSTEM

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the execution of an agreement by the Juvenile Detention Center with Star Asset Security, LLC to service, maintain, and monitor the fire system. All present voting "Aye". MOTION PASSED

34172A RATIFY THE EXECUTION OF AN AGREEMENT BY THE JUVENILE DETENTION CENTER WITH STERICYCLE FOR MEDICAL WASTE SERVICES AND OSHA COMPLIANCE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the execution of an agreement by the Juvenile Detention Center with Stericycle for medical waste services and OSHA compliance. All present voting "Aye". MOTION PASSED

34173A AUTHORIZE COMMERCIAL OSSF PERMIT AT 177 COACHMAN DR., SAN MARCOS, TX 78666

Ken Jenkins with Kutscher Holdings, LP is proposing an OSSF for a pet resort. The property itself is comprised of lot 1-C and 1-D totaling 2.44 acres in the San Marcos ETJ. The business will be serviced by a public water supply. The system designer, Stephen Jetton, R.S., has designed a system which will utilize drip irrigation. The projected daily waste flow is 732 gallons per day. A 639 gallon pretreatment/trash tank will precede the 1000 gallon per day aerobic treatment tank. Effluent from the aeration tank will then move to a 2000 gallon pump tank. The pump tank serves as a storage tank prior to the effluent being discharged to the drip field. In order to prevent surges, a 1000 gallon two-compartment trash tank along with a 2000 gallon equalization tank will also be utilized. A water meter will also be installed on the line from the pump tank to the drip field to monitor water usage. Authorization of this system is contingent upon approval from the City of San Marcos development regulations. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize commercial OSSF permit at 177 Coachman Dr., San Marcos, TX 78666. All present voting "Aye". MOTION PASSED

34174A APPROVE A VARIANCE FROM CHAPTER 725.3.07 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, ACCEPT FISCAL SURETY BOND NO. 20BSBSY3529 IN THE AMOUNT OF \$1,119,697.49, AND APPROVE SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS) FINAL PLAT

Interim Director of Development Services, Caitlyn Strickland spoke. Heaton Hollow Subdivision is a proposed 18 lot subdivision located along FM 2325 in PCT 3. Lots range in size from 24 acres to 181 acres. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. The developer is requesting a variance from Chapter 725.3.07 of the Hays County Development Regulations. This section of the regulations state that a drainage area of 64 acres or greater require the identification of a local floodplain. They are requesting that they do not have to identify the local floodplain. Justification for the variance is included in the backup. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance from Chapter 725.3.07 of the Hays County Development Regulations, accept fiscal surety bond no. 20BSBSY3529 in the amount of \$1,119,697.49, and approve SUB-1054; Heaton Hollow Subdivision (18 Lots) final plat. All present voting "Aye". MOTION PASSED

34175A APPROVE A VARIANCE FROM CHAPTER 721.5.05.B OF THE HAYS COUNTY DEVELOPMENT REGULATIONS AND APPROVE SUB-1064; REPLAT OF LOT 4-5, ROLLING OAKS SECTION 3 SUBDIVISION. A FINAL PLAT; HOLD PUBLIC HEARING

Interim Director of Development Services, Caitlyn Strickland spoke. Rolling Oaks Section 3 is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 12.0382 acre lots 4-5 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A variance is being requested from Chapter 721.5.05.B of the Hays County Development Regulations to allow for a flag lot. Justification for the variance is included in the backup. A motion was made by Commissioner Shell, seconded by Commissioner Jones to grant a variance from Chapter 721.5.05.B of the Hays County Development Regulations and approve final plat; hold public hearing. All present voting "Aye". MOTION PASSED

34176A APPROVE PRELIMINARY PLAN OF SUB-1104; RAINBOW RANCH TRACT 1 SUBDIVISION (2 LOTS)



Interim Director of Development Services, Caitlyn Strickland spoke. Rainbow Ranch is a subdivision located along Lone Man Mountain Road in PCT 3. The proposed division of the unrecorded tract 1 will make two lots (one 2.50 acre lot and one 9.29 acre lot) Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-1104; Rainbow Ranch Tract 1 Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

34177A AUTHORIZE THE EXECUTION OF AN ASSESSMENT AND COLLECTION AGREEMENT BETWEEN HAYS COUNTY TAX ASSESSOR COLLECTOR AND THE TRACE PUBLIC IMPROVEMENT DISTRICT, RELATED TO THE COLLECTION OF ASSESSMENTS WITHIN THE DISTRICT

General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of an Assessment and Collection Agreement between Hays County Tax Assessor Collector and the Trace Public Improvement District, related to the collection of assessments within the District. All present voting "Aye". MOTION PASSED**

34178A APPROVE THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE DEPARTMENT OF INFORMATION RESOURCES AND HAYS COUNTY RELATING TO THE USE OF THE DIR SHARED SERVICES MASTER SERVICE AGREEMENTS

Election Administrator, Jennifer Anderson spoke. Anthony Bomba with At&T and Kevin Coffey with Cyber Defenses spoke. There is no charge for the assessment to take place. The process will be six to eight weeks. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the execution of an Interlocal Agreement between The Department of Information Resources and Hays County relating to the use of the DIR Shared Services Master Service Agreements. All present voting "Aye". MOTION PASSED**

34179A CONTRIBUTE ADDITIONAL FUNDING TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) RELATED TO THE FY 2019 AIR QUALITY PROGRAM

Dan Lyon, resident of San Marcos, made public comment. Commissioner Whisenant spoke. As a member of the Clean Air Coalition (CAC), Hays County contributed base funding (\$11,681) for the 2017/2018 membership period. Due to the unavailability of state funding, CAPCOG is requesting additional funding of \$6,105 in addition to the base funding amount for fiscal year 2019. This funding will enable CAPCOG to complete work on a new air quality program, prepare a 2018 air quality report tracking the region's air quality progress, continue providing staff support to the CAC, maintain the www.AirCentralTexas.org website and social media accounts and conduct regional ozone monitoring at 6-8 sites. Funds were budgeted during the FY 19 budget process for these membership dues. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to contribute additional funding to the Capital Area Council of Governments (CAPCOG) related to the FY 2019 Air Quality Program. All present voting "Aye". MOTION PASSED**

34180A APPROVE THE EXECUTION OF A DETENTION/WATER QUALITY EASEMENT AGREEMENT BETWEEN THE CITY OF SAN MARCOS AND HAYS COUNTY, REGARDING THE ESTABLISHMENT OF A WATER QUALITY EASEMENT ON HAYS COUNTY'S PROPERTY AT 1307 UHLAND ROAD, SAN MARCOS, TEXAS

Rodrigo Amaya, resident of San Marcos, made public comment. General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the execution of a Detention Water Quality Easement Agreement between the City of San Marcos and Hays County, regarding the establishment of a Water Quality Easement on Hays County's property at 1307 Uhlund Road, San Marcos, Texas. All present voting "Aye". MOTION PASSED**

34181A ESTABLISH HEALTH AND DENTAL INSURANCE EMPLOYEE PREMIUM RATES FOR PLAN YEAR 2019

Human Resources Director, Shari Miller spoke. The Insurance Committee has reviewed the 2019 United Health Care renewal rates and are recommending health and dental insurance premium rates as will be provided in Court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish health and dental insurance employee premium rates for Plan Year 2019. All present voting "Aye". MOTION PASSED**



34182A EXECUTE A SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF WOODCREEK TO ESTABLISH AN ADDITIONAL PART-TIME DEPUTY PROVIDED BY THE CONSTABLE PRECINCT 3 OFFICE AND AMEND THE BUDGET ACCORDINGLY

Constable Pct. 3, Rey Helm spoke. Commissioner Shell spoke. General Counsel, Mark Kennedy spoke. This Agreement currently provides funding from the City for one part-time deputy from the Constable's Office for Precinct 3 assigned to the City of Woodcreek. The second amendment to the Agreement would provide funding from the City for an additional part-time deputy to be assigned to the City of Woodcreek. This second deputy would begin on November 1, 2018, therefore rates are prorated for fiscal year 2019. The funding is in accordance with the merit-based step plan associated with the Hays County Collective Bargaining Agreement. No County Funds are required. Attachment: City of Woodcreek 2nd Amendment to ILA Budget Amendment: (28,712) - Increase Intergovernmental Revenue .4301 21,641 - Increase Salaries .5021 330 - Increase Uniform Allowance .5192 1,342 - Increase FICA 314 - Increase Medicare 2,794 - Increase Retirement 2,292 - Increase Vehicle Maintenance. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to execute a second amendment to the Interlocal Cooperation Agreement between Hays County and the City of Woodcreek to establish an additional part-time deputy provided by the Constable Precinct 3 Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34183A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 12:06 p.m. and reconvened into open court at 12:11 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, and Assistant General Counsel, Joran Powell. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the purchase of Parcel 22N for \$ 1,228,000.00 from Curby Ohnherser, Deringer, and Carolyn Scurlock, related to the FM 110 project. All present voting "Aye". MOTION PASSED**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize purchase of Parcel 21N for \$556,000.00 from Curby Ohnheiser, related to the FM 110 project. All present voting "Aye". MOTION PASSED

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 SHAMROCK. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 10:45 a.m. and reconvened into open court at 11:08 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Adriana Cruz, Scott Sellers, Chris Durant and Cara Ryan. No action taken.

34184A EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 11:10 a.m. and reconvened into open court at 12:06 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Transportation Director, Jerry Borchering. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to clarify the source of funding for the services provided by Erin Banks and Associates related to the well permit on approximately 1 acre of land owned by Hays County in Precinct 3. Authorize Payment as follows: 50 from tobacco settlement funds and 50 from the Transportation Department, Pct. 3 Road Budget. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #38 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

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Burn Ban will remain lifted.

Clerk's Note Agenda Item #40 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

Clerk's Note Agenda Item #41 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones seconded by Commissioner Whisenant to adjourn court at 12:14 p.m.

I, LIZ Q. GONZALEZ, 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 October 16, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23RD DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Daphne Tenorio, Kyle resident, Dan Lyon, San Marcos resident, and Rodrigo Amaya, San Marcos resident spoke.

PRESENTATION BY THE HAYS COUNTY MENTAL HEALTH STAKEHOLDERS GROUP

Tara Arredondo, Hays County Mental Health Stakeholders gave a powerpoint presentation.

34185A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$2,910,718.84 and \$3,431.20 for Dyed Diesel Fuel Tax as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34186A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$400.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34187A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of United Healthcare claims in the amount of \$394.26 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34188A APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 16, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of October 16, 2018. All present voting "Aye". MOTION PASSED

34189A APPROVE THE PAYMENT OF THE OCTOBER 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,720,000.00 EFFECTIVE OCTOBER 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the October 31, 2018 payroll disbursements in an amount not to exceed \$3,720,000.00 effective October 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED



34190A AUTHORIZE COMMERCIAL OSSF PERMIT AT 1910 PROCHNOW ROAD, DRIPPING SPRINGS, TEXAS 78620

Phil Barnes of Querencia Stables is proposing a new OSSF for the property located at 1910 Prochnow Road. This system will serve two apartments and the restrooms for the customers visiting the stables. The system is designed to accommodate up to 6 guests and 4 employees daily. This 12.38-acre tract of land will be served by a private well. The system designer, Stephen Jetton, R.S., has designed a proprietary treatment system using flow equalization. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 1910 Prochnow Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34191A AUTHORIZE COMMERCIAL OSSF PERMIT AT 31430 RANCH ROAD 12, DRIPPING SPRINGS, TEXAS 78620

Moxie Gymnastics is proposing an OSSF to serve a new gymnasium. The system is designed to accommodate up to 100 employees and customers. This 19.9-acre property is Lot 1 of the newly created Ghost Hill Ranch Subdivision. The lot will be served by a public water supply. The system designer, Steve Wenzel, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure pipe for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 31430 Ranch Road 12, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34192A AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE DISTRICT ATTORNEY'S OFFICE

The District Attorney's legal staff currently utilizes Westlaw for legal research and requests the Courts to consider the modification to the terms to the current contract. The attached amendment will add one additional attorney (established F 19 budget) to the current plan. Thomson Reuters offers an unparalleled suite of legal resources and tools for legal counsel and government professionals. The software allows access to the most comprehensive collection of legal information and is the only search engine designed specifically for the law. Funds are available within the DA's Office operating budget to fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a contract modification with Thomson Reuters Westlaw related to legal research for the District Attorney's Office. All present voting "Aye". MOTION PASSED**

AUTHORIZE COMMERCIAL OSSF PERMIT AT 315 MYSTIC CREEK ROAD, DRIPPING SPRINGS, TEXAS 78620 – TABLED

Darin Duvall is proposing an OSSF to serve an event center/wedding venue. The system is designed to accommodate up to 100 guests and employees for only 2 days per week. This 18.384-acre tract is Lot 23 in the Mystic Creek Subdivision. The property will be served by the Henley House public water supply. The system designer, Jim Conner, R.S., has designed an aerobic treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via surface application for a maximum daily rate of 115 gallons. Jimmy Skipton, Caitlyn Strickland, Interim Director of Development Services, Mark Kennedy, General Counsel and Commissioner Whisenant spoke. Item tabled until next week.

34193A AUTHORIZE COMMERCIAL OSSF PERMIT AT 860 HIGH RD, KYLE, TX 78640

G2K Development Partners, LLC is proposing an OSSF to serve a Family Dollar retail store. The store will have no more than four employees and no public restrooms. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Corrie Smith, R.S., has designed a system, which consists of a 500 gallon pretreatment tank, 1000 flow equalization tank, a NuWater aerobic treatment unit and a drip emitter system. The maximum daily usage rate on average is 180 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 860 High Rd, Kyle, TX 78640. All present voting "Aye". MOTION PASSED**

34194A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 4 TO THE LANDSCAPE ARCHITECTURAL DESIGN SERVICES AGREEMENT BETWEEN HAYS COUNTY AND RVI FOR WORK RELATED TO THE DAHLSTROM PRESERVE PROJECT

Additional time and funding will be needed in order to complete the work outlined in the original PSA between Hays County and RVI. It is being requested to extend the contract and provide additional funding in order to



complete the project scope as outlined. Additionally, this action will ratify expenditures previously incurred for cost overruns associated with CO No. 3. Funds are available in the Park Bond Fund for this change order. Original contract was awarded on September 14, 2014 through RFQ 2014-P01. All change orders to date are 48.88 of the original contract award, and allowable per Local Government Code, 262.024(4). Funding for this project has been provided by the Texas Parks & Wildlife Department and County Park Bond Funds. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 4 to the Landscape Architectural Design Services Agreement between Hays County and R i for work related to the Dahlstrom Preserve Project. All present voting "Aye". MOTION PASSED**

34195A RATIFY THE COUNTY FERAL HOG ABATEMENT GRANT SUBMISSION TO THE TEXAS A&M AGRILIFE EXTENSION SERVICES, WILDLIFE SERVICES PROGRAM

The County Feral Hog Abatement Grant is designed to encourage counties across the State of Texas to make a concentrated and coordinated effort to reduce the feral hog population and the damage caused by these animals throughout the year. Hays County will participate in a co-managed, regional feral hog abatement effort with cooperating counties including, Caldwell and Guadalupe. The total project cost \$13,100.00. The Bounty Program will not be included for this grant application submission. Dan Lyon, Commissioner Ingalsbe, Commissioner Jones and Grants Writer, Lindsay McClune spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the County Feral Hog Abatement Grant submission to the Texas A&M AgriLife Extension Services, Wildlife Services Program. All present voting "Aye". MOTION PASSED**

34196A AUTHORIZE THE EXECUTION OF A REQUEST FOR ADDITIONAL CONSTRUCTION MATERIALS OBSERVATION AND TESTING SERVICES NO. 1 DATED OCTOBER 15, 2018 FROM TERRACON FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Terracon Request for Additional Construction Materials Observation and Testing Services No. 1 for non-destructive testing of complete joint penetration welded connections as required. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Request for Additional Construction Materials Observation and Testing Services No. 1 dated October 15, 2018 from Terracon for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

34197A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY 18 FUNDING UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

The County has been receiving the State Criminal Alien Assistance Program (SCAAP) for a number of years to recover jail operations expenses associated with incarceration of undocumented criminal aliens. F 2018 award will be determined based on the inmate data submitted with the application. The application is submitted electronically and is due on or before October 29th, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for the FY 18 funding under the State Criminal Alien Assistance Program (SCAAP). All present voting "Aye". MOTION PASSED**

34198A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 TO WORK AUTHORIZATION NO. 1 RELATED TO AN AGREEMENT BETWEEN HAYS COUNTY AND PRIME STRATEGIES, INC. FOR ENGINEERING MANAGEMENT SERVICES ON FOR THE 2016 ROAD BOND STATE HIGHWAY SYSTEM PROGRAM

The Supplemental Work Authorization will be effective Oct.1, 2018 in order to catch some work that PSI already performed and will extend the period of work by Prime Strategies to December 31, 2018. WA#1 divides the responsibility for projects between PSI and Hays County agents, with Bond-funded projects being managed by PSI. Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Supplemental No. 1 to Work Authorization No. 1 related to an agreement between Hays County and Prime Strategies, Inc. for engineering management services on for the 2016 Road Bond State Highway System Program. All present voting "Aye". MOTION PASSED**

34199A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 2 TO WORK AUTHORIZATION NO. 2 RELATED TO AN AGREEMENT BETWEEN HAYS COUNTY AND PRIME STRATEGIES, INC. FOR ENGINEERING



MANAGEMENT SERVICES FOR THE HAYS COUNTY 2016 ROAD BOND PROGRAM, ROAD & BRIDGE DEPARTMENT-FUNDED PROJECTS

The Supplemental Work Authorization will extend the period of work by Prime Strategies to December 31, 2018. WA#2 divides the responsibility for projects between PSI and Hays County agents, with Bond-funded projects being managed by PSI. Dan Lyon and Commissioner Shell spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Supplemental No. 2 to Work Authorization No. 2 related to an agreement between Hays County and Prime Strategies, Inc. for engineering management services for the Hays County 2016 Road Bond Program, Road & Bridge Department-Funded Projects. All present voting "Aye". MOTION PASSED**

34200A AUTHORIZE THE RELEASE OF THE IRREVOCABLE STANDBY LETTER OF CREDIT #1887 IN THE AMOUNT OF \$150,000.00, ASSOCIATED WITH THE INSTALLATION OF LOW-WATER CROSSING WARNING SYSTEMS WITHIN HAYS COUNTY BY WATER AND EARTH TECHNOLOGIES, INC

Water and Earth Technologies has completed installation of the low-water crossing warning systems and has requested release of the LoC associated with the project. The LoC will be released back to Guaranty Bank & Trust Company as requested. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the release of the Irrevocable Standby Letter of Credit #1887 in the amount of \$150,000.00, associated with the installation of low-water crossing warning systems within Hays County by Water and Earth Technologies, Inc. All present voting "Aye". MOTION PASSED**

34201A AUTHORIZE THE COURT TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH FRANK SURVEYING CO. INC. DBA FSC INC. TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR US 290 WEST INTERSECTIONS (HENLEY LOOP & MARTIN RD) AS PART OF THE HAYS COUNTY 2016 ROAD BOND PROGRAM

The intersection safety improvements at US 290 West at Henly Loop and Martin Road are part of the Hays County 2016 Road Bond Program. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Court to execute a Professional Service Agreement with Frank Surveying Co. Inc. dba FSC Inc. to provide Plans, Specifications & Estimates (PS&E) services for US 290 West Intersections (Henley Loop & Martin Rd) as part of the Hays County 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

34202A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND DOUCET & ASSOCIATES, INC. REGARDING SURVEYING SERVICES FOR EASEMENT AND RIGHT OF WAY PARCELS ALONG CR190 (CREEK ROAD) AT OR NEAR THE BRIDGE OVER ONION CREEK

Through statewide on/off-system bridge evaluations, The Texas Department of Transportation has identified the Hays County Road 190 (Creek Road) bridge over Onion Creek south of the city of Dripping Springs to be in poor condition and in need of planned bridge replacement design. Survey was conducted in 2015 to support design. We understand that Hays County is requesting 11 easement and right-of-way acquisition parcel descriptions be prepared to facilitate design construction of the planned bridge replacement. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement between Hays County and Doucet & Associates, Inc. regarding surveying services for easement and right of way parcels along CR190 (Creek Road) at or near the bridge over Onion Creek. All present voting "Aye". MOTION PASSED**

34203A APPROVE FINAL PLAT OF SUB-1104; RAINBOW RANCH TRACT 1 SUBDIVISION (2 LOTS)

Rainbow Ranch is a subdivision located along Lone Man Mountain Road in PCT 3. The proposed division of the unrecorded tract 1 will make two lots (one 2.50 acre lot and one 9.29 acre lot) Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. Interim Director of Development Services, Caitlyn Strickland gave staff recommendation. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve final plat of SUB -1104; Rainbow Ranch Tract 1 Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

34204A AUTHORIZE THE COUNTY CLERK TO UTILIZE KOFIE TECHNOLOGIES FOR THE CONSOLIDATION OF EXISTING PLAT CABINETS



The County Clerk's Office currently has 17 plat cabinets. Kofile Technologies will consolidate these into 4 cabinets allowing for more office space and efficient filing and access of records. Dedicated funds within the County Clerks Records Management and Archive fund are available to fund this project. Liz Gonzalez, County Clerk, Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Clerk to utilize Kofile Technologies for the consolidation of existing Plat Cabinets. All present voting "Aye". MOTION PASSED**

34205A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH WATER AND EARTH TECHNOLOGIES FOR THE ANNUAL MAINTENANCE OF THE LOW WATER CROSSINGS AND FLOOD DETECTION SYSTEM THROUGHOUT HAYS COUNTY

Requesting the execution of a PSA All work will be related to the maintenance of the County s existing real-time monitoring stations, radio repeaters and road-way flashers. A discretionary exemption per Local Government Code, Ch. 262.024(a)(7) is requested due to sole source services that can only be provided by the vendor. A statement from the Emergency Services Director will be submitted to the County Clerk to enter into the record of minutes to this effect. Funds were budgeted during the budget process for this maintenance agreement. Attachment: WET Annual Field Maintenance Agreement. Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Water and Earth Technologies for the annual maintenance of the low water crossings and flood detection system throughout Hays County. All present voting "Aye". MOTION PASSED**

34206A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND FALLS COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES, EFFECTIVE OCTOBER 18, 2018

This Agreement will be utilized if and when the Hays County corrections inmate population exceeds capacity. Dan Lyon, Commissioner Whisenant, Commissioner Jones, Commissioner Ingalsbe, Commissioner Shell Captain, Julie Villalpando spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute an Interlocal Cooperation Agreement between Hays County and Falls County for housing and care of Hays County corrections inmates, effective October 18, 2018. All present voting "Aye". MOTION PASSED**

34207A RE-GRADE THE SQL DATABASE ADMINISTRATOR/PROJECT ANALYST POSITION FROM GRADE 113 TO 114

This position was re-titled in October 2017 and assigned higher level duties, including maintaining and enhancing the county s database and application environment; project analysis to determine infrastructure needs for county systems; SQL Reporting within the Odyssey program; supporting and maintaining the county s database environment, reports, and third-party developed database applications; system tuning and performance monitoring; and maintaining documentation related to support applications and databases. Due to the complexities of the designated duties, the IT Director requests the courts consideration to re-grade the position to a 114. This position was budgeted at the minimum of a grade 113 (\$45,375). Request to ratify the regrade and a salary exception of \$54,000, which is approximately the 16th percentile of a grade 114. Salary savings in County Wide due to attrition may be used to fund this request. Financial Impact: Base Salary Increase: \$ 8,625 Fringe: \$ 1,774 Total: \$10,399 Budget Amendment: \$8,625 - Increase Staff Salaries \$ 535 - Increase FICA \$ 125 - Increase Medicare \$1,114 - Increase Retirement (\$10,399) - Decrease County Wide Salary Adjustments. Shari Miller, Human Resources Director spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to re-grade the S L Database Administrator Project Analyst position from grade 113 to 114. All present voting "Aye". MOTION PASSED**

34208A ADOPT A RESOLUTION IN SUPPORT OF THE CREATION OF A PLAN TO REACH NO-KILL STATUS FOR THE SAN MARCOS REGIONAL ANIMAL SHELTER

The San Marcos Regional Animal Shelter provides Animal Shelter and Control services to all of Hays County. The purpose of this resolution is for Hays County to state their support to cooperatively work with all stakeholders to find alternatives and improvements to shelter operations and for the development of a plan to reach No-Kill status for the shelter. The resolution supports the creation of an Inter-Local Animal Services Commission to implement steps necessary for the San Marcos Regional Animal Shelter to achieve No-Kill status of 90 Live Outcome by achieving milestones in a multi-phased approach. The Hays County Inter-Local Animal Services Commission will share in governance over Animal Services and be comprised of each of the participating city and county entities which contract for Animal Shelter and Animal Control Services. Shari Boyette, Rodrigo Amaya, Commissioner Shell, Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Ingalsbe,**



seconded by Commissioner Shell to adopt a resolution in support of the creation of a plan to reach no-kill status for the San Marcos Regional Animal Shelter. All present voting "Aye". MOTION PASSED

Clerk's Note: Court took a break at 10:37 a.m. and reconvened into open court at 10:46 a.m.

34209A ADOPT THE HAYS COUNTY 2015 HOUSING GUIDELINES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR)

Eligible housing activities supported by these funds will be administered by Hays County under the guidelines and oversight of the GLO. Thus, Hays County adopts with minor changes the general housing guidelines put forth by GLO published August 3, 2018 for the 2015-2016 Community Development Block Grant Disaster Recovery (CDBGDR) Flood Recovery. The purpose of these Guidelines is to aid in the long-term recovery efforts following the 2015 storms and floods; specifically, to facilitate the replenishment of housing stock lost during the storms and subsequent flooding and to assist in moving eligible homeowners out of harm's way through fair market value buyouts or acquisitions. No public comment(s) were received during the 14 day public comment period. Tammy Crumley, Director of Countywide Operations spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt the Hays County 2015 Housing Guidelines for the Community Development Block Grant Disaster Recovery (CDBG-DR). All present voting "Aye". MOTION PASSED**

34210A AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER WITH HYDE REGULATORY CONSULTING, LLC, RELATED TO THE CONSULTING IN CONNECTION WITH MATTERS BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Hyde Regulatory Consulting (HRC) will consult Hays County regarding the proposed permit amendment for direct discharge of effluent by City of Blanco in the Blanco River. That application is currently in the response to comments period. It appears that multiple requests for a Contested Case Hearing will be made by interested parties. Hays County representatives have offered to assist the City of Blanco in finding a better solution than their currently proposed treatment facility. HRC has the expertise to help in that regard. Contract will terminate on or before September 30, 2019. Dan Lyon, Commissioner Shell, Mark Kennedy, General Counsel, and Commissioner Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an engagement letter with Hyde Regulatory Consulting, LLC, related to the consulting in connection with matters before the Texas Commission on Environmental Quality. All present voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1

Court convened into Executive session at 11:26 a.m. and reconvened into open court at 11:38 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 11:38 a.m. and reconvened into open court at 11:49 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. Dan Lyon spoke. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL APPLICANTS FOR APPOINTMENT AS JUDGE OF THE HAYS COUNTY COURT AT LAW #3

Court convened into Executive session at 12:04 p.m. and reconvened into open court at 12:50 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.



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 PROJECTS KING & SHAMROCK

Court convened into Executive session at 11:49 a.m. and reconvened into open court at 12:04 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL EXEMPT CIVILIAN POSITIONS WITHIN THE SHERIFF'S OFFICE

Court convened into Executive session at 11:08 a.m. and reconvened into open court at 11:26 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Legal Support Services Specialist, Janice Jones, Jordan Powell, Gary Cutler, Sheriff, Capt. Mike Davenport, Marisol Villarreal Alonzo, Auditor, Vickie Dorsett, Assistant Auditor and Shari Miller, Human Resources Director. No action taken.

Clerk's Note Agenda Item #34 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 – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #36 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

Clerk's Note Agenda Item #37 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 12:51 p.m.

I, LIZ Q. GONZALEZ, 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 October 23, 2018.



Liz Q. Gonzalez
 LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
 CLERK OF THE COMMISSIONERS' COURT OF
 HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26TH DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN EMERGENCY MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

34211A EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING A THREAT OF LITIGATION BY THE TEXAS CIVIL RIGHTS PROJECT REGARDING EARLY VOTING AND ELECTION DAY POLLING PLACES

Commissioner Shell, Commissioner Whisenant, Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. Court convened into Executive session at 12:24 p.m. and reconvened into open court at 1:28 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell, Elections Administrator, Jennifer Anderson, and Director of Information Technology, Jeff McGill.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to amend the Branch Voting Schedule within Hays County for the November 2018 mid-term Election, providing additional temporary branch polling places as follows:

Precinct 1	Live Oak Health Dept. 401 Broadway St. San Marcos, Texas 78666 (Thursday, Nov. 1 and Friday, Nov. 2 7:00 a.m. to 7:00 p.m.)
Precinct 3 -	Texas State University LBJ Student Center 700 Student Center Dr. San Marcos, TX 78666 (Thursday, Nov. 1 and Friday, Nov. 2 7:00 a.m. to 7:00 p.m.)
Precinct 4	Belterra Welcome Center 151 Trinity Hills Dr. Austin, Texas 78737 (Thursday, Nov. 1 and Friday, Nov. 2 7:00 a.m. to 7:00 p.m.)

This amendment of Early Voting Polling locations provides additional locations for any voter within Hays County (or within a municipality), regardless of location. This action should also be taken to authorize the posting of Notice pursuant to Section 85.067 of the Texas Election Code to provide notice of the above amendment of temporary branch polling place locations, dates, and or hours. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to relocate Precinct 334 Election Day Polling location, which is currently consolidated with Precincts 330 and 318, to Texas State University, LBJ Student Center, 700 Student Center Dr., San Marcos, Texas 78666, and authorize the posting of notice in compliance with the Texas Election Code. All present voting "Aye". MOTION PASSED

ADJOURNMENT

Court was adjourned at 1:36 p.m.

I, LIZ Q. GONZALEZ, 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 October 26, 2018.



Liz Q. Gonzalez
LIZ Q. GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30TH DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Murray Kast, CTMC Hospital, Chaplain gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, San Marcos resident, David Crowell, Kyle resident, Rodrigo Amaya, San Marcos resident and Dorothy Knight, League of Women Voter of Hays County spoke.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

HR Director Shari Miller presented the Hays County Service Awards. 5 years, Gary Bottoms, Sheriff's office, and Jennifer Feldman, District Attorney's office. 10 years, Matthew Farris, Constable Pct. 3's office and Jose Luna, Juvenile Probation. 15 years, Debra Seiler, Elections office, Laura Wills, Juvenile Detention Center, Jenny Acosta, Sheriff's office, and William Henry, District Judge. 20 years, Barbara Thompson-Key, and Ronald Strain, Sheriff's office, and Linda Duran, County Clerk's office. 25 years, Liz Gonzalez, County Clerk.

34212A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$4,359,888.95 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34213A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$2,011.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34214A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant and United Healthcare claims in the amount of \$253,770.37 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34215A APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 23 & 26, 2018

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of October 23 & 26, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34216A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO UTILIZE HOT CHECK FEE FUNDS TO IMPLEMENT A TEMPORARY SALARY SUPPLEMENT FOR POSITION CODE 0787, SLOT 006 EFFECTIVE 10/1/18 AND AMEND THE BUDGET ACCORDINGLY

The District Attorney has approved a salary supplement for a staff member effective 10/1/18 and to end on 1/31/19. The supplement will be \$200 per month (base salary) for four months, with the first month's stipend



being processed on the October 31 payroll. Funds are available within the District Attorney's discretionary Hot Check Fee Fund to implement this supplement. Budget Amendment: Increase - \$800 salary Increase - \$166 fringe Decrease - (\$966) misc. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the District Attorney's Office to utilize Hot Check Fee funds to implement a temporary salary supplement for position code 0787, slot 006 effective 10 1 18 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34217A AUTHORIZE COMMERCIAL OSSF PERMIT AT 231 FROG POND LANE, DRIPPING SPRINGS, TEXAS 78620

Cmerek Investments, LLC is proposing an OSSF to serve a new office/warehouse building. The system is designed to accommodate up to 6 employees and 6 customers per day. This 1.916-acre property is Lot 4 of the Frog Pond Subdivision. The lot will be served by a rain water collection system. The system designer, Jon Maass, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure pipe for a maximum daily rate of 500 gallons. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 231 Frog Pond Lane, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34218A APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permit #1112 at W. Centerpoint Road and Central Park Loop issued to Centerpoint Energy Resources Corporation as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

34219A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY COMMAND VEHICLE IN THE AMOUNT OF \$200,000 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 3018. These funds will be utilized to purchase a command vehicle to be deployed during emergency incidents in order to reestablish communication and coordination during such events. Grant Number 3552501. Grant Period: 09/01/2018 08/31/2020. There is no match requirement for this grant. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County Command vehicle in the amount of \$200,000 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34220A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY HAZMAT TEAM AIR PACKS AND REPLACEMENT BOTTLES IN THE AMOUNT OF \$75,000 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 3018. These funds will be utilized to purchase air packs and replacement bottles for the Hays County HazMat Team. The current air packs are out of date for chemical, biological, radiological, nuclear and explosive response (CBRNE). There is no match requirement for this grant. Grant Number 3551701 Grant Period: 09/01/2018 08/31/2019 Attachment: Statement of Grant Award Budget Amendment: \$75,000 - Increase .4301 Intergovernmental Revenue \$75,000 - Increase .5719_700 Misc Equipment_Capital. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County HazMat Team Air Packs and Replacement Bottles in the amount of \$75,000 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34221A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE IN THE AMOUNT OF \$20,000 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 3018. These funds will be utilized to provide maintenance to the Hays County HazMat Team monitors to increase the life of the specialized equipment and allow the team to respond with sustained equipment. There is no match requirement for this grant. Grant Number 3529701 Grant Period: 09/01/2018 08/31/2019 Attachment: Statement of Grant Award Budget Amendment: \$20,000 - Increase .4301 Intergovernmental Revenue \$20,000 - Increase .5411 Equipment Maintenance. **A motion was made by Commissioner Shell, seconded by Commissioner Jones**



to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County HazMat Team Monitor Maintenance in the amount of \$20,000 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34222A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY SWAT NIGHT VISION IN THE AMOUNT OF \$122,477.80 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 2018. These funds will be utilized to purchase night vision binoculars for 14 members of the Hays County SWAT Team. There is no match requirement for this grant. Grant Number 3268602 Grant Period: 09/01/2018 - 08/31/2019 Attachment: Statement of Grant Award Budget Amendment: \$122,478 - Increase .4301 Intergovernmental Revenue \$116,233 - Increase .5719_700 Misc Equipment_Capital \$ 6,245 - Increase .5206 Law Enforcement Supplies. Dan Lyon spoke. A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County SWAT Night vision in the amount of \$122,477.80 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34223A APPROVE THE RE-APPOINTMENT OF FRED ROTHERT TO THE PLUM CREEK CONSERVATION DISTRICT FOR A FOUR YEAR TERM ENDING DECEMBER 31, 2022

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the re-appointment of Fred Rothert to the Plum Creek Conservation District for a four year term ending December 31, 2022. All present voting "Aye". MOTION PASSED

34224A AUTHORIZE COMMERCIAL OSSF PERMIT AT 130 W CONCORD CIRCLE, DRIFTWOOD, TEXAS 78737

Black Market Investments, LLC is proposing an OSSF to serve an office, a future restaurant, and two wedding venues. This 63.74-acre tract of land will be served by a public water well. The system designer, Erin Banks, P.E., has designed a non-standard treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 2000 gallons. An older permit (2017-32583) has expired; No changes have been made to the design or plans. Caitlyn Strickland, Interim Director of Development Services, Mark Kennedy, General Counsel spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 130 W Concord Circle, Driftwood, Texas 78737. All present voting "Aye". MOTION PASSED

34225A APPROVE CHANGE ORDER #4 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIR PROJECT

On May 8th the Court approved a contract with HD Cooks Rock Solid, Inc. for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Additionally, change order #1 was approved on 7/10/18 for required work at Site 4, change order #2 on 8/14/18 for decrease in shotcrete materials, change order #3 for additional top soil at Site 3 and time delays on Site 4; Change Order No. 4 - (\$ 6,500) decrease in vegetation/seeding quantity for Site 1 - (\$ 4,290) decrease in vegetation/seeding quantity for Site 5 - (\$10,790) total decrease - due to weather constraints a performance time change is needed, increase term by 20 calendar days. All change orders to date are 24.92 % of the original contract award. Funding for this project is provided by NRCS (75 %), TSSWCB (23.75 %) and Hays County (1.25 %). Attachment: Change Order No. 4. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Change Order #4 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repair project. All present voting "Aye". MOTION PASSED

34226A APPROVE PAYMENT TO LABATT FOOD SERVICE, LLC FOR THE JUVENILE DETENTION CENTER RELATED TO FOOD PURCHASES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The JDC kitchen personnel ordered food supplies and did not secure a purchase order as required per County Purchasing Policy. Funds are available within the TDA National School Lunch Program grant budget to cover these expenses. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment to Labatt Food Service, LLC for the Juvenile Detention Center related to food purchases in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED



34227A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO ACCEPT DONATED COMPUTER EQUIPMENT FROM THE SAN MARCOS FIRE DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The San Marcos Fire Department is transferring the HazMat Truck (county owned) back to Hays County. The San Marcos Fire Department is donating a Dell Latitude 5580 laptop which has been installed in the unit for the HazMat/Special Operations Teams use. Budget Amendment: Increase Contributions .4610 Increase Computer Eqpt_Ops .5712_400 Attachment: Donation Letter & Invoice (for value determination). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to accept donated computer equipment from the San Marcos Fire Department and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34228A RATIFY THE SUBMISSION OF THE GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ASSISTANCE TO FIREFIGHTERS GRANT FOR PORTABLE CHEMICAL AND RADIATION DETECTORS FOR FIRST RESPONDERS IN THE AMOUNT OF \$46,648

The Federal Emergency Management Agency (FEMA), Assistance to Firefighters Grant program will be used in the assistance of purchasing 28 new portable chemical (MultiRAE) and radiation (RadEye SPRD-GN) detectors for local response agencies and replace irreparable and out dated equipment. Funds for a required 10 cash match (\$4,240) will be identified if grant is awarded through a court grant acceptance agenda item.. The grant application was due on Friday, October 26, 2018 and was submitted electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the submission of the grant application to the Federal Emergency Management Agency (FEMA), Assistance to Firefighters Grant for portable chemical and radiation detectors for first responders in the amount of \$46,648. All present voting "Aye". MOTION PASSED**

34229A AUTHORIZE COMMERCIAL OSSF PERMIT AT 315 MYSTIC CREEK ROAD, DRIPPING SPRINGS, TEXAS 78620

Darin Duvall is proposing an OSSF to serve an event center/wedding venue. The system is designed to accommodate up to 100 guests and employees for only 2 days per week. This 18.384-acre tract is Lot 23 in the Mystic Creek Subdivision. The property will be served by the Henley House public water supply. The system designer, Jim Conner, R.S., has designed an aerobic treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via surface application for a maximum daily rate of 115 gallons. Commissioner Whisenant and Caitlyn Strickland, Interim Director of Development Services spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 315 Mystic Creek Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34230A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY, EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) IN THE AMOUNT OF \$43,728.56

On February 6, 2018 the Commissioners Court authorized the submission of the F 18 Emergency Management Performance Grant for funding to support the salary of benefits of five positions in the Emergency Management Department. Funding in the amount of \$43,728.56 has been awarded and will cover cost incurred from October 1, 2017 - September 30, 2018. The Notice of Sub recipient Grant Award reflects a six month programmatic extension only to complete and close out the F 18 EMPG grant year. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the Texas Department of Public Safety, Emergency Management Performance Grant (EMPG) in the amount of \$43,728.56. All present voting "Aye". MOTION PASSED**

34231A AUTHORIZE THE EXECUTION OF AN EQUIPMENT REMOVAL FORM WITH RICOH FOR THE GENERAL COUNSEL OFFICE

On October 2nd the Court authorized a new copier lease contract for the General Counsel office. This agreement allows for the removal of the equipment presently in place. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an Equipment Removal form with RICOH for the General Counsel office. All present voting "Aye". MOTION PASSED**

34232A APPROVE PAYMENT TO GRIFFITH FORD FOR THE VETERAN'S ADMINISTRATION OFFICE RELATED TO VEHICLE REPAIRS IN WHICH



NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Veteran's Administration Officer had vehicle repairs completed in Fiscal Year 2018 and did not secure a purchase order as required per County Purchasing Policy. Funds are available within their operating budget to cover these expenses. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment to Griffith Ford for the Veteran's Administration Office related to vehicle repairs in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

34233A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR THE UNIFORM HOSPITAL RATE INCREASE PROGRAM (UHRIP) PGY2 PAYMENT ON BEHALF OF THE TRAVIS SDA TO THE STATE OF TEXAS THROUGH THE TEXNET ELECTRONIC PAYMENT SYSTEM PURSUANT TO CHAPTER 353 OF THE TEXAS ADMINISTRATIVE CODE

A date for transfer of the PG 2 UHRIP payment was announced on October 24, 2018. All LPPF funds are collected from Hays County Hospitals and are budgeted. Though the IGT of these funds do not require specific Court approval, having them approved (If sufficient notice is given by the State) or ratified (if sufficient notice is not provided by the State) ensures the Court and the public are informed of the process. IGT amount (settlement date of 11-7-18): The IGT amount is not to exceed the LPPF account balance. Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) for the Uniform Hospital Rate Increase Program (UHRIP) PGY2 payment on behalf of the Travis SDA to the State of Texas through the TexNet electronic payment system pursuant to Chapter 353 of the Texas Administrative Code, Settlement date is 11 13 2018 and in an amount not to exceed the LPPF account balance. All present voting "Aye". MOTION PASSED

34234A APPROVE THE TRANSFER OF 2006 CROWN VICTORIA FROM HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE TO HAYS COUNTY JUVENILE PROBATION OFFICE

The following asset is being requested for transfer from the Precinct 3 Constable's Inventory to be utilized by the Juvenile Probation office: 2006 Crown Victoria, VIN: 2FAPF71W76X12, Hays County Tag 015296, Asset ID 10208. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the transfer of 2006 Crown Victoria from Hays County Constable Precinct 3 Office to Hays County Juvenile Probation Office. All present voting "Aye". MOTION PASSED

34235A APPROVE THE SELECTION OF DOUCET AND ASSOCIATES TO PERFORM SURVEYING, ASSOCIATED SCHEMATICS, EASEMENT AND PROPERTY DESCRIPTIONS AS NEEDED ALONG CR 158 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

CR 158 is in need of reconstruction and widening. Approval of this item will allow the preliminary surveying work to be accomplished. Today's action will allow Doucet to present a scope and fee for consideration by and negotiation with the Transportation Department and the Pct. 1 Commissioner. The negotiated contract will be brought back to Court for approval after negotiations are completed. Dan Lyon, Commissioner Ingalsbe, and Mark Kennedy, General Counsel spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the selection of Doucet and Associates to perform surveying, associated schematics, easement and property descriptions as needed along CR 158 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED

34236A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND CHAPARRAL PROFESSIONAL LAND SURVEYING, INC. REGARDING SURVEYING AND PREPARATION OF PERTINENT DOCUMENTS FOR EASEMENT AND RIGHT-OF-WAY PARCELS ALONG DACY LANE IN PCT. 1 AND PCT. 2

The 2016 Bond project for design of Dacy Lane is being finalized. Because of adjustments to alignments, several parcels along the route require resurvey and associated revision of easement and parcel descriptions. The cost of this work is being taken from the Transportation's operating budget. Jerry Borcharding, County Engineer, Commissioner Ingalsbe and Commissioner Jones spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement (PSA) between Hays County and Chaparral Professional Land Surveying, Inc. regarding surveying and preparation of pertinent documents for easement and right-of-way parcels along Dacy Lane in Pct. 1 and Pct. 2. All present voting "Aye". MOTION PASSED



34237A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND DOUCET & ASSOCIATES, INC FOR ENGINEERING SERVICES ON DARDEN HILL ROAD FROM RM1826 TO SAWYER RANCH RD

PSA is for engineering services of a proposed project on Darden Hill Road from Rm 1826 to Sawyer Ranch Road consisting of pavement widening to accommodate center turn lanes, widened shoulders and right turn lanes and related infrastructure. Driveways and drainage culverts will also be updated to accommodate the improvements. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement (PSA) between Hays County and Doucet & Associates, Inc. for engineering services on Darden Hill Road from RM1826 to Sawyer Ranch Rd. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #28 RE: APPROVE THE SELECTION OF FREESE & NICHOLS TO MANAGE TCEQ'S MUNICIPAL SEPARATE STORMWATER SYSTEM PROGRAM (MS4) FOR HAYS COUNTY AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT – was pulled

34238A SUB-886 SUNFIELD AMENITY CENTER (32 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$4,525,775.00 (BOND # PB03016800210 & DUAL OBLIGEE RIDER)

This section includes 32 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. Caitlyn Strickland, Interim Director of Development Services, Commissioner Jones and Jerry Borcharding, County Engineer spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept fiscal surety for the construction of street and drainage improvements in the amount of \$4,525,775.00 (Bond # PB03016800210 & Dual Obligee Rider) for SUB-886 Sunfield Amenity Center (32 lots). All present voting "Aye". MOTION PASSED**

34239A SUB-922 SUNFIELD PHASE 3, SECTION 2 (148 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$2,874,752.00 (BOND # PB03016800273 & DUAL OBLIGEE RIDER)

This section includes 148 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. Caitlyn Strickland, Interim Director of Development Services gave staff recommendation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept fiscal surety for the construction of street and drainage improvements in the amount of \$2,874,752.00 (Bond # PB03016800273 & Dual Obligee Rider) for SUB-922 Sunfield Phase 3, Section 2 (148 lots). All present voting "Aye". MOTION PASSED**

34240A SUB-887 SUNFIELD PHASE 3, SECTION 3 (217 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$3,707,280.00 (BOND # PB03016800239 & DUAL OBLIGEE RIDER)

This section includes 217 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept fiscal surety for the construction of street and drainage improvements in the amount of \$3,707,280.00 (Bond # PB03016800239 & Dual Obligee Rider) for SUB-887 Sunfield Phase 3, Section 3 (217 lots). All present voting "Aye". MOTION PASSED**

34241A SUB-885 SUNFIELD PHASE 3, SECTION 4 (103 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$2,341,813.00 (BOND # PB03016800240 & DUAL OBLIGEE RIDER)

This section includes 103 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept fiscal surety for the construction of street and drainage improvements in the amount of \$2,341,813.00 (Bond # PB03016800240 & Dual Obligee Rider) for SUB-885 Sunfield Phase 3, Section 4 (103 lots). All present voting "Aye". MOTION PASSED**



34242A SUB-1112; CALL FOR A PUBLIC HEARING ON NOVEMBER 13, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 118, SPRINGLAKE SUBDIVISION

Springlake is a recorded subdivision located off of Springlake Drive in Precinct 4. The proposed re-plat will divide the 4.38 acre lot 118 into 2 lots. Water service will be provided by Dripping Springs WSC and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant , seconded by Commissioner Jones to call for a public hearing on November 13, 2018 to discuss final plat and approval of SUB-1112; Replat of Lot 118, Springlake Subdivision. All present voting "Aye". MOTION PASSED**

34243A APPOINT TACIE MARIE ZELHART TO FILL THE OFFICE OF HAYS COUNTY COURT AT LAW #3, PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 25.0009

A motion was made by Commissioner Whisenant to appoint Dan O'Brien as County Court at Law Judge #3. Motion died for lack of a second. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to appoint Tacie Marie Zelhart to the office of Hays County Court at Law #3, pursuant to Section 25.0009 of the Texas Government Code, effective January 1, 2019, who shall hold such office until the next succeeding general election or until her successor is duly qualified. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item 35 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1 – **was pulled**

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:05 a.m. and reconvened into open court at 11:33 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Interim Director of Development Services, Caitlyn Strickland, Legal Support Services Specialist, Janice Jones, Jeri Scrocki, Mariah Luca, Shanna O'Brien, Gary Cutler, Sheriff, and Jordan Powell. No action taken.

Clerk's Note Agenda Item #37 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 – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index 16. Per Hays County Fire Marshal Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #39 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – **was pulled**

Clerk's Note Agenda Item #40 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – **was pulled**

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 11:37 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I, LIZ Q. GONZALEZ, 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 October 30, 2018.





LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Vickie Dorsett, Budget Officer

Sponsor:

Judge Becerra

Agenda Item

Approve the payment of the February 29, 2024 payroll disbursements in an amount not to exceed \$5,200,000.00 effective February 29, 2024 and post totals for wages, with-holdings, deductions and benefits on the Hays County website once finalized. **BECERRA/DORSETT**

Summary



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

David Peterson, Constable Pct 1

Sponsor:

Commissioner Ingalsbe

Agenda Item

Approve and confirm the appointment of Albert Herrera III as a regular full-time Deputy Constable in the Hays County Constable Precinct 1 Office. **INGALSBE/PETERSON**

Summary

Pursuant to Local Government Code Chapter 86 Subchapter 8 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable.

Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE.

- (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioner's court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct.
- (b) Each deputy constable must qualify in the manner provided for deputy sheriffs.
- (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or surety. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety.
- (d) A person commits an offense if the person:
 - (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or
 - (2) is a constable and issues a deputyship without the consent and approval of the commissioner's court.
- (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000

Deputy Albert Herrera III is filling a vacant position in the Constable office, Precinct 1

Attachments

Bio of Albert Herrera III

Albert Herrera III

Albert Herrera III is from Georgetown, Texas. Albert is married he has seven grown children. He started his Law Enforcement career with Elgin Police Dept. Then he did over 17 years with the Travis County Constables Office Pct. 2.

Albert has over 1698 hours Texas Commission on Law

Enforcement Training Licenses/Certification:

Masters Peace Officer License

FBI Leadership L Trilogy

Narcotic/Dangerous Drug Inv.

Field Training Officer

We welcome Albert Herrera III to the Constables Office as a Deputy Constable.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Ron Hood

Sponsor:

Commissioner Smith

Co-Sponsor:

Commissioner Shell

Agenda Item

Accept the 2023 Racial Profiling Report and the 2023 Annual Activity Report from the Hays County Constable's Office, Precinct 4. **SMITH/SHELL/HOOD**

Summary

In compliance with Senate Bill 1074-76th regular session of the Texas Legislature amended by House Bill 3389-81st regular session.

Attachments

2023 Racial Profile Full Report (TCOLE)



195 Roger Hanks Parkway
Dripping Springs, TX 78620
www.co.hays.tx.us/Constable4

CONSTABLE RON HOOD
Hays County, Precinct 4



Office: (512) 858-7605
Fax: (512) 858-4799
Email: ron.hood@co.hays.tx.us

February 28, 2024

To: Hays County Commissioners Court

From: Ron Hood, Hays County Constable, Pct. 4

Subject: Constable Office, Pct. 4 –
2023 “Racial Profiling Report” & “2023 Annual Activity Report Summary”

Attached below, you will find this office’s annual “Racial Profiling Report” for submission to the Hays County Commissioners Court and the Texas Commission on Law Enforcement (TCOLE) for the 2023 calendar year, in compliance with Senate Bill 1074-76th regular session of the Texas Legislature amended by House Bill 3389-81st regular session.

In addition, I would like to take this opportunity to submit to you this office 2023 “Annual Activity Report Summary.”

2023 ANNUAL ACTIVITY REPORT SUMMARY

	<u>2023</u>	<u>(2022)</u>	<u>(2021)</u>
<u>COURT DUTIES</u>			
JP & Municipal Court - <i>(Bailiff Duties for JP & Municipal Court hearings)</i>	173	(92)	(85)
<u>WARRANT SERVICE</u>			
Attempts - (Attempts made to serve an active warrant)	448	(170)	(1465)
Served - (Active warrants served)	144	(102)	(267)
<u>CIVIL CITATION SERVICE</u>			
Citations Received	313	(203)	(217)
Attempts - (Attempts made to serve a civil citation)+	708	(661)	(662)
Served - (Civil citations served)	211	(177)	(180)



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	<u>2023</u>	<u>(2022)</u>	<u>(2021)</u>
<u>PATROL ENFORCEMENT</u>			
Calls for Service - (i.e., civil complaints, civil standbys, self-initiated field contacts, lockouts, etc.)	3928	(3480)	(4499)
L.E. Assist / Back-Up (Assistance to other LE Agency, i.e., address check, Vehicle verification, drive-by inspection, etc.)	209	(148)	(174)
Arrest - (Total Arrest by this Office)	14	(6)	(3)
<u>TRAFFIC ENFORCEMENT</u>			
Citation Issued - (i.e., Speeding, Stop Sign, Fail to Yield Right-of-Way, Equipment Violation, Registration, DL, etc.)	1956	(741)	(660)
Warning Issued - (i.e., Speeding, Stop Sign, Fail to Yield Right-of-Way, Equipment Violation, Registration, DL, etc.)	5115	(5693)	(4684)
Traffic Assist - (Traffic control related incidents, i.e., disable / malfunction traffic light, congested traffic area, etc.)	136	(1380)	(134)
Accident / Assist - (Assigned Accidents Or assisted LE Agencies at accident scenes)	130	(47)	(70)



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OTHER SERVICES

	<u>2023</u>	<u>(2022)</u>	<u>(2021)</u>
Close Patrol/Welfare - (Vacation, out-of-town property checks, Welfare Checks, etc.)	98	(122)	(104)
Special Event - (Community events, School functions, town Hall meetings, etc.)	85	(198)	(120)
Escorts - (Funeral, special events, etc.)	25	(22)	(44)
Fingerprints - (background, special lic.)	36	(40)	(34)
Vehicle Lockouts -	30	(51)	(28)
Notary Service -	69	(50)	(0)
<u>TRAINING HOURS</u>			
TCOLE	349	(410)	(270)
<u>MILES DRIVEN</u>	245,631	(113,062)	(113,447)

NOTE: This Annual Activity Report is for information purposes only and does not reflect all activity requests and/or responses for services performed by this department.

If you have any questions regarding these reports, please contact this office.

Respectfully submitted,

*Ron Hood, Constable
Hays County Precinct 4*

Racial Profiling Report | Full

Agency Name: HAYS CO. CONST. PCT. 4

Reporting Date: 02/06/2024

TCOLE Agency Number: 209104

Chief Administrator: RONALD E. HOOD

Agency Contact Information:

Phone: (512) 858-7605

Email: ron.hood@co.hays.tx.us

Mailing Address:

195 Roger Hanks Parkway, Ste 3
DRIPPING SPRINGS, TX 78620

This Agency filed a full report

HAYS CO. CONST. PCT. 4 has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the HAYS CO. CONST. PCT. 4 from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the HAYS CO. CONST. PCT. 4 if the individual believes that a peace officer employed by the HAYS CO. CONST. PCT. 4 has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the HAYS CO. CONST. PCT. 4 who, after an investigation, is shown to have engaged in racial profiling in violation of the HAYS CO. CONST. PCT. 4 policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The HAYS CO. CONST. PCT. 4 has satisfied the statutory data audit requirements as prescribed in Article 2.133(c),

Code of Criminal Procedure during the reporting period.

Executed by: RONALD E. HOOD
Constable

Date: 02/06/2024

Total stops: 7071

Street address or approximate location of the stop

City street	373
US highway	3325
County road	3001
State highway	365
Private property or other	7

Was race or ethnicity known prior to stop?

Yes	0
No	7071

Race / Ethnicity

Alaska Native / American Indian	20
Asian / Pacific Islander	99
Black	157
White	4990
Hispanic / Latino	1805

Gender

Female	2323
Alaska Native / American Indian	7
Asian / Pacific Islander	49
Black	53
White	1779
Hispanic / Latino	435
Male	4748
Alaska Native / American Indian	12
Asian / Pacific Islander	47
Black	103
White	3269
Hispanic / Latino	1314

Reason for stop?

Violation of law	107
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	89

Hispanic / Latino	18
Preexisting knowledge	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Moving traffic violation	4638
Alaska Native / American Indian	16
Asian / Pacific Islander	88
Black	108
White	3310
Hispanic / Latino	1116
Vehicle traffic violation	2326
Alaska Native / American Indian	3
Asian / Pacific Islander	12
Black	48
White	1667
Hispanic / Latino	596
Was a search conducted?	
Yes	25
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	18
Hispanic / Latino	7
No	7046
Alaska Native / American Indian	21
Asian / Pacific Islander	100
Black	159
White	5041
Hispanic / Latino	1725
Reason for Search?	
Consent	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0

Hispanic / Latino	0			
Contraband	0			
Alaska Native / American Indian	0			
Asian / Pacific Islander	0			
Black	0			
White	0			
Hispanic / Latino	0			
Probable	24			
Alaska Native / American Indian	0			
Asian / Pacific Islander	0			
Black	0			
White	24			
Hispanic / Latino	0			
Inventory	1			
Alaska Native / American Indian	0			
Asian / Pacific Islander	0			
Black	0			
White	0			
Hispanic / Latino	1			
Incident to arrest	0			
Alaska Native / American Indian	0			
Asian / Pacific Islander	0			
Black	0			
White	0			
Hispanic / Latino	0			
Was Contraband discovered?				
Yes	20			
		Did the finding result in arrest?		
		(total should equal previous column)		
Alaska Native / American Indian	0	Yes	0	No 0
Asian / Pacific Islander	0	Yes	0	No 0
Black	0	Yes	0	No 0
White	17	Yes	0	No 0
Hispanic / Latino	3	Yes	0	No 0
No	5			
Alaska Native / American Indian	0			
Asian / Pacific Islander	0			
Black	0			
White	2			
Hispanic / Latino	3			

Description of contraband

Drugs	21
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	17
Hispanic / Latino	4
Weapons	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	3
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	3
Hispanic / Latino	0
Stolen property	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Other	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0

Result of the stop

Verbal warning	5115
-----------------------	-------------

Alaska Native / American Indian	14
Asian / Pacific Islander	70
Black	109
White	3623
Hispanic / Latino	1299
Written warning	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Citation	1956
Alaska Native / American Indian	5
Asian / Pacific Islander	28
Black	42
White	478
Hispanic / Latino	1403
Written warning and arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Citation and arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest based on	
Violation of Penal Code	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	0
White	0
Hispanic / Latino	0
Violation of Traffic Law	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Violation of City Ordinance	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Outstanding Warrant	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0

Was physical force resulting in bodily injury used during stop?

Yes	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Resulting in Bodily Injury To:	
Suspect	0
Officer	0
Both	0
No	7071
Alaska Native / American Indian	20
Asian / Pacific Islander	99
Black	157
White	1735
Hispanic / Latino	5060

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

Use TCOLE's auto generated analysis	<input checked="" type="checkbox"/>
Use Department's submitted analysis	<input type="checkbox"/>

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Don Montague, Constable Pct 3

Sponsor:

Commissioner Shell

Agenda Item

Accept the 2023 Racial Profiling Report and the 2023 Annual Activity Report from the Hays County Constable's Office, Precinct 3. **SHELL/MONTAGUE**

Summary

In compliance with Senate Bill 1074-76th regular session of the Texas Legislature amended by House Bill 3389-81st regular session.

Attachments

Racial Profile Report

Racial Profiling Report | Full

Agency Name: HAYS CO. CONST. PCT. 3
Reporting Date: 02/16/2024
TCOLE Agency Number: 209103

Chief Administrator: WILLIAM D. MONTAGUE

Agency Contact Information:
Phone: (512) 847-5532
Email: don.montague@co.hays.tx.us

Mailing Address:
P. O. BOX 1316
200 Stillwater Road
WIMBERLEY, TX 78676-1316

This Agency filed a full report

HAYS CO. CONST. PCT. 3 has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the HAYS CO. CONST. PCT. 3 from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the HAYS CO. CONST. PCT. 3 if the individual believes that a peace officer employed by the HAYS CO. CONST. PCT. 3 has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the HAYS CO. CONST. PCT. 3 who, after an investigation, is shown to have engaged in racial profiling in violation of the HAYS CO. CONST. PCT. 3 policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The HAYS CO. CONST. PCT. 3 has satisfied the statutory data audit requirements as prescribed in Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: DONNY R. TORRES
Sergeant

Date: 02/16/2024

Total stops: 338

Street address or approximate location of the stop

City street	116
US highway	0
County road	130
State highway	92
Private property or other	0

Was race or ethnicity known prior to stop?

Yes	0
No	338

Race / Ethnicity

Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	7
White	287
Hispanic / Latino	43

Gender

Female	134
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	123
Hispanic / Latino	8
Male	204
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	4
White	164
Hispanic / Latino	35

Reason for stop?

Violation of law	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0

Hispanic / Latino	0
Preexisting knowledge	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Moving traffic violation	338
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	7
White	287
Hispanic / Latino	43
Vehicle traffic violation	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Was a search conducted?	
Yes	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
No	338
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	7
White	287
Hispanic / Latino	43
Reason for Search?	
Consent	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0

Hispanic / Latino	0		
Contraband	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Probable	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Inventory	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Incident to arrest	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Was Contraband discovered?		Did the finding result in arrest?	
Yes	0	(total should equal previous column)	
Alaska Native / American Indian	0	Yes 0	No 0
Asian / Pacific Islander	0	Yes 0	No 0
Black	0	Yes 0	No 0
White	0	Yes 0	No 0
Hispanic / Latino	0	Yes 0	No 0
No	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		

Description of contraband**Drugs 0**

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Weapons 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Currency 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Alcohol 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Stolen property 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Other 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Result of the stop**Verbal warning 321**

Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	7
White	272
Hispanic / Latino	41
Written warning	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Citation	17
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	15
Hispanic / Latino	2
Written warning and arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Citation and arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest based on	
Violation of Penal Code	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	0
White	0
Hispanic / Latino	0
Violation of Traffic Law	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Violation of City Ordinance	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Outstanding Warrant	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0

Was physical force resulting in bodily injury used during stop?

Yes	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Resulting in Bodily Injury To:	
Suspect	0
Officer	0
Both	0
No	338
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	7
White	272
Hispanic / Latino	41

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

Use TCOLE's auto generated analysis	<input checked="" type="checkbox"/>
Use Department's submitted analysis	<input type="checkbox"/>

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

Racial Profiling Analysis Report

HAYS CO. CONST. PCT. 3

01. Total Traffic Stops:	338	
02. Location of Stop:		
a. City Street	116	34.32%
b. US Highway	0	0.00%
c. County Road	130	38.46%
d. State Highway	92	27.22%
e. Private Property or Other	0	0.00%
03. Was Race known prior to Stop:		
a. NO	338	100.00%
b. YES	0	0.00%
04. Race or Ethnicity:		
a. Alaska/ Native American/ Indian	0	0.00%
b. Asian/ Pacific Islander	1	0.30%
c. Black	7	2.07%
d. White	287	84.91%
e. Hispanic/ Latino	43	12.72%
05. Gender:		
a. Female	134	39.64%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	0.89%
iv. White	123	36.39%
v. Hispanic/ Latino	8	2.37%
b. Male	204	60.36%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	0.30%
iii. Black	4	1.18%
iv. White	164	48.52%
v. Hispanic/ Latino	35	10.36%
06. Reason for Stop:		
a. Violation of Law	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	

Racial Profiling Analysis Report

iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Pre-Existing Knowledge	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Moving Traffic Violation	338	100.00%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	0.30%
iii. Black	7	2.07%
iv. White	287	84.91%
v. Hispanic/ Latino	43	12.72%
d. Vehicle Traffic Violation	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
07. Was a Search Conducted:		
a. NO	338	100.00%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	0.30%
iii. Black	7	2.07%
iv. White	287	84.91%
v. Hispanic/ Latino	43	12.72%
b. YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
08. Reason for Search:		
a. Consent	0	0.00%

Racial Profiling Analysis Report

i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Contraband in Plain View	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Probable Cause	0	0.00%
ii. Alaska/ Native American/ Indian	0	
i. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Inventory	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
e. Incident to Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
09. Was Contraband Discovered:		
YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
ii. Asian/ Pacific Islander	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iii. Black	0	

Racial Profiling Analysis Report

Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iv. White	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
v. Hispanic/ Latino	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
b. NO	0	0.00%
i. Alaska/ Native American/ Indian	0	
i. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
10. Description of Contraband:		
a. Drugs	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Currency	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Weapons	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Alcohol	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	

Racial Profiling Analysis Report

v. Hispanic/ Latino	0	
e. Stolen Property	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
f. Other	0	0.00%
i. Alaska/ Native American/ Indian	0	
i. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
11. Result of Stop:		
a. Verbal Warning	321	94.97%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	0.31%
iii. Black	7	2.18%
iv. White	272	84.74%
v. Hispanic/ Latino	41	12.77%
b. Written Warning	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Citation	17	5.03%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	15	88.24%
v. Hispanic/ Latino	2	11.76%
d. Written Warning and Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	

Racial Profiling Analysis Report

e. Citation and Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
f. Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
12. Arrest Based On:		
a. Violation of Penal Code	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Violation of Traffic Law	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Violation of City Ordinance	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Outstanding Warrant	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	

Racial Profiling Analysis Report

13. Was Physical Force Used:		
a. NO	338	100.00%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	0.30%
iii. Black	7	2.07%
iv. White	272	80.47%
v. Hispanic/ Latino	41	12.13%
b. YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b 1. YES: Physical Force Resulting in Bodily Injury to Suspect	0	
b 2. YES: Physical Force Resulting in Bodily Injury to Officer	0	
b 3. YES: Physical Force Resulting in Bodily Injury to Both	0	
14. Total Number of Racial Profiling Complaints Received:	0	

REPORT DATE COMPILED 02/16/2024



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

John Ellen, Constable Pct 5

Sponsor:

Commissioner Cohen

Co-Sponsor:

Commissioner Smith

Agenda Item

Accept the 2023 Racial Profiling Report and the 2023 Annual Activity Report from Hays County Constable's Office, Precinct 5. **COHEN/SMITH/ELLEN**

Summary

In compliance with Senate Bill 1074-76th regular session of the Texas Legislature amended by House Bill 3389-81st regular session

Attached: - 2023 Racial Profile Full Report (TCOLE)
- 2023 Yearly Activity Report (Pct. 5)

Attachments

Report

Racial Profiling Report | Full

Agency Name: HAYS CO. CONST. PCT. 5
Reporting Date: 02/22/2024
TCOLE Agency Number: 209105

Chief Administrator: JOHN H. ELLEN

Agency Contact Information:
Phone: (512) 295-3030
Email: john.ellen@co.hays.tx.us

Mailing Address:
PO BOX 236
BUDA, TX 78610-0236

This Agency filed a full report

HAYS CO. CONST. PCT. 5 has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the HAYS CO. CONST. PCT. 5 from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the HAYS CO. CONST. PCT. 5 if the individual believes that a peace officer employed by the HAYS CO. CONST. PCT. 5 has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the HAYS CO. CONST. PCT. 5 who, after an investigation, is shown to have engaged in racial profiling in violation of the HAYS CO. CONST. PCT. 5 policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The HAYS CO. CONST. PCT. 5 has satisfied the statutory data audit requirements as prescribed in Article 2.133(c),

Code of Criminal Procedure during the reporting period.

Executed by: John Ellen
Constable

Date: 02/22/2024

Total stops: 2892

Street address or approximate location of the stop

City street	42
US highway	80
County road	2757
State highway	12
Private property or other	1

Was race or ethnicity known prior to stop?

Yes	0
No	2892

Race / Ethnicity

Alaska Native / American Indian	14
Asian / Pacific Islander	23
Black	173
White	1787
Hispanic / Latino	895

Gender

Female	1254
Alaska Native / American Indian	2
Asian / Pacific Islander	14
Black	74
White	796
Hispanic / Latino	368
Male	1638
Alaska Native / American Indian	12
Asian / Pacific Islander	9
Black	99
White	991
Hispanic / Latino	527

Reason for stop?

Violation of law	37
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	25

Hispanic / Latino	9
Preexisting knowledge	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Moving traffic violation	1921
Alaska Native / American Indian	9
Asian / Pacific Islander	14
Black	113
White	1152
Hispanic / Latino	633
Vehicle traffic violation	934
Alaska Native / American Indian	5
Asian / Pacific Islander	9
Black	57
White	610
Hispanic / Latino	253
Was a search conducted?	
Yes	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
No	2892
Alaska Native / American Indian	14
Asian / Pacific Islander	23
Black	173
White	1787
Hispanic / Latino	895
Reason for Search?	
Consent	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0

Hispanic / Latino	0		
Contraband	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Probable	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Inventory	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Incident to arrest	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
Was Contraband discovered?		Did the finding result in arrest?	
Yes	0	(total should equal previous column)	
Alaska Native / American Indian	0	Yes 0	No 0
Asian / Pacific Islander	0	Yes 0	No 0
Black	0	Yes 0	No 0
White	0	Yes 0	No 0
Hispanic / Latino	0	Yes 0	No 0
No	0		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		

Description of contraband	
Drugs	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Weapons	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Stolen property	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Other	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Result of the stop	
Verbal warning	2443

Alaska Native / American Indian	13
Asian / Pacific Islander	17
Black	148
White	1527
Hispanic / Latino	738
Written warning	16
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	9
Hispanic / Latino	6
Citation	432
Alaska Native / American Indian	1
Asian / Pacific Islander	6
Black	23
White	251
Hispanic / Latino	151
Written warning and arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Citation and arrest	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	0
Arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest based on	
Violation of Penal Code	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	0
White	0
Hispanic / Latino	0
Violation of Traffic Law	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Violation of City Ordinance	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Outstanding Warrant	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	0

Was physical force resulting in bodily injury used during stop?

Yes	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Resulting in Bodily Injury To:	
Suspect	0
Officer	0
Both	0
No	2892
Alaska Native / American Indian	14
Asian / Pacific Islander	23
Black	173
White	1787
Hispanic / Latino	895

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

Use TCOLE's auto generated analysis	<input checked="" type="checkbox"/>
Use Department's submitted analysis	<input type="checkbox"/>

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

Racial Profiling Analysis Report

HAYS CO. CONST. PCT. 5

01. Total Traffic Stops:	2892	
02. Location of Stop:		
a. City Street	42	1.45%
b. US Highway	80	2.77%
c. County Road	2757	95.33%
d. State Highway	12	0.41%
e. Private Property or Other	1	0.03%
03. Was Race known prior to Stop:		
a. NO	2892	100.00%
b. YES	0	0.00%
04. Race or Ethnicity:		
a. Alaska/ Native American/ Indian	14	0.48%
b. Asian/ Pacific Islander	23	0.80%
c. Black	173	5.98%
d. White	1787	61.79%
e. Hispanic/ Latino	895	30.95%
05. Gender:		
a. Female	1254	43.36%
i. Alaska/ Native American/ Indian	2	0.07%
ii. Asian/ Pacific Islander	14	0.48%
iii. Black	74	2.56%
iv. White	796	27.52%
v. Hispanic/ Latino	368	12.72%
b. Male	1638	56.64%
i. Alaska/ Native American/ Indian	12	0.41%
ii. Asian/ Pacific Islander	9	0.31%
iii. Black	99	3.42%
iv. White	991	34.27%
v. Hispanic/ Latino	527	18.22%
06. Reason for Stop:		
a. Violation of Law	37	1.28%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%

Racial Profiling Analysis Report

iii. Black	3	8.11%
iv. White	25	67.57%
v. Hispanic/ Latino	9	24.32%
b. Pre-Existing Knowledge	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Moving Traffic Violation	1921	66.42%
i. Alaska/ Native American/ Indian	9	0.47%
ii. Asian/ Pacific Islander	14	0.73%
iii. Black	113	5.88%
iv. White	1152	59.97%
v. Hispanic/ Latino	633	32.95%
d. Vehicle Traffic Violation	934	32.30%
i. Alaska/ Native American/ Indian	5	0.54%
ii. Asian/ Pacific Islander	9	0.96%
iii. Black	57	6.10%
iv. White	610	65.31%
v. Hispanic/ Latino	253	27.09%
07. Was a Search Conducted:		
a. NO	2892	100.00%
i. Alaska/ Native American/ Indian	14	0.48%
ii. Asian/ Pacific Islander	23	0.80%
iii. Black	173	5.98%
iv. White	1787	61.79%
v. Hispanic/ Latino	895	30.95%
b. YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
08. Reason for Search:		
a. Consent	0	0.00%

Racial Profiling Analysis Report

i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Contraband in Plain View	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Probable Cause	0	0.00%
ii. Alaska/ Native American/ Indian	0	
i. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Inventory	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
e. Incident to Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
09. Was Contraband Discovered:		
YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
ii. Asian/ Pacific Islander	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iii. Black	0	

Racial Profiling Analysis Report

Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iv. White	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
v. Hispanic/ Latino	0	
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
b. NO	0	0.00%
i. Alaska/ Native American/ Indian	0	
i. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
10. Description of Contraband:		
a. Drugs	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Currency	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Weapons	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Alcohol	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	

Racial Profiling Analysis Report

v. Hispanic/ Latino	0	
e. Stolen Property	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
f. Other	0	0.00%
i. Alaska/ Native American/ Indian	0	
i. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
11. Result of Stop:		
a. Verbal Warning	2443	84.47%
i. Alaska/ Native American/ Indian	13	0.53%
ii. Asian/ Pacific Islander	17	0.70%
iii. Black	148	6.06%
iv. White	1527	62.51%
v. Hispanic/ Latino	738	30.21%
b. Written Warning	16	0.55%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	6.25%
iv. White	9	56.25%
v. Hispanic/ Latino	6	37.50%
c. Citation	432	14.94%
i. Alaska/ Native American/ Indian	1	0.23%
ii. Asian/ Pacific Islander	6	1.39%
iii. Black	23	5.32%
iv. White	251	58.10%
v. Hispanic/ Latino	151	34.95%
d. Written Warning and Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	

Racial Profiling Analysis Report

e. Citation and Arrest	1	0.03%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	100.00%
iv. White	0	0.00%
v. Hispanic/ Latino	0	0.00%
f. Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
12. Arrest Based On:		
a. Violation of Penal Code	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Violation of Traffic Law	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Violation of City Ordinance	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Outstanding Warrant	1	0.03%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	100.00%
iv. White	0	0.00%
v. Hispanic/ Latino	0	0.00%

Racial Profiling Analysis Report

13. Was Physical Force Used:

a. NO	2892	100.00%
i. Alaska/ Native American/ Indian	14	0.48%
ii. Asian/ Pacific Islander	23	0.80%
iii. Black	173	5.98%
iv. White	1787	61.79%
v. Hispanic/ Latino	895	30.95%
b. YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b 1. YES: Physical Force Resulting in Bodily Injury to Suspect	0	
b 2. YES: Physical Force Resulting in Bodily Injury to Officer	0	
b 3. YES: Physical Force Resulting in Bodily Injury to Both	0	

14. Total Number of Racial Profiling Complaints Received: 0

REPORT DATE COMPILED 02/22/2024



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Elaine H. Cardenas

Sponsor:

Judge Becerra

Agenda Item:

Approve out of state travel for Senior Deputy Anne Medina and Senior Deputy Madison Gish to attend the Pria Conference on March 4 - March 7, 2024 in Charleston, South Carolina. **BECERRA/CARDENAS**

Summary:

Fiscal Impact:

Amount Requested: \$2,875 estimate includes conference registration, hotel, airfare and per diems

Line Item Number: 101-617-10.5551

Budget Office:

Source of Funds: Records Management & Archive Fund

Budget Amendment Required Y/N?: No

Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office

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

New Revenue Y/N?: N/A

Comments:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jeff McGill

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Approve out of state travel for Abigail Hajovsky and Joseph Bodin in the Information Technology Department to attend the Tyler Connect Conference on May 19-22, 2024 in Indianapolis, IN. **INGALSBE/MCGILL**

Summary:

Out of state travel is needed to send Abigail Hajovsky and Joseph Bodin to the Tyler Connect Conference on May 19-22 in Indianapolis, IN. Tyler Connect is Tyler Technologies' annual user conference that provides product training and product demos for new systems and software. Continuing Education funds are available within the IT operating budget.

Fiscal Impact:

Amount Requested: \$4,800 estimate for air fare, hotel, conference registration and per diems
Line Item Number:001-680-00.5551

Budget Office:

Source of Funds: General Fund
Budget Amendment Required Y/N?: No
Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD
Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes, Continuing Education Expense
New Revenue Y/N?: N/A
Comments:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Judge Becerra

Agenda Item

Approve the Cinco de Mayo Menudo Throwdown event on the courthouse grounds sponsored by Hill Country Cook-Off Association to be held on May 4, 2024, that shall include commercial vendors. **BECERRA**

Summary

Section E.12 of the Property Use Policy states that "commercial soliciting, vending, and displaying or distributing commercial advertising on Property is prohibited, except when in conjunction with an event approved by Commissioners Court." The Hill Country Cook-off Association has had their events on the courthouse grounds for the last 3 years and would like permission to once again bring on commercial vendors.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Anita Collins, Community Liaison

Sponsor:

Judge Becerra

Agenda Item:

Authorize expenditures of up to \$1,500.00 for a public Easter Egg Hunt Event to be held on the Courthouse Grounds on March 29, 2024 and amend the budget accordingly. **BECERRA**

Summary:

On March 29, 2024, Hays County will host the 4th Annual Easter Egg Hunt on the Historic Courthouse Grounds. Funding will be utilized for the following:

Plastic Easter Eggs
Candy Fillers
Decor
Easter Bunny

Fiscal Impact:

Amount Requested: \$1,500

Line Item Number: TBD/121-752-00.5201

Budget Office:

Source of Funds: Tobacco Settlement Fund

Budget Amendment Required Y/N?: Yes

Comments: Recommend utilizing the Tobacco Settlement Fund if approved.

\$1,500 - Increase General Supplies 121-752-00.5201

(\$1,500) - Decrease Contract Services 121-752-00.5448

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Ron Hood

Sponsor:

Commissioner Smith

Agenda Item:

Authorize payment to Teddy Morse's Cowboy Harley-Davidson in the amount of \$588.56 related to maintenance on the 2020 Harley Davidson for the Constable, Pct. 4 Office, in which no purchase order was issued as required per the Hays County Purchasing Policy. **SMITH/HOOD**

Summary:

Hays Co. Constable, Pct. 4 motorcycle unit required an oil change, the replacement of and installation of the primary and auxiliary battery, and the installation of a brake pedal as part of the "routine" maintenance to a 2020 Harley-Davidson motorcycle unit.

Attached: Cowboy Harley-Davidson invoice/work order #206404.

Fiscal Impact:

Amount Requested: \$588.56

Line Item Number: 001-638-00-5413

Fiscal Impact:

Amount Requested: \$588.56

Line Item Number: 001-638-00-5413

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: No PO obtained prior to work.

Auditor's Office

G/L Account Validated Y/N?: Yes, Vehicle Maintenance and Repair Expense

New Revenue Y/N?: N/A

Comments:

Attachments

Cowboy Harley-Davidson

Teddy Morse's Cowboy Harley-
10917 IH-35 South
Austin, TX 78747
Phone: 512-448-4294

Repair Order Invoice

Doc Number: 206404
Service Writer: Jacob Turek
Date Printed: 01/29/2024
Date In: 01/26/2024
Cashier: Jacob Turek
Cashier Date: 01/29/2024

HAYS COUNTY CONSTABLE PRECINCT
195 ROGER HANKS PARKWAY
DRIPPING SPRINGS, TX 78620

Customer Information

Work Phone: 512-393-2259
Email: KIMBERLI.ANDREWS@CO.

Summary

Approve	Decline	Unit	Job	Job Total
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2020 HD flhtp	CUSTOMER STATES REPLACE BIKE BATTERY AND ACC/AUX BATTERY	\$378.92
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2020 HD flhtp	CUSTOMER STATES REPLACE ENGINE OIL AND FILTER	\$129.64
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2020 HD flhtp	REPLACE BRAKE PEDAL WITH CUSTOMER SUPPLIED BRAKE PEDAL	\$80.00
Job Subtotal:				\$588.56
Job Parts Subtotal:				\$404.56
Job Labor Subtotal:				\$184.00
Total:				\$588.56
Less Deposits:				\$0.00
Total Due:				\$588.56
A/R Charge - HAYS COUNTY CONSTABLE PRECINCT 4:				\$588.56

COMPLETE BIKE IS GONE

appt 1/26

NOTICE

A SERVICE FEE OF \$5.00 A DAY WILL BE CHARGED IF VEHICLE IS NOT PICKED UP WITHIN 14 DAYS OF NOTIFICATION OF COMPLETION

TAKE-OFF PARTS

All take-off parts not removed from premises after 5 business days will become property of Cowboy Harley-Davidson and will be disposed of at our discretion. Cowboy Harley-Davidson is not responsible for storing any take-off parts after this time. Inform your Service Advisor immediately if you wish to take your parts.

WARRANTY

Service Department labor has a 90 day warranty from the date of completed repair. Genuine Harley-Davidson Parts that are a non-wear item have a 1 year manufacturers warranty that covers the part only, excluding labor. Aftermarket parts may have a warranty that is covered by the manufacturer of that product, and coverage is determined by each manufacturer independently. Harley-Davidson and Cowboy Harley-Davidson are not responsible for warranty coverage of aftermarket parts or labor. Customer supplied parts, whether Genuine Harley-Davidson or aftermarket, are the sole responsibility of the customer to determine warranty coverage.

SAFETY DISCLAIMER

I have had safety related items explained to me that need to be addressed and I have elected to not have them corrected at this time.

X: _____ Date: _____

Signature: _____

Detail

Unit 2020 HD flhtp

Color:

VIN/Serial No:1HD1FMP16LB638995

Plate:

Odom/Hrs In:41,245

Out:41,245

CUSTOMER STATES REPLACE BIKE BATTERY AND ACC/AUX BATTERY

Description:REPLACE BATTERY AND AUX BATTERY

***officer juan 512-781-6033

Resolution:TECH REPLACED MAIN BATTERY AND AUX BATTERY FOLLOWING HD SPEC AND PROCEDURE.

Parts

Part #	Qty	Description	Price	Discount	Total
66010-97E	1.00	BATTERY,28AH,SEALED	\$194.95	(\$19.49)	\$175.46
65989-97E	1.00	BATTERY,17.5AH,SEALED	\$154.95	(\$15.49)	\$139.46
Parts Subtotal					\$314.92

Labor

Description	Technician	Hours	Total
REPLACE BOTH BATTERIES ON BIKE	Tyler Davis	0.8	\$64.00
Labor Subtotal			\$64.00

Job Subtotal \$378.92

Approve: ☒ Decline: ☐

CUSTOMER STATES REPLACE ENGINE OIL AND FILTER

Description:

Resolution:TECH STATES REPLACED ENGINE OIL AND FILTER FOLLOWING HD SPECS AND PROCEDURE

Parts

Part #	Qty	Description	Price	Discount	Total
62700296	1.00	FILTER,OIL,BLACK	\$15.95	(\$1.59)	\$14.36
11105	1.00	O-RING	\$1.20	(\$0.12)	\$1.08
62600005	5.00	SYN3,1-QT,BTL	\$16.49	(\$1.65)	\$74.20
Parts Subtotal					\$89.64

Labor

Description	Technician	Hours	Total
REPLACE ENGINE OIL AND FILTER	Tyler Davis	0.5	\$40.00
Labor Subtotal			\$40.00

Job Subtotal \$129.64

Approve: ☒ Decline: ☐

REPLACE BRAKE PEDAL WITH CUSTOMER SUPPLIED BRAKE PEDAL

Description:CUSTOMER SUPPLIED KURYAKAN PEDAL

Labor

Description	Technician	Hours	Total
REPLACE BRAKE PEDAL	Tyler Davis	1	\$80.00
Labor Subtotal			\$80.00

Job Subtotal \$80.00

Approve: ☒ Decline: ☐

All Jobs Subtotal: \$588.56

Total: \$588.56

Less Deposits: \$0.00

Total Due: \$588.56

A/R Charge - HAYS COUNTY CONSTABLE PRECINCT 4: \$588.56



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY

Sponsor:

Commissioner Cohen

Agenda Item:

Authorize Building Maintenance to have Security One install a new alarm security system at the Hays County Precinct 2 Building and authorize the County Judge to execute the Alarm System Monitoring Agreement authorizing a waiver to the purchasing policy. **COHEN/T.CRUMLEY**

Summary:

Building Maintenance would like to have Security One (our alarm monitoring company) install a new alarm security system in our Precinct 2 Building. Installation and equipment costs are \$665. The monthly monitoring cost for the building will be \$51.95 per month. Building Maintenance is requesting a waiver to the purchasing policy for requesting three quotes. Funding has been identified in the Building Maintenance FY24 operating budget.

Fiscal Impact:

Amount Requested: \$665.00 (installation/equipment)
\$51.95 per month (monitoring services)
Line Item Number: 001-695-00.5451
001-695-00.5480_120

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: requesting wavier to the purchasing policy of obtaining three quotes

Auditor's Office:

G/L Account Validated Y/N?: Yes, Building Maintenance and Repair Expense / Kyle Utilities Expense
New Revenue Y/N?: N/A
Comments:

Attachments

Security One Proposal - PCT 2

SECURITY ONE INC.
716 W. Byrd Blvd
Universal City, Texas 78148
(210) 341-8900

DATE: Feb. 6, 2024



PROPOSAL

BUSINESS NAME Hays County Commissioners PCT 2 **BUS.PHONE** 512-329-8822
NAME Chris Deichmann **Circle: Manager / Owner / Renter** **PHONE** 512-554-9261
ADDRESS 5458 FM 2770
CITY Kyle **TEXAS** 78640

<input type="checkbox"/> JOB TYPE	<input type="checkbox"/> NEW INSTALL	<input type="checkbox"/> TAKE OVER	<input type="checkbox"/> CHANGE OUT	<input type="checkbox"/> LITO	<input type="checkbox"/> ADDS ONLY
<input checked="" type="checkbox"/> COMMERCIAL	<input type="checkbox"/> TRIM OUT	<input checked="" type="checkbox"/> ATTIC ACCESS	<input checked="" type="checkbox"/> DROP CEILING	<input checked="" type="checkbox"/> 1 STORY	<input checked="" type="checkbox"/> SITE SURVEY
<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> PRE-WIRED	<input type="checkbox"/> NO ATTIC	<input type="checkbox"/> SHEET ROCK	<input type="checkbox"/> 2 STORY	<input type="checkbox"/> PHONE SURVEY
<input checked="" type="checkbox"/> INTERACTIVITY		<input type="checkbox"/> LIFT REQ?	CEILING HEIGHT 10'	<input type="checkbox"/> PETS	<input type="checkbox"/> FLOOR PLANS AVAIL

BASIC SECURITY SYSTEM \$395

Control Panel, 1 Keypad, 3 Contacts, 1 Motion Detector, 1 Interior Siren, Transformer, Back up Battery, Yard Sign(s), Window Decals, ☒ Wireless Communicator, ☐ Automation, ☒ Smash & Crash Protection

TAKE OVER PANEL TYPE: DSC 1832 4.6 SYSTEM IS WORKING PROPERLY? ☒ YES ☐ NO
If No Explain: _____

PKG	ADD	EX.	TOTAL	WLS	EQUIPMENT	UNIT	LOCATION(S)	TOTAL
		1	1		Panel		Hallway IT Closet	
		1	1		Keypad(s) (With Panic)		Constable Office	
			0		RF Keypad(s) (With Panic)			
			0		Key Fob(s)			
		1	1		Siren(s)		Buzzer next to Keypad	
			0		Exterior Door Contact(s)			
			0		Window Contact(s)			
			0		Motion Detector(s)			
			0		Glass Break Detector(s)			
			0		Take-over Module/Translator			
	1		1		Wireless Communicator	350	SEM Module	175 175
			0		Z-Wave Device(s)			
			0		Streaming Camera(s)			
		10	10		Other:		Hardwire Hold Up Button	
	2		2	2	Other:	120	HUB Latching Buttons: Commissioners Admin Desk County Clerk Reception Desk	240
	1		1		Other:	150	Wireless Receiver Install next to Panel	150

NOTES: Installation of 2 New Hold Up Buttons as listed above with a Wireless Receiver in IT Closet.
Remove system from phone lines and add a SEM Module to set up with the Alarm.com phone app.
and test with central station for proper operation.

Remove Keypad from Sub Station Office and placde a Double Gang wall plate and leave the Keypad
with Chris Deichmann on site.

Estimated Time for Completion of Job
(Man Hours/Techs)

8 / 1

Term of Agreements 36

Quote Valid for 60 Days

Installation Price	\$ 665.00
Tax	\$ 0
Sub Total	\$ 665

☒ Tax Exempt

Monthly Fee	\$ 51.95
Tax	\$ 0
Sub Total	\$ 51.95
Grand Total	\$ 716.95

Customer Acceptance

Security One, Proposal

NOTE: This is not a formal contract. A company representative will contact you in regards to install times/dates pending signed monitoring agreements.

The Company Operating License. The Company operates under the two following registration numbers:

(A) Security License No B03192 issued by the Texas Department of Public Safety Private Security Bureau. 5806 Guadalupe St., Austin, TX. 78752. Phone (512) 424-7710

(B) Fire Alarm License No. ACR1165 issued by the State Fire Marshall's Office, Mail Code 110-1C, P.O. Box 149104, Austin, TX, 78714-9221. Phone (512) 676-6800.

This company is licensed and regulated by The Private Security Bureau. Any complaints may be addressed to that agency at P.O. Box 4087 Austin, Texas 78773.

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SECURITY ONE INC.
716 W. Byrd Blvd
Universal City, Texas 78148
(210) 341-8900



ALARM SYSTEM MONITORING AGREEMENT

This agreement is made between, Hays County Commissioners PCT 2 5458 FM 2770
hereafter called The Customer, and **SECURITY ONE, INC.**, hereafter called The Company, on Feb. 6, 2024

1. SERVICES PROVIDED

MONITORING SERVICE With:

- ☒ With Extended Warranty Plan (Refer to Section 5 for terms and limitations)
☐ With Comprehensive Extended Warranty Plan (Refer to Section 6 for terms and limitations)
☐ Other _____

SEE SECTIONS 4, 5 AND 6 FOR DEFINITION AND LIMITATIONS OF WARRANTY PLANS.

2. MONTHLY FEE, GOVERNMENT ASSESSMENTS

(A) The Customer agrees to pay a monthly fee of \$ 51.95 (Customer Initials) which shall begin on the day that The System is activated. All subsequent monthly fees shall be payable on the first day of the month. Payment received after the 15th day of the month shall be assessed as a late fee of \$2.00 a month. The monthly fee is for the services provided only.

(B) The Customer further agrees to pay any permit fee, false alarm fee, and/or taxes assessed by any governmental body.

3. TERM OF AGREEMENT, RIGHT TO CALL ALL FEES DUE

(A) This agreement shall remain in full force and effect for a term of 36 months (Customer Initials) from the date of this agreement. Either party may terminate the agreement at any time with a 30-day written notice to the other party.

(B) In the event that Customer's payments are delinquent by sixty (60) or more days, The Company has the right to call all remaining payments pursuant to this monitoring agreement to be immediately due and payable, and The Company may, in its sole discretion, terminate all services provided by any legal means for non-payment of monthly fees, all without further notice to Customer.

4. LIMITED WARRANTY ON SYSTEM

In the event that any part of the system becomes defective Company agrees to make any necessary repairs without cost to Customer for a period of one year from date of system activation. The Company will repair or replace any defective part of The System during normal working hours. Service calls at times other than normal business hours will be charged the company's normal service call fee. This warranty does not include Acts of Nature, alterations to the protected premises, misuse or abuse of the system, theft, electrical surge, damage to the System by animals or battery replacement after one year or any devices that are exposed to the elements. A nominal Trip Charge will be assessed on all site visits after the system has been installed for one year. A Travel Surcharge shall apply from date of System installation to all site visits outside of the Normal Service Area (defined as more to 50 miles from the Alamo according to Google Maps).

5. EXTENDED LIMITED WARRANTY

If the customer has selected the Extended Limited Warranty protection plan and in the event that any part of the system becomes defective Company agrees to make any necessary repairs without cost to Customer for as long as the system is being monitored by the Company and the customer's account is in good standing. The Company will repair or replace any defective part of The System during normal working hours. Service calls at times other than normal business hours will be charged the company's normal service call fee. This warranty does not include Acts of Nature, alterations to the protected premises, misuse or abuse of the system, theft, electrical surge, damage to the system by animals, battery replacement after one year, devices which are beyond End of Life as specified by the manufacturer and all devices that are exposed to the elements. A nominal Trip Charge will be assessed on all site visits after the system has been installed for one year. A Travel Surcharge shall apply from date of System installation to all site visits outside of the Normal Service Area (defined as more than 50 miles from the Alamo according to Google Maps).

6. COMPREHENSIVE EXTENDED LIMITED WARRANTY

If the customer has selected the Comprehensive Extended Limited Warranty protection plan and in the event that any part of the system becomes defective Company agrees to make any necessary repairs without cost to Customer for as long as the system is being monitored by the Company and the customer's account is in good standing. The Company will repair or replace any defective part of The System during normal working hours. Service calls at times other than normal business hours will be charged the company's normal service call fee. This warranty does not include alterations to the protected premises, misuse or abuse of the System, theft or any devices that are exposed to the elements. Under the Comprehensive Extended Warranty, Acts of Nature, battery replacement and damage to the system by animals, devices which are beyond End of Life as specified by the manufacturer ARE COVERED and no Trip Charge will be assessed on any site visit. A Travel Surcharge shall apply from date of System installation to all site visits outside of the Normal Service Area (defined as more than 50 miles from the Alamo according to Google Maps).

7. COMPANY'S RIGHT TO DEPROGRAM THE SYSTEM

The Customer agrees that The Company has the right to enter the premises and deprogram The System for nonpayment of any fees required to be paid under this agreement or if The System is malfunctioning in a way that would jeopardize the integrity of the monitoring station. The deprogramming of The System shall not constitute a waiver by The Company of its rights to collect all fees due by The Customer to The Company. The Company may at its option disconnect The System from the phone lines instead of deprogramming it.

8. OWNERSHIP OF THE SYSTEM

It is understood that the ownership of The System remains with The Customer who agrees to pay The Company for services performed under this agreement.

9. MECHANIC'S LIEN

The Customer acknowledges that he/she is aware that if The Customer defaults in any of the terms or conditions of this agreement, The Company may file a Mechanic's Lien upon the property where The System is installed, for the value of payments not received.

10. NOTICE TO CUSTOMERS

By signing below, The Customer acknowledges that The Customer has read the front and back of this agreement and the proposal attached hereto.

Customer Signature/SSN

Security One, Inc.

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11. TESTING OF SYSTEM

The Customer agrees to test The System monthly to ensure it works properly and notify The Company in writing, if repairs are needed. An inoperative system due to the failure to notify The Company of need for repair does not constitute a breach of this agreement on the part of The Company nor does it excuse any monthly fees. _____ (Customer Initials)

12. INTERRUPTION OF SERVICE

The Company assumes no liability for interruption of monitoring, warranty or repair service due to strikes, riots, floods, storms, earthquakes, fires, power failures, insurrection, interruption or unavailability of telephone service, acts of God, or for any other cause beyond the control of The Company and will not be required to supply any services to The Customer while interruption of service due to any such cause may continue. _____ (Customer Initials)

13. SIGNAL TRANSMISSION

DIGITAL COMMUNICATOR - The Customer understands that a digital communicator is used as the method of transmission of an alarm signal to The Company's central station on The Customer's regular telephone line. Therefore, if the telephone line or cable is cut, damaged, or disconnected, out of order, placed on vacation, or otherwise interrupted, signals from The Customer's alarm system will not be received in The Company's central station and the interruption of service will not be known by The Company. The Customer has been specifically informed of this inherent limitation in a system using such devices, and further acknowledges that the signals transmitted over telephone lines in this manner are beyond the control of The Company with such line being maintained in service by the applicable telephone company or utility. _____ (Customer Initials)

14. SUBROGATION

Customer hereby releases, discharges, indemnifies, and agrees to hold The Company harmless from any and all claims, liabilities, damages, losses, attorney's fees, costs, and/or expenses arising from or caused by any hazard covered by insurance in or on the premises of Customer, whether said claim is made by Customer, his agent, or insurance company, or from other parties claiming under or through Customer. Customer agrees to indemnify The Company against any action for subrogation which may be brought against the Company by an insurer or insurance company or its agents or assigns, including the payment of all damages, expenses, costs and attorney's fee.

15. INDEMNIFICATION

Customer agrees to indemnify and hold harmless Company, its successors, assigns, officers, directors, and employees, from any loss, cost, expense, or attorney's fees on account of any claim for damages by any person not a party to this agreement including Customer's insurance company, arising out of the apprehension on or about the premises of any burglary or robbery suspect, or on account of any claim for destruction, damage or injury to any person or property arising out of or in connection with the operation or non-operation of The System whether these claims be based upon alleged intentional conduct, active or passive negligence, or strict or product liability, on the part of The Company, its agents, servants, or employees.

16. COMPANY IS NOT AN INSURER; DISCLAIMER OF WARRANTIES; LIQUIDATION DAMAGES

(A) It is understood and agreed: that Company is not an insurer; The Company provides no insurance; insurance, if any, shall be obtained by Customer; that payments provided herein are based solely upon the value of The System and are unrelated to the value of Customer's property or the property of others located in Customer's premises: that Company makes no guarantee or warranty, including any implied warranty of merchantability or fitness that The System supplied will avert or prevent occurrences or the consequences there from which The System is designed to detect or avert. Customer acknowledges that it is impractical and extremely difficult to fix the actual damages, if any, which may proximately result from a failure to perform any of the obligations herein, or the failure of The System to properly operate with resulting loss to Customer because of, among other things:

- 1) The uncertain amount of value of Customer's property or the property of others kept on the premises which may be lost, stolen, destroyed, damaged, or otherwise affected by occurrences which The System is designed to detect or avert.
- 2) The uncertainty of the response time of any police or fire department, should the police or fire department be dispatched as a result of a signal being received or an audible device sounding;
- 3) The inability to ascertain what portion, if any, or any loss would be proximately caused by Company's failure to perform or its equipment to operate.

(B) Customer understands and agrees that if Company should be found liable for loss or damages due to the failure of The System in any respect whatsoever, Company's liability shall be limited to the sum of \$250.00 as liquidated damages and not as a penalty and this liability shall be exclusive, and that provisions of this section shall apply if loss and damage, irrespective of cause or origin, results directly or indirectly to persons or property, from performance or non-performance of the obligations imposed by this contract, or from negligence, active or otherwise, of Company, its agents, assigns, or employees.

17. LIABILITY OF THE COMPANY

Company does not represent or warrant that the alarm system may not be compromised or circumvented; or that The System will prevent any loss or burglary, hold-up, fire, or otherwise; or that The System will in all cases provide the protection for which it is installed or intended. **Customer acknowledges and agrees: that Customer assumes all risk or loss or damage to Customer's premises or to the contents thereof, and that Customer has read and understands all of this agreement, particularly paragraph 16 which sets forth Company's maximum liability in the event of any loss or damage to buyer or anyone else.**

18. INVALID PROVISIONS

If any of the terms or provisions of this agreement shall be determined to be invalid or inoperative, all of the remaining terms and provisions shall remain in full force and effect.

19. ASSIGNMENT OF RIGHTS

(A) Customer acknowledges that the sale or transfer of Customer's premises shall not relieve Customer of the duties and obligations under this Agreement. Customer may not assign this agreement without the written consent of The Company.

(B) The Company shall have the right to assign this agreement to any other person, firm or corporation without notice to Customer and shall have the further right to subcontract any installation and/or service including monitoring and patrol response which it may perform. Customer acknowledges that this agreement, and particularly those paragraphs relating to The Company maximum liability, limited liability and third party indemnification, inure to the benefit of and are applicable to any assignees and/or subcontractors of The Company, and that they bind Customer with respect to the assignees and/or subcontracts with the same force and effect as they bind Customer to The Company.

20. GENERAL PROVISIONS:

Attorney's Fees: Limitation of Actions. Both parties agree that no suit or action that relates in any way to this Agreement (whether based upon contract, negligence, or otherwise) shall be brought against the other more than one (1) year after the accrual of the cause of action therefore.

Invalid Provisions. In the event any of the terms or provisions of this agreement shall be declared to be invalid or inoperative, all of the remaining terms and provisions shall remain in full force and effect.

Customer's Purchase Order. Customer acknowledges that if there is any conflict between this agreement and Customer's purchase order or any other document, whether prior or subsequent to this agreement, this agreement will govern unless approved in writing by an authorized officer of The Company.

Agreement Suspended on Catastrophe. This agreement may be suspended or canceled, without the notice at the option of The Company, if The Company's or Customer's premises or The System are destroyed by fire or other catastrophe, or so substantially damaged that it is impractical to continue service, or in the event The Company is unable to render service as a result of any governmental authority.

Entire Agreement; Modification. This writing is intended by the parties as a final expression of their agreement and as a complete and exclusive statement of the terms thereof. This agreement supersedes all prior representations, understanding or agreements of the parties and the parties rely only upon the contents of this agreement in executing it. This agreement can only be modified by a written agreement signed by the parties or their duly authorized agents. No waiver or a breach of any term or condition of this agreement shall be construed to be a waiver of any succeeding breach.

Notice. All notices to be given hereunder shall be in writing and may be served, either personally or by certified mail, return receipt requested, to the address contained herein.

Credit Inquiry. Customer, by signing this agreement, hereby authorizes company to perform a credit investigation, including inquiry into The Customer's consumer credit files with various credit reporting agencies.

Gender, Number. Whenever the context requires in this agreement, the masculine, feminine, or neutral gender, and the singular or plural number, shall be deemed to include the others.

Conditions and Covenants. Each and all of the provisions of this agreement are conditions to be faithfully and fully performed.

Section Headlines. The section titles used herein are for the convenience of the parties only and shall not be considered in constructing the provisions of this Agreement.

Jurisdiction and Venue. This agreement shall be constructed in accordance with the laws of the State of Texas. Venue for any action brought to enforce any provision of this agreement may only be had in Hays County, Texas.

The Company Operating License. The Company operates under the two following registration numbers:

(A) Security License No B03192 issued by the Texas Department of Public Safety Private Security Bureau. P.O. Box 15999, Austin, TX. 78761. Phone (512) 424-7710, and

(B) Fire Alarm License No. ARC1165 issued by the State Fire Marshall's Office, Mail Code 112-FM, P.O. Box 149221, Austin, TX 78714-9221. Phone (512) 305-7900.

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SECURITY ONE INC.
716 W. Byrd Blvd.
Universal City, Texas 78148
(210) 341-8900



CUSTOMER OVERVIEW

I, Hays County Commissioners PCT 2 On Feb. 6, 2024 UNDERSTAND THAT:

_____ It is understood that the ownership of The System remains with The Customer.

_____ I AM REQUIRED TO PAY THE MONTHLY FEE FOR THE DURATION OF THE AGREEMENT BETWEEN

_____ SECURITY ONE, INC. AND MYSELF.

_____ Security One, Inc. is not insuring my property or the property of any other person.

_____ The system does not guarantee prevention of property loss or injury to anyone.

_____ The system that I have chosen may not have detection devices at all possible points of entry. This is the amount of detection that I have chosen.

_____ The system will not report to the monitoring station if the phone service is interrupted in any way.

_____ Security One recommends the use of wireless communicators to transmit alarm signals. However, if you select land line monitoring Security One recommends traditional POTS phone lines. Due to reliability Security One does not recommend the use of digital phone lines to transmit alarm signals. I understand that if I change my phone service, I need to notify Security One, Inc.

_____ It is my responsibility to obtain an alarm permit if one is required.

_____ I have the right to cancel the agreement with Security One, Inc., in accordance with the below notice of cancellation.

_____ I HAVE RECEIVED A COPY OF THIS OVERVIEW AND THE NOTICE OF CANCELLATION.

Customer Signature/SSN

Security One, Inc.

NOTICE OF CANCELLATION

YOU MAY CANCEL THIS TRANSACTION WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE (3) BUSINESS DAYS FROM THIS DATE. IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY SECURITY ONE, INC OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO SECURITY ONE, INC. AT YOUR RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THE CONTRACT OR SALE, OR YOU MAY, IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF SECURITY ONE, INC. REGARDING THE RETURN SHIPMENT OF THE GOODS AT SECURITY ONE, INC. EXPENSE AND RISK.

IF YOU DO NOT AGREE TO RETURN THE GOODS TO SECURITY ONE OR IF SECURITY ONE DOES NOT PICK THEM UP WITHIN TWENTY (20) DAYS OF THE DATE OF YOUR NOTICE OF CANCELLATION, YOU MAY RETAIN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THE CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO SECURITY ONE, INC AT 716 W. BYRD BLVD., UNIVERSAL CITY, TX 78148, NOT LATER THAN MIDNIGHT OF _____.

I HEREBY CANCEL THIS TRANSACTION.

Signed

Feb. 6, 2024

Date

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SECURITY ONE INC.
 716 W. Byrd Blvd
 Universal City, Texas 78148
 (210) 341-8900



INFORMATION SHEET

SITE INFORMATION

Name Hays County Commissioners PCT 2
 Address 5458 FM 2770
 City Kyle
 State Tx. Zip code 78640
 Phone 512-329-8822

BILLING/MAILING INFO (if different from site)

Name _____
 Address _____
 City _____
 State _____ Zip code _____
 Phone _____

Cross Street _____
 Email address chrisdeichmann@co.hays
 Police _____

Password _____
 Email billing? ☐ Yes ☐ No
 Fire _____

CONTACT PARTIES

NAME	PHONE	TYPE (H/W/C)
		Select...
		Select...
		Select...
		Select...

USE BELOW LISTED INFORMATION FOR

Monitoring Only

Installation Only

Both

Name of Financial Institution _____
 Name on Account _____
 Banking Account # _____
 Bank Routing # _____

FOR ADDITIONAL ACCOUNT INFO

Installation Only

I understand that installation charges will be processed the Friday before the installation: _____

How did you hear about us?

☐ Yellow Pages ☐ Current Customer ☐ Police Officer ☐ Our Website ☐ Other

Referred by: _____ Credit _____



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Authorize Building Maintenance to have Security One update the alarm system located at 2171 Yarrington with a wireless communicator and authorize the County Judge to execute the monitoring agreement authorizing a waiver to the purchasing policy. **INGALSBE/T.CRUMLEY**

Summary:

Building Maintenance would like to have Security One (our alarm monitoring company) upgrade the security system at the Yarrington Road and Bridge Department with a new wireless communicator. Installation and equipment costs are \$275. The monthly monitoring cost for the building will be \$41.95 per month. Building Maintenance is requesting a waiver to the purchasing policy for requesting three quotes. Funding has been identified in the Building Maintenance FY24 operating budget.

Fiscal Impact:

Amount Requested: \$275 (installation/equipment)
\$41.95 per month (monitoring services)
Line Item Number: 001-695-00.5451
001-695-00.5480_190

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: wavier to the purchasing policy to obtain three quotes

Auditor's Office:

G/L Account Validated Y/N?: Yes, Building Maintenance and Repair Expense / Yarrington Utilities Expense
New Revenue Y/N?: N/A
Comments:

Attachments

Security One Proposal - Road and Bridge

SECURITY ONE INC.
716 W. Byrd Blvd
Universal City, Texas 78148
(210) 341-8900

DATE: Feb. 6, 2024



PROPOSAL

BUSINESS NAME Hays County Road and Bridge Dept. **BUS.PHONE** 512-393-2150
NAME Chris Deichmann **Circle: Manager / Owner / Renter** **PHONE** 512-554-9261
ADDRESS 2171 Yarrington Rd.
CITY San Marcos **TEXAS** 78666

<input type="checkbox"/> JOB TYPE	<input type="checkbox"/> NEW INSTALL	<input type="checkbox"/> TAKE OVER	<input type="checkbox"/> CHANGE OUT	<input type="checkbox"/> LITO	<input type="checkbox"/> ADDS ONLY
<input checked="" type="checkbox"/> COMMERCIAL	<input type="checkbox"/> TRIM OUT	<input type="checkbox"/> ATTIC ACCESS	<input type="checkbox"/> DROP CEILING	<input type="checkbox"/> 1 STORY	<input type="checkbox"/> SITE SURVEY
<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> PRE-WIRED	<input checked="" type="checkbox"/> NO ATTIC	<input checked="" type="checkbox"/> SHEET ROCK	<input checked="" type="checkbox"/> 2 STORY	<input checked="" type="checkbox"/> PHONE SURVEY
<input type="checkbox"/> INTERACTIVITY		<input type="checkbox"/> LIFT REQ?	CEILING HEIGHT 30' *	<input type="checkbox"/> PETS	<input type="checkbox"/> FLOOR PLANS AVAILABLE

BASIC SECURITY SYSTEM \$395

Control Panel, 1 Keypad, 3 Contacts, 1 Motion Detector, 1 Interior Siren, Transformer, Back up Battery, Yard Sign(s), Window Decals, ☐ Wireless Communicator, ☐ Automation, ☐ Smash & Crash Protection

TAKE OVER PANEL TYPE: Vista 128FB SYSTEM IS WORKING PROPERLY? ☐ YES ☐ NO
If No Explain: _____

PKG	ADD	EX.	TOTAL	WLS	EQUIPMENT	UNIT	LOCATION(S)	TOTAL
		1	1		Panel			
		1	1		Keypad(s) (With Panic)			
			0		RF Keypad(s) (With Panic)			
			0		Key Fob(s)			
			0		Siren(s)			
		10	10		Exterior Door Contact(s)			
			0		Window Contact(s)			
		4	4		Motion Detector(s)			
			0		Glass Break Detector(s)			
			0		Take-over Module/Translator			
	1		1		Wireless Communicator	350	LE-4000	175 175
			0		Z-Wave Device(s)			
			0		Streaming Camera(s)			
		4	4		Other:		Overhead Door	
		4	4		Other:		Panic Button	
			0		Other:			

NOTES: Removed system from phone line, install cell communicator, program, test and verify signal with Central Station.

Estimated Time for Completion of Job
(Man Hours/Techs)

4 / 1

Term of Agreements 36

Quote Valid for 60 Days

Installation Price	\$ 275.00
Tax	\$ 0
Sub Total	\$ 275

☒ Tax Exempt

Monthly Fee	\$ 41.95
Tax	\$ 0
Sub Total	\$ 41.95

Grand Total \$ 316.95

Customer Acceptance

Security One, Proposal

NOTE: This is not a formal contract. A company representative will contact you in regards to install times/dates pending signed monitoring agreements.

The Company Operating License. The Company operates under the two following registration numbers:

(A) Security License No B03192 issued by the Texas Department of Public Safety Private Security Bureau. 5806 Guadalupe St., Austin, TX. 78752. Phone (512) 424-7710

(B) Fire Alarm License No. ACR1165 issued by the State Fire Marshall's Office, Mail Code 110-1C, P.O. Box 149104, Austin, TX, 78714-9221. Phone (512) 676-6800.

This company is licensed and regulated by The Private Security Bureau. Any complaints may be addressed to that agency at P.O. Box 4087 Austin, Texas 78773.

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SECURITY ONE INC.
716 W. Byrd Blvd
Universal City, Texas 78148
(210) 341-8900



ALARM SYSTEM MONITORING AGREEMENT

This agreement is made between, Hays County Road and Bridge Dept. 2171 Yarrington Rd.
hereafter called The Customer, and **SECURITY ONE, INC.**, hereafter called The Company, on Feb. 6, 2024

1. SERVICES PROVIDED

MONITORING SERVICE With:

- ☒ With Extended Warranty Plan (Refer to Section 5 for terms and limitations)
☐ With Comprehensive Extended Warranty Plan (Refer to Section 6 for terms and limitations)
☐ Other _____

SEE SECTIONS 4, 5 AND 6 FOR DEFINITION AND LIMITATIONS OF WARRANTY PLANS.

2. MONTHLY FEE, GOVERNMENT ASSESSMENTS

(A) The Customer agrees to pay a monthly fee of \$ 41.95 (Customer Initials) which shall begin on the day that The System is activated. All subsequent monthly fees shall be payable on the first day of the month. Payment received after the 15th day of the month shall be assessed as a late fee of \$2.00 a month. The monthly fee is for the services provided only.

(B) The Customer further agrees to pay any permit fee, false alarm fee, and/or taxes assessed by any governmental body.

3. TERM OF AGREEMENT, RIGHT TO CALL ALL FEES DUE

(A) This agreement shall remain in full force and effect for a term of 36 months (Customer Initials) from the date of this agreement. Either party may terminate the agreement at any time with a 30-day written notice to the other party.

(B) In the event that Customer's payments are delinquent by sixty (60) or more days, The Company has the right to call all remaining payments pursuant to this monitoring agreement to be immediately due and payable, and The Company may, in its sole discretion, terminate all services provided by any legal means for non-payment of monthly fees, all without further notice to Customer.

4. LIMITED WARRANTY ON SYSTEM

In the event that any part of the system becomes defective Company agrees to make any necessary repairs without cost to Customer for a period of one year from date of system activation. The Company will repair or replace any defective part of The System during normal working hours. Service calls at times other than normal business hours will be charged the company's normal service call fee. This warranty does not include Acts of Nature, alterations to the protected premises, misuse or abuse of the system, theft, electrical surge, damage to the System by animals or battery replacement after one year or any devices that are exposed to the elements. A nominal Trip Charge will be assessed on all site visits after the system has been installed for one year. A Travel Surcharge shall apply from date of System installation to all site visits outside of the Normal Service Area (defined as more to 50 miles from the Alamo according to Google Maps).

5. EXTENDED LIMITED WARRANTY

If the customer has selected the Extended Limited Warranty protection plan and in the event that any part of the system becomes defective Company agrees to make any necessary repairs without cost to Customer for as long as the system is being monitored by the Company and the customer's account is in good standing. The Company will repair or replace any defective part of The System during normal working hours. Service calls at times other than normal business hours will be charged the company's normal service call fee. This warranty does not include Acts of Nature, alterations to the protected premises, misuse or abuse of the system, theft, electrical surge, damage to the system by animals, battery replacement after one year, devices which are beyond End of Life as specified by the manufacturer and all devices that are exposed to the elements. A nominal Trip Charge will be assessed on all site visits after the system has been installed for one year. A Travel Surcharge shall apply from date of System installation to all site visits outside of the Normal Service Area (defined as more than 50 miles from the Alamo according to Google Maps).

6. COMPREHENSIVE EXTENDED LIMITED WARRANTY

If the customer has selected the Comprehensive Extended Limited Warranty protection plan and in the event that any part of the system becomes defective Company agrees to make any necessary repairs without cost to Customer for as long as the system is being monitored by the Company and the customer's account is in good standing. The Company will repair or replace any defective part of The System during normal working hours. Service calls at times other than normal business hours will be charged the company's normal service call fee. This warranty does not include alterations to the protected premises, misuse or abuse of the System, theft or any devices that are exposed to the elements. Under the Comprehensive Extended Warranty, Acts of Nature, battery replacement and damage to the system by animals, devices which are beyond End of Life as specified by the manufacturer ARE COVERED and no Trip Charge will be assessed on any site visit. A Travel Surcharge shall apply from date of System installation to all site visits outside of the Normal Service Area (defined as more than 50 miles from the Alamo according to Google Maps).

7. COMPANY'S RIGHT TO DEPROGRAM THE SYSTEM

The Customer agrees that The Company has the right to enter the premises and deprogram The System for nonpayment of any fees required to be paid under this agreement or if The System is malfunctioning in a way that would jeopardize the integrity of the monitoring station. The deprogramming of The System shall not constitute a waiver by The Company of its rights to collect all fees due by The Customer to The Company. The Company may at its option disconnect The System from the phone lines instead of deprogramming it.

8. OWNERSHIP OF THE SYSTEM

It is understood that the ownership of The System remains with The Customer who agrees to pay The Company for services performed under this agreement.

9. MECHANIC'S LIEN

The Customer acknowledges that he/she is aware that if The Customer defaults in any of the terms or conditions of this agreement, The Company may file a Mechanic's Lien upon the property where The System is installed, for the value of payments not received.

10. NOTICE TO CUSTOMERS

By signing below, The Customer acknowledges that The Customer has read the front and back of this agreement and the proposal attached hereto.

Customer Signature/SSN

Security One, Inc.

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11. TESTING OF SYSTEM

The Customer agrees to test The System monthly to ensure it works properly and notify The Company in writing, if repairs are needed. An inoperative system due to the failure to notify The Company of need for repair does not constitute a breach of this agreement on the part of The Company nor does it excuse any monthly fees. _____ (Customer Initials)

12. INTERRUPTION OF SERVICE

The Company assumes no liability for interruption of monitoring, warranty or repair service due to strikes, riots, floods, storms, earthquakes, fires, power failures, insurrection, interruption or unavailability of telephone service, acts of God, or for any other cause beyond the control of The Company and will not be required to supply any services to The Customer while interruption of service due to any such cause may continue. _____ (Customer Initials)

13. SIGNAL TRANSMISSION

DIGITAL COMMUNICATOR – The Customer understands that a digital communicator is used as the method of transmission of an alarm signal to The Company's central station on The Customer's regular telephone line. Therefore, if the telephone line or cable is cut, damaged, or disconnected, out of order, placed on vacation, or otherwise interrupted, signals from The Customer's alarm system will not be received in The Company's central station and the interruption of service will not be known by The Company. The Customer has been specifically informed of this inherent limitation in a system using such devices, and further acknowledges that the signals transmitted over telephone lines in this manner are beyond the control of The Company with such line being maintained in service by the applicable telephone company or utility. _____ (Customer Initials)

14. SUBROGATION

Customer hereby releases, discharges, indemnifies, and agrees to hold The Company harmless from any and all claims, liabilities, damages, losses, attorney's fees, costs, and/or expenses arising from or caused by any hazard covered by insurance in or on the premises of Customer, whether said claim is made by Customer, his agent, or insurance company, or from other parties claiming under or through Customer. Customer agrees to indemnify The Company against any action for subrogation which may be brought against the Company by an insurer or insurance company or its agents or assigns, including the payment of all damages, expenses, costs and attorney's fee.

15. INDEMNIFICATION

Customer agrees to indemnify and hold harmless Company, its successors, assigns, officers, directors, and employees, from any loss, cost, expense, or attorney's fees on account of any claim for damages by any person not a party to this agreement including Customer's insurance company, arising out of the apprehension on or about the premises of any burglary or robbery suspect, or on account of any claim for destruction, damage or injury to any person or property arising out of or in connection with the operation or non-operation of The System whether these claims be based upon alleged intentional conduct, active or passive negligence, or strict or product liability, on the part of The Company, its agents, servants, or employees.

16. COMPANY IS NOT AN INSURER; DISCLAIMER OF WARRANTIES; LIQUIDATION DAMAGES

(A) It is understood and agreed: that Company is not an insurer; The Company provides no insurance; insurance, if any, shall be obtained by Customer; that payments provided herein are based solely upon the value of The System and are unrelated to the value of Customer's property or the property of others located in Customer's premises: that Customer makes no guarantee or warranty, including any implied warranty of merchantability or fitness that The System supplied will avert or prevent occurrences or the consequences there from which The System is designed to detect or avert. Customer acknowledges that it is impractical and extremely difficult to fix the actual damages, if any, which may proximately result from a failure to perform any of the obligations herein, or the failure of The System to properly, operate with resulting loss to Customer because of, among other things:

- 1) The uncertain amount of value of Customer's property or the property of others kept on the premises which may be lost, stolen, destroyed, damaged, or otherwise affected by occurrences which The System is designed to detect or avert.
- 2) The uncertainty of the response time of any police or fire department, should the police or fire department be dispatched as a result of a signal being received or an audible device sounding;
- 3) The inability to ascertain what portion, if any, or any loss would be proximately caused by Company's failure to perform or its equipment to operate.

(B) Customer understands and agrees that if Company should be found liable for loss or damages due to the failure of The System in any respect whatsoever, Company's liability shall be limited to the sum of \$250.00 as liquidated damages and not as a penalty and this liability shall be exclusive, and that provisions of this section shall apply if loss and damage, irrespective of cause or origin, results directly or indirectly to persons or property, from performance or non-performance of the obligations imposed by this contract, or from negligence, active or otherwise, of Company, its agents, assigns, or employees.

17. LIABILITY OF THE COMPANY

Company does not represent or warrant that the alarm system may not be compromised or circumvented; or that The System will prevent any loss or burglary, hold-up, fire, or otherwise; or that The System will in all cases provide the protection for which it is installed or intended. **Customer acknowledges and agrees: that Customer assumes all risk or loss or damage to Customer's premises or to the contents thereof, and that Customer has read and understands all of this agreement, particularly paragraph 16 which sets forth Company's maximum liability in the event of any loss or damage to buyer or anyone else.**

18. INVALID PROVISIONS

If any of the terms or provisions of this agreement shall be determined to be invalid or inoperative, all of the remaining terms and provisions shall remain in full force and effect.

19. ASSIGNMENT OF RIGHTS

(A) Customer acknowledges that the sale or transfer of Customer's premises shall not relieve Customer of the duties and obligations under this Agreement. Customer may not assign this agreement without the written consent of The Company.

(B) The Company shall have the right to assign this agreement to any other person, firm or corporation without notice to Customer and shall have the further right to subcontract any installation and/or service including monitoring and patrol response which it may perform. Customer acknowledges that this agreement, and particularly those paragraphs relating to The Company maximum liability, limited liability and third party indemnification, inure to the benefit of and are applicable to any assignees and/or subcontractors of The Company, and that they bind Customer with respect to the assignees and/or subcontracts with the same force and effect as they bind Customer to The Company.

20. GENERAL PROVISIONS:

Attorney's Fees: Limitation of Actions. Both parties agree that no suit or action that relates in any way to this Agreement (whether based upon contract, negligence, or otherwise) shall be brought against the other more than one (1) year after the accrual of the cause of action therefore.

Invalid Provisions. In the event any of the terms or provisions of this agreement shall be declared to be invalid or inoperative, all of the remaining terms and provisions shall remain in full force and effect.

Customer's Purchase Order. Customer acknowledges that if there is any conflict between this agreement and Customer's purchase order or any other document, whether prior or subsequent to this agreement, this agreement will govern unless approved in writing by an authorized officer of The Company.

Agreement Suspended on Catastrophe. This agreement may be suspended or canceled, without the notice at the option of The Company, if The Company's or Customer's premises or The System are destroyed by fire or other catastrophe, or so substantially damaged that it is impractical to continue service, or in the event The Company is unable to render service as a result of any governmental authority.

Entire Agreement; Modification. This writing is intended by the parties as a final expression of their agreement and as a complete and exclusive statement of the terms thereof. This agreement supersedes all prior representations, understanding or agreements of the parties and the parties rely only upon the contents of this agreement in executing it. This agreement can only be modified by a written agreement signed by the parties or their duly authorized agents. No waiver or breach of any term or condition of this agreement shall be construed to be a waiver of any succeeding breach.

Notice. All notices to be given hereunder shall be in writing and may be served, either personally or by certified mail, return receipt requested, to the address contained herein.

Credit Inquiry. Customer, by signing this agreement, hereby authorizes company to perform a credit investigation, including inquiry into The Customer's consumer credit files with various credit reporting agencies.

Gender, Number. Whenever the context requires in this agreement, the masculine, feminine, or neutral gender, and the singular or plural number, shall be deemed to include the others.

Conditions and Covenants. Each and all of the provisions of this agreement are conditions to be faithfully and fully performed.

Section Headlines. The section titles used herein are for the convenience of the parties only and shall not be considered in constructing the provisions of this Agreement.

Jurisdiction and Venue. This agreement shall be constructed in accordance with the laws of the State of Texas. Venue for any action brought to enforce any provision of this agreement may only be had in Hays County, Texas.

The Company Operating License. The Company operates under the two following registration numbers:

(A) Security License No B03192 issued by the Texas Department of Public Safety Private Security Bureau, P.O. Box 15999, Austin, TX. 78761. Phone (512) 424-7710, and

(B) Fire Alarm License No. ARC1165 issued by the State Fire Marshall's Office, Mail Code 112-FM, P.O. Box 149221, Austin, TX 78714-9221. Phone (512) 305-7900.

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SECURITY ONE INC.
716 W. Byrd Blvd.
Universal City, Texas 78148
(210) 341-8900



CUSTOMER OVERVIEW

I, Hays County Road and Bridge Dept. On Feb. 6, 2024 UNDERSTAND THAT:

- _____ It is understood that the ownership of The System remains with The Customer.
- _____ I AM REQUIRED TO PAY THE MONTHLY FEE FOR THE DURATION OF THE AGREEMENT BETWEEN
- _____ SECURITY ONE, INC. AND MYSELF.
- _____ Security One, Inc. is not insuring my property or the property of any other person.
- _____ The system does not guarantee prevention of property loss or injury to anyone.
- _____ The system that I have chosen may not have detection devices at all possible points of entry. This is the amount of detection that I have chosen.
- _____ The system will not report to the monitoring station if the phone service is interrupted in any way.
- _____ Security One recommends the use of wireless communicators to transmit alarm signals. However, if you select land line monitoring Security One recommends traditional POTS phone lines. Due to reliability Security One does not recommend the use of digital phone lines to transmit alarm signals. I understand that if I change my phone service, I need to notify Security One, Inc.
- _____ It is my responsibility to obtain an alarm permit if one is required.
- _____ I have the right to cancel the agreement with Security One, Inc., in accordance with the below notice of cancellation.
- _____ I HAVE RECEIVED A COPY OF THIS OVERVIEW AND THE NOTICE OF CANCELLATION.

Customer Signature/SSN

Security One, Inc.

NOTICE OF CANCELLATION

YOU MAY CANCEL THIS TRANSACTION WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE (3) BUSINESS DAYS FROM THIS DATE. IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY SECURITY ONE, INC OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO SECURITY ONE, INC. AT YOUR RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THE CONTRACT OR SALE, OR YOU MAY, IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF SECURITY ONE, INC. REGARDING THE RETURN SHIPMENT OF THE GOODS AT SECURITY ONE, INC. EXPENSE AND RISK.

IF YOU DO NOT AGREE TO RETURN THE GOODS TO SECURITY ONE OR IF SECURITY ONE DOES NOT PICK THEM UP WITHIN TWENTY (20) DAYS OF THE DATE OF YOUR NOTICE OF CANCELLATION, YOU MAY RETAIN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THE CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO SECURITY ONE, INC AT 716 W. BYRD BLVD., UNIVERSAL CITY, TX 78148, NOT LATER THAN MIDNIGHT OF _____.

I HEREBY CANCEL THIS TRANSACTION.

Signed

Feb. 6, 2024

Date

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SECURITY ONE INC.
716 W. Byrd Blvd
Universal City, Texas 78148
(210) 341-8900



INFORMATION SHEET

SITE INFORMATION

Name Hays County Road and Bridge Dept.
Address 2171 Yarrington Rd.
City San Marcos
State Tx. Zip code 78666
Phone 512-393-2150

BILLING/MAILING INFO (if different from site)

Name _____
Address _____
City _____
State _____ Zip code _____
Phone _____

Cross Street _____
Email address chrisdeichmann@co.hays
Police SAPD

Password _____
Email billing? ☐ Yes ☐ No
Fire SAFD

CONTACT PARTIES

NAME	PHONE	TYPE (H/W/C)
		Select...
		Select...
		Select...
		Select...

USE BELOW LISTED INFORMATION FOR

☐ Monitoring Only

☐ Installation Only

☐ Both

Name of Financial Institution _____
Name on Account _____
Banking Account # _____
Bank Routing # _____

FOR ADDITIONAL ACCOUNT INFO

Installation Only

I understand that installation charges will be processed the Friday before the installation: _____

How did you hear about us?

☐ Yellow Pages ☐ Current Customer ☐ Police Officer ☐ Our Website ☐ Other

Referred by: _____ Credit _____



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY

Sponsor:

Commissioner Shell

Agenda Item:

Authorize the Building Maintenance Department to purchase one (1) replacement Dell Latitude 5540 Laptop with Docking valued at \$1,668.00 for the Facility Maintenance Manager and amend the budget accordingly. **SHELL/T.CRUMLEY**

Summary:

The Facility Maintenance Manager is requesting a new laptop to replace his current laptop which is at end of life. Funds are available within the Building Maintenance operating budget for this purchase and will be purchased under contract DIR-TSO-3763.

Fiscal Impact:

Amount Requested: \$1,668.00

Line Item Number: 001-695-00.5202/5712_400

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$1,419 - Increase Computer Equipment_Operating 001-695-00.5712_400

\$249 - Increase Data Supplies 001-695-00.5202

(\$1,668) - Decrease Equipment Maintenance 001-695-00.5411

Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: The 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:

Attachments

Dell Quote - Laptop



Your quote is ready for purchase.

Complete the purchase of your personalized quote through our secure online checkout before the quote expires on **Mar. 15, 2024**.

You can download a copy of this quote during checkout.

Place your order

Quote Name:	CWO Laptop and Dock with DIR pricing	Sales Rep	Jeanna Smith
Quote No.	3000172499941.1	Phone	(800) 456-3355, 6180303
Total	\$1,668.00	Email	Jeanna_Smith@Dell.com
Customer #	9657350	Billing To	ACCOUNTS PAYABLE
Quoted On	Feb. 14, 2024		HAYS COUNTY -
Expires by	Mar. 15, 2024		AUDITORS
Contract Name	Texas Department of Information Resources (TX DIR)		712 S STAGECOACH
			TRL STE 1071
			SAN MARCOS, TX
			78666-6247
Contract Code	C000000006841		
Customer Agreement #	TX DIR-TSO-3763		
Deal ID	23048855		

Message from your Sales Rep

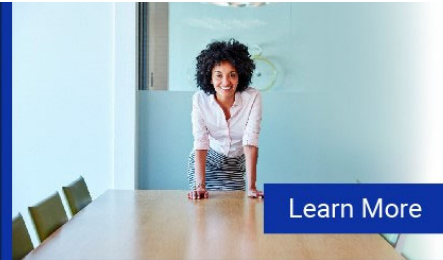
Please use the Order button to securely place the order with your preferred payment method online. You may contact your Dell sales team if you have any questions. Thank you for shopping with Dell.

Regards,
Jeanna Smith

Product	Unit Price	Quantity	Subtotal
Dell Latitude 5540	\$1,419.00	1	\$1,419.00
Dell Thunderbolt 4 Dock- WD22TB4	\$249.00	1	\$249.00
Subtotal:			\$1,668.00
Shipping:			\$0.00
Environmental Fee:			\$0.00
Non-Taxable Amount:			\$1,668.00
Taxable Amount:			\$0.00
Estimated Tax:			\$0.00
Total:			\$1,668.00

Maximize your new
technology on day one

Dell ProDeploy Suite



[Learn More](#)

Shipping Group Details

Shipping To

ERICA LEE
HAYS COUNTY - AUDITORS
120 STAGECOACH TRL
SAN MARCOS, TX 78666-5268
(512) 393-2844

Shipping Method

Standard Delivery

	Unit Price	Quantity	Subtotal
Dell Latitude 5540	\$1,419.00	1	\$1,419.00

Estimated delivery if purchased today:
Feb. 20, 2024
Contract # C000000006841
Customer Agreement # TX DIR-TSO-3763

Description	SKU	Unit Price	Quantity	Subtotal
Dell Latitude 5540 BTX Base	210-BGBJ	-	1	-
13th Gen Intel Core i7-1365U vPro (12 MB cache, 10 cores, 12 threads, up to 5.2 GHz Turbo)	379-BFBW	-	1	-
Windows 11 Pro, English, Brazilian Portuguese PT-BR, French, Spanish	619-ARSB	-	1	-
No Microsoft Office License Included - 30 day Trial Offer Only	658-BCSB	-	1	-
Intel(R) Rapid Storage Technology Driver	409-BCWS	-	1	-
Intel vPro Enterprise Technology Enabled	631-ADPV	-	1	-
16 GB, 2 x 8 GB, DDR4, 3200 MT/s, dual-channel, Non-ECC	370-AFVQ	-	1	-
M.2 2230 PCIe NVMe Gen4x4 256GB SSD Class 35	400-BOWJ	-	1	-
15.6" FHD (1920x1080) Non-Touch, AG, IPS, 250 nits, FHD IR Cam, WLAN/WWAN(4G)	391-BHEM	-	1	-
English US backlit keyboard with numeric keypad, 99-key	583-BHBG	-	1	-
Wireless Intel AX211 WLAN Driver MOD-SRV	555-BJDC	-	1	-
Intel(R) Wi-Fi 6E (6 if 6E unavailable) AX211, 2x2, 802.11ax, Bluetooth Wireless Card	555-BHHU	-	1	-
3- cell, 54Wh Battery, Express Charge Capable	451-BDBL	-	1	-
65W AC adapter, USB Type-C, TCO Gen9 compliant	492-BDHS	-	1	-
Single Pointing, Smart Card Reader, Finger Print Reader	346-BINO	-	1	-

(w/ControlVault 3)

E4 Power Cord 1M for US	537-BBDO	-	1	-
Latitude 5540 Quick Start Guide	340-DDHL	-	1	-
ENERGY STAR Qualified	387-BBPC	-	1	-
Fixed Hardware Configuration	998-GDKL	-	1	-
Dell Additional Software	658-BFQB	-	1	-
Packaging BTS 65W Adapter (WHN)	340-DJVJ	-	1	-
Intel Core i7 vPro Enterprise Label	340-CYNX	-	1	-
POD Label	389-EDJB	-	1	-
Assembly Base	338-CHGG	-	1	-
Intel 13th Generation Core i7-1365U vPro, Intel Integrated Graphics, Thunderbolt	338-CHGN	-	1	-
Latitude 5540 Bottom Door, Intel 13th Gen U-Series CPU, Intel Integrated Graphics	321-BJTL	-	1	-
FHD/IR Camera, Temporal Noise Reduction, Camera Shutter, Mic	319-BBIE	-	1	-
EPEAT 2018 Registered (Gold)	379-BDZB	-	1	-
Dell Limited Hardware Warranty Extended Year(s)	975-3461	-	1	-
Dell Limited Hardware Warranty	997-8317	-	1	-
ProSupport Plus: Next Business Day Onsite, 1 Year	997-8366	-	1	-
Thank you for choosing Dell ProSupport Plus. For tech support, visit www.dell.com/contactdell or call 1-866-516-3115	997-8367	-	1	-
ProSupport Plus: 7x24 Technical Support, 3 Years	997-8380	-	1	-
ProSupport Plus: Next Business Day Onsite, 2 Year Extended	997-8381	-	1	-
ProSupport Plus: Keep Your Hard Drive, 3 Years	997-8382	-	1	-
ProSupport Plus: Accidental Damage Service, 3 Years	997-8383	-	1	-

Unit Price	Quantity	Subtotal
\$249.00	1	\$249.00

**Dell Thunderbolt 4 Dock-
WD22TB4**

Estimated delivery if purchased today:

Feb. 20, 2024

Contract # C000000006841

Customer Agreement # TX DIR-TSO-3763

Description	SKU	Unit Price	Quantity	Subtotal
BASE,DS,WD22TB4 US 180W	210-BDQH	-	1	-
Dell Limited Hardware Warranty	872-8557	-	1	-

ProSupport Advanced Exchange 872-8567 Service 3 Years	-	1	-
ProSupport 7x24 Technical Support 872-8575 and Assistance 3 Years	-	1	-
Thank you choosing Dell 989-3449 ProSupport. For tech support, visit //support.dell.com/ProSupport	-	1	-
Subtotal:			\$1,668.00
Shipping:			\$0.00
Environmental Fee:			\$0.00
Estimated Tax:			\$0.00
Total:			\$1,668.00

CONNECT WITH DELL: 

BROWSE MORE OPTIONS:



IT Transformation



Laptops



Desktops



Servers & Storage



2-in-1's



Electronics &
Accessories



Financing Options



Dell Services



Dell Support



Subscription Center



Events



Dell Premier

Important Notes

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

Supplier Software Licenses and Services Descriptions: Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on www.Dell.com/eula. Descriptions and terms for Supplier-branded standard services are stated at

www.dell.com/servicecontracts/global or for certain infrastructure products at www.dell.com/en-us/customer-services/product-warranty-and-service-descriptions.htm.

Offer-Specific, Third Party and Program Specific Terms: Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on www.dell.com/offeringspecificterms ("Offer Specific Terms").

In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

^DELL BUSINESS CREDIT (DBC): Offered to business customers by WebBank, who determines qualifications for and terms of credit. Taxes, shipping and other charges are extra and vary. The Total Minimum Payment Due is the greater of either \$20 or 3% of the New Balance shown on the statement rounded up to the next dollar, plus all past due amounts. Dell and the Dell logo are trademarks of Dell Inc.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor: Commissioner Ingalsbe

Agenda Item

Authorize the execution of an Interlocal Cooperation Contract between Hays County and the Department of Public Safety, related to the FTA program conducted pursuant to Chapter 706 of the Texas Transportation Code. **INGALSBE**

Summary

The Department of Public Safety has issued new contracts which include changes in Chapter 706 that occurred during the 88th Legislative Session.

Letter/Contract Attached

Attachments

Letter & Agreement



STEVEN C. McCRAW
DIRECTOR
WALT GOODSON
FREEMAN F. MARTIN
DWIGHT D. MATHIS
DEPUTY DIRECTORS

TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

www.dps.texas.gov



COMMISSION
STEVEN P. MACH, CHAIRMAN
NELDA L. BLAIR
LARRY B. LONG
STEVE H. STODGHILL
DALE WAINWRIGHT

January 29, 2024

HAYS COUNTY COURT
111 E SAN ANTONIO ST, STE 100
SAN MARCOS, TX 78666

Re: Notice of Interlocal Cooperation Contract (ICC) for Failure to Appear (FTA) Program

Dear Court Administrator,

Due to changes occurring in the 88th Legislative Session, the Department revised the FTA contract (ICC). This notice is to inform you of the changes and the need to sign a new contract to continue your participation in the FTA program. You must return the signed contract (ICC) **within 90 days** from the date of this notice to continue participating in the program.

The following changes have been made to the contract (ICC):

- Changes to language and restructuring of the original ICC to provide clarity regarding the specific responsibilities held by each party.
- Inclusion of indigency into the program as mandated by House Bill 291, 88th Legislative Session.
- Language to account for future changes to the current statute, either federal or state, ensuring that the ICC remains in compliance with the latest legal requirements until a revised ICC is available.

It is imperative that all participants in the FTA program adhere to these updated terms to ensure the program's continued effectiveness and compliance with relevant legislation. Submit the completed and signed contract (ICC) by mail, email, or fax. Please ensure you address this attention to FTA Program.

Received In The Office
FEB 09 REC'D
Hays County Auditor

Mailing address:
Enforcement & Compliance Service
5805 North Lamar Blvd, Bldg A,
Austin, TX 78752-0300
E-mail: driver.improvement@dps.texas.gov
Fax: (512) 424-2848

Should you have any questions, please send an email to driver.improvement@dps.texas.gov. Thank you for your immediate attention to this matter.

Regards,
Manager
Enforcement and Compliance Service

Enclosure

Interlocal Cooperation Contract Failure to Appear Program

State of Texas

County of _____

I. PARTIES AND AUTHORITY

This Interlocal Cooperation Contract (Contract) is entered into between the Department of Public Safety of the State of Texas (DPS), an agency of the State of Texas and the _____ Court of the [City or County] of _____ (Court), a political subdivision of the State of Texas, referred to collectively in this Contract as the Parties, under the authority granted in Tex. Transp. Code Chapter 706 and Tex. Gov't Code Chapter 791 (the Interlocal Cooperation Act).

II. BACKGROUND

A peace officer authorized to issue citations within the jurisdiction of the Court must issue a written warning to each person to whom the officer issues a citation for a traffic law violation. This warning must be provided in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the Court, the person may be denied renewal of the person's driver license.

As permitted under Tex. Transp. Code § 706.008, DPS contracts with a private vendor (Vendor) to provide and establish an automated Failure to Appear (FTA) system that accurately stores information regarding violators subject to the provisions of Tex. Transp. Code Chapter 706. DPS uses the FTA system to properly deny renewal of a driver license to a person who is the subject of an FTA system entry generated from an FTA Report.

An FTA Report is a notice sent by Court requesting a person be denied renewal of a driver's license in accordance with this Contract. The Court may submit an FTA Report to DPS's Vendor if a person fails to appear or fails to pay or satisfy a judgment as required by law. There is no requirement that a criminal warrant be issued in response to the person's failure to appear.

III. PURPOSE

This Contract applies to each FTA Report submitted by the Court to DPS or its Vendor and accepted by DPS or its Vendor.

IV. PERIOD OF PERFORMANCE

This Contract will be effective on the date of execution and terminate five years from that execution date unless terminated earlier in accordance with Section VII.C, *General Terms and Conditions, Termination*.

V. COURT RESPONSIBILITIES

A. FTA Report

For a matter involving any offense which a Court has jurisdiction of under Tex. Code Crim. Proc. Chapter 4, where a person fails to appear for a complaint or citation or fails to pay or

satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court, the Court will supply DPS, through its Vendor, an FTA report including the information that is necessary to deny renewal of the driver license of that person. The Court must make reasonable efforts to ensure that all FTA Reports are accurate, complete, and non-duplicative. The FTA Report must include the following information:

1. the jurisdiction in which the alleged offense occurred;
2. the name of the court submitting the report;
3. the name, date of birth, and Texas driver license number of the person who failed to appear or failed to pay or satisfy a judgment;
4. the date of the alleged violation;
5. a brief description of the alleged violation;
6. a statement that the person failed to appear or failed to pay or satisfy a judgment as required by law;
7. the date that the person failed to appear or failed to pay or satisfy a judgment; and
8. any other information required by DPS.

B. Clearance Reports

The Court that files the FTA Report has a continuing obligation to review the FTA Report and promptly submit appropriate additional information or reports to the Vendor. The clearance report must identify the person, state whether or not a fee was required, and advise DPS to lift the denial of renewal and state the grounds for the action. All clearance reports must be submitted immediately, but no later than two business days from the time and date that the Court receives appropriate payment or other information that satisfies the person's obligation to that Court.

To the extent that a Court uses the FTA system by submitting an FTA Report, the Court must collect the statutorily required \$10.00 reimbursement fee from the person who failed to appear, pay or satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court. If the person is acquitted of the underlying offense for which the original FTA Report was filed or found indigent by the court, the Court will not require payment of the reimbursement fee.

Court must submit a clearance report for the following circumstances:

1. the perfection of an appeal of the case for which the warrant of arrest was issued or judgment arose;
2. the dismissal of the charge for which the warrant of arrest was issued or judgment arose;
3. the posting of a bond or the giving of other security to reinstate the charge for which the warrant was issued;
4. the payment or discharge of the fine and cost owed on an outstanding judgment of the Court; or
5. other suitable arrangement to satisfy the fine and cost within the Court's discretion.

After termination of the Contract, the Court has a continuing obligation to report dispositions and collect fees for all violators in the FTA system at the time of termination. Failure to comply with the continuing obligation to report will result in the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

C. Quarterly Reports and Audits

Court must submit quarterly reports to DPS in a format established by DPS.

Court is subject to audit and inspection at any time during normal business hours and at a mutually agreed upon location by the state auditor, DPS, and any other department or agency, responsible for determining that the Parties have complied with the applicable laws. Court must provide all reasonable facilities and assistance for the safe and convenient performance of any audit or inspection.

Court must correct any non-conforming transactions performed by the Court, at its own cost, until acceptable to DPS.

Court must keep all records and documents regarding this Contract for the term of this Contract and for seven years after the termination of this Contract, or until DPS or the State Auditor's Office (SAO) is satisfied that all audit and litigation matters are resolved, whichever period is longer.

D. Accounting Procedures

Court must keep separate, accurate, and complete records of the funds collected and disbursed and must deposit the funds in the appropriate municipal or county treasury. Court may deposit such fees in an interest-bearing account and retain the interest earned on such accounts for the Court.

Court will allocate \$6.00 of each \$10.00 reimbursement fee received for payment to the Vendor and \$4.00 for credit to the general fund of the municipal or county treasury.

E. Non-Waiver of Fees

Court will not waive the \$10.00 reimbursement fee for any person that has been submitted on an FTA Report, unless any of the requirements in Tex. Trans. Code § 706.006(a) or §706.006(d) are met.

Failure to comply with this section will result in: (i) termination of this Contract for cause; and (ii) the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

F. Litigation Notice

The Court must make a good-faith attempt to immediately notify DPS in the event that the Court becomes aware of litigation in which this Contract or Tex. Transp. Code Chapter 706 is subject to constitutional, statutory, or common-law challenge, or is struck down by judicial decision.

VI. DPS's RESPONSIBILITIES

DPS will not continue to deny renewal of the person's driver license after receiving notice from the Court that the FTA Report was submitted in error or has been destroyed in accordance with the Court's record retention policy.

VII. PAYMENTS TO VENDOR

Court must pay the Vendor a fee of \$6.00 per person for each violation that has been reported to the Vendor and for which the Court has subsequently collected the statutorily required \$10.00 reimbursement fee. In the event that the fee has been waived by Tex. Trans. Code § 706.006(a) or §706.006(d), no payment will be made to the Vendor.

Court agrees that payment will be made to the Vendor no later than the last day of the month following the close of the calendar quarter in which the payment was received by the Court.

DPS will not pay Vendor for any fees that should have been submitted by a Court.

VIII. GENERAL TERMS AND CONDITIONS

- A. Compliance with Law.** This Contract is governed by and construed under and in accordance with the laws of the State of Texas. The Court understands and agrees that it will comply with all local, state, and federal laws in the performance of this Contract, including administrative rules adopted by DPS.
- B. Notice.** The respective party will send the other party notice as noted in this section. Either party may change its information by giving the other party written notice and the effective date of the change.

Court	Department of Public Safety
Attn.:	Enforcement & Compliance Service
Address:	5805 North Lamar Blvd., Bldg A
Address:	Austin, Texas 78752-0001
Fax:	(512) 424-5311 [fax]
Email:	Driver.Improvement@dps.texas.gov
Phone:	(512) 424-7172

C. Termination.

Either party may terminate this Contract with 30 days' written notice.

DPS may also terminate this Contract for cause if Court doesn't comply with Section V.C., *Quarterly Reports and Audits* and V.E., *Non- Waiver of Fees*.

If either Party is subject to a lack of appropriations that are necessary for that Party's performance of its obligations under this Contract, the Contract is subject to immediate cancellation or termination, without penalty to either Party.

D. Amendments.

This contract may only be amended by mutual written agreement of the Parties.

E. Miscellaneous.

1. The parties shall use the dispute resolution process provided for in Chapter 2260 of the Texas Government Code to resolve any disputes under this Contract; provided

however nothing in this paragraph shall preclude either Party from pursuing any remedies available under Texas law.

2. This Contract shall not constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies, or immunities available to either Party or the State of Texas.
3. Any alterations, additions, or deletions to the terms of the contract that are required by changes in federal or state law or regulations are automatically incorporated into the contract without written amendment hereto, and shall become effective on the date designated by such law or by regulation.

CERTIFICATIONS

The Parties certify that (1) the Contract is authorized by the governing body of each party; (2) the purpose, terms, rights, and duties of the Parties are stated within the Contract; and (3) each party will make payments for the performance of governmental functions or services from current revenues available to the paying party.

The undersigned signatories have full authority to enter into this Contract on behalf of the respective Parties.

Court*

Department of Public Safety

Authorized Signatory

Driver License Division Chief or Designee

Title

Date

Date

*An additional page may be attached if more than one signature is required to execute this Contract on behalf of the Court. Each signature block must contain the person's title and date.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Villarreal-Alonzo

Sponsor:

Villarreal-Alonzo

Agenda Item

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

Summary

Annual Internal Examination Reports include the following offices:

Sheriff's Office Drug Forfeiture Fund for 10/1/2022 to 9/30/2023

District Attorney Drug Forfeiture Fund for 9/1/2022 to 8/31/2023

Quarterly Internal Examination Reports for Oct to Dec 2023 include the following offices:

Constable Precinct 2 Office, Constable Precinct 3 Office, Constable Precinct 5 Office, District Attorney Drug Forfeiture Trust Fund, District Attorney State Apportionment Fund, District Attorney Pro Tem/Special Prosecutor Fund, District Attorney LEOSE Fund, and District Attorney Hot Check Reimbursement Fund

Attachments

Internal Examination Reports



OFFICE OF THE COUNTY AUDITOR

712 South Stagecoach Trail, Ste. 1071

San Marcos, Texas 78666

512-393-2283

Fax: 512-393-2248

www.hayscountytx.com

Marisol Villarreal-Alonzo, CPA

County Auditor

marisol.alonzo@co.hays.tx.us

Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 5, 2024

The Honorable Gary Cutler
Hays County Sheriff
810 South Stagecoach Trail
San Marcos, Texas 78666

Dear Sheriff Cutler:

In accordance with subsection 115.0035 of the Texas Local Government Code and Article 59.06 of the Texas Code of Criminal Procedure, the Auditor's Office performed an internal examination of the records of Hays County Sheriff's Drug Forfeiture Fund and the attached annual Code of Criminal Procedure Chapter 59 Asset Forfeiture Report the period of October 1, 2022 to September 30, 2023. The internal examination consisted of reviewing seizures, deposits, disbursements, and other supporting documentation.

Based on the internal examination, except for the findings described below, seizures, receipts, and disbursements appear to be adequately accounted for and the overall condition of financial records and supporting documentation appear to be accurately maintained in accordance with the statutory requirements under subsection 115.0035 of the Texas Local Government Code and Article 59.06 of the Texas Code of Criminal Procedure.

We appreciate the cooperation and assistance provided to my Office during the internal examination. Please contact the Auditor's Office if you have any questions.

Sincerely,

Marisol Villarreal-Alonzo, CPA, MPA
Hays County Auditor



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Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 5, 2024

The Honorable Kelly Higgins
Criminal District Attorney
Hays Government Center, Suite 2057
712 S. Stagecoach Trail
San Marcos, Texas 78666

Dear Mr. Higgins:

In accordance with subsection 115.0035 of the Texas Local Government Code and Article 59.06 of the Texas Code of Criminal Procedure, the Auditor's Office performed an internal examination of the records of the District Attorney's Forfeiture Fund and the attached annual Code of Criminal Procedure Chapter 59 Asset Forfeiture Report for the period of September 1, 2022 to August 31, 2023. The internal examination consisted of reviewing deposits, disbursements, and other supporting documentation.

Based on the internal examination, except for the following finding and recommendation, deposits and disbursements appear to be adequately accounted for and the overall condition of financial records and supporting documentation appear to be accurately maintained in accordance with the statutory requirements under subsection 115.0035 of the Texas Local Government Code and Article 59.06 of the Texas Code of Criminal Procedure.

We appreciate the cooperation and assistance provided to my Office during the internal examination. Please contact the Auditor's Office if you have any questions.

Sincerely,

Marisol Villarreal-Alonzo, CPA, MPA
Hays County Auditor



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Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 13, 2024

Constable Michael Torres

Constable Precinct 2

5458 FM 2770

Kyle, Texas 78640

Dear Constable Torres:

The Hays County Auditor's Office has examined the monthly reports of the Constable Precinct 2 Office for the months of October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by Constable Precinct 2. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited with the County Treasurer in a timely manner.

- Monthly reports were submitted in compliance with LGC §114.001 General Requirements Applicable to Reports and LGC §114.043 Periodic Report to County Auditor.
- Monthly reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with LGC §115.002 Examination of Books and Reports.
- All funds collected were deposited with the County Treasurer in compliance with LGC §113.022 Time for Making Deposits.
- A surprise cash count was conducted which included examining deposit warrants and receipts. All funds were accounted for, and collections were properly handled at the time of the cash count.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

Marisol Villarreal-Alonzo, CPA, MPA

Hays County Auditor

jc/lp



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Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 20, 2024

Honorable Don Montague
Hays County Constable Precinct 3
200 Stillwater Road
Wimberley, Texas 78676

Dear Constable Montague:

The Hays County Auditor's Office has examined the monthly reports of the Constable Precinct 3 Office for the months of October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by Constable Precinct 3. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited with the County Treasurer in a timely manner.

- Monthly reports were submitted in compliance with LGC §114.001 General Requirements Applicable to Reports and LGC §114.043 Periodic Report to County Auditor.
- Monthly reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with LGC §115.002 Examination of Books and Reports.
- All funds collected were deposited with the County Treasurer in compliance with LGC §113.022 Time for Making Deposits.
- A surprise cash count was conducted which included examining deposit warrants and receipts. All funds were accounted for, and collections were properly handled at the time of the cash count.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

Marisol Villarreal-Alonzo, CPA, MPA

Hays County Auditor

jc/lp



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County Auditor

marisol.alonzo@co.hays.tx.us

Scot Woodland
Assistant County Auditor
scot.woodland@co.hays.tx.us

February 20, 2024

Honorable John Ellen
Hays County Constable Precinct 5
500 Jack C. Hays Trail
Buda, Texas 78610

Constable Ellen:

The Hays County Auditor's Office has examined the monthly reports of the Constable Precinct 5 Office for the months of October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by the Constable Precinct 5 Office. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited with the County Treasurer in a timely manner.

- Monthly reports were submitted in compliance with Texas Local Government Code (TLGC) §114.001 General Requirements Applicable to Reports and Texas Local Government Code §114.043 Periodic Report to County Auditor.
- Monthly reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with Texas Local Government Code §115.002 Examination of Books and Reports.
- All funds collected were deposited with the County Treasurer in compliance with Texas Local Government Code §113.022 Time for Making Deposits.
- A surprise cash count was conducted which included examining deposit warrants and receipts. All funds were accounted for, and collections were properly handled at the time of the cash count.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

Marisol Villarreal-Alonzo, CPA, MPA
County Auditor

jc/lp



OFFICE OF THE COUNTY AUDITOR

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County Auditor

marisol.alonzo@co.hays.tx.us

Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 12, 2024

District Attorney Kelly Higgins

712 South Stagecoach Trail

San Marcos, Texas 78666

Mr. Higgins:

The Hays County Auditor's Office has examined the Drug Forfeiture Trust bank statement and monthly report submitted by the Hays County District Attorney's Office for the months October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by the Hays County District Attorney's Office. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited in a timely manner.

- Reports were submitted in compliance with Texas Local Government Code (LGC) §115.0035 Examination of Funds Collected by County Entity or the District Attorney
- Reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with Texas Local Government Code §115.0035.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

Marisol Villarreal-Alonzo CPA, MPA

County Auditor

JC/LP



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Scot Woodland
Assistant County Auditor
scot.woodland@co.hays.tx.us

February 12, 2024

District Attorney Kelly Higgins
712 South Stagecoach Trail
San Marcos, Texas 78666

Mr. Higgins:

The Hays County Auditor's Office has examined the State Apportionment Fund bank statement and monthly report submitted by the Hays County District Attorney's Office for the months October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by the Hays County District Attorney's Office. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited in a timely manner.

- Monthly reports were submitted in compliance with Texas Local Government Code (LGC) §114.001 General Requirements Applicable to Reports and Texas Local Government Code §114.043 Periodic Report to County Auditor.
- Monthly reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with Texas Local Government Code §115.002 Examination of Books and Reports.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

Marisol Villarreal-Alonzo CPA, MPA
County Auditor
JC/LP



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Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 12, 2024

District Attorney Kelly Higgins

712 South Stagecoach Trail

San Marcos, Texas 78666

Mr. Higgins:

The Hays County Auditor's Office has examined the Pro Tem/ Special Prosecutor Fund bank statement and monthly report submitted by the Hays County District Attorney's Office for the months October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by the Hays County District Attorney's Office. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited in a timely manner.

- Monthly reports were submitted in compliance with Texas Local Government Code (LGC) §114.001 General Requirements Applicable to Reports and Texas Local Government Code §114.043 Periodic Report to County Auditor.
- Monthly reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with Texas Local Government Code §115.002 Examination of Books and Reports.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

Marisol Villarreal-Alonzo CPA, MPA

County Auditor

JC/LP



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Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 12, 2024

District Attorney Kelly Higgins
712 South Stagecoach Trail
San Marcos, Texas 78666

Mr. Higgins:

The Hays County Auditor's Office has examined the Law Enforcement Officer Standards and Education Fund bank statement and monthly report submitted by the Hays County District Attorney's Office for the months October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by the Hays County District Attorney's Office. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited in a timely manner.

- Monthly reports were submitted in compliance with Texas Local Government Code (LGC) §114.001 General Requirements Applicable to Reports and Texas Local Government Code §114.043 Periodic Report to County Auditor.
- Monthly reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with Texas Local Government Code §115.002 Examination of Books and Reports.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

Marisol Villarreal-Alonzo CPA, MPA

County Auditor

JC/LP



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Assistant County Auditor

scot.woodland@co.hays.tx.us

February 12, 2024

District Attorney Kelly Higgins

712 South Stagecoach Trail

San Marcos, Texas 78666

Mr. Higgins:

The Hays County Auditor's Office has examined the Hot Check Reimbursement Account bank statement and monthly report submitted by the Hays County District Attorney's Office for the months October 2023 through December 2023. The scope of the examination was limited to reviewing the records submitted to this office by the Hays County District Attorney's Office. The objectives of the examination were to verify the mathematical accuracy of the reports and to confirm all funds collected were deposited in a timely manner.

- Monthly reports were submitted in compliance with Texas Local Government Code (LGC) §114.001 General Requirements Applicable to Reports and Texas Local Government Code §114.043 Periodic Report to County Auditor.
- Monthly reports reviewed were mathematically accurate and are therefore approved as submitted in compliance with Texas Local Government Code §115.002 Examination of Books and Reports.
- All funds collected were receipted and deposited to the bank account in a timely manner.

If you have any questions or comments regarding this report, please contact the Auditor's Office.

Sincerely,

A handwritten signature in blue ink, reading "Marisol Villarreal-Alonzo", is written over a light blue rectangular background.

Marisol Villarreal-Alonzo CPA, MPA

County Auditor

jc/lp



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Vickie Dorsett, Budget Officer

Sponsor:

Judge Becerra

Agenda Item:

Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2024 quarterly financial reporting. **BECERRA/DORSETT**

Summary:

Budget Amendments are for line item transfers within various departments and special revenue funds. No additional funds are required.

Fiscal Impact:

Amount Requested: No additional funds required
Line Item Number: Various

Budget Office:

Source of Funds: Various
Budget Amendment Required Y/N?: Yes
Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A
Comments:

Auditor's Office

G/L Account Validated Y/N?:
New Revenue Y/N?:
Comments:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Villarreal-Alonzo

Sponsor:

Judge Becerra

Agenda Item:

Approve an increase of \$600.00 to the County Clerk Office change fund as recommended by the County Auditor pursuant to Texas Local Government Code Chapter 130.902 (d). **BECERRA/CARDENAS/VILLARREAL-ALONZO**

Summary:

Due to the growth of the County Clerk's office, there is a need to increase the office change fund. The Elected Official's request is attached.

Fiscal Impact:

Amount Requested: \$600

Line Item Number: 001-617-00.5211

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?:

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

County Clerk Change Fund Request



Elaine H. Cárdenas, MBA, PhD, Hays County Clerk
712 S. Stagecoach Trail, Ste. 2008, San Marcos, TX 78666 (512) 393-7330

February 20, 2024

Marisol Villarreal-Alonzo, CPA, MPA
Hays County Auditor
712 S. Stagecoach Trail, Ste 1071
San Marcos, TX 78666

RE: County Clerk's Change Fund

Dear Marisol:

The limit on the change fund for my office is currently \$2,700. Given the growth of my office and changes in staff roles, I need the fund increased by \$600 so that all clerks will have access to cash to make change. This is an urgent need as we currently only have \$275 in our fund and pending charges far exceeding that amount.

Please charge the \$600 to my office supply line item 001-617-00.5211 and hold the check for Roxanne Rodriguez, my Chief of Records, to pick up.

Please contact Roxanne if you need further information.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Elaine", with a stylized flourish at the end.

Elaine H. Cardenas, MBA, PhD
Hays County Clerk



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Commissioner Cohen

Agenda Item:

Authorize the Commissioner Pct. 2 Office to support Lehman High School within the Hays Consolidated Independent School District for expenses related to Run With The Pack 5k. **COHEN**

Summary:

Lehman High School is hosting a 5k run on April 2020, 2024 that is open to the community, with a special focus on the east side of Kyle. They have partnered with For the Love of Go which actively seeks to provide low-cost, all-inclusive fitness activities for the community to encourage healthy choices. Lehman High School provides a prime location for a safe course and a community environment.

Fiscal Impact:

Amount Requested: \$500.00

Line Item Number: 001-602-00.5353

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes, Community Program Expense

New Revenue Y/N?: N/A

Comments:

Attachments

Lehman HS Sponsorship Request



February 2, 2024

TO WHOM IT MAY CONCERN:

We request financial support from Commissioner Cohen in the amount of \$500 to aid in the production costs of the upcoming Run with the Pack 5K for Lehman High School. Funds will be used to offset any costs associated with producing the race that might not be covered by registration fees. Costs include: timing, promotion and age group awards provided at the race. Any proceeds will be donated directly to Lehman High School for their use for Lehman students, such as senior awards.

Run with the Pack, April 20, 2024, is open to the community and affords the community, with a special focus on the east side of Kyle, a fitness activity nearby. For the Love of Go actively seeks to provide low-cost, all-inclusive fitness activities for the community to encourage healthy choices. Lehman High School is situated in a prime location for a safe and flat course. Financial assistance allows us to produce this race in the most cost effective way possible. Further, Lehman High School is financially responsible for this race and our desire is always to have the race completely covered so schools do not have to pay to produce the race.

Sincerely,

Jennifer Crosby
President
For the Love of Go
jennifer@fortheloveofgo.com
facebook.com/fortheloveofgo
fortheloveofgo.com



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Stephanie Robinson

Sponsor:

Commissioner Shell

Agenda Item:

Approve out-of-state travel for CECC Director Stephanie Robinson to attend the Tyler Connect Conference and Advisory Board Meetings on May 19-24, 2024 in Indianapolis, Indiana. **SHELL/ROBINSON**

Summary:

Out-of-state travel is needed to send CECC Director Stephanie Robinson to attend the Tyler Connect Conference and Advisory Board Meeting on May 19-23, 2024 in Indianapolis, Indiana. Mrs. Robinson is a member of the Tyler New World Advisory Board. As a board member, Mrs. Robinson is required to attend this meeting. Funding for travel expenses including hotel, and airfare, will be paid for out of the CECC Continuing Education funds.

Fiscal Impact:

Amount Requested: \$2,000.00 estimate for airfare, hotel, per diems
Line Item Number: 001-615-00.5551

Budget Office:

Source of Funds: General Fund
Budget Amendment Required Y/N?: No
Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Auditor's Office

G/L Account Validated Y/N?: Yes, Continuing Education Expense
New Revenue Y/N?: N/A
Comments:

Attachments

Connect Classes
Advisory Email

We recommend you arrive 5 -10 minutes early for any scheduled sessions.

Monday, May 20

Tyler Connect Opening Session [1794]

Lynn Moore, President & CEO, Tyler Technologies, Inc.

Lisa Bodell, CEO & Founder, FutureThink

✓ SCHEDULED

Mon, May 20 | 8:30 AM - 9:30 AM EDT | ICC-Hall A/B-Level 1

Public Safety General Session [1318]

Andrew Hittle, President, Public Safety Division, Tyler Technologies, Inc.

✓ SCHEDULED

Mon, May 20 | 10:00 AM - 11:00 AM EDT | ICC-500 Ballroom-Level 1

Adopting New Releases and Upgrade Planning [1322]

Tim Morehouse, Director, Support Services, Tyler Technologies, Inc.

✓ SCHEDULED

Mon, May 20 | 11:30 AM - 12:30 PM EDT | JWJ-Room 103-Level 1

What's New in Enterprise Law Enforcement Field Mobile [1356]

Zuew Kue, Product Owner, Tyler Technologies, Inc.

✓ SCHEDULED

Mon, May 20 | 2:00 PM - 3:00 PM EDT | JWJ-White River Ballroom I-Level 1

Data Transparency at Your Agency [1488]

Lupe Garcia, Product Manager, Tyler Technologies, Inc.

Jeremy Summers, Director, Data Solutions, Tyler Technologies, Inc.

✓ SCHEDULED

Mon, May 20 | 3:30 PM - 4:30 PM EDT | JWJ-White River Ballroom F-Level 1

Tuesday, May 21

Optimizing Reporting in Enterprise Law Enforcement Records [1393]

Ryan Enderich, Supervisory Team Lead, Tyler Technologies, Inc.

Amanda Stierman, Senior Manager of Product, Tyler Technologies, Inc.

Ellen Manning, Senior Implementation Consultant, Tyler Technologies, Inc.

✓ SCHEDULED

Tue, May 21 | 8:30 AM - 9:30 AM EDT | JWJ-White River Ballroom C-Level 1

Enterprise Law Enforcement Records Reporting Lab [1394]

Joe Olson, Senior Product Manager, Tyler Technologies, Inc.

Ryan Enderich, Supervisory Team Lead, Tyler Technologies, Inc.

Randi Truelock, Product Manager, Tyler Technologies, Inc.

Roger Brennan, Senior Implementation Consultant, Tyler Technologies, Inc.

Ellen Manning, Senior Implementation Consultant, Tyler Technologies, Inc.

✓ SCHEDULED

Tue, May 21 | 10:00 AM - 11:00 AM EDT | JWJ-White River Ballroom G-Level 1

Emerging Dispatch Technology Panel Discussion [1426]

Rich McQuade, Product Owner, Tyler Technologies, Inc.

✓ SCHEDULED

Tue, May 21 | **11:30 AM - 12:30 PM EDT** | JWI-White River Ballroom E-Level 1

Excellence On Display: Tyler Excellence Award Winners Share Their Challenges, Solutions, and Results [1477]

Marlin Jones, Senior Account Manager, Client Success, Tyler Technologies, Inc.

✓ SCHEDULED

Tue, May 21 | **2:00 PM - 3:00 PM EDT** | ICC-123-Level 1

Utilizing Advanced Configuration in Enterprise Law Enforcement Records [1396]

Roger Brennan, Senior Implementation Consultant, Tyler Technologies, Inc.

Ellen Manning, Senior Implementation Consultant, Tyler Technologies, Inc.

✓ SCHEDULED

Tue, May 21 | **3:30 PM - 4:30 PM EDT** | JWI-White River Ballroom C-Level 1

Wednesday, May 22

Future Directions in Enterprise Law Enforcement Records [1395]

Joe Olson, Senior Product Manager, Tyler Technologies, Inc.

Amanda Stierman, Senior Manager of Product, Tyler Technologies, Inc.

✓ SCHEDULED

Wed, May 22 | **8:30 AM - 9:30 AM EDT** | JWI-White River Ballroom C-Level 1

Helpful Pointers for Utilizing Enterprise Law Enforcement Records [1536]

Joe Olson, Senior Product Manager, Tyler Technologies, Inc.

Randi Truelock, Product Manager, Tyler Technologies, Inc.

✓ SCHEDULED

Wed, May 22 | **10:00 AM - 11:00 AM EDT** | JWI-White River Ballroom C-Level 1

Advisory Groups - Connect 2024

Stierman, Amanda <Amanda.Stierman@tylertech.com>

Mon 12/11/2023 8:19 AM

Connect 2024 registration is available for Advisory Group members. We are holding the Spring Advisory Group meetings in Indianapolis, IN after Connect 2024. We have a block of rooms secured at the JW Marriott with the extra nights you will need to attend the Advisory Group Meetings. You are not required to stay at the JW Marriott, but we do recommend that you consider it to be near other Advisory Group members. The rate at JW Marriott is \$259 per night plus taxes.

Since you are or have been invited to be an Advisory Group member, we are able to provide you with a special code which gives you access to rooms at the JW Marriott. **The rooms at the JW Marriott are available until March 1st, 2024.** On March 1st, we will need to release the rooms for any attendees of the Connect Conference.

Advisory Group Hotel Reservation Instructions

1. Register for the Connect conference **first** using this [link](#). You must be registered to access the conference hotel booking tool.
2. To hold your Hotel reservation in the Advisory Group block, you must have conference registration and be an Advisory Group member.
3. You will have access to the conference hotel booking tool once your registration is completed.
4. A box to the right of the check-in and check-out dates in the hotel booking process is labeled as 'Group Code.' Copy and paste the code **PSAB24** into the box.
5. All Groups are planning on meeting the afternoon of Wednesday, May 22nd, and at least a partial day on Thursday, May 23rd.
 - a. Specific schedules will be communicated to your Group leaders. Please reach out to them for specifics. (CAD: Earl Karcher; Data: Steve Lett; Fire: Connie Warner; GIS: DJ Pennala; Mobile: Ron Tschirhart; RMS: Joe Olson).
 - b. If you need to leave early on Thursday due to flight schedules we understand and just ask that you let your Group leader know.

We're looking forward to seeing everyone! Please remember that our in-person Advisory Group meetings are open to active group members only, and unfortunately we are not able to accommodate additional attendees or replacement attendees. Should you have issues registering or booking your Connect stay please contact our Tyler Events team at tyler.events@tylertech.com.

Amanda Stierman (she/her)
Senior Manager of Product
Tyler Technologies, Inc.

P: 248.269.1000 ext. 1340

www.tylertech.com

 [Tyler Technologies](http://www.tylertech.com)



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jenifer O'Kane, Tax Assessor

Sponsor:

Commissioner Cohen

Agenda Item

Approve the filing of Tax Assessor-Collector Jenifer O'Kane's Continuing Education Transcript as required by Section 6.231 (d) of the Texas Property Tax Code. **COHEN/O'KANE**

Summary

Attachments

Transcript



TAX ASSESSOR-COLLECTOR CONTINUING EDUCATION TRANSCRIPT

Reporting Period: 3/1/2023 - 2/28/2024

Hon. Jenifer O'Kane
Tax Assessor-Collector
Hays County
712 S Stagecoach Trl Ste 1120
San Marcos, TX 78666

ID: 232729
Phone: (512) 393-5545
Fax: (512) 393-5547
Enrolled Date: 03/01/2019

Date	Description	Earned Hours
03/01/2023	Excess hours carried from 2023	10.00
06/07/2023	89th Annual Tax Assessor-Collectors Association Conference	7.50
11/16/2023	41st V.G. Young School for Tax Assessor-Collectors	14.00
Total Hours for Year:		31.50

You have met your education requirements for the period 03/01/2023 - 02/28/2024.

You may carry forward to the next reporting period 10.00 hours.

Texas Property Tax Code § 6.231

(a) A county assessor-collector must successfully complete 20 hours of continuing education before each anniversary of the date on which the county assessor-collector takes office. The continuing education must include at least 10 hours of instruction on laws relating to the assessment and collection of property taxes for a county assessor-collector who assesses or collects property taxes.

(d) A county assessor-collector shall file annually a continuing education certificate of completion with the commissioners' court of the county in which the county assessor-collector holds office.

Print Date: 02/12/2024

For questions regarding CE hours, please contact the TACA Education Director at education@tacaoftexas.org.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jenifer O'Kane, Tax Assessor

Sponsor:

Commissioner Cohen

Agenda Item:

Approve payment to AMG Printing & Mailing in the amount of \$48,458.22 for the Tax Office related to annual tax statements in which no purchase order was issued as required per the Hays County Purchasing Policy. **COHEN/O'KANE**

Summary:

The Tax Office has a waiver to the purchasing policy to use AMG Printing & Mailing for annual statements, however a requisition is still required to be entered. This was overlooked in the process of generating and mailing the 2023 tax statements.

Fiscal Impact:

Amount Requested:\$48,458.22

Line Item Number: 001-619-00.5461: Printing

001-619-00.5212: Postage

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: no PO obtained prior to authorization of work

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

Invoice AMG



4606 N Stahl Park, Suite 106
San Antonio, TX 78217

Invoice

Date	Invoice #
1/13/2024	118582

Bill To
Hays County Tax Office Jenifer O'Kane 712 S Stagecoach Trail San Marcos, Texas 78666-5071

Ship To
Hays County Tax Office Jenifer O'Kane 712 S Stagecoach Trail San Marcos, Texas 78666-5071

P.O. Number	Terms	Rep	Ship
2023 Tax Statements	Net 30		1/13/2024

Quantity	Item Code	Description	Price Each	Amount
82,819	LASER PRINTING	Laser Printing 1st File	0.09	7,453.71T
59,380	FOLD	Folding	0.01	593.80T
59,380	INSERT	Inserting	0.01	593.80T
52,026	ADD INSERT	Add insert	0.005	260.13T
37,968	COLLATE/NEST (...)	Collating	0.01	379.68T
51,026	PRESORT (HW)	Presorting	0.025	1,275.65T
82,819	PERF	Perf Paper	0.02022	1,674.60T
1,224	STAMPING	Metering	0.02	24.48T
583	6x9 envelopes	6x9 envelopes	0.68	396.44T
417	9x12 ENV	9x12 Envelopes	0.75	312.75T
51,026	envelopes	#10 Windows	0.0425	2,168.61T
52,026	envelopes	#9 Regulars	0.035	1,820.91T
31,241	LASER PRINTING	Laser Printing 2nd File	0.09	2,811.69T
31,241	PERF	Perf Paper	0.02022	631.69T
52,026	Postage- Sales	Postage	0.53935	28,060.28
		Sales Tax	0.00%	0.00

Thank you for your business.

Total	\$48,458.22
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Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jenifer O'Kane, Tax Assessor

Sponsor:

Commissioner Cohen

Agenda Item:

Approve payment to Nemo-Q in the amount of \$775.00 for the Tax Office related to Kiosk printer paper in which no purchase order was issued as required per the Hays County Purchasing Policy. **COHEN/O'KANE**

Summary:

Fiscal Impact:

Amount Requested: \$775.00

Line Item Number: 001-619-00.5211

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: No PO obtained prior to purchase

Auditor's Office

G/L Account Validated Y/N?: Yes, Office Supplies Expense

New Revenue Y/N?: N/A

Comments:

Attachments

Invoice Nemo-Q

NEMO-Q, Inc.

4023 W University Dr, Bldg B
McKinney, TX 75071 US
972-347-1766
ar@nemo-q.com
www.nemo-q.com



INVOICE

BILL TO

Hays County
712 S. Stagecoach Trail, Ste 1071
San Marcos, TX 78666

SHIP TO

Hays County
712 S. Stagecoach Trail, Ste 1071
San Marcos, TX 78666

INVOICE # 13265**DATE** 01/05/2024**DUE DATE** 01/20/2024**TERMS** Net 15**SHIP DATE**

12/27/2023

SHIP VIA

UPS

TRACKING NO.

1Z182YW70391818828

P.O. NUMBER

Jenifer O'Kane email

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
74031	Kiosk Printer Paper Case of 8 Rolls	5	120.00	600.00
Shipping	Shipping & Handling	5	35.00	175.00

Paper orders: paper@nemo-q.com
Billing: AR@nemo-q.com

BALANCE DUE

\$775.00

Remit To: NEMO-Q
By Mail: PO Box 6090, McKinney, TX 75071
By ACH: Bank - JP Morgan Chase
Routing # - 111000614 Account # - 876031878
Swift Code - CHASUS33



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T.CRUMLEY

Sponsor:

Commissioner Shell

Agenda Item

Ratify the execution of a resolution and submission of a grant application to the Office of the Governor (OOG) for the Project Safe Neighborhoods Grant Program in the amount of \$940,718.00. **SHELL/T.CRUMLEY**

Summary

The Hays County Sheriff's Office and Operation 360 are joining forces to tackle the growing danger of Fentanyl, a man-made opioid, in Texas, where it has become the primary cause of death among people aged 18 to 45. The funding will be used for personnel, training and equipment, to mitigate the impact of fentanyl in Hays County. No match is required.

Attachments

Application
Resolution

Agency Name: Hays County

Project Title: Operation 360

Current Budget: \$940,718.00

Grant/App: 5125801

Status: Pending OOG Review

Current Program Manager:

Original Award: \$0.00

Current Award: \$0.00

Start Date: 10/1/2024

End Date: 10/31/2025

Liquidation Date:

CFDA: 16.609

Fund Source: PS-Project Safe Neighborhoods Program (South)

OOG Solicitation: FY2025 Project Safe Neighborhoods Grant Program [Announcement](#)

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- [View How Do I Assign a New Contact?](#)
- [View List of Permissions By Role](#)
- [View Messages to OOG](#)

Identifying Information

Applicant Agency Name: ?

Hays County

Project Title: ?

Operation 360

Division or Unit to Administer the Project: ?

Sheriff's Office

Agency Address Line 1: ?

Agency Address Line 2:

City:

State:



Zip Code:

Start Date:

End Date:

Plan Year:

Target Area Information

Select Your Project's Geographic Impact:

☒ Local ☐ Regional ☐ Statewide

Select Your Primary Service County:

The county in which the majority of services will be provided, or select **Impact is Statewide**:

Your project will provide services within:

Hays

Select all of the counties within the project's service area:

[Click to View County List](#)

View the list of counties you selected that are within the project's service area:

Grant Officials Information

Authorized Official Email Address:

Title:

The Honorable

Last Name:

Becerra

Business Phone:

512-393-2205

Position:

County Judge

Address Line 1:

111 E San Antonio St

City:

San Marcos

Zip Code:

78666

First Name:

Ruben

Fax Number:

Salutation:

Judge

Address Line 2:

State:

Texas

Financial Officer Email Address:

marisol.alonzo@co.hays.tx.us

Title:

Ms.

Last Name:

Alonzo

Business Phone:

512-393-2283

Position:

County Auditor

Address Line 1:

712 S. Stagecoach Trl., Ste. 1071

City:

San Marcos

Zip Code:

78666

First Name:

Marisol

Fax Number:

512-393-2248

Salutation:

Ms.

Address Line 2:

State:

Texas

Project Director Email Address:

ashton.pecina@co.hays.tx.us

Title:

Mr.

Last Name:

Pecina

Business Phone:

512-393-2209

Position:

Grant Writer

Address Line 1:

715 S. Stagecoach Trail

City:

San Marcos

Zip Code:

78666

First Name:

Ashton

Fax Number:

Salutation:

Mr.

Address Line 2:

5123932209

State:

Texas

Grant Writer Email Address:

simone.corprew@co.hays.tx.us

Title:

Ms.

Last Name:

Corprew

Business Phone:

512-749-1161

Position:

Grant Writer

Address Line 1:

712 S Stagecoach Trail

City:

San Marcos

Zip Code:

78666

First Name:

Simone

Fax Number:

Salutation:

Ms.

Address Line 2:

State:

Texas

Note from Grantee to OOG

Save Note from Grantee to OOG



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Previous

Save and Continue

Agency Name: Hays County **Grant/App:** 5125801 **Start Date:** 10/1/2024
Project Title: Operation 360 **Status:** Pending OOG Review **End Date:** 10/31/2025 **Fund Source:** PS-Project Safe Neighborhoods Program (South)
Current Program Manager: **Liquidation Date:**
Original Award: \$0.00
Current Budget: \$940,718.00 **Current Award:** \$0.00 **CFDA:** 16.609 **OOG Solicitation:** FY2025 Project Safe Neighborhoods Grant Program [Announcement](#)

[Eligibility](#) [Profile](#) [Narrative](#) [Activities](#) [Measures](#) [Budget](#) [Documents](#) [Conditions.of.Funding](#) [Summary](#) [Upload.Files](#) [My.Home](#)

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General Information and Instructions

[View Introduction](#)

Fund Source Information and Requirements

Introduction

The purpose of the Project Safe Neighborhoods Program is to create and foster safer neighborhoods through a sustained reduction in violent crime, including, but not limited to, addressing criminal gangs and felonious possession and use of firearms.

Program-Specific Questions

What is the project's main Project Safe Neighborhoods (PSN) design feature?

- ☐ Community Engagement
- ☒ Focused and Strategic Enforcement
- ☐ Prevention and Intervention
- ☐ Accountability

Indicate the percentage of your PSN project allocated for each of the following categories:

Police Agency (%):

Prevention (%):

All Other Partner Agencies (%):

Project will support the operations and coordination activities of a gang task force.

Select the appropriate response:

☐ Yes☒ NoIf you answered **'YES'** above, enter the name of the gang task force. If you selected **'No'**, enter **'N/A'**.If you answered **'YES'** above, enter the agencies or organizations that participate in the above-named task force. If you selected **'No'**, enter **'N/A'**.

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Constitutional Compliance

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

Information Systems

Applicant assures that any new criminal justice information systems will comply with data sharing standards for the Global Justice XML Data Model and the National Information Exchange Model.

Cybersecurity Training Requirement

Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Government](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the [Texas Department of Information Resources Statewide Cybersecurity Awareness Training](#) page.

Criminal History Reporting

Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

Uniform Crime Reporting (UCR)

Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

Entities That Collect Sexual Assault/Sex Offense Evidence or Investigate/Prosecute Sexual Assault or Other Sex Offenses

In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's Sexual Assault Evidence Tracking Program website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant.

Compliance with State and Federal Laws, Programs and Procedures

Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to PSO and is active until August 31, 2025 or the end of the grant period, whichever is later.

Equal Employment Opportunity Plan (EEO Plan)

If awarded, applicant agrees to comply with the Equal Employment Opportunity Program (EEOP) requirements per 28 C.F.R. § 42 Subpart E. Agencies may use the EEO Utilization Report Builder to assist with preparing Verification Forms and, if required, Utilization Reports.

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with PSO and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:

Shari Miller

Enter the Address for the Civil Rights Liaison:

712 S.Stagecoach Trail, Suite 1063 San Marcos Texas, 78666

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

5123932245

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.



I certify to all of the application content & requirements.

Project Narrative**Project Abstract**

Briefly summarize the proposed project. The abstract should summarize information in the other project narrative boxes below, and should be understandable by a lay person.

This grant proposal addresses the escalating threat of Fentanyl, a synthetic opioid, within the state of Texas, where it has emerged as the leading cause of death among individuals aged 18 to 45. Shocking statistics reveal a 600% surge in Fentanyl-related overdose deaths between 2020 and 2022. The proposal underscores the pressing need for a comprehensive, community-based prevention program spanning various sectors, including schools, public awareness campaigns, drug diversion programs, mental health treatment, and collaborative efforts between law enforcement agencies. PLEASE SEE THE ATTACHED IN "UPLOAD.FILES" TAB FOR COMPLETE NARRATIVE.

Problem Statement

Describe the nature and scope of the underlying problem the proposed project will address. Include aspects of the problem relevant to the project's approach and activities.

Fentanyl has emerged as a pressing concern in Texas, posing significant threats to public health and safety. Studies by the Center for Disease Control indicate that nationally, fentanyl is becoming the leading cause of death for individuals between the ages of 18 and 45. More shockingly, 2022 statistical data from the Travis County Medical Examiner showed a 600% increase in overdose deaths between 2020 and 2022. At its core, fentanyl poses a severe risk due to its potency. PLEASE SEE THE ATTACHED IN "UPLOAD.FILES" TAB FOR COMPLETE NARRATIVE.

Supporting Data

Provide supporting data for the Problem Statement. Data should be relevant to the project and its target group. For example, do not use statewide data for a local problem or national data for a statewide problem.

Fentanyl, a potent synthetic opioid, has emerged as a grave concern in Texas, posing significant threats to public health and safety. National studies by the Center for Disease Control (CDC) indicate that fentanyl is becoming the leading cause of death for individuals aged 18 to 45. Shockingly, 2022 statistical data from the Travis County Medical Examiner revealed a staggering 600% increase in overdose deaths between 2020 and 2022. PLEASE SEE THE ATTACHED IN "UPLOAD.FILES" TAB FOR COMPLETE NARRATIVE.

Project Approach & Activities

Describe the methodologies, approaches, and activities to be employed by the project. This should logically tie back to the Problem Statement.

The absence of a unified state strategy to combat fentanyl manufacturing and distribution hampers law enforcement efforts, diverting resources from high-priority targets. The potency and accessibility of fentanyl through social media, combined with a lack of specialized training and coordination, diminish the effectiveness of investigative efforts. PLEASE SEE THE ATTACHED IN "UPLOAD.FILES" TAB FOR COMPLETE NARRATIVE.

Capacity & Capabilities

Describe the applicant organization's background as well as any organizational and staff capabilities and qualifications necessary to carry out this project using the approaches and activities provided above, including any essential collaborative partnerships.

The task force consists of a dedicated team of professionals, including healthcare providers, educators, community organizers, and experienced law enforcement personnel. The task force is being managed by Hays County Sheriff's Deputy Tyson Hodges, a retired DEA Assistant Special Agent in Charge (ASAC) with 35 years of law enforcement experience. Operational and administrative assistance is being provided by DEA ASAC Robert Kennedy, PhD; DEA ASAC (Retired) Angela Von Trytek, PhD; DEA Compliance Attorney Kathryn Quinn; and attorney and former prosecutor Greg Conner. The law enforcement program reports to and is being overseen by Hays County Sheriff Gary Cutler; Williamson County Sheriff Mike Gleason; Texas Department of Public Safety Captain Ryan Leggett; and supervisors from the Drug Enforcement Administration, Federal Bureau of Investigation, and Department of Homeland Security.

Performance Management

Describe how the applicant organization will measure success for this project. Describe the overall goals, objectives, and strategies for this project and how the organization will collect, track, and maintain the relevant data needed to determine if the project is achieving these standards throughout the grant period.

The effectiveness and integrity of the task force's program is underpinned by a meticulous auditing process. Texas State University (TSU) Dr. Jeffrey Bumgarner, TSU Doctoral Candidate Dustin Werley, and University of North Texas – Dallas Dr. Paul Reynolds play pivotal roles in offering academic expertise, research support, and program evaluation to ensure the program aligns with best practices and evidence-based strategies. DEA ASACs Robert Kennedy, PhD and Angela Von Trytek, PhD will assist by providing operational and administrative expertise related to federal statutory and regulatory compliance. PLEASE SEE THE ATTACHED IN "UPLOAD.FILES" TAB FOR COMPLETE NARRATIVE.

Target Group

Describe or list the agencies, individuals, or other groups to whom you expect to provide services, including any relevant data.

The task force goes beyond being just a program; it stands as a comprehensive initiative crafted to support and enhance various aspects of community life. Rather than having a singular purpose, the task force is a multifaceted initiative that addresses the diverse needs of the community. It achieves this by supporting law enforcement, engaging with schools and the community, contributing to treatment and rehabilitation efforts, assisting victims and their families, and fostering awareness. In essence, the task force represents a holistic approach to promoting community well-being and resilience. Through collaborative efforts, the program aims to create a safer, more informed, and supportive environment for everyone involved. PLEASE SEE THE ATTACHED IN "UPLOAD.FILES" TAB FOR COMPLETE NARRATIVE.

Evidence-Based Practices

Describe the research or evidence that led the applicant to select the methods, approach, and activities described above. Where possible, cite specific research, evidence, or published best/promising practices model used as the basis for the project's design. If the project approach and activities described above are not based on existing evidence, the applicant must describe why they believe the method to be promising.

The Tri-County Task Force uses concepts identified in both the "Community Readiness Model" and the "Community-Based Participatory Research" model. These models are designed as a multi-disciplinary approach that empowers schools, communities, law enforcement, and researchers to actively participate in public health issues. PLEASE SEE THE ATTACHED IN "UPLOAD.FILES" TAB FOR COMPLETE NARRATIVE.

Note from Grantee to OOG

Save Note from Grantee to OOG



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Agency Name: Hays County **Grant/App:** 5125801 **Start Date:** 10/1/2024
Project Title: Operation 360 **Status:** Pending OOG Review **End Date:** 10/31/2025 **Fund Source:** PS-Project Safe Neighborhoods Program (South)
Current Program Manager: **Liquidation Date:**
Original Award: \$0.00
Current Budget: \$940,718.00 **Current Award:** \$0.00 **CFDA:** 16.609 **OOG Solicitation:** FY2025 Project Safe Neighborhoods Grant Program [Announcement](#)

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General Information and Instructions

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Fund Source Information and Requirements

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

OOG-Defined Project Activity Area

Select Your Project Activities

Select one or more project activities that best describe your project. Once you have selected one or more project activities from the list, then click on the **Update Activity Selection** button to add those selections to your project. You will then be able to describe the project activities you selected and added to your project in the **Detailed Project Activity Area**. For a description of the eligible project activities, please click on the **View a Description of the Activities** button.

[Collapse Activity List](#)

- ☐ Assessment and Evaluation
- ☒ Crime Prevention
- ☒ Law Enforcement
- ☒ Prosecution

Detailed Project Activity Area

Describe Each Activity

This section lists all of the items you selected for OOG and grantee-defined project activities.

Click on the 'pencil' icon next to each activity to enter the percentage of time spent on the activity as well as a brief description of how the activity is performed. Click on the 'diskette' icon to save the information entered for each activity.

Activity	Dedicated Percentage	Description of Activity
Crime Prevention	25	The task force has partnered with school and community outreach groups, businesses, and treatment and rehabilitation professionals to design a strategic law enforcement plan to address fentanyl poisonings and overdoses, to enhance community safety through targeted crime prevention efforts.
Law Enforcement	50	This task force is specifically designed to quickly and efficiently respond to and investigate fentanyl-related incidents in a uniform and coordinated manner. This design allows a team of specialized investigators work across jurisdictional boundaries to target drug trafficking organizations, including their manufacturing and distribution operations. Finally, the task force will work with local school and community groups, businesses, and treatment and rehabilitation professionals to address the root causes of the fentanyl epidemic.
Prosecution	25	This task force is a prosecutor led multi-agency task force, specifically designed to respond to and investigate drug poisonings and overdoses. The prosecutor plays a pivotal role by promoting seamless communication and collaboration among agencies. By facilitating information sharing and promoting a unified strategy, their leadership ensures thorough investigations, ultimately strengthening the likelihood of successful prosecutions.

☐ **Check this box to Confirm Deletion of a Project Activity**

Note: Once you **Save** each item above, the subtotal for the **Dedicated Percentage** column will refresh below under **Total**.
Total: 100 Percent

Note from Grantee to OOG

Save Note from Grantee to OOG



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Save and Continue

You are logged in as **User Name:** APecina

Agency Name: Hays County **Grant/App:** 5125801 **Start Date:** 10/1/2024
Project Title: Operation 360 **Status:** Pending OOG Review **End Date:** 10/31/2025 **Fund Source:** PS-Project Safe Neighborhoods Program (South)
Current Program Manager: **Liquidation Date:**
Original Award: \$0.00
Current Budget: \$940,718.00 **Current Award:** \$0.00 **CFDA:** 16.609 **OOG Solicitation:** FY2025 Project Safe Neighborhoods Grant Program [Announcement](#)

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Requirements

Introduction

The performance measures listed in this section are tied to an activity as selected by the applicant on the Activities tab.

These measures are essentially estimated targets of the volume of activity in a project. OOG uses them during the application phase to evaluate the project, and during the active grant phase to measure progress towards those targets. Measures should reflect an applicant's best estimate of the level of activities they expect to perform *during the grant period*, unless specifically instructed otherwise.

Note: *If the measures are not visible on this tab, simply navigate back to the Activities tab, add one or more activities to your project, save your selection(s), then return to the Measures tab.*

OOG-Defined Performance Measures


Grantees are required to report for each measure listed and should enter a "0" for any measure not applicable to their project.

In addition, grantees may also be required to report fund specific progress report data. Grantees must follow the progress reporting instructions provided by the Public Safety Office.

Custom-Defined Performance Measures

OOG encourages grantees to add any additional custom measures that would help us better understand the project's activities and performance, but these are not required. To add a custom measure, click on the "Create Custom Performance Measures" button.

Entering the OOG-Defined Output Performance Measure Information

Please enter the required target levels for each output measure listed below. 

Output Measures	Target Level
Casework, non-licensed counseling, individual advocacy, or other support: Hours delivered.	0
Casework, non-licensed counseling, individual advocacy, or other support: Individuals receiving	0
Equipment or technology: Individuals/Operators equipped	0
General Law Enforcement or Public Safety: Arrests resulting from grant.	25
Instruction and Support for Pro-social, Educational, Vocational, or Employment skills: Hours delivered.	32
Instruction and Support for Pro-social, Educational, Vocational, or Employment skills: Individuals receiving.	8
Targeted Investigation: Criminal cases resulting in arrest.	24
Targeted Investigation: Grant-funded investigations carried out by the unit/division	24
Targeted Prosecution: Criminal cases resulting in conviction/deferred adjudication.	25
Targeted Prosecution: Grant-funded prosecutions carried out by the unit/division.	25
Training or professional development: Individuals provided	8
Training or professional development: Individuals received	16
Training, professional development, or technical assistance: Hours provided	0
Training, professional development, or technical assistance: Hours received	8

Create Custom Performance Measures

Entering Custom-Defined Output Performance Measures

Please enter any optional self-defined output measures.

Output Measures	Target Level

Entering Custom-Defined Outcome Performance Measures

Please enter any optional self-defined outcome measures.

Outcome Measures	Target Level

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Save Note from Grantee to OOG



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Select and Enter Budget Line Item Details



	Budget Category	OOG Funds	Cash Match	In Kind Match	GPI	Total Project
	Personnel	\$611,968.00	\$0.00	\$0.00	\$0.00	\$611,968.00
	OOG-Defined Line Item	OOG Funds	Cash Match	In Kind Match	GPI	Total Project
	Manager	\$63,303.00	\$0.00	\$0.00	\$0.00	\$63,303.00
	Prosecutor	\$154,517.00	\$0.00	\$0.00	\$0.00	\$154,517.00
	Professional Trainer	\$76,800.00	\$0.00	\$0.00	\$0.00	\$76,800.00
	Specialist	\$71,354.00	\$0.00	\$0.00	\$0.00	\$71,354.00
	Overtime for All Other Personnel	\$245,994.00	\$0.00	\$0.00	\$0.00	\$245,994.00
	Contractual and Professional Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Travel and Training	\$32,000.00	\$0.00	\$0.00	\$0.00	\$32,000.00
	OOG-Defined Line Item	OOG Funds	Cash Match	In Kind Match	GPI	Total Project
	In-State Registration Fees, Training, and/or Travel	\$17,000.00	\$0.00	\$0.00	\$0.00	\$17,000.00

	In-State Incidentals and/or Mileage	\$15,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00
	Equipment	\$32,250.00	\$0.00	\$0.00	\$0.00	\$32,250.00
	OOG-Defined Line Item	OOG Funds	Cash Match	In Kind Match	GPI	Total Project
	Laptop System and Accessories	\$2,250.00	\$0.00	\$0.00	\$0.00	\$2,250.00
	Specialized Training Equipment (with a unit cost of more than \$5,000)	\$30,000.00	\$0.00	\$0.00	\$0.00	\$30,000.00
	Supplies and Direct Operating Expenses	\$264,500.00	\$0.00	\$0.00	\$0.00	\$264,500.00
	OOG-Defined Line Item	OOG Funds	Cash Match	In Kind Match	GPI	Total Project
	Cellular, Fax, Pager, and/or Office Telephone	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00
	Costs for Space (lease or rental)	\$252,000.00	\$0.00	\$0.00	\$0.00	\$252,000.00
	Installation of grant purchased equipment and technology.	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
	Photographic Equipment and Accessories (\$5,000 or less per unit)	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
	Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Budget Summary Totals

OOG Funds:	Cash Match:	In Kind Match:	GPI:	Total Project:
\$940,718.00	\$0.00	\$0.00	\$0.00	\$940,718.00

Export Your Budget Detail Item(s)

[Export To Excel](#)


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Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a [resolution](#) that contains the following:

1. Authorization by your governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.

Upon approval from your agency's governing body, upload the [approved](#) resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will PSO grant funds be used to support any contracts for professional services?

Select the appropriate response:

- ☐ Yes
☒ No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Select the appropriate response:

- ☐ Yes
☒ No
☐ N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

Select the appropriate response:

- ☐ Yes
☒ No
☐ N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

9/1/2024

Enter the End Date [mm/dd/yyyy]:

8/31/2026

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (in Whole Dollars \$) of Federal Grant Funds expended:

Enter the amount (in Whole Dollars \$) of State Grant Funds expended:

Single Audit

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a PSO grant. However, PSO may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

Select the appropriate response:

☐ Yes

☒ No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

☒ I Certify

☐ Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

FFATA Certification

Certification of Recipient Highly Compensated Officers

The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (CJD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.

In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?

☐ Yes

☒ No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?

☐ Yes

☒ No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered **NO** to the first statement you are NOT required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:

Position 1 - Total Compensation (\$):

Position 2 - Name:

Position 2 - Total Compensation (\$):

Position 3 - Name:

Position 3 - Total Compensation (\$):

Position 4 - Name:

Position 4 - Total Compensation (\$):

Position 5 - Name:

Position 5 - Total Compensation (\$):

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Project Safe Neighborhoods Grant, FY 2025
Hays County Sheriff's Office

Grant Abstract

Project Abstract

Briefly summarize the proposed project. The abstract should summarize information in the other project narrative boxes below, and should be understandable by a lay person.

This grant proposal addresses the escalating threat of fentanyl, a synthetic opioid, within the state of Texas, where it has emerged as the leading cause of death among individuals aged 18 to 45. Shocking statistics reveal a 600% surge in fentanyl-related overdose deaths between 2020 and 2022. This proposal underscores the pressing need for a comprehensive, community-based prevention program spanning multiple disciplines, including schools, public awareness campaigns, drug diversion programs, mental health treatment, and collaborative efforts between law enforcement agencies.

This proposal highlights the detrimental effects of the current lack of coordination between law enforcement and local communities in combating the fentanyl crisis. This deficiency leads to compromised law enforcement endeavors, weakened community support systems, perpetuation of stigma surrounding addiction and mental health, and obstacles to educational initiatives. Acknowledging these challenges, the proposal advocates for the development of a comprehensive strategy fostering collaboration between law enforcement and communities. Such a strategy is essential for effectively addressing the multifaceted challenges posed by the fentanyl crisis, ultimately reducing crime rates and safeguarding the well-being of individuals and communities.

The challenges posed by fentanyl, given its potency and accessibility through social media, create significant obstacles for traditional law enforcement. The effectiveness of law enforcement's efforts is hampered by a combination of factors, including a lack of specialized training, expertise, intelligence collection, and coordination. Exploiting these gaps, drug organizations maneuver through jurisdictional boundaries, complicating apprehension and prosecution and resulting in lower conviction rates. The absence of a coordinated strategy among local, state, and federal law enforcement further creates surveillance and enforcement gaps, allowing the illicit fentanyl market to thrive. When agencies are isolated, information sharing is limited, hindering law enforcement's ability to trace the drug's source and dismantle trafficking networks. This fragmented approach not only compromises law enforcement but also allows fentanyl to infiltrate local neighborhoods, leading to a surge in overdoses and fatalities. Addressing the clandestine nature of fentanyl's production and distribution requires collaborative efforts across jurisdictions to dismantle networks and prevent the further spread of this deadly substance.

Additionally, the absence of a collaborative and proactive school and community awareness plan intensifies the isolation of individuals grappling with substance abuse and mental health issues. This substance, often disguised in counterfeit pills or mixed with other drugs like methamphetamine or cocaine, increases the risk of unwittingly ingesting lethal doses. Due to its secretive nature, it poses a significant threat to students who may be unwittingly exposed to its potency without being aware of the associated risks. A fragmented approach further undermines the effectiveness of educational programs aimed at raising awareness about the dangers of fentanyl. Without a coordinated effort, disseminating accurate and timely information becomes challenging, leaving communities vulnerable to misinformation and myths surrounding the drug.

The Tri-County Fentanyl Task Force goes beyond being just a program; it stands as a comprehensive initiative crafted to support and enhance various aspects of community life. Rather than having a singular purpose, the task force is a multifaceted initiative that addresses the diverse needs of the community. It achieves this by supporting law enforcement, engaging with schools and the community, contributing to treatment and rehabilitation efforts, aiding victims and their families, and fostering awareness. In essence, the task force represents a holistic approach to promoting community well-being and resilience. Through collaborative efforts, the program aims to create a safer, more informed, and supportive environment for everyone involved.

Community safety relies heavily on law enforcement operations, and the task force plays a crucial role in supporting and enhancing these efforts. The program collaborates closely with law enforcement agencies, offering valuable resources and investigative assistance that contribute to the overall effectiveness of maintaining community safety. This collaboration ensures a comprehensive approach to addressing issues related to drug poisonings and overdoses.

Victims and their surviving family members often encounter a challenging journey, and the task force extends its support to this vulnerable group. The program aims to alleviate the hardships faced by victims and their families by connecting them to grief counseling and other essential social services. During challenging times, the task force becomes a source of comfort and aid to both the victim and their surviving family members, offering support and promoting substance abuse and mental health treatment options.

Beyond its supporting role with law enforcement, the task force places a significant focus on school and community outreach efforts. Recognizing education as a powerful tool in preventing drug-related incidents, the program actively involves schools and the broader community. The program's goal is to heighten awareness, disseminate information, and advocate for preventive measures. The task force actively collaborates with educational institutions to cultivate a well-informed and vigilant community. Through a combination of educational programs, awareness campaigns, and community events, the task force forms connections that empower individuals to make informed choices and contribute to the development of a resilient and supportive community network.

Finally, the task force recognizes the complex challenges associated with substance abuse. As a result, it works hand-in-hand with established treatment facilities to ensure that individuals receive the necessary support and care on their journey to recovery. By fostering these partnerships, the task force aims to bridge the gap between prevention and intervention, offering a comprehensive approach to address the diverse needs of those grappling with addiction. This collaborative effort not only facilitates access to treatment but also emphasizes the importance of a supportive network, empowering individuals to embark on a path towards healing and positive life changes.

The task force was formed using evidence-based concepts like the "Community Readiness Model" and "Community-Based Participatory Research" model. The task force builds upon these models by partnering with non-profit groups and volunteers to effect change and empower communities and neighborhoods.

Problem Statement

Describe the nature and scope of the underlying problem the proposed project will address. Include aspects of the problem relevant to the project's approach and activities.

Fentanyl has emerged as a pressing concern in Texas, posing significant threats to public health and safety. Studies by the Center for Disease Control indicate that nationally, fentanyl is becoming the leading cause of death for individuals between the ages of 18 and 45. More shockingly, 2022 statistical data from the Travis County Medical Examiner showed a 600% increase in overdose deaths between 2020 and 2022. At its core, fentanyl poses a severe risk due to its potency. Even minuscule amounts can lead to fatal overdoses. Addressing this crisis requires comprehensive community-based prevention programs involving schools, public awareness campaigns, drug diversion programs, mental health treatment, and law enforcement collaboration.

The absence of a coordinated and cooperative response in combating fentanyl between law enforcement and local communities has significant negative impacts on local areas. This lack of coordination leads to compromised law enforcement efforts, diminished community support systems, the continuation of stigma related to addiction and mental health, and obstacles to educational initiatives. It is imperative that law enforcement and communities develop a comprehensive strategy to address the multifaceted challenges posed by the fentanyl crisis, ultimately reducing crime, and safeguarding the well-being of individuals and communities.

The challenges posed by fentanyl, given its potency and accessibility through social media, create significant obstacles for traditional law enforcement. The effectiveness of investigative efforts is notably hampered by a combination of factors, including a lack of specialized training, expertise, intelligence collection, and coordination. Exploiting these gaps, drug organizations maneuver through jurisdictional boundaries, complicating apprehension and prosecution and resulting in lower conviction rates. The absence of a coordinated strategy among local, state, and federal law enforcement further creates surveillance and enforcement gaps, allowing the illicit fentanyl market to thrive. When agencies are isolated, information sharing is limited, hindering law enforcement's ability to trace the drug's sources and dismantle trafficking networks. This fragmented approach not only compromises law enforcement but also allows fentanyl to infiltrate local neighborhoods, leading to a surge in overdoses and fatalities. Addressing the clandestine nature of fentanyl's production and distribution requires collaborative efforts across jurisdictions to dismantle networks and prevent the further spread of this deadly substance.

Additionally, the absence of a collaborative and proactive school and community awareness plan intensifies the isolation of individuals grappling with substance abuse and mental health issues. This substance, often disguised in counterfeit pills or mixed with other drugs like methamphetamine or cocaine, increases the risk of unwittingly ingesting lethal doses. Due to its secretive nature, it poses a significant threat to students who may unwittingly be exposed to its potency without being aware of the associated risks. A fragmented approach further undermines the effectiveness of educational programs aimed at raising awareness about the dangers of fentanyl. Without a coordinated effort, disseminating accurate and timely information becomes challenging, leaving communities vulnerable to misinformation and myths surrounding the drug.

Ultimately, when law enforcement operates independently from community organizations, treatment centers, and public health initiatives, it undermines the link between enforcement and treatment. As a result, it is crucial to adopt a unified approach to establish comprehensive support systems for those affected by fentanyl, integrating education, awareness, prevention, treatment, and recovery services into the fabric of local communities.

The task force's design is supported by a 2016 report by the Police Executive Research Forum titled, "Building Successful Partnerships between Law Enforcement and Public Health Agencies to Address

Opioid Use.” [1] The report concluded that, by using a comprehensive proactive approach, law enforcement agencies can reduce fatalities by connecting individuals to treatment and services, deploying naloxone to reverse overdoses, addressing the dangers of drug use, and using data to inform policies and practices. The report went on to say, "Of course, law enforcement agencies cannot do this alone. They need the expertise and experience of their public health partners such as the treatment providers, mental and physical health professionals, addiction specialists, researchers, and others in the field who work each day to help people in need. These partnerships are the cornerstone of the new approach to the opioid epidemic - an integrated approach that has its roots in the public health model, reflects principles of community policing, incorporates research and data into decision making, and emphasizes community-based solutions."

Supporting Data

Provide Supporting data for the Problem Statement. Data should be relevant to the project and its target group. For example, do not use statewide data for a local problem or national data for a statewide problem.

Fentanyl, a potent synthetic opioid, has emerged as a grave concern in Texas, posing significant threats to public health and safety. National studies by the Center for Disease Control (CDC) indicate that fentanyl is becoming the leading cause of death for individuals aged 18 to 45. Shockingly, 2022 statistical data from the Travis County Medical Examiner revealed a staggering 600% increase in overdose deaths between 2020 and 2022.

At its core, fentanyl poses a severe risk due to its unparalleled potency. Even minuscule amounts can lead to fatal overdoses. The Texas Health Fentanyl Trends dashboard highlights Travis and surrounding counties as the epicenter of fentanyl-related deaths in the state for 2023, with over 5.04 deaths per 100,000 individuals, a statistic significantly higher than any other county in Texas. The Centers for Disease Control and Prevention anticipates a substantial increase in drug deaths for 2023, with 70% attributed to fentanyl.

Recent DEA laboratory tests reveal a concerning trend, with seven out of 10 pills analyzed containing a potentially lethal dose of fentanyl. This marks a notable increase from two years ago when four out of 10 pills posed a similar risk. The gravity of the situation is further emphasized by DEA seizures; in 2022, they seized over 59.6 million fentanyl pills and 13,300 pounds of fentanyl powder, equating to over 398 million potentially lethal doses. In 2023, the seizures increased to 78.4 million fentanyl-laced fake pills and nearly 12,000 pounds of fentanyl powder, representing over 388.8 million potentially lethal doses. This represents an almost 34% increase in the number of fentanyl pills seized by DEA between 2022 and 2023. More shockingly, in the first quarter of fiscal year 2024, DEA has seized 2,400,000 fentanyl pills and an additional 501 pounds of fentanyl powder. These seizures represent over 23.9 million potentially deadly doses.

The report from the Texas Department of State Health Services (DSHS) sheds light on the local impact of the fentanyl crisis. Between 2022 and 2023, the Hays County Sheriff's Office recorded 69 fentanyl-related overdose incidents, comprising 33 juveniles and 36 adults. In 2022, there were 37 overdoses, resulting in one juvenile and five adult fatalities. In 2023, the Sheriff's Office documented 14 juvenile overdoses and 10 adult overdoses, leading to four juvenile and four adult fatalities.

The DSHS data reveals a concerning trend, indicating a consistent increase in fentanyl-related overdoses across all three counties in recent years. Travis County's situation is particularly severe, escalating from

44 overdoses in 2020 to 123 in 2022. Similarly, Williamson County saw an increase from fewer than 10 overdoses in 2020 to 28 in 2021.

These statistics underscore the urgent need for comprehensive and collaborative strategies involving healthcare providers, law enforcement, community organizations, and educational institutions. The escalating fentanyl crisis in Travis, Williamson, and Hays counties demands immediate and concerted efforts to mitigate its devastating effects on individuals and families across Texas.

The escalating fentanyl crisis in Texas, particularly in Hays, Travis, and Williamson counties, demands urgent attention and collaborative action. The potency of fentanyl and its devastating impact on communities require comprehensive community-based prevention programs involving schools, public awareness campaigns, drug diversion programs, mental health treatment, and law enforcement collaboration. Immediate and coordinated efforts are imperative to mitigate the fentanyl crisis and protect the well-being of individuals and families across the state of Texas.

Addressing the fentanyl crisis requires multifaceted community-based prevention programs. Schools play a crucial role in educating students about the dangers of fentanyl and other opioids, emphasizing the importance of making informed choices. Public awareness campaigns can dispel myths surrounding fentanyl and promote understanding of the severe risks associated with its use. Furthermore, drug diversion programs can provide an alternative path for individuals struggling with substance abuse, offering treatment and support rather than punitive measures. Mental health treatment must be integrated into prevention efforts, recognizing the connection between mental health and substance abuse. Collaboration with law enforcement is essential to curb the illicit distribution of fentanyl and dismantle trafficking networks.

Project Approach & Activities

Describe the methodologies, approaches, and activities to be employed by the project. This should logically tie back to the Problem Statement.

The absence of a unified state strategy to combat fentanyl manufacturing and distribution hampers law enforcement efforts, diverting resources from high-priority targets. The potency and accessibility of fentanyl, combined with a lack of training and coordination, diminish the effectiveness of investigative efforts.

This proposal seeks \$909,460 for a tri-county task force to address fentanyl-related issues in Hays, Travis, and Williamson Counties. The funding will train, equip, and sustain a tri-county task force dedicated to mitigating the impact of fentanyl. The proposal includes salaries for a state prosecutor, crime analyst, and administrative assistant, as well as overtime, office space, equipment, fringe benefits, travel, and training.

To address the fentanyl crisis, the Hays and Williamson County Sheriff's Offices have entered into a cooperative agreement with other state and federal law enforcement agencies including the Texas DPS, DEA, FBI, and HSI to strengthen relationships and employ a unified approach in responding to and investigating suspected drug poisonings and overdose incidents. The tri-county task force is further supported by the Hays, Travis, and Williamson County District Attorney's Offices and the United States Attorney's Office for the Western District of Texas.

The Tri-County Fentanyl Task Force, in partnership with Operation 360, has devised a comprehensive strategy to combat fentanyl-related crimes. This strategic plan places a strong emphasis on targeting individuals and organizations involved in fentanyl manufacturing and distribution, with the overarching

goal of reducing fentanyl-related poisonings and overdoses to enhance neighborhood safety. Working collaboratively with Operation 360, a community-based non-profit actively engaged with schools, communities, victim advocates, and researchers, the task force has crafted an evidence-based, data-driven intervention and prevention program. This program incorporates street-level outreach, facilitating access to treatment and social services, and implementing public awareness campaigns that underscore the dangers of fentanyl.

Requested Funding:

Dedicated State Prosecutor (\$115,000): The incorporation of a federally deputized state prosecutor focused on fentanyl-related cases enhances investigative efforts and fosters communication between state and federal law enforcement. The specialized skill set of the prosecutor expedites court proceedings and maximizes the chances of successful prosecutions.

Crime Analyst (\$70,000): The Crime Analyst will streamline communication and information sharing among law enforcement agencies, enabling real-time data sharing and enhancing the task force's ability to stay ahead of evolving trends in the illicit fentanyl trade.

Administrative Assistant (\$60,000): The Administrative Assistant plays a crucial role in managing communications, logistical support, and data management within the task force, ensuring efficient operations and compliance with state and federal standards.

Criminal Justice Researchers (\$76,800): Researchers from Texas State University and the University of North Texas will provide academic expertise and conduct a comprehensive impact analysis, contributing to evidence-based strategies and program evaluation.

Overtime Funding (\$214,410): Overtime funds are crucial for extending operational hours, deploying additional personnel, and enhancing the task force's agility and responsiveness to emerging drug-related threats.

Office Space (\$252,000): Co-locating the task force in a single office space enhances operational effectiveness, fosters collaboration, and facilitates a comprehensive approach to tackling complex challenges associated with organized crime and drug trafficking.

Specialized Equipment (\$25,000): Protective gear, de-encryption software, and undercover surveillance tools are essential for officer safety, accessing encrypted data, and conducting covert operations against fentanyl traffickers.

Fringe Benefits (\$61,250): Fringe benefits will compensate for the lack of standard benefits, ensuring essential support and job satisfaction for the State Prosecutor, Crime Analyst, and Administrative Assistant.

Travel (\$15,000): Funding for scheduled and unscheduled travel is crucial for gathering real-time information, collaborating with local agencies, and responding promptly to emerging drug-related situations.

Training (\$17,000): Fentanyl-related training for law enforcement, first responders, prosecutors, judges, and emergency medical personnel is crucial for enhancing their skills and response capabilities.

Printing, Publication, and Duplication (\$5,000): Printing, publishing, and duplicating law enforcement and court-related materials are essential for detailed reports, evidence reproduction, and transparent legal proceedings.

Capacity & Capabilities

Describe the applicant organization's background as well as any organizational and staff capabilities and qualifications necessary to carry out this project using the approaches and activities provided above, including any essential collaborative partnerships.

The task force consists of a dedicated team of professionals, including healthcare providers, educators, community organizers, and experienced law enforcement personnel. The task force is being managed by Hays County Sheriff's Deputy Tyson Hodges, a retired DEA Assistant Special Agent in Charge (ASAC) with 35 years of law enforcement experience. Operational and administrative assistance is being provided by DEA ASAC Robert Kennedy, PhD; DEA ASAC (*Retired*) Angela Von Trytek, PhD; DEA Compliance Attorney Kathryn Quinn; and attorney and former prosecutor Greg Conner. The law enforcement program reports to and is being overseen by Hays County Sheriff Gary Cutler; Williamson County Sheriff Mike Gleason; Texas Department of Public Safety Captain Ryan Leggett; and supervisors from the Drug Enforcement Administration, Federal Bureau of Investigation, and Department of Homeland Security. By pooling the expertise and capabilities of these individuals and agencies, the task force ensures a comprehensive and coordinated response to the challenges posed by fentanyl-related crimes. Further, this collaborative approach enables the task force to leverage a wealth of knowledge, advanced technologies, and specialized skills, enhancing the overall effectiveness of investigative operations and resource utilization in the fight against fentanyl trafficking.

The task force's collaborative efforts extend beyond investigative operations to include a coordinated approach with state and federal prosecutors. Prosecutions are being supported and overseen by Hays County District Attorney Kelly Higgins, Travis County District Attorney Jose Garza, Williamson County District Attorney Shawn Dick, and Jamie Esparza, United States Attorney for the Western District of Texas. Federal prosecutions are locally supervised by Assistant United States Attorneys Michelle Fernald and Mark Marshall. By fostering close partnerships with these individuals and agencies, the task force ensures that its investigative efforts are seamlessly transitioned to the prosecution phase. The involvement of both state and federal prosecuting agencies signifies a comprehensive strategy, aligning local and national resources to strengthen the legal response to the challenges posed by fentanyl trafficking in Texas.

The task force's holistic approach further extends to coordinating substance abuse and mental health objectives through esteemed professionals and community services. Dr. Mark Escott and other medical experts play pivotal roles in aligning strategies that address both the physical and mental well-being of individuals affected by substance abuse, particularly fentanyl-related issues. Additionally, the task force collaborates with Bluebonnet Trails Community Services to leverage their expertise in mental health services, ensuring a comprehensive response to the challenges posed by addiction. Furthermore, public health information dissemination and community events are seamlessly coordinated through the Williamson County and Cities Health District and the Hays County Local Health Department. These partnerships enhance the task force's outreach, promoting education, awareness, and community engagement to foster a more informed and resilient response to the impact of fentanyl on public health and well-being.

The task force's commitment to school and public awareness is aligned through its coordination and sponsorship of workshops and events through its School and Community Outreach Liaisons Debra Hodges, M.Ed. and Georgetown Police Officer Justin Robbins. These liaisons play a crucial role in

orchestrating impactful initiatives that raise awareness about the dangers of fentanyl within educational institutions and the broader community. The collaboration with Hays County Independent School District further ensures a localized perspective and direct engagement with the educational community. Additionally, the task force collaborates with non-profit organizations such as the Texas Council of PTAs, Livegy, Texas Against fentanyl, A Change for Cam, and Forever 15, to further strengthen its outreach programs. By joining forces with these non-profits, the task force ensures a wide-reaching and impactful presence in schools and public arenas, fostering a comprehensive understanding of fentanyl-related risks and prevention strategies. This collaborative approach underscores the task force's commitment to community engagement, education, and proactive measures to address the challenges posed by fentanyl.

The effectiveness and integrity of the task force's program is underpinned by a meticulous auditing process. Texas State University (TSU) Dr. Jeffrey Bumgarner, TSU Doctoral Student, Dustin Werley, and University of North Texas – Dallas Dr. Paul Reynolds will play pivotal roles in offering academic expertise, research support, and program evaluation to ensure the program aligns with best practices and evidence-based strategies. DEA ASACs Robert Kennedy, PhD and DEA ASAC (*Retired*) Angela Von Trytek, PhD will assist the Performance Management Team by providing operational and administrative expertise related to federal statutory and regulatory compliance matters. Furthermore, master educators and experts in curriculum and instruction, Cory Duty, M.Ed. and Nichole Lee, M.Ed. will actively contribute to shaping and refining the program content, ensuring it is tailored to the unique needs of the region. This multi-faceted support and auditing mechanism not only enhances the credibility of the task force but also signifies a commitment to continuous improvement and adherence to the highest educational standards.

The task force has received additional encouragement and support from key community leaders, including Williamson County Judge Bill Gravell and Hays County Judge Ruben Becerra. Their endorsement underscores the significance of the task force in addressing the critical issue of fentanyl-related challenges within the respective counties. Judges Gravell and Becerra's support serves as a testament to the collaborative and community-driven nature of the task force, acknowledging the importance of a unified approach in tackling the complexities associated with substance abuse and fentanyl-related issues. Their advocacy further solidifies the program's standing within the community, fostering a shared commitment to the well-being and safety of residents in Williamson and Hays counties.

Performance Management

Describe how the applicant organization will measure success for the project. Describe the overall goals, objectives, and strategies for this project and how the organization will collect, track, and maintain the relevant data needed to determine if the project is achieving these standards.

The effectiveness and integrity of the task force's program is underpinned by a meticulous auditing process. Texas State University (TSU) Dr. Jeffrey Bumgarner, TSU Doctoral Candidate Dustin Werley, and University of North Texas – Dallas Dr. Paul Reynolds play pivotal roles in offering academic expertise, research support, and program evaluation to ensure the program aligns with best practices and evidence-based strategies. DEA ASACs Robert Kennedy, PhD and Angela Von Trytek, PhD will assist by providing operational and administrative expertise related to federal statutory and regulatory compliance. Master educators and curriculum experts Cory Duty, M.Ed. and Nichole Lee, M.Ed. will actively contribute to shaping and refining the program content, ensuring it is tailored to the unique needs of the region.

The primary aim of this review is to perform a comprehensive impact analysis, exploring the task force's organizational structure, mission objectives, and its impact on fentanyl in the community. This review

should analyze social costs, public health implications, and economic effects on affected communities and the broader Texas economy. The task force will leverage this information to anticipate future trends, predict potential shifts in fentanyl distribution networks, influence policy adjustments, and alterations consumer behavior. The insights gleaned from this review will be shared with healthcare providers, policymakers, and community organizations, with the express goal of creating regional fentanyl mitigation teams throughout the State of Texas.

Examining data between 2020-2023, the study will establish benchmarks for fentanyl production, transportation, and distribution costs. Comprehensive research will unravel the intricate supply chain dynamics, identifying key players, roles, and structures from raw materials to sales, providing valuable insights into the fentanyl network.

The study will delve into supply side costs, assessing production, transportation, and distribution expenses, alongside other associated costs. By estimating annual revenue through market demand, price points, and sales volume, it will deduct total costs, offering a nuanced view of the financial landscape. Additionally, market dynamics, competition, demand fluctuations, and geographic reach will be analyzed, with a focus on how law enforcement actions influence the fentanyl market. Surveys tracking availability and dark web analysis monitoring market changes will provide insights into disruptions.

Using historical data between 2020-2023, as a benchmark, the audit will gauge law enforcement effectiveness in collaboration, operations, seizures, and intelligence gathering. Assessing the impact of collaboration on disrupting fentanyl supply chains and evaluating the success of operations targeting suppliers, manufacturers, and traffickers ensures a thorough understanding of law enforcement's role in addressing fentanyl challenges. Analyzing federal and state arrest strategies, considering jurisdictional impacts, and reviewing prosecutions and sentencing will contribute to a comprehensive assessment. The study will also analyze intelligence operations and conduct forensic analysis of fentanyl seizures, ensuring a multifaceted evaluation. Finally, law enforcement training will be assessed to determine its effectiveness, especially in recognizing and responding to fentanyl-related incidents.

The review will also measure the effectiveness of educational materials and programs in schools and workplaces, ensuring positive changes in fentanyl knowledge levels. Student surveys will identify areas lacking information, while open discussions with students will offer valuable insights. For community outreach, surveys, and social media metrics will assess public awareness, and community feedback will gauge program effectiveness. Evaluating behavioral changes within communities will determine the impact on treatment-seeking behaviors.

Finally, the study will assess legislative policies to determine the effectiveness of fentanyl regulation, law enforcement, prosecution, diversion, and harm reduction initiatives.

Target Group

Describe or list the agencies, individuals, or other groups to whom you expect to provide services, including any relevant data.

The task force goes beyond being just a program; it stands as a comprehensive initiative crafted to support and enhance various aspects of community life. Rather than having a singular purpose, the task force is a multifaceted initiative that addresses the diverse needs of the community. It achieves this by supporting law enforcement, engaging with schools and the community, contributing to treatment and rehabilitation

efforts, assisting victims and their families, and fostering awareness. In essence, the task force represents a holistic approach to promoting community well-being and resilience. Through collaborative efforts, the program aims to create a safer, more informed, and supportive environment for everyone involved.

Community safety relies heavily on law enforcement operations, and the task force plays a crucial role in supporting and enhancing these efforts. The program collaborates closely with law enforcement agencies, aiming to offer valuable resources and investigative assistance that contribute to the overall effectiveness of maintaining community safety. This collaboration ensures a comprehensive approach to addressing issues related to drug poisonings and overdoses.

Victims and their surviving family members often encounter a challenging journey, and the task force extends its support to this vulnerable group. The program aims to alleviate the hardships faced by victims and their families by connecting them to grief counseling and other essential social services. During difficult times, the task force becomes a source of comfort and aid to both the victim and their surviving family members, offering support and promoting substance abuse and mental health treatment options.

Beyond its supporting role with law enforcement, the task force places a significant focus on school and community outreach efforts. Recognizing education as a powerful tool in preventing drug-related incidents, the program actively involves schools and the broader community. The program's objective is to heighten awareness, disseminate information, and advocate for preventive measures. The task force actively collaborates with educational institutions to cultivate a well-informed and vigilant community. Through a combination of educational programs, awareness campaigns, and community events, the task force forms connections that empower individuals to make informed choices and contribute to the development of a resilient and supportive community network.

Finally, the task force recognizes the complex challenges associated with substance abuse. As a result, it works hand-in-hand with established treatment facilities to ensure that individuals receive the necessary support and care on their journey to recovery. By fostering these partnerships, the task force aims to bridge the gap between prevention and intervention, offering a comprehensive approach to address the diverse needs of those grappling with addiction. This collaborative effort not only facilitates access to treatment but also emphasizes the importance of a supportive network, empowering individuals to embark on a path towards healing and positive life changes.

Evidence-Based Practices

Describe the research or evidence that led the applicant to select the methods, approach, and activities described above. Where possible, cite specific research, evidence, or published best/promising practices model used as the basis for the project's designed. If the project approach and activities described above are not based on existing evidence, the applicant must describe why they believe the method to be promising.

The Tri-County Task Force uses concepts identified in both the “Community Readiness Model” and the “Community-Based Participatory Research” model. These models are designed as a multi-disciplinary approach that empowers schools, communities, law enforcement, and researchers to actively participate in public health issues. This approach allows communities to develop a deeper understanding of the fentanyl crisis and its impact on not only their community but Texas as a whole. Law enforcement’s participation is crucial for ensuring that the program aligns with the local culture and remains sustainable over time. This approach values community insights and emphasizes the importance of involving local experts and

resources with a deep connection to the community. The model acknowledges that these individuals may not be professionals, but they possess a profound understanding of local dynamics and their relevance to the fentanyl crisis.

The task force's design is supported by a 2016 report by the Police Executive Research Forum titled, "Building Successful Partnerships between Law Enforcement and Public Health Agencies to Address Opioid Use." [1] In the report, the authors noted that the United States has historically implemented national drug strategies based on a "balanced approach," encompassing prevention, education, treatment, and enforcement initiatives. Typically, law enforcement agencies focused on enforcement, while social services and educators handled prevention and treatment. However, the fentanyl epidemic has prompted a shift in thinking within many law enforcement agencies. Law enforcement executives now recognize the necessity to expand their role beyond merely endorsing drug treatment, education, and prevention principles. "Focusing on getting people into treatment rather than on simply arresting them is an unprecedented idea for law enforcement. Police never saw themselves in this role, but given the opioid epidemic, it is one that is critical for us to take on," said Richard Biehl, Chief of Police, Dayton (Ohio) Police Department.

The report noted a significant shift in how law enforcement is responding to this crisis. The report concluded that, by using a comprehensive proactive approach, law enforcement agencies can reduce fatalities by connecting individuals to treatment and services, deploying naloxone to reverse overdoses, addressing the dangers of drug use, and using data to inform policies and practices. The report went on to say, "Of course, law enforcement agencies cannot do this alone. They need the expertise and experience of their public health partners such as the treatment providers, mental and physical health professionals, addiction specialists, researchers, and others in the field who work each day to help people in need. These partnerships are the cornerstone of the new approach to the opioid epidemic—an integrated approach that has its roots in the public health model, reflects principles of community policing, incorporates research and data into decision making, and emphasizes community-based solutions."

With respect to the task force's "Multi-Disciplinary Approach", the Tri-County Fentanyl Task Force, in partnership with Operation 360, has devised a comprehensive strategy to combat fentanyl-related crimes. Operation 360 is a community-based non-profit that actively engages with schools, communities, victim advocates, and researchers, the task force to incorporate street-level outreach, access to treatment and social services, and public awareness campaigns that underscore the dangers of fentanyl. Operation 360 uses various concepts identified in both the "Community Readiness Model" and the "Community-Based Participatory Research" model. These models are designed as a multi-disciplinary approach that empowers schools, communities, local community leaders, and researchers to actively participate in public health issues. This approach allows schools and communities to develop a deeper understanding of the fentanyl crisis and its impact on not only their community but Texas as a whole. Increased community awareness is crucial for ensuring that the program aligns with the local culture and remains sustainable over time. This approach values community insights and emphasizes the importance of involving local experts and resources with a deep connection to the community. The model acknowledges that these individuals may not be professionals, but they possess a profound understanding of local dynamics and their relevance to the fentanyl crisis.

Operation 360's use of a Community Readiness Model (CRM) is supported by a 2019 study by the National Library of Medicine, National Center for Biotechnology Information [3], which emphasized the strengths of CRM. The study highlighted its efficacy in gathering valuable data through interviews that could be shared with the community. These interviews were instrumental in pinpointing available resources and key figures within the community who could spearhead initiatives in their respective

communities. The authors noted that, beyond its primary focus on child health, the CRM process also brought attention to other notable public health issues for their Leadership Team, Advisory Board, and community members. They also stated that CRM was particularly valuable when used in tandem with other data collection methods such as qualitative research, focus groups, and surveys. Using CRM allowed researchers to initiate conversations with community members to address public health issues, fostering collaborative problem-solving. Finally, the authors noted that, when aligned with the Community-Based Participatory Research approach, CRM maintained a balance between scientific research and community needs, a necessity when addressing complex public health issues.

Additionally, studies show that the “Community-Based Participatory Research” (CBPR) model is an “equitable approach to research in which researchers, organizations, and community members collaborate on all aspects of a research project. CBPR empowers all stakeholders to offer their expertise and partake in the decision-making process. CBPR projects aim to increase the body of knowledge and the public's awareness of a given phenomenon and apply that knowledge to create social and political interventions that will benefit the community.[4] CBPR projects range in their approaches to community engagement. Some practitioners are less inclusive of community members in the decision-making processes, whereas others empower community members to direct of the goals of the project.” [5]

In their study, Israel, Eng, Schulz and Parker identified nine CBPR principles. “These principles include: 1) acknowledging communities as “unities of identity”, 2) building on existing community strengths and resources, 3) facilitating partnerships that are equitable, collaborative, empowering, and address social inequalities, 4) committing to co-learning and capacity building, 5) balancing knowledge generation and intervention to ensure mutual benefits for partners, 6) focusing on local issues of public concern, 7) utilizing a cyclical and repeatable process, 8) delivering results and knowledge to all partners, and 9) establishing sustainable, long-term partnerships with communities. Partnerships may use these principles to inform their studies, but are not required to adhere to them entirely. Instead, each partnership should discuss and decide on their own guiding principles to best reflect their collective vision.” [6]

Regarding the “State Prosecutor” position, the task force is requesting to incorporate a federally deputized state prosecutor into the framework of the task force. The appointment will focus exclusively on fentanyl-related cases, allowing for a more concentrated effort in prosecuting these specific offenses. This focused approach ensures that investigative efforts, legal resources, and prosecution strategies are tailored specifically to combat the unique challenges posed by fentanyl trafficking, enhancing the overall effectiveness of the task force's mission.

The task force’s position is supported in a 2009 article by the Temple Law Review titled, “No Points For The Assist? A Closer Look At The Role Of Special Assistant United States Attorneys In The Cooperative Model Of Federal Prosecutions.” [2] In the article the author, Victoria L. Killion states, “... state prosecutors may be “cross-designated” as SAUSAs [*Special Assistant United States Attorneys*], allowing them to retain their positions while trying cases in federal court. These SAUSAs often work closely with the criminal divisions of the U.S. Attorney’s Offices in their respective judicial districts pursuant to cooperative initiatives such as ***Project Safe Neighborhoods***,...”[emphasis added]

Killion further states, “Their expertise and assistance provides a necessary resource for U.S. Attorney’s Offices As a result, the federal government has implicitly sanctioned and, in some cases, outright funded the employment of SAUSAs to prosecute discrete categories of offenses occurring in designated communities in federal court.”

Footnote Citation:

[1] Police Executive Research Forum. 2016. Building Successful Partnerships between Law Enforcement and Public Health Agencies to Address Opioid Use. COPS Office Emerging Issues Forums. Washington, DC: Office of Community Oriented Policing Services.

<https://www.iaclea.org/assets/uploads/pdfs/BuildingSuccessfulPartnerships-COPS.pdf>

Move to #7? [2] Temple Law Review [Vol. 82]. 2009. Case Notes and Comments: No Points for the Assist? A Closer Look at the Role of Special Assistant United States Attorneys in the Cooperative Model of Federal Prosecutions (pp. 796 - 797).

<https://www.templelawreview.org/lawreview/assets/uploads/2011/07/Killion.pdf>

[3] Harris KJ, Brown B, Shankle L, Tryon M, Pedersen M, Panarella SK, Swaney G. Community Readiness Model for Prevention Planning: Addressing Childhood Obesity in American Indian Reservation Communities. J Racial Ethn Health Disparities. 2019 Dec;6(6):1144-1156. doi: 10.1007/s40615-019-00616-6. Epub 2019 Jul 22. PMID: 31332689; PMCID: PMC6832812.

[4] Israel, Barbara A.; Schulz, Amy J.; Parker, Edith A.; Becker, Adam B. (1998). "REVIEW OF COMMUNITY-BASED RESEARCH: Assessing Partnership Approaches to Improve Public Health". Annual Review of Public Health. 19: 173–202. doi:10.1146/annurev.publhealth.19.1.173. PMID 9611617

[5] IAP2 Spectrum of Public Participation. www.bangthetable.com. Retrieved 2018-12-12.

[6] Israel, B. A., Eng, E., Schulz, A. J., & Parker, E. A. (2005). Introduction to methods in community-based participatory research for health. Methods in community-based participatory research for health, 3, 26.

[7] Colorado Department of Law, "The Online Illicit Substance Market: A Report by the Colorado Department of Law," 2024, 25, 4. <https://coag.gov/app/uploads/2023/03/Colorado-AG-Report-Social-Media-Fentanyl-Illegal-Drug-Sales.pdf>



Resolution

STATE OF TEXAS §
§
COUNTY OF HAYS §

WHEREAS, The Hays County Commissioners' Court finds it in the best interest of the citizens of Hays County, that the Hays County Project Safe Neighborhoods Project be operated in the 2025 year; and

WHEREAS, The Hays County Commissioners' Court agrees to provide applicable matching funds for the said project as required by the Office of the Governor, Criminal Justice Division Program, and

WHEREAS, The Hays County Commissioners' Court agrees in the event of loss or misuse of the Office of the Governor funds, the Hays County Commissioner's Court assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The Hays County Commissioners' Court designates Ruben Becerra, Hays County Judge as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the Hays County Commissioners Court approves the submission of the grant application for the Hays County Project Safe Neighborhood Project to the Office of the Governor.

ADOPTED THIS THE 27th DAY of February, 2024

Ruben Becerra
Hays County Judge

Grant Number: 5125801

ATTEST:

Elaine Cardenas
Hays County Clerk



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY

Sponsor:

Commissioner Shell

Agenda Item

Authorize Commissioner Precinct 3 to execute a letter of support for the Great Springs Project's grant application to the US Economic Development Agency's Planning and Local Technical Assistance Program. **SHELL/T.CRUMLEY**

Summary

The Great Springs Project is submitting a grant application to the USEDAs Planning and Local Technical Assistance program. Funds would support a study of Hunter Road to identify opportunities for various trail projects. Funds would also support the design of a trail along Hunter Road. This project falls in precinct 3.

Attachments

Letter of Support



February 27, 2024

US Economic Development Agency
903 San Jacinto
Suite 206
Austin, TX 78701

Re: Hunter Road Trail Connectivity and Development Study

To Whom it May Concern:

Hays County is eager to support the Great Springs Project's proposal for funding to support the Hunter Road Trail Connectivity and Development Study.

In addition to implementing key recommendations from adopted local plans in the city of San Marcos, the proposed project aligns closely with related planning efforts at the county level. These include specific priorities identified in the Hays County Transportation Plan (2021); Hays County Parks, Open Space and Natural Areas Master Plan (2012); and significantly, the Hays County Hazard Mitigation Plan Update (2017), including the priorities related to increasing the resiliency of county evacuation routes.

Throughout our relationship with the Great Springs Project, we have been pleased with the wide lens through which they view trails and conservation in Hays County. We see the Hunter Road Trail Connectivity and Development Study as a compelling reflection of this ranging, inclusive approach. By combining trail planning and design with economic development and resiliency thinking, this project offers an innovative strategy for promoting a high quality of life in our community. We hope that this project is funded and look forward to participating in and supporting it however we can.

Sincerely,

Lon Shell
Hays County Commissioner Pct. 3



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY/BROWN

Sponsor:

Judge Becerra

Co-Sponsor:

Commissioner Smith

Agenda Item:

Authorize the ratification of a grant application to the Texas Health and Human Services, Community Mental Health Grant Program in the amount of \$627,132.00. **BECERRA/SMITH/T.CRUMLEY/BROWN**

Summary:

If awarded, these funds would support substance abuse treatment and sober living services for individuals involved in the Mental Health Court. This grant award runs for two fiscal years. There is a matching requirement of 50% of the grant award amount, resulting in a yearly match of \$161,534.00 and a total match of \$323,068.00 over the two-year period. Applications were due and submitted on February 23, 2024. The grant period runs on the state fiscal year from September 1, 2024 - August 31, 2026.

Fiscal Impact:

Amount Requested: \$323,068

Line Item Number: TBD

Budget Office:

Source of Funds: N/A

Budget Amendment Required Y/N?: N/A

Comments: If awarded, cash match will need to be identified during the annual budget process.

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office

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

New Revenue Y/N?: TBD if Awarded

Comments:

Attachments

Application Package

Administrative Information

Hays County

RFA HHS0013925

Community Mental Health Grant

RFA HHS0013925

FORM A

APPLICANT INFORMATION



Instructions: Complete all cells shaded in green. If unknown, leave cell blank.

Lead Applicant Organization	
Legal Name	Hays County
Legal Doing Business As (DBA)	
Proposed Project Name	Hays County Mental Health Treatment
Applicant Website	https://hayscountytexas.com
Texas Comptroller Vendor ID (14 digit)	17460022441500
Federal Tax ID Number (9 digit)	746002241
SAM.gov UEI or DUNS Number	RH4DFY1GC2R3
Type of Entity	<input type="checkbox"/> Local Mental Health Authority <input type="checkbox"/> Local Behavioral Health Authority <input checked="" type="checkbox"/> Local Government <input type="checkbox"/> Nonprofit <input type="checkbox"/> State Agency or Public University <input type="checkbox"/> Other If other, please describe:
Physical Address of Main Office	
Street Address	712 S. Stagecoach Trail
City	San Marcos
County	Hays
Zip Code	78666
Mailing Address (if different from above)	
Street Address / P.O. Box	
City	
Zip Code	
Primary Applicant Contact	
Name and Title	Simone Corprew – Grant Coordinator
Phone	5127491161
Email	Simone.corprew@co.hays.tx.us
Project Contact (if different from above)	
Name and Title	Kaimi Mattila – Mental Health Court Admin.
Phone	5127570795
Email	Kaimi.mattila@co.hays.tx.us
Fiscal Contact	
Name and Title	Carmen Glover – Senior Grants Financial Analyst.
Phone	5123932857
Email	Carmen.glover@co.hays.tx.us

Applicant Name	Hays County
Proposed Project Name	Hays County

Instructions: Respond to all applicable questions and complete all cells shaded in green. Additional documentation (e.g., explanatory information for ‘yes’ responses to Table 1) can be uploaded as a separate attachment to the Application. For Table 2, additional rows can be added as needed.

Section A: Conflict of Interest, Contract, and Litigation History.

The Applicant must disclose any existing or potential conflict of interest relative to performance of the requirements of this RFA. Examples of potential conflicts include an existing or potential business or personal relationship between the Applicant, its principal, or any affiliate or subcontractor, with the Health and Human Services Commission, the Program Administrator or any other entity or person involved in any way in any project that is the subject of this RFA.

Similarly, Applicant must disclose any existing or potential personal or business relationship between the Applicant, the principals, or any affiliate or subcontractor, with any employee of the Health and Human Services Commission or the Program Administrator.

The Applicant must disclose any such relationship that might be perceived or represented as a conflict. Failure to do so may be cause for Grant Agreement termination or Application disqualification. If, following a review of this information, HHSC determines a conflict of interest exists, the Applicant may be disqualified from further consideration for the award of a Grant Agreement.

Pursuant to Texas Government Code Section 2155.004, an Applicant is ineligible to receive an award under this RFA if the Application includes financial participation with the Applicant by a person who received compensation from HHSC to participate in preparing specifications of the RFA on which the Application is based.

Answer all questions in Table 1. Reminder, if any questions require additional explanation, the Applicant can upload a separate attachment to this Application.

Table 1

Does anyone in the Applicant organization have an existing or potential conflict of interest relative to the performing requirements of this RFA?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, detail any such relationship(s) that might be perceived or represented as a conflict.</i>
Will any person who received compensation from HHSC for participating in preparing specifications or documentation for this RFA participate financially with Applicant as a result of an award under this RFA?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, indicate their name, job title, agency employed by, separation date, and reason for separation.</i>
Will any provision of services or other performance under any Grant Agreement that may result from this RFA constitute an actual or potential conflict of interest or create the appearance of impropriety?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, detail any such actual or potential conflict of interest that might be perceived or represented as a conflict.</i>
Are any current or former employees of the Applicant current or former employees of HHSC (within the last 24 months)?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, indicate their name, job title, agency employed by, separation date, and reason for separation.</i>
Are any proposed personnel related to any current or former employees of HHSC?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, indicate their name, job title, agency employed by, separation date, and reason for separation.</i>
Has any member of Applicant's executive management, project management, governing board, or principal officers been employed by HHSC 24 months prior to the Application submission date?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, indicate their name, job title, agency employed by, separation date, and reason for separation.</i>
Is Applicant or any member of Applicant's executive management, project management, board members, or principal officers: <ul style="list-style-type: none"> • Delinquent on any state, federal, or other debt; • Affiliated with an organization which is delinquent on any state, federal, or other debt; or • In default on an agreed repayment schedule with any funding organization? 	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, please explain.</i>
Has the Applicant: <ul style="list-style-type: none"> • Had a grant agreement or contract suspended or terminated prior to grant agreement or contract expiration, or • Not been renewed under an optional renewal by any local, state, or federal department or agency or non-profit entity? 	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, indicate reason for each action. Include:</i> <ul style="list-style-type: none"> - Name and contact information of the local, state, or federal department or agency - Date of the Grant Agreement and a Grant Agreement reference number, and - Copies of any and all decisions or orders related to suspension,

		<i>termination or non-renewal by the contracting entity.</i>
Does this Application include financial participation by a person or entity that has been: <ul style="list-style-type: none"> • Convicted of violating federal law, or • Assessed a penalty in a federal civil administrative enforcement action in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricanes Rita or Katrina or any other disaster occurring after September 24, 2005 under Government Code 2261.053? 	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, please explain.</i>
Has the Applicant had any civil or criminal litigation or investigation pending over the last five (5) years in which Applicant has been judged guilty or liable?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<i>If YES, please explain.</i>

Section B. HHSC Contract History

1. Has Applicant had a grant/contract with HHSC within the past 24 months?

☒ NO ☐ YES If YES, please list all HHSC grant agreements or contracts for the last 24 months in Table 2.

Table 2

Program Name	Contract Number
Example: Community Mental Health Grant Program	HHS00000000

Section C. Entity Specific Information

FOR GOVERNMENT ENTITIES ONLY

1. Use Form B-1 to include the full names (last, first, middle) and addresses for the officials who are authorized to enter into a Grant Agreement on behalf of the Applicant.

FOR NON-PROFITS ENTITIES ONLY

1. Include evidence of Applicant's nonprofit status. Any one of the following is acceptable evidence.

- ☐ A copy of a currently valid IRS exemption certificate.
- ☐ A statement from a State taxing body, State Attorney General, or other appropriate State official certifying that the Applicant organization has a nonprofit status and that none of the net earnings accrue to any private shareholders or individuals.
- ☐ A copy of the organization's certificate of formation or similar document if it clearly establishes the nonprofit status of the organization.
- ☐ Any of the above proof for a State or national parent organization, and a statement signed by the parent organization that the Applicant organization is a local nonprofit affiliate.

2. Does the executive director or other staff serve as voting members on the organization's governing board?

☐ NO ☐ YES If YES, please explain.

3. Use Form B-2 to Include the full names (last, first, middle), addresses, telephone numbers, and titles of members of the Board of Directors or any other principal officers. Indicate the office/title held by each (e.g. chairperson, president, vice-president, treasurer, etc.).

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FORM B-1

GOVERNMENT ENTITY OFFICIALS



TEXAS

Health and Human Services

FORM B-1: GOVERNMENT ENTITY OFFICIALS

Applicant Name	Hays County
Proposed Project Name	Mental Health and Substance Abuse Treatment

Instructions: Include the full names (first, middle, last) and addresses for the officials who are authorized to enter into a Grant Agreement on behalf of the Applicant.

Name:	Ruben Becerra	Mailing Address (incl. street, city, county, state, & zip):
Title:	Hays County Judge	111 E. San Antonio St. Ste. 304
Phone:	5123932205	San Marcos, Texas 78666
Fax:		
E-mail:	Judge.becerra@co.hays.tx.us	

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FORM C

FINANCIAL CONTROLS



Applicant Name	Hays County
Proposed Project Name	Mental Health and Substance Abuse Treatment

Instructions: All Applicants must respond to questions in Table 1. Non-profit Applicants must also respond to questions in Table 2.

Table 1

QUESTION		RESPONSE
1	Briefly describe the Applicant's accounting system and accounting processes.	Hays County utilizes New World System to manage financial data. The system automates processes to record transactions, reconcile accounts, prepare trial balance, and financial statements.
2	Is the accounting system computerized, manual, or a combination of both?	<input checked="" type="checkbox"/> Computerized <input type="checkbox"/> Manual <input type="checkbox"/> Combination of both
3	Please provide the name and version of the financial software used if the Applicant accounting system is computerized. This information will help HHSC better understand and navigate your financial records efficiently.	new world ERP 2023.1 (2023.1.10)
4	How are different types of transactions (e.g., cash disbursements, cash receipts, revenues) recorded and posted to the general ledger?	Details of the transaction are recorded, validated, then posted to the GL where cash, revenue, or expense accounts are either debited or credited based on the transaction details.
5	Grantees' expenditure and match reports are due on or before the last Calendar Day of each month throughout the Grant Term. What is the Applicant's process to ensure reimbursement requests/information (for both the applicant and any partner organizations) will meet reporting requirements on time?	<p>The Grants Financial Analyst is responsible for preparing all required reports for timely submission to the granting agencies according to the reporting deadlines stated in the contract. The financial analyst reporting process includes the following:</p> <p>Run GL expenditure reports (monthly, quarterly, annually) for each grant as needed.</p> <p>Review GL reports to ensure all entries are accurate.</p> <p>Post any re-classing journal entries.</p>

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FORM C
FINANCIAL CONTROLS



		<p>Complete each agencies' required reporting templates utilizing g/l data. Forward completed report and supporting documentation to the First Assistant Auditor for review who will sign/certify the report is accurate. Submit finalized reports to granting agency once internal review is complete.</p>
6	By what date does the Applicant close the General Ledger? (e.g., "GL is closed no later than the 10th Calendar ay of each month")	General Ledger is closed by the last day of the following month.
7	How are transactions organized, maintained, and summarized in financial reports?	NWS allows for the creation of GL accounts which can be organized by fund, division, account, and cost center. Transactions are recorded to the appropriate corresponding GL account number.
8	Program and fiscal guidelines are based on Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200) and State of Texas Grant Management Standards (TxGMS). Is the staff who will be responsible for the financial management of this award familiar with these documents?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9	Does the Applicant have written accounting policies that address procurement of goods and services?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10	Does the Applicant's accounting system identify and segregate: Allowable and unallowable costs; Direct and Indirect expenses; Grant costs and non-grant costs; and allocation of indirect costs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11	If the Applicant has more than one State of Texas contract, is the Applicant's accounting system capable of identifying receipt and expenditures of program funds and program income separately for each State of Texas contract/grant agreement?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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FORM C

FINANCIAL CONTROLS



12	Are individual cost elements in the Applicant's chart of accounts reconciled to cost categories in the approved organization budget?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
13	Are accounting records supported by source documentation (invoices, receipts, approvals, receiving reports, canceled checks, etc.) and on file for easy retrieval?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
14	Does the Applicant have written personnel policies?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
15	Does the Applicant have written job descriptions with set salary levels for each employee?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
16	TxGMS requires any staff paid from State grant funds, such as this program, to keep records that accurately reflect the work performed (see TxGMS Appendix 7 (Selected Items of Cost Supplement Chart, Chapter 783 Supplement for State Grant Programs, Compensation-Personal Services)). Does the Applicant maintain records that meet the criteria outlined in TxGMS Appendix 7?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
17	Volunteer services furnished by third-party professional and technical personnel, consultants, and other skilled and unskilled labor may be counted as cost sharing or matching if the service is an integral and necessary part of an approved project or program. Rates for third-party volunteer services must be consistent with those paid for similar work by the local government. In those instances in which the required skills are not found in the local government, rates must be consistent with those paid for similar work in the labor market in which the local government competes for the kind of services involved. In either case, paid fringe benefits that are reasonable, necessary, allocable, and otherwise allowable may be included in the valuation. If the Application says the Applicant will use volunteer time as match, TxGMS requires records that accurately reflect the work performed (see TxGMS Appendix 7 (Selected	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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FORM C

FINANCIAL CONTROLS



	Items of Cost Supplement Chart, Chapter 783 Supplement for State Grant Programs, Compensation-Personal Services)). Does the Applicant maintain records that meet the criteria outlined in TxGMS Appendix 7?	
18	Are payroll checks prepared after receipt of approved time/attendance records and are payroll checks based on those records?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
19	Is the time/attendance record the basis of calculation of costs recorded in the general ledger for each cost objective?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
20	Are written procedures in place to determine allowability, allocability, and reasonableness of costs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p style="text-align: center;">REQUIRED ATTACHMENTS</p> <p>Attach the following documents to your application:</p> <ul style="list-style-type: none"> Financial Statements for the most recently completed fiscal year or most recent period of 12 months -- Label as Attachment C-1; and Most recently audited financial report (within the past two years) including all supplements, management discussions and analysis, actuarial opinions, and other documents as applicable - Label as Attachment C-2. 		

FOR NON-PROFIT ENTITIES ONLY

Table 2

QUESTION		RESPONSE
1	According to the Applicant's most recent audit or balance sheet, are the total current assets greater than the liabilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2	Is the total amount requested for this funding opportunity greater than 25% of your organization's current total annual budget?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Narrative Proposal

Hays County

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Community Mental Health Grant

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FORM D

PROPOSED PROJECT SUMMARY



Applicant Name	Hays County
Proposed Project Name	Mental Health and Substance Abuse Treatment

Instructions: Complete *all* cells shaded in green.

Proposed Project Information	
Grant funds requested	\$627,132.00
List all counties proposed to be served	Hays County
Which counties above have a population over 250,000?	None
Which counties above have a population between 100,000 and 250,000?	Hays County
Which counties above have a population under 100,000?	None
Executive Summary In 100 words or less to provide a description of the Proposed Project that includes services and anticipated outcomes.	Hays County is proposing to use funds from the Community Mental Health Grant Program to provide substance abuse treatment and sober living services to justice involved individuals who are participating in the Hays County Mental Health Court. This will involve residential treatment stays, – at increments of 30-, 60-, and 90-days – Intensive Outpatient Treatment, Partial Hospitalization, and sober living assistance. The goal of this project is to help serve individuals with co-occurring mental illness and substance use disorders and to help with rehabilitation and graduation from the criminal justice system.

Is the Proposed Project a new and/or innovative service, treatment, and/or delivery system?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the Proposed Project enhancing, scaling, and/or expanding existing services?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the Proposed Project's service(s) utilize an evidence-based practice(s)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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FORM E

COMMUNITY NEEDS



Applicant Name	Hays County
Proposed Project Name	Mental Health and Substance Abuse Treatment

Instructions: Address all questions. Do not delete the question itself. Responses for questions 1 through 3 are limited to 4 pages in total.

Community Need

1. Describe local unmet behavioral health needs that the Applicant aims to address.
Applications must include any qualitative and quantitative data.

Hays County sees a significantly disproportional rate between the need for mental health services and the availability of or access to those services. This disproportionality is especially evident among justice involved individuals. Although there has been a slight increase in the number of mental health treatment providers in the Central Texas over the last two years, the access to these providers is still limited and individuals in need of services often do not know if and where they exist.

In May of 2022, Hays County engaged the Meadows Mental Health Policy Institute to conduct an assessment of the community's mental health system. The main goals of this assessment were: to provide information on the current demographics and prevalence of mental health needs of Hays County; to identify gaps in services; and to identify opportunities for growth. The following statistics are from the completed assessment. Approximately 42,000 adults (23% of the adult population) in Hays County are estimated to have suffered from a mental health condition in 2020. Of the estimated 7,000 adults living with severe mental illness, over half (57%; 4,000 adults) were living in poverty. Currently, 28% of the adult population in Hays County live 200% below the federal poverty line.

Additionally, 20,000 adults living in Hays County suffer from Substance Abuse Disorder. Provisional data suggests that the number of deaths from suicide and drug overdose tripled between 2020 and 2021. The overall population of Hays County is expected to increase by 216% by 2050, increasing the population from about 180,000 in 2020 to 580,000 adults by 2050. As a result, the need for mental health services is only growing.

Hays County is proposing to use funds from the Community Mental Health Grant Program to provide substance abuse treatment and sober living services to justice involved individuals who are participating in the Hays County Mental Health Court. This will involve residential treatment stays, – at increments of 30-, 60-, and 90-days – Intensive Outpatient Treatment, Partial Hospitalization, and sober living assistance. Individuals will be identified as good candidates for these services by the Mental Health Court Judge and Court Administrator and the success of the candidates will be monitored by the same individuals. The Mental Health Court has active contracts with service providers in the area and actively looks for additional service providers who may fit the needs of court participants.

The Hays County Mental Health Court began seeing cases in 2022 and is focused on diverting individuals with mental health disorders, substance use disorders, and intellectual and

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FORM E

COMMUNITY NEEDS



developmental disabilities out of the criminal justice system and linking them to community based services. The program is 12 months in length and consists of three phases: stabilization, psychosocial rehabilitation, and reintegration into the community. During stabilization court participants receive case management, monitoring of medication management, and referrals to counseling services. The psychosocial rehabilitation phase consists of education, housing, employment, and personalized goal support (such as physical health needs, volunteer opportunities, and life skill development). Finally, court participants are reintegrated into the community through discharge planning and mentorship opportunities.

The Mental Health Court has a maximum caseload of 25 participants at this time. Currently, the program has 23 participants. Of those 23, roughly 50% are also suffering from substance abuse disorders with one or more substance. Many of these individuals have the desire to address their underlying substance abuse problems but lack access to care and a support system. Some are unhoused or may be living in situations where abuse of drugs or alcohol is encouraged. For these individuals it is often difficult to move into a living situation where abstinence from substance use is encouraged because of the costs associated with moving and finding a safe living environment. All of these issues compound, often making it difficult for an individual to break the cycle of recidivism. By addressing both treatment and helping to provide sober living opportunities, Hays County hopes to ultimately aid individuals in seeking a more stable and successful future.

2. Describe how community partners have participated in developing and/or have agreed to implement proposed Project goals.

The Hays County Mental Health Court coordinated with the Texas Department of Health and Human Services to facilitate a Sequential Intercept Model Mapping workshop with community stakeholders, leaders, and organizers. This conference was held over two days and included over seventy participants representing local hospitals, law enforcement, Texas State University staff, jail administrators, mental health treatment providers, and court staff. This workshop birthed the Behavioral Advisory Team (BAT) led by the San Marcos Chief of Police Stan Standridge, and County Court at Law Judge Elaine Brown (Mental Health Court). In addition to the BAT, Hays County has also formed the Mental Health Workgroup (MHWG) which is comprised of staff members from various departments in Hays County as well as community stakeholders from grassroots organizations, non-profits, service providers, and local governments. The MHWG is led by the Hays County Health Department Manager with active participation from Mental Health Court staff.

One of the main goals of both the BAT and the MHWG is to bring stakeholders together to identify faults in the current systems of serving individuals and to assess ways those faults can be improved. A fault identified by both groups is the need to address the root mental health and substance abuse issues that an individual who has become justice involved may be dealing with rather than allowing them to get lost in the shuffle of the criminal justice system. By collaborating with both the BAT and the MHWG, Hays County has invited an open dialogue and collaboration covering an entire spectrum of people from individual citizens to law enforcement. Having buy-in from people over multiple sectors ensures that this program will find success. Both groups have

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FORM E

COMMUNITY NEEDS



emphasized the importance of communication between agencies to ensure that the right services are reaching those in need of them.

3. Describe how the proposed Project uses a collaborative approach within the community to maximize existing resources and avoid duplication of effort within a continuum of care.

During the initial meeting of the Hays County MHWG in February of 2024 as well as during the initial SIM workshop held in the fall of 2022, staff and participants emphasized the need for communication between agencies in order to avoid duplication of efforts as well as to communicate to residents where services already exist. In February of 2024, the Hays County Commissioners Court approved the creation of a Behavioral Health Coordinator under the Hays County Health Department. This position has several functions including coordination of mental health and substance abuse treatments in Hays County with state, local, and community organizations. The position will work closely with the Mental Health Court and the Behavioral Advisory Team and will serve as the liaison between county staff and the Mental Health Workgroup. The creation of this position will aid in the elimination of the duplication of efforts between agencies by serving as a point person for coordination of services and initiatives.

The internal collaboration between County staff and departments will be the first step to ensuring the success of the project. The Behavioral Health Coordinator and Mental Health Court Administrator will work together and coordinate with elected officials to ensure services are not duplicated within the county. By participating in the BAT, staff will work to ensure there is coordination and communication with law enforcement agencies and other local jurisdictions throughout Hays County. By participating in the Mental Health Workgroup, staff will ensure coordination with local community groups and service providers and will continue to work on ways to strengthen the continuum of care in order to better support individuals once they complete treatment.

By providing the proposed treatment and sober living services, Hays County will collaborate with various treatment providers in the Central Texas area. Through this collaboration, the county will seek to learn more about various resources and services individuals can use for support after treatment is complete. The Mental health Court staff – as well as the new Behavioral Health Coordinator – is constantly looking for additional resources and services that individuals can be referred to within the community. In a county with such a large geography, this is crucial because individuals may not be able to or willing to travel an hour to receive support and participate in various groups or activities, but if they have information about services closer to where they live, they are more likely to continue their recovery. Staff recognizes that individuals with mental health needs and/or substance abuse disorders are likely in need of follow-up care and access to a strong support network.

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FORM F

PROJECT DESIGN



Applicant Name	Hays County
Proposed Project Name	Mental Health and Substance Abuse Treatment

Instructions: Address all questions. Do not delete the question itself. Responses for Sections A through F are limited to 10 pages in total (12-point font, single-spaced, Times New Roman), not including any text within tables. For Section E, add additional rows to the table as needed.

Section A. Program Goals

<p>Based on the Statewide Behavioral Health Strategic Plan, please select gaps that the proposed Project would address. More than one can be selected.</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Increase access to appropriate behavioral health services for underserved populations. (Gap 1). <input type="checkbox"/> Decrease adverse impacts of behavioral health conditions on public-school students (Gap 2). <input checked="" type="checkbox"/> Enhance continuity of care and systemic coordination for justice-involved individuals (Gap 5). <input type="checkbox"/> Enhance timely access to appropriate crisis behavioral health services (Gap 6). <input type="checkbox"/> Support continued implementation of evidenced-based practices (Gap 7). <input type="checkbox"/> Increase access to Peer Services (Gap 8). <input type="checkbox"/> Enhance availability of mental health services specific to the needs of people with IDD (Gap 9). <input type="checkbox"/> Support expansion of Prevention and Early Intervention Services (Gap 11). <input type="checkbox"/> Increase access to behavioral health and employment services to promote employment and housing stability (Gap 12).
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FORM F

PROJECT DESIGN



Section B. Project Activities

1. Describe all Project activities to be implemented as part of this Project. Indicate if these activities are evidence-based or research-based. Applicants should include all clinical and non-clinical services and activities to be provided.

Grant funds will be used to provide additional services to participants in the Hays County Mental Health Court that are not currently available to them. These services are focused on substance abuse treatment and rehabilitation. Below are each of the planned activities.

Activity 1: A portion of funds is set aside to provide residential substance abuse treatment to individuals at increments of either 30-, 60-, or 90-days. The length of treatment will be dependent on the level of need of the individual. This will be determined through an assessment performed by Mental Health Court staff. This activity is an evidence-based practice as residential substance abuse treatment has been proven effective through various studies.

Activity 2: A portion of funds is set aside for Intensive Outpatient care (IOP). This will allow individuals who need to receive support but do not need residential care to access services include counseling, mentoring, and group and individual therapy. Individuals using this service may have completed residential care and just need follow-up care or may not been deemed to have high enough need to participate in residential care. This activity is an evidence-based practice as IOP has been studied and proven effective.

Activity 3: A portion of funds is also set aside for partial hospitalization services. These funds will serve individuals who may not need full residential care but need a more involved approach than an intensive outpatient care. This activity is an evidence-based practice as partial hospitalization has been studied and proven effective.

Activity 4: Finally, a portion of funds is set aside for sober living services. These funds will be used to provide sober living for individuals for a period of either 6 or 12 months. Once an individual has completed treatment or is in the process of Mental Health Court participation, they may be in need of housing that supports abstinence from substance use in order to successfully complete the Mental Health Court program or to continue with their recovery. The practice of sober living facilities is a research-based practice.

2. Describe strategies to serve specialized populations as outlined in **Section 2.3 Eligible Population** of the RFA.

The proposed project seeks to serve individuals who are participants in the Hays County Mental Health Court, therefore serving adults who are justice-involved (item 2 under specialized populations). At this time, the court is only seeing adult misdemeanor cases, but will be adding in felony cases by the end of the fiscal year. Individuals are identified as candidates for the Mental Health Court by the Hays County District Attorneys Office and must enter a guilty plea in order to participate in the program. Court participants have been arrested and charged with a crime, but this program seeks to provide services and support to rehabilitate individuals rather than sentencing them.

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FORM F

PROJECT DESIGN



Court participants regularly meet with the Judge and support staff to ensure they are following their prescribed treatment plan and attending any required meetings and appointments. Each case is tailored to the individuals needs and is not a one-size-fits-all approach. Therefore, some individuals may receive services that fall under multiple activities in this project, while some individuals may only need access to one type of service.

3. Describe how the Applicant will be trauma-informed and support person-centered approaches.

Hays County plans to contract with service providers who are experts in their field. All service providers are reviewed by staff members from the Mental Health Court to ensure that they can provide services to court participants in the most effective and individualized way possible. Staff understands that participants in this program need services that are not a one-size-fits-all approach. Although all participants do have to adhere to program requirements such as drug testing and meetings with assigned service providers, each individuals' needs are assessed when they are accepted into the program in order to best serve each person in the best way possible.

The Mental Health Court Administrator and Caseworker are both licensed social workers, allowing them to serve court participants in a specialized way.

4. Describe how the Applicant will ensure all services are implemented to reflect the cultural, racial, ethnic, and linguistic differences of the communities and individuals being served, as outlined in **Section 2.6 Program Requirements** of the RFA.

Hays County is a diverse community with 40.8% of the population identifying as Hispanic or Latino. Many individuals (26.2%; Census.gov) speak a language other than English at home. A majority of this percentage is made up of Spanish speaking households. County staff believes in and recognizes the importance of providing equitable services to all regardless of cultural, linguistic, or other differences as outlined in the National CLAS standards. Program participants will be given access to interpretation and translation services if their primary or preferred language is not English. The program is continually committed to collaboration with community organizations through participation in organizations such as the Mental Health Workgroup (referenced in Form E). By including various local advocacy groups that have a focus on cultural advocacy in the collaboration process, staff can better ensure that the needs of individuals will be met.

Additionally, at the beginning of the project period, staff will complete the CLAS Implementation checklist and worksheet to evaluate where the program falls in regards to the CLAS Standards. Because the program will grow and develop over the project period, staff will revisit the checklist and worksheet at the end of the first fiscal year (halfway point) and again near the conclusion of the project period. This will ensure that if standards are not fully met at the beginning of the project, staff is moving closer to meeting these standards as the project progresses. Staff recognizes that all individuals have an implicit bias and that the constant

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FORM F

PROJECT DESIGN



reevaluation of project success helps to ensure that the needs of all individuals are being met through an objective lens.

Section C. Community Collaboration

It is mandatory for Applicants to include in the Application submission a Letter of Support (LOS) from local mental or behavioral health authority(ies) operating in the Applicant's service area. Applicant should reference Sections 2.6 D. and 3.1 of the RFA.

1. Identify and describe partnerships with community organizations (outside of local mental or behavioral health authority(ies)) and how community partners will actively participate in Project activities. Letters of Support from community partners are required as part of the Application and can be uploaded as a separate attachment.

The Hays County Mental Health Court has established partnerships with several organizations including – but not limited to - the San Marcos Police Department, the Hays County Sheriffs Office, the Hays County Health Department, and Cenikor. The partnerships with the San Marcos Police Department and the Hays County Sheriffs Office are key to the success of the proposed project as they demonstrate the buy-in from law enforcement. Because the population receiving grant funded services is justice involved, involving law enforcement in planning and development ensures the success of this and future extensions of the project.

Staff from the Hays County Health Department lead the Mental Health Workgroup that brings together key stakeholders from the community. By establishing a strong partnership between Mental Health Court staff and Health Department staff, the project will benefit from review and input from community organizations. Coordination with Health Department staff – particularly the Behavioral Health Coordinator – will allow for the creation and update of a community partnership directory of groups who support this project and projects similar to it.

Cenikor is one community group expressing support for this project. This partnership is extremely beneficial as Cenikor's mission align with the objectives of this project. Cenikor seeks to help individuals with drug and alcohol problems as well as behavioral health issues through a continuum of care. Through this project, county staff recognizes the importance of the continuum of care and seeks to improve individuals access to services through recovery.

2. Describe strategies to establish or enhance community partnerships throughout the Project Period/Grant Term.

Hays County recognizes the importance of community partnerships for the success of both this practice and the advancement of mental health services as a whole. Throughout the grant period, the Behavioral Health Coordinator will compile a "partnership directory" of organizations who have an interest in collaboration of mental health and substance abuse treatment and services. This directory will be updated routinely and will be shared among partner

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FORM F

PROJECT DESIGN



organizations in order to encourage collaboration not just with Hays County as a middleman, but also amongst community organizations.

Section D. Project Oversight

1. Describe how the Applicant will facilitate oversight, quality assurance, and customer satisfaction of the proposed Project.

In order to monitor the effectiveness of this program, the Hays County Mental Health Court Administrator and Judge will check-in regularly to ensure program participants feel they are benefitting from the services offered by the project. Additionally, staff will also meet with and receive reports from service providers about how participants are doing from a clinical view. By monitoring progress from both the clinical and the individual views, staff can ensure the program is holistically successful.

Another metric for success will be whether or not the individuals who participate in the services funded by this grant graduate from the Mental Health Court program. The court has graduations quarterly and individuals who have successfully completed all services and program requirements reach graduation and are celebrated in a ceremony hosted by the court.

2. Describe how the Applicant plans to adhere to Texas Government Code Section 531.0991 based on the proposed Project design.

All grant applications are reviewed and approved by the Hays County Commissioners Court at a regular Commissioners Court meeting. During these meetings, the court approves the setting aside of funds for matching requirements, meeting the requirements laid out in Texas Government Code Section 531.0991 subsection (b). In order to comply with subsection (f) of this section of the code, the Hays County Mental health Court has coordinated with Hill Country Mental Health & Development Disabilities Center (Hill County MHDD) which is the local mental health authority for Hays County. A letter of support from Hill County MHDD can be found as a separate attachment to this application.

According to data from the 2020 Census, Hays County has a population of 241,067 and falls under the classification of "a population of 100,000 or more but less than 250,000" laid out in subsection (h). Due to this classification, Hays County will providing matching funds in an amount of 50% of the amount of grant funding. Hays County is applying for \$627,132.00 in grant funds and will provide a cash match of \$323,068.00 over two State Fiscal Years. These funds will not be made up of other state or federal funds as outlined in subsection (b).

3. Describe how the Applicant will implement a Disaster Response Plan that provides a disaster response in the event of an emergency, incident, or disaster. Include plans to ensure the safety of staff and Project participants, and communication strategies for staff and participants to ensure the continuation of services as feasible.

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FORM F

PROJECT DESIGN



Because services will be performed offsite in various locations, county staff will coordinate with treatment providers to confirm they have a Disaster Response Plan in place. If there is no Disaster Response Plan in place, Hays County will coordinate an effort between the service provider and the Hays County Office of Emergency Services to offer resources and materials in order to create a plan. If a contractor is not willing to create a Disaster Response Plan and is a contractor that offers services on site, they will be ineligible to provide services supported by funding from this grant program.

In the event of a natural or manmade disaster or emergency, court staff and the Behavioral Health Coordinator will communicate with contractors to confirm the safety of program participants. This confirmation will then be logged and kept with program files. An attempt at initial contact will be made within 12 hours of the event. If grant funds are awarded, staff will create a continuity of operations plan in coordination of the Hays County Office of Emergency Services that will outline how to move program participants to a safe area if the physical area in which services are being provided is no longer safe.

Section E. Project Timeline and Milestones

1. In the table below, provide a timeline including milestones and anticipated completion date associated with planning and implementing the proposed Project. Include key activities related to achieving Project goals outlined in Section A above. The time frame should cover the initial Project Period.

Key Project Activity / Milestone	Lead Person	Timeframe
Example: <ul style="list-style-type: none"> Start-up and planning activities Key staff hired Trauma-informed care training completed Service locations identified MOUs with Partner Organizations finalized 	Applicant	Months 1 and 2
Example: <ul style="list-style-type: none"> Provide clinical and supportive services Clients start to be seen Assessment data collected and reported quarterly 	Partner Organization X	Months 3 - 12
Example: <ul style="list-style-type: none"> Implement Sustainability Plan Regularly convene Community Collaborative Identify continued local funding and in-kind resources options 	Entire community partnership	Months 12 - 24
<ul style="list-style-type: none"> Begin planning and coordination activities Identify all service providers 	Applicant	Months 1-3

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FORM F

PROJECT DESIGN



<ul style="list-style-type: none"> • Ensure contracts with service providers are finalized 		
<ul style="list-style-type: none"> • Begin providing clinical services • Begin tracking client data 	Clinical Service Providers	Months 2-24
<ul style="list-style-type: none"> • Establish regular meetings/check-ins with service providers • Establish check-ins with program participants • Identify and participate in trauma informed trainings 	Applicant	Months 3-24
<ul style="list-style-type: none"> • Begin providing services 	Sober Living Service Providers	Months 4-24
<ul style="list-style-type: none"> • Begin forming sustainability plan • Continue community collaboration through group participation 	Applicant	Months 6-24
<ul style="list-style-type: none"> • Identify local or grant funds for the continuation of services 	Applicant	Months 12-24
<ul style="list-style-type: none"> • Begin to collect finalized data to measure the successfulness of the program as whole 	Entire partnership	Months 18-24

2. Describe how the Applicant (and subcontractors if applicable) will ensure milestones and key activities are accomplished timely.

Although there will be service providers selected under these grant funds, Hays County staff will be responsible for measuring the project success and ensuring that all milestones and key activities are being implemented and are progressing as planned.

Section F. Staffing Proposal

1. Describe recruitment and retention efforts for staffing positions for this Application. Include a description of staff positions requiring credentialed mental health professionals, particularly if the service area is located within a federally designated Mental Health Professional Shortage Area. Finally, include the anticipated number of staff members needed.

Although these funds will not be used to hire staff for Hays County, several key staff positions will be used to coordinate with service treatment providers. Among these positions are the Mental Health Court Administrator and the Behavioral Health Coordinator. At the time of this application, Hays County is reviewing applications in order to hire a Behavioral Health Coordinator. The current Mental Health Court Administrator is a Licensed Clinical Social Worker, although a LCSW license is not required for this position.

RFA HHS0013925

FORM F

PROJECT DESIGN



2. Describe the proposal for staff training and development to ensure their competency in addressing the identified goals or carrying out evidence-based service activities.

Staff from the Mental Health Court receive training and attend conferences to continue their education in trauma-informed and evidence-based services.



Caring People Dedicated to Quality Service

819 Water Street, Suite 300, Kerrville, Texas 78028

Tel: (830) 792-3300, FAX: (830) 792-5771

CRISIS HOTLINE: 1-(877)-466-0660

Website: www.hillcountry.org

**BOARD OF
TRUSTEES**

Chair

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Judge Charlie Bradley

Mr. Bryce Boddie

Sheriff Al Auxier

**CHIEF EXECUTIVE
OFFICER**

Tod Citron

COUNTIES SERVED

*Bandera, Blanco, Comal,
Edwards, Gillespie, Hays,
Kendall, Kerr, Kimble,
Kinney, Llano, Mason,
Medina, Menard, Real,
Schleicher, Sutton,
Uvalde, & Val Verde*

February 21, 2024

Hill Country MHDD Centers

819 Water St., Ste. 300

Kerrville, TX 78028


To Whom It May Concern:

It is my pleasure to write on behalf of Hill Country MHDD Centers in support of Hays County's grant proposal to Texas Health and Human Services' Community Mental Health Grant Program to expand treatment for mental health and substance abuse treatment services throughout the county. The activities funded through this application are essential to our efforts to increase equitable access to services for the historically underserved.

Hill Country MHDD Centers has been a partner with Hays County in recent efforts to address the need for mental health services in our community. Through participation in the local Mental Health Workgroup, the Behavioral Advisory Team, weekly Forensic Team meetings to address our forensic waitlist, our organization has taken an active role in collaboration with Hays County. We are excited to continue this partnership and are committed to participating in future events and planning activities.

We believe the funding of the services proposed in this application is crucial to well-being of our community's vulnerable population of justice involved individuals with mental health needs. We are proud to stand as a partner to Hays County in this effort.

Respectfully,



Anthony Winn, LPC-S

Director of Clinical Operations

Our Vision:

To Empower People – Foster Hope – Support Choice – Celebrate Success



Hays County Health Department
101 Thermon Drive, San Marcos, Texas 78666

February 20, 2024

Hays County Health Department
101 Thermon Drive, San Marcos, Texas 78666

To Whom It May Concern:

It is my pleasure to write on behalf of the Hays County Health Department in support of Hays County's grant proposal to Texas Health and Human Services' Community Mental Health Grant Program to expand treatment for mental health and substance abuse treatment services throughout the county. The activities funded through this application are essential to our efforts to increase equitable access to services for the historically underserved.

Hays County Health Department has been a partner with Hays County in recent efforts to address the need for mental health services in our community. By establishing the Healthy Hays Coalition and the Mental Health Work Group and participating in the Behavioral Advisory Team our organization has taken an active role in collaboration with Hays County. We are excited to continue this partnership and are committed to participating in future events and planning activities.

We believe the funding of the services proposed in this application is crucial to well being of our community's vulnerable population of justice involved individuals with mental health needs. We are proud to stand as a partner to Hays County in this effort.

Respectfully,

A handwritten signature in black ink that reads "Matthew Gonzales". The signature is fluid and cursive, with a horizontal line drawn across the middle of the name.

Matthew Gonzales, MHA

Department Manager



MIKE DAVENPORT
Chief Deputy

MARK CUMBERLAND
Captain – Support Services

SHANE SMITH
Captain – Law Enforcement

JOHN SAENZ
Captain – Corrections

JULISSA VILLALPANDO
Captain – Corrections

GARY CUTLER
HAYS COUNTY SHERIFF

810 S. Stagecoach Trail
San Marcos, Texas 78666
512-393-7800

February 20, 2024

To Whom It May Concern:

It is my pleasure to write on behalf of the Hays County Sheriff's Office in support of Hays County's grant proposal to Texas Health and Human Services' Community Mental Health Grant Program to expand treatment for mental health and substance abuse treatment services throughout the county. The activities funded through this application are essential to our efforts to increase equitable access to services for the historically underserved.

The Hays County Sheriff's Office has been a partner with Hays County in recent efforts to address the need for mental health services in our community. Through participation in the mental health court program and the pre-arrest diversion learning collaborative, our organization has taken an active role in collaboration with Hays County. We are excited to continue this partnership and are committed to participating in future events and planning activities.

We believe the funding of the services proposed in this application is crucial to wellbeing of our community's vulnerable population of justice involved individuals with mental health needs. We are proud to stand as a partner to Hays County in this effort.

Respectfully,

Erin Barker

Erin Barker
Mobile Crisis Outreach Liaison



MIKE DAVENPORT
Chief Deputy

MARK CUMBERLAND
Captain – Support Services

SHANE SMITH
Captain – Law Enforcement

JOHN SAENZ
Captain – Corrections

JULISSA VILLALPANDO
Captain – Corrections

GARY CUTLER
HAYS COUNTY SHERIFF

810 S. Stagecoach Trail
San Marcos, Texas 78666
512-393-7800

February 20, 2024

To Whom It May Concern:

It is my pleasure to write on behalf of the Hays County Sheriff's Office in support of Hays County's grant proposal to Texas Health and Human Services' Community Mental Health Grant Program to expand treatment for mental health and substance abuse treatment services throughout the county. The activities funded through this application are essential to our efforts to increase equitable access to services for the historically underserved.

The Hays County Sheriff's Office has been a partner with Hays County in recent efforts to address the need for mental health services in our community. Through participation in the mental health court program, our organization has taken an active role in collaboration with Hays County. We are excited to continue this partnership and are committed to participating in future events and planning activities.

We believe the funding of the services proposed in this application is crucial to wellbeing of our community's vulnerable population of justice involved individuals with mental health needs. We are proud to stand as a partner to Hays County in this effort.

Respectfully,

Sgt. Cunningham

Sgt. Steve Cunningham
Mental Health Unit Sergeant



February 21, 2024

Cenikor
1901 Dutton Dr. Suite E
San Marcos, TX 78666

To Whom It May Concern:

It is my pleasure to advocate on behalf of Cenikor in support of Hays County's grant proposal to Texas Health and Human Services' Community Mental Health Grant Program to expand treatment for mental health and substance abuse treatment services across the county. The initiatives outlined in this proposal are key to our goal to enhance access to services for historically underserved populations.

Cenikor has been a partner with Hays County in recent efforts to address the need for mental health services in our community. Through offering a non-clinical, early intervention program to community members and participation in various local groups like the Hays County Homeless Coalition, the Mental Health Workgroup, and the Suicide Prevention Coalition our organization has taken an active role in collaboration with Hays County. I am excited to continue partnership efforts and will remain dedicated to the mission of increasing the well-being of our county.

Funding for the services detailed in this application will be necessary to support our community's vulnerable population of justice-involved individuals with mental health needs. We are proud to stand as a partner to Hays County in this effort.

Respectfully,

A handwritten signature in black ink that reads "Peyton Siler". The signature is fluid and cursive.

Peyton Siler
Program Manager

CENIKOR.ORG

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FORM G

APPLICANT EXPERIENCE



Applicant Name	Hays County
Proposed Project Name	Mental Health and Substance Abuse Treatment

Instructions: Address all questions. Do not delete the question itself. Responses for Sections A through D are limited to 9 pages in total (12-point font, single-spaced, Times New Roman) not including any text within tables. For Section B (2), and Section D, add more rows to the tables as needed.

Section A. Project Implementation Experience

1. Describe the Applicant's experience in implementing projects similar in scope and complexity to the proposed Project.

In recent years, Hays County staff and elected officials have begun to expand mental health services available to residents. The creation of the Mental Health Court and the new Judicial Services department has allowed the county to start offering these services to justice involved individuals. This has included vetting and forming partnerships with service providers throughout the area and learning what strategies work best when working with individuals with mental illness.

2. Describe the Applicant's experience implementing projects serving children with serious emotional disturbance and adults with mental illness.

The creation of the Hays County Mental Health Court has allowed the county to implement services to assist justice involved individuals with mental illness and co-occurring substance use disorders. The court offers a variety of services including case management, counseling, psychiatry services, linkage to peer support and alumni mentoring program, psychoeducation groups and sobriety support.. Once it is determined that an individual is a fit for participation in the court, they are given an initial assessment screening to determine an appropriate treatment plan that is tailored to each participant.

Court participants are required to attend meetings with court staff, treatment providers, court hearings twice a month, and provide drug screenings in order to remain compliant in the program. If all requirements are met and participants successfully complete the program, they will graduate from the program.

3. Describe the Applicant's experience implementing projects in coordination with community partners.

Hays County has implemented several projects in coordination with community partners. The recent efforts by county staff to increase equitable access to mental health services throughout the county have placed an emphasis on including partners from every area of the county. These efforts are best seen though the Sequential Intercept Mapping workshop, the formation of the Behavioral Advisory team, and the formation of the Mental Health Workgroup previously

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FORM G

APPLICANT EXPERIENCE



mentioned in Form E. County staff and members of the Commissioners Court have emphasized that increasing equitable access to mental health services can only be successful through cross-organizational collaboration. This includes collaboration between law enforcement, treatment providers, community organizations, and local government.

The formation of both the BAT and the MHWG demonstrate Hays County's commitment to including community partners in efforts similar to the proposed project. Additionally, recent efforts by the Hays County Health Department – which oversees the Behavioral health Coordinator – have increased efforts to form community partnerships and involve both individual residents as well as community organizations in discussions around effective ways to increase access to healthcare. These have included listening sessions, participation in large scale community events and fairs, and focus groups. The model Hays County has used to increase health equity has set a precedent for including community members and organizations in efforts to increase access to services.

Section B. Grant Experience

1. Describe the Applicant's experience implementing any state and/or federally funded grants.

Hays County regularly applies for and receives funding from both state and federal funds. These include, but are not limited to, the Texas Department of State Health Services, the Texas Department of Emergency Management, the Texas General Land Office, the Office of the Governor, the Department of Justice, and the Federal Emergency Management Agency. One major success in recent years has been the implementation of the Health Disparities program to the Hays County Health Department. This program is funded through a combination of two grant from the Department of State Health Services – the Community Conversations on Health (formerly the COVID-19 Health Disparities Program) in the amount of \$400,000 and the Public Health Workforce Program in the amount of \$330,000. This program has allowed for the expansion of staffing to the Health Department as well as the expansion of services. Staff from this program began public outreach to better reach historically underserved or overlooked populations. Through this program, staff created a directory of community partners and increased the visibility of the Health Department throughout the county.

2. In the table below, provide descriptions of grant projects administered by the Applicant within the past five (5) years that demonstrate the ability to perform the Scope of Grant Project as described in this RFA.

Name of Grant Program	Grantor/Funding Organization	Amount	Grant Award Period	Matching Requirement
Example: Supportive Services for Veterans and Families	Department of Veterans Affairs	\$2,000,000	9/1/2013-8/31/2016	No
<i>Veterans Treatment Court Program</i>	<i>Texas Veterans Commission</i>	<i>\$300,000</i>	<i>7/1/2023 – 6/30/2024</i>	<i>No</i>

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FORM G

APPLICANT EXPERIENCE



<i>First Responder Mental Health Grant Program</i>	<i>Office of the Governor</i>	<i>\$8,065.00</i>	<i>10/1/2023-9/30/2024</i>	<i>No</i>
<i>COVID-19 Health Disparities</i>	<i>Texas Department of State Health Services</i>	<i>\$400,000</i>	<i>9/1/2021 – 5/31/2024</i>	<i>No</i>
<i>CDBG – Local Hazard Mitigation Planning Projects</i>	<i>Texas General Land Office</i>	<i>\$100,000</i>		<i>Yes (\$53,660)</i>
<i>Veterans County Service Officer Program</i>	<i>Texas Veterans Commission</i>	<i>\$150,000</i>	<i>7/1/2022 – 6/30/2023</i>	<i>No</i>
<i>Emergency Preparedness Grant Program</i>	<i>Texas Department of Emergency Management</i>	<i>\$40,565.36</i>	<i>10/1/2019 – 3/31/2021</i>	<i>Yes</i>

Section C. Reporting Experience

1. Describe the Applicant's experience in collecting, analyzing, and reporting performance and outcome data.

Hays County has two Grant Coordinators who write and track grant applications for Hays County. The Grant Coordinators work with departments who receive funding to ensure that reports are completed and submitted on time to the appropriate agency. If it is determined that the department does not have the capacity to complete and submit the reporting by themselves, the Grant Coordinators work with the departments to gather the information and submit the reports. The Grant Coordinators assist with the submission and/or reporting of over 30 grants per year. The Grant Coordinators will work with staff to ensure that all quarterly programmatic reports are complete and submitted on time. The Grant Coordinator managing this application has been in their current role at Hays County for 3 years and manages reporting for numerous grants each year.

Staff in the Mental Health Court will track programmatic data on a day-to-day basis, including the number of individuals receiving each type of service funded from the grant. MHC staff has experience in tracking and maintaining data on client services and keeps detailed records of each court participants case and their assigned treatment plan.

2. Describe the Applicant's experience in managing and reporting expenditures and match, and if applicable, in coordination with community partners.

Staff in the Hays County Auditors Office has experience in tracking and reporting grant expenditures. The Auditors Office has a staff member who focuses solely on grants and special projects with other staff members providing support on an as needed basis. The Financial Analyst will work to ensure that the Invoice/General ledger and the Expenditure Reports are submitted monthly as well as the Match Certification and the FSR. The Financial Analyst will coordinate with the Hays County Budget Office to ensure that information provided in the Match

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FORM G

APPLICANT EXPERIENCE



Certification is correct. The Financial Analyst has been in their current role at Hays County for 3 years and has focused on grant reporting the whole time.

The Hays County Budget Office will set aside matching funds after receiving approval by the Commissioners Court. This happens during a regular meeting of the Commissioners Court at the time of the submission of the grant. The Budget Office maintains matching funds to ensure they are coded properly in the county budget and are not spent on anything other than providing matching funds for the grant project. The coordination between the two financial offices ensures that nothing is being missed. The Hays County Budget Officer has over 18 years of experience working in various financial positions at Hays County. The Budget Office was officially created in 2022, at which time the staff member transitioned from a role in the Auditors Office to their current role as Budget Officer.

Section D. Personnel Experience

1. In the table below, identify key agency personnel to demonstrate experience germane to the Project's roles.

Key Agency Personnel Responsible for Project Operations, Administration, and Management	Staff Name	Key Responsibilities	Years of Experience in this role/ field
Example: Chief Executive Officer	Jane Doe	Agency oversight, signatory, project compliance.	17
Example: Chief Financial Officer	John Doe	Fiscal monitoring and tracking, invoice reconciliation.	5
Grant Coordinator	Simone Corprew	Procurement of grants, managing of grant reports, coordination with granting agencies, project coordination with various departments	3
Financial Analyst - Grants	Carmen Glover	Invoice Reconciliation, financial reporting, financial tracking	3
Budget Officer	Vickie Dorsett	Manages and plans Hays County Budget	17
Mental Health Court Administrator	Kaimi Matilla	Program management and oversight, creation of	2

RFA HHS0013925
FORM G
APPLICANT EXPERIENCE



		policies and procedures, community outreach	
Mental Health Court Judge	Elaine Brown	Hears cases assigned to Mental Health Court Dockett	2

FORM H: PERFORMANCE MEASURES

RFA HHS0013925

Per **Section 2.9, Performance Measure and Monitoring** of the RFA, Performance Outputs and Outcomes will be negotiated with all Applicants selected for consideration for award prior final selection. If selected as a Grantee, the finalized Performance Measures will be based on previously negotiated measures.

Instructions: As part of this RFA, Applicants should select all Outputs and Outcomes that would apply to their proposed Project. Applicants must indicate via the dropdown menu in Column E if that measure would apply to your proposed Project by choosing "Yes." If the measure is selected, please refer to Column F for any additional information needed at this stage.

Note: Output 1 (Row 7) is required to be collected and reported for all Grantees. In cell G7, Applicants must include the target number of unique participants anticipated to be served in one state fiscal year.

Agency Name		Hays County			
Proposed Project Name		Mental Health and Substance Abuse Treatment			
OUTPUTS		Selecting Y/N?	Instructions		Input
1	Unduplicated Number of Clients Receiving Services	Required	YES	In Column G enter the target number of unique participants that the Applicant anticipate receiving a minimum of one grant-funded service within the fiscal year.	
2	Clients Retention	Available	YES	Nothing else needed.	Performance Expectation: 100% with an allowable variance of 10%
3	Program Completion	Available	YES	In Column G enter a target percentage for program completion.	
4	Bed Utilization Rate	Available	NO	In Column G enter the target number of bed days that the Applicant anticipate providing during the fiscal year.	
5	Training (Conducted)	Available	NO	In Column G enter the target number of trainings the Applicant anticipate conducting within the fiscal year.	
6	Training (Participation)	Available	NO	In Column G enter the target number of participants the Applicant anticipate training within the fiscal year.	
7	Training (Satisfaction)	Available	NO	Nothing else needed.	Performance Expectation: 100% with an allowable variance of 10%
8	Support Groups (Conducted)	Available	NO	In Column G enter the target number of support groups the Applicant anticipate conducting within the fiscal year.	
9	Community Education Events	Available	NO	In Column G enter the target number of community education events the Applicant anticipate conducting within the fiscal year.	
10	Encounter-Based - Single Service Encounters	Available	NO	In Column G enter the target number of Single Service Encounters the Applicant anticipate receiving an encounter-based service	
11	Encounter-Based - High Utilizer Count	Available	NO	Nothing else needed.	Performance Expectation: 0% with an allowable variance of 10%
OUTCOMES		Selecting Y/N?	Instructions		Input
1A	Symptom Improvement - Depression	Available	NO	In Column G, from the drop-down please select the tool the Applicant will be using.	
1B	Symptom Improvement - Anxiety	Available	NO	In Column G, from the drop-down please select the tool the Applicant will be using.	
1C	Symptom Improvement - Schizophrenia	Available	NO	In Column G, from the drop-down please select the tool the Applicant will be using.	
1D	Symptom Improvement - PTSD	Available	NO	In Column G, from the drop-down please select the tool the Applicant will be using.	
2	Improved Activities of Daily Living	Available	NO	Nothing else needed.	Tool: WHODAS 2.0 (36 Item Version)
3	Resiliency	Available	NO	In Column G, from the drop-down please select the tool the Applicant will be using.	
4	Quality of Life	Available	NO	In Column G, from the drop-down please select the tool the Applicant will be using.	
5	Social Supports	Available	YES	In Column G, from the drop-down please select the tool the Applicant will be using.	
6A	Rate Reduction - Hospitalization	Available	NO	Nothing else needed.	N/A
6B	Rate Reduction - Emergency Room Use	Available	NO	Nothing else needed.	N/A
6C	Rate Reduction - Arrests/Jail Bookings	Available	YES	Nothing else needed.	N/A
7A	Prevention - Arrests	Available	NO	Nothing else needed.	N/A
7B	Prevention - Immediate Hospital Readmission	Available	NO	Nothing else needed.	N/A

7C	Prevention - Return to Homelessness	Available	YES	Nothing else needed.	N/A
7D	Prevention - Reduced time in a hospital, justice and/or homeless setting	Available	YES	Nothing else needed.	N/A
8A	Employment - Obtain	Available	NO	Nothing else needed.	N/A
8B	Employment - Maintain	Available	NO	Nothing else needed.	N/A
9	Housing Stability	Available	NO	Nothing else needed.	N/A
10A	Academic Progress - Attendance	Available	NO	Nothing else needed.	N/A
10B	Academic Progress - Behavior	Available	NO	Nothing else needed.	N/A
10C	Academic Progress - Grades	Available	NO	Nothing else needed.	N/A
11	Improved Competency	Available	NO	Nothing else needed.	N/A
12	Encounter-based - Jail Diversion	Available	NO	Nothing else needed.	Performance Expectation: 100% with an allowable variance of 10%
13	Encounter-based - Connected to Treatment	Available	YES	Nothing else needed.	Performance Expectation: 100% with an allowable variance of 10%



FORM J

Texas Health and Human Services System

Indirect Costs Rate (ICR) Questionnaire

Indirect Cost Rate Questionnaire

The Indirect Cost Rate Questionnaire (ICRQ) is required to initiate the indirect cost rate process. Organizations may choose to waive indirect costs, request the 10% De Minimis, inform HHS of an existing Federal or State Negotiated Indirect Cost Rate, or negotiate an indirect cost rate directly with Texas HHS Federal Indirect Cost Rate Group. All questions must be answered unless instructed to skip forward. This form and any requested attachments must be submitted through the Subrecipient Landing Page or with the Request For Application response.

Subrecipient Landing Page Link: <https://texashhs.secure.force.com/GranteeLandingPage/>

Section 1. Grantee Information	
Legal Name of Entity:	
Texas Identification Number (TIN):	Organization Fiscal Year End Date:
Point of Contact Name:	Point of Contact Title:
Point of Contact Phone:	Point of Contact E-mail:
Section 2. State of Texas Grant History	
1. Has the organization ever received a grant from a State of Texas agency in the past ?	
<input type="checkbox"/> Yes Using the check boxes below, indicate whether the underlying funds were from a Federal entity, State entity, or both. <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Both	<input type="checkbox"/> No

Section 3. Request *de minimis* Indirect Cost Rate

If eligible, would the organization like to request the 10% *de minimis* Indirect Cost Rate?

☐ Yes

☐ No

Section 4. Request Reimbursement for Indirect Costs

If eligible, does the organization wish to request reimbursement for indirect costs?

☐ Yes

☐ No

The organization has indicated that indirect costs reimbursement from HHS is not applicable at this time for all HHS System Contracts. No further information is needed.

Skip to Section 7. Signature

Section 5. Federal ICR Information

1. Does the organization have a **current** ICR approved by any federal cognizant agency or a federally approved cost allocation plan?

☐ Yes

☐ No

Expiration Date:

Include the federal approval letter when submitting this form.

Skip to Section 7. Signature

Section 5. Federal ICR Information (cont.)

2. Has the organization had an ICR approved by any federal cognizant agency or a federally approved cost allocation plan **in the past?**

☐ Yes

☐ No

Include the most recent expired federal approval letter when submitting this form.

3. Is the organization applying for a new federal indirect cost rate or seeking a new federally approved cost allocation plan?

☐ Yes

☐ No

Proceed to Section 6: State ICR Information

Section 6. State of Texas ICR Information

1. Does the organization have a **current** ICR approved by any State of Texas agency?

☐ Yes

☐ No

Expiration Date:

Include the State approval letter when submitting this form.

Skip to Section 7. Signature

Section 6. State ICR Information (cont.)

2. Has the organization had an ICR approved by any State of Texas agency **in the past**?

☐ Yes

Include the most recent expired State approval letter when submitting this form.

☐ No

3. Is any State of Texas agency **currently** reimbursing the organization for indirect costs?

☐ Yes

List the most recent State of Texas agencies that are reimbursing your organization for indirect costs.

☐ No

4. Has any State of Texas agency reimbursed the organization for indirect costs on any grant award **in the past**?

☐ Yes

List the most recent State of Texas agencies that reimbursed your organization for indirect costs in the past.

☐ No

Section 7. Signature of Organization Representative

Printed Name:

Signature:



Title:

Date of Execution: 02/21/2024

Exhibits to be Submitted with Application

Hays County

RFA HHS0013925

Community Mental Health Grant

Solicitation Number _____**Exhibit A. HHS SOLICITATION AFFIRMATIONS**

In this document, HHS includes both the Health and Human Services Commission (HHSC) and the Department of State Health Services (DSHS). System Agency refers to HHSC, DSHS, or both, that will be a party to any contract resulting from the Solicitation. In this document, the terms Respondent, Contractor, Applicant, and Vendor, when referring to the following affirmations (whether framed as certifications, representations, warranties, or in other terms) refer to Respondent, and the affirmations apply to all Respondents regardless of their business form (e.g., individual, partnership, corporation). To the extent applicable for DFPS solicitations, the definition of System Agency includes DFPS.

Respondent must provide information, as applicable, and affirms, without exception, as follows:

1. Respondent represents and warrants that all certifications, representations, warranties, and other provisions in this Affirmations and Solicitation Acceptance apply to Respondent and all of Respondent's principals, officers, directors, shareholders, partners, owners, agents, employees, subcontractors, independent contractors, and any other representatives who may provide services under, who have a financial interest in, or otherwise are interested in this Solicitation or any contract resulting from this Solicitation.
2. **Complete and Accurate Information.** Respondent represents and warrants that all statements and information provided to HHS are current, complete, and accurate. This includes all statements and information in this Solicitation Response.
3. **Public Information Act.** Respondent understands that HHS will comply with the Texas Public Information Act (Chapter 552 of the Texas Government Code) as interpreted by judicial rulings and opinions of the Attorney General of the State of Texas. Information, documentation, and other material prepared and submitted in connection with this Solicitation or any resulting contract may be subject to public disclosure pursuant to the Texas Public Information Act. In accordance with Section 2252.907 of the Texas Government Code, Respondent is required to make any information created or exchanged with the State pursuant to the contract, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the State.
4. **Contracting Information Requirements.** Respondent represents and warrants that it will comply with the requirements of Section 552.372(a) of the Texas Government Code. Except as provided by Section 552.374(c) of the Texas Government Code, the requirements of Subchapter J (Additional Provisions Related to Contracting Information), Chapter 552 of the Government Code, may apply to the contract and the Respondent agrees that the contract can be terminated if the Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.
5. **Confidential or Proprietary Information.** Respondent acknowledges its obligation to specifically identify information it contends to be confidential or proprietary and, if Respondent designated substantial portions of its Solicitation Response or its entire Solicitation Response as confidential or proprietary, the Solicitation Response is subject to being disqualified.

6. **Binding Offer.** Respondent's Solicitation Response will remain a firm and binding offer for 240 days from the date the Solicitation Response is due.
7. **Assignment.** Respondent shall not assign its rights under the contract or delegate the performance of its duties under the contract without prior written approval from System Agency. Any attempted assignment in violation of this provision is void and without effect.
8. **Terms and Conditions.** Respondent accepts the Solicitation terms and conditions unless specifically noted by exceptions advanced in the form and manner directed in the Solicitation. No exceptions, terms, or conditions will be considered if not advanced in the form and manner directed in the Solicitation. Respondent agrees that all exceptions to the Solicitation as well as terms and conditions advanced by Respondent that differ in any manner from HHS' terms and conditions are rejected unless expressly accepted by System Agency in writing in a fully executed contract.
9. **HHS Right to Use.** Respondent agrees that HHS has the right to use, produce, and distribute copies of and to disclose to HHS employees, agents, and contractors and other governmental entities all or part of Respondent's Solicitation Response as HHS deems necessary to complete the procurement process or comply with state or federal laws.
10. **Release from Liability.** Respondent generally releases from liability and waives all claims against any party providing information about the Respondent at the request of HHS.
11. **Addenda and Amendments to Solicitation.** Respondent acknowledges all addenda and amendments to the Solicitation.
12. **Texas Bidder.** Respondent certifies that if a Texas address is shown as the address of Respondent on this Response, Respondent qualifies as a Texas Bidder as defined in Section 2155.444(c) of the Texas Government Code.
13. **Preferences.** Respondent represents and warrants that it qualifies for all preferences claimed under 34 Texas Administrative Code, Section 20.306 or Chapter 2155, Subchapter H of the Texas Government Code as indicated below (check applicable boxes):
 - ☐ Goods produced or offered by a Texas bidder that is owned by a Texas resident service-disabled veteran
 - ☐ Goods produced in Texas or offered by a Texas bidder that is not owned by a Texas resident service-disabled veteran
 - ☐ Agricultural products grown in Texas
 - ☐ Agricultural products offered by a Texas bidder
 - ☐ Services offered by a Texas bidder that is owned by a Texas resident service-disabled veteran
 - ☐ Services offered by a Texas bidder that is not owned by a Texas resident service-disabled veteran
 - ☐ Texas Vegetation Native to the Region
 - ☐ USA-produced supplies, materials or equipment
 - ☐ Products of persons with intellectual or physical disabilities

- ☐ Products made of recycled, remanufactured, or environmentally sensitive materials including recycled steel
- ☐ Energy efficient products
- ☐ Rubberized asphalt paving material
- ☐ Recycled motor oil and lubricants
- ☐ Products produced at facilities located on formerly contaminated property
- ☐ Products and services from economically depressed or blighted areas
- ☐ Vendors that meet or exceed air quality standards
- ☐ Recycled or reused computer equipment of other manufacturers
- ☐ Foods of higher nutritional value
- ☐ Commercial production company or advertising agency located in Texas

- 14. Dealings with Public Servants.** Respondent has not given, has not offered to give, and does not intend to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with this Solicitation Response, this Solicitation, or any contract resulting from this Solicitation.
- 15. Financial Participation Prohibited.** Under Section 2155.004, Texas Government Code (relating to financial participation in preparing solicitations), Respondent certifies that the individual or business entity named in this Response or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.
- 16. Prior Disaster Relief Contract Violation.** Under Sections 2155.006 and 2261.053 of the Texas Government Code (relating to convictions and penalties regarding Hurricane Rita, Hurricane Katrina, and other disasters), the Respondent certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.
- 17. Child Support Obligation.** Under Section 231.006(d) of the Texas Family Code regarding child support, Respondent certifies that the individual or business entity named in this Response is not ineligible to receive the specified payment and acknowledges that the contract may be terminated and payment may be withheld if this certification is inaccurate. If the certification is shown to be false, Respondent may be liable for additional costs and damages set out in 231.006(f). Furthermore, any Respondent subject to Section 231.006 of the Texas Family Code must include in the Response the names and social security numbers (SSNs) of each person with at least 25% ownership of the business entity submitting the Response:

Name: _____	SSN: _____
Name: _____	SSN: _____
Name: _____	SSN: _____
Name: _____	SSN: _____

FEDERAL PRIVACY ACT NOTICE: This notice is given pursuant to the Federal Privacy Act. Disclosure of requested SSNs is required under Section 231.006(c) and

Section 231.302(c)(2), Texas Family Code. The SSNs will be used to identify persons that may owe child support. The SSNs will be kept confidential to the fullest extent permitted by law.

If submitted by email, Responses containing SSNs must be encrypted. Failure by a Respondent to provide or encrypt the SSNs as required may result in disqualification of the Respondent's Response.

18. **Suspension and Debarment.** Respondent certifies that it and its principals are not suspended or debarred from doing business with the state or federal government as listed on the *State of Texas Debarred Vendor List* maintained by the Texas Comptroller of Public Accounts and the *System for Award Management (SAM)* maintained by the General Services Administration. This certification is made pursuant to the regulations implementing Executive Order 12549 and Executive Order 12689, Debarment and Suspension, 2 C.F.R. Part 376, and any relevant regulations promulgated by the Department or Agency funding this project. This provision shall be included in its entirety in Respondent's subcontracts, if any, if payment in whole or in part is from federal funds.
19. **Excluded Parties.** Respondent certifies that it is not listed in the prohibited vendors list authorized by Executive Order 13224, "*Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism*," published by the United States Department of the Treasury, Office of Foreign Assets Control.
20. **Foreign Terrorist Organizations.** Respondent represents and warrants that it is not engaged in business with Iran, Sudan, or a foreign terrorist organization, as prohibited by Section 2252.152 of the Texas Government Code.
21. **Executive Head of a State Agency.** In accordance with Section 669.003 of the Texas Government Code, relating to contracting with the executive head of a state agency, Respondent certifies that it is not (1) the executive head of an HHS agency, (2) a person who at any time during the four years before the date of the contract was the executive head of an HHS agency, or (3) a person who employs a current or former executive head of an HHS agency.
22. **Human Trafficking Prohibition.** Under Section 2155.0061 of the Texas Government Code, the Respondent certifies that the individual or business entity named in this Response or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.
23. **Franchise Tax Status.** Respondent represents and warrants that it is not currently delinquent in the payment of any franchise taxes owed the State of Texas under Chapter 171 of the Texas Tax Code.
24. **Debts and Delinquencies.** Respondent agrees that any payments due under any contract resulting from this Solicitation shall be applied towards any debt or delinquency that is owed to the State of Texas.
25. **Lobbying Prohibition.** Respondent represents and warrants that payments to Respondent and Respondent's receipt of appropriated or other funds under any contract resulting from this Solicitation are not prohibited by Sections 556.005, 556.0055, or 556.008 of the Texas Government Code (relating to use of appropriated money or state funds to employ or pay lobbyists, lobbying expenses, or influence legislation).

26. **Buy Texas.** Respondent agrees to comply with Section 2155.4441 of the Texas Government Code, requiring the purchase of products and materials produced in the State of Texas in performing service contracts.
27. **Disaster Recovery Plan.** Respondent agrees that upon request of HHS, Respondent shall provide copies of its most recent business continuity and disaster recovery plans.
28. **Computer Equipment Recycling Program.** If Respondent is submitting a Response for the purchase or lease of computer equipment, then Respondent certifies that it is in compliance with Subchapter Y, Chapter 361 of the Texas Health and Safety Code related to the Computer Equipment Recycling Program and the Texas Commission on Environmental Quality rules in 30 TAC Chapter 328.
29. **Television Equipment Recycling Program.** If Respondent is submitting a Response for the purchase or lease of covered television equipment, then Respondent certifies that it is compliance with Subchapter Z, Chapter 361 of the Texas Health and Safety Code related to the Television Equipment Recycling Program.
30. **Cybersecurity Training.** Respondent represents and warrants that it will comply with the requirements of Section 2054.5192 of the Texas Government Code relating to cybersecurity training and required verification of completion of the training program.
31. **Restricted Employment for Certain State Personnel.** Respondent acknowledges that, pursuant to Section 572.069 of the Texas Government Code, a former state officer or employee of a state agency who during the period of state service or employment participated on behalf of a state agency in a procurement or contract negotiation involving Respondent may not accept employment from Respondent before the second anniversary of the date the contract is signed or the procurement is terminated or withdrawn.
32. **No Conflicts of Interest.** Respondent represents and warrants that it has no actual or potential conflicts of interest in providing the requested goods or services to System Agency under this Solicitation and any resulting contract and that Respondent's provision of the requested goods and/or services under this Solicitation and any resulting contract will not constitute an actual or potential conflict of interest or reasonably create an appearance of impropriety.
33. **Fraud, Waste, and Abuse.** Respondent understands that HHS does not tolerate any type of fraud, waste, or abuse. Violations of law, agency policies, or standards of ethical conduct will be investigated, and appropriate actions will be taken. Pursuant to Texas Government Code, Section 321.022, if the administrative head of a department or entity that is subject to audit by the state auditor has reasonable cause to believe that money received from the state by the department or entity or by a client or contractor of the department or entity may have been lost, misappropriated, or misused, or that other fraudulent or unlawful conduct has occurred in relation to the operation of the department or entity, the administrative head shall report the reason and basis for the belief to the Texas State Auditor's Office (SAO). All employees or contractors who have reasonable cause to believe that fraud, waste, or abuse has occurred (including misconduct by any HHS employee, Grantee officer, agent, employee, or subcontractor that would constitute fraud, waste, or abuse) are required to immediately report the questionable activity to the Health and Human Services Commission's Office of Inspector General. Respondent agrees to comply with all applicable laws, rules, regulations, and System Agency policies regarding fraud, waste, and abuse including, but not limited to, HHS Circular C-027.

A report to the SAO must be made through one of the following avenues:

- SAO Toll Free Hotline: 1-800-TX-AUDIT
- SAO website: <http://sao.fraud.state.tx.us/>

All reports made to the OIG must be made through one of the following avenues:

- OIG Toll Free Hotline 1-800-436-6184
- OIG Website: ReportTexasFraud.com
- Internal Affairs Email: InternalAffairsReferral@hhsc.state.tx.us
- OIG Hotline Email: OIGFraudHotline@hhsc.state.tx.us.
- OIG Mailing Address: Office of Inspector General
Attn: Fraud Hotline
MC 1300
P.O. Box 85200
Austin, Texas 78708-5200

34. **Antitrust.** The undersigned affirms under penalty of perjury of the laws of the State of Texas that (a) in connection with this Response, neither I nor any representative of the Respondent has violated any provision of the Texas Free Enterprise and Antitrust Act, Tex. Bus. & Comm. Code Chapter 15; (b) in connection with this Response, neither I nor any representative of the Respondent has violated any federal antitrust law; and (c) neither I nor any representative of the Respondent has directly or indirectly communicated any of the contents of this Response to a competitor of the Respondent or any other company, corporation, firm, partnership or individual engaged in the same line of business as the Respondent.
35. **Legal and Regulatory Actions.** Respondent represents and warrants that it is not aware of and has received no notice of any court or governmental agency proceeding, investigation, or other action pending or threatened against Respondent or any of the individuals or entities included in numbered paragraph 1 of this Affirmations and Solicitation Acceptance within the five (5) calendar years immediately preceding the submission of this Solicitation response that would or could impair Respondent's performance under any contract resulting from this Solicitation, relate to the contracted or similar goods or services, or otherwise be relevant to System Agency's consideration of entering into a contract. If Respondent is unable to make the preceding representation and warranty, then Respondent instead represents and warrants that it has included as a detailed attachment to this Solicitation Affirmations document a complete, detailed disclosure of any such court or governmental agency proceeding, investigation, or other action that would or could impair Respondent's performance under a contract awarded as a result of this Solicitation, relate to the contracted or similar goods or services, or otherwise be relevant to System Agency's consideration of entering into a contract. Respondent must identify here how many pages, if any, are attached: _____. Respondent acknowledges this is a continuing disclosure requirement. In addition, Respondent represents and warrants that, if awarded a contract as a result of this Solicitation, Respondent shall notify System Agency in writing within five (5) business days of any changes to the representations or warranties in this clause and understands that failure to so timely update System Agency shall constitute breach of contract and may result in immediate contract termination.
36. **E-Verify.** Respondent certifies that for contracts for services, Respondent shall utilize the U.S. Department of Homeland Security's E-Verify system during the term of the contract to determine the eligibility of:

- A. all persons employed by Respondent to perform duties within Texas; and
- B. all persons, including subcontractors, assigned by Respondent to perform work pursuant to the contract within the United States of America.

- 37. Former Agency Employees – Certain Contracts.** If this Solicitation is for an employment contract, a professional services contract under Chapter 2254 of the Texas Government Code, or a consulting services contract under Chapter 2254 of the Texas Government Code, Respondent represents and warrants that neither Respondent nor any of Respondent's employees including, but not limited to, those authorized to provide services under the contract, were former employees of an HHS Agency during the twelve (12) month period immediately prior to the date of the execution of the contract.
- 38. Disclosure of Prior State Employment – Consulting Services.** If this Solicitation is for consulting services,
- A. In accordance with Section 2254.033 of the Texas Government Code, a Respondent offering to provide consulting services in response to this solicitation who has been employed by, or employs an individual who has been employed by, System Agency or another State of Texas agency at any time during the two years preceding the submission of Respondent's Solicitation Response must disclose the following information in its Solicitation Response and hereby certifies that this information is true, correct, and complete:

(1) Name of individual(s) (Respondent or employee(s)):

(2) Status (check one): ☐ Respondent ☐ Employee

(3) The nature of the previous employment with System Agency or the other State of Texas agency:

(4) The date the employment was terminated and the reason for the termination:

(5) The annual rate of compensation for the employment at the time of its termination: _____

If more than one individual is identified in A(1) above, Respondent must provide responses to A(2)-(5) as to each identified individual. To satisfy this requirement, Respondent must attach a separate page or pages, as necessary, and include the information required in Section A, including subsections (1)-(5). Respondent must identify here how many pages, if any, are attached: _____. Respondent acknowledges, agrees, and certifies that all information provided is true, correct, and complete on this and all attached pages.

- B. If no information is provided in response to Section A above, Respondent certifies that neither Respondent nor any individual employed by Respondent was employed by System Agency or any other State of Texas agency at any time during the two years preceding the submission of Respondent's Solicitation Response.
39. **Entities that Boycott Israel.** Pursuant to Section 2271.002 of the Texas Government Code, Respondent certifies that either (1) it meets an exemption criteria under Section 2271.002; or (2) it does not boycott Israel and will not boycott Israel during the term of the contract resulting from this Solicitation. If Respondent refuses to make that certification, Respondent shall state here any facts that make it exempt from the boycott certification:
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40. **Abortion Funding Limitation.** Respondent understands, acknowledges, and agrees that, pursuant to Article IX of the General Appropriations Act (the Act), to the extent allowed by federal and state law, money appropriated by the Texas Legislature may not be distributed to any individual or entity that, during the period for which funds are appropriated under the Act: (1) performs an abortion procedure that is not reimbursable under the state's Medicaid program; (2) is commonly owned, managed, or controlled by an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program; or (3) is a franchise or affiliate of an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program. The provision does not apply to a hospital licensed under Chapter 241, Health and Safety Code, or an office exempt under Section 245.004(2), Health and Safety Code. Respondent represents and warrants that it is not ineligible, nor will it be ineligible during the term of the contract resulting from this Solicitation, to receive appropriated funding pursuant to Article IX.
41. **Funding Eligibility.** Respondent understands, acknowledges, and agrees that, pursuant to Chapter 2272 (eff. Sept. 1, 2021, Ch. 2273) of the Texas Government Code, except as exempted under that Chapter, System Agency cannot contract with an abortion provider or an affiliate of an abortion provider. Respondent certifies that it is not ineligible to contract with System Agency under the terms of Chapter 2272 (eff. Sept. 1, 2021, Ch. 2273) of the Texas Government Code. If Respondent refuses to make that certification, Respondent shall state here any facts that make it exempt from the certification:
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42. **Gender Transitioning and Gender Reassignment Procedures and Treatments for Certain Children – Prohibited Use of Public Money; Prohibited State Health Plan Reimbursement.** Respondent understands, acknowledges, and agrees that, pursuant to Section 161.704 of the Texas Health and Safety Code (eff. Sept. 1, 2023), public money may not directly or indirectly be used, granted, paid, or distributed to any health care provider, medical school, hospital, physician, or any other entity, organization, or

individual that provides or facilitates the provision of a procedure or treatment to a child that is prohibited under Section 161.702 of the Texas Health and Safety Code.

Respondent also understands, acknowledges, and agrees that, pursuant to Section 161.705 of the Texas Health and Safety Code (eff. Sept. 1, 2023), HHSC may not provide Medicaid reimbursement and the child health plan program established under Chapter 62 may not provide reimbursement to a physician or health care provider for provision of a procedure or treatment to a child that is prohibited under Section 161.702 of the Texas Health and Safety Code. Respondent certifies that it is not ineligible to contract with System Agency under the terms of Chapter 161, Subchapter X, of the Texas Health and Safety Code.

- 43. Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment (2 CFR 200.216).** Respondent certifies that the individual or business entity named in this Response or contract is not ineligible to receive the specified contract or funding pursuant to 2 CFR 200.216.
- 44. COVID-19 Vaccine Passports.** Pursuant to Texas Health and Safety Code, Section 161.0085(c), Respondent certifies that it does not require its customers to provide any documentation certifying the customer's COVID-19 vaccination or post-transmission recovery on entry to, to gain access to, or to receive service from the Respondent's business. Respondent acknowledges that such a vaccine or recovery requirement would make Respondent ineligible for a state-funded contract.
- 45. COVID-19 Vaccinations.** Respondent understands, acknowledges, and agrees that, pursuant to Article II of the General Appropriations Act, none of the General Revenue Funds appropriated to DSHS may be used for the purpose of promoting or advertising COVID-19 vaccinations in the 2024-25 biennium. It is also the intent of the legislature that to the extent allowed by federal law, any federal funds allocated to DSHS shall be expended for activities other than promoting or advertising COVID-19 vaccinations. Respondent represents and warrants that it is not ineligible, nor will it be ineligible during the term of the contract resulting from this Solicitation, to receive appropriated funding pursuant to Article II.
- 46. Entities that Boycott Energy Companies.** In accordance with Senate Bill 13, Acts 2021, 87th Leg., R.S., if Respondent is required to make a verification pursuant to Section 2274.002 (eff. Sept. 1, 2023, Section 2276.002, pursuant to House Bill 4595, Acts 2023, 88th Leg., R.S.) of the Texas Government Code (relating to prohibition on contracts with companies boycotting certain energy companies), Respondent verifies that Respondent does not boycott energy companies and will not boycott energy companies during the term of the Contract. If Respondent does not make that verification, Respondent must state here why the verification is not required:

- 47. Entities that Discriminate Against Firearm and Ammunition Industries.** In accordance with Senate Bill 19, Acts 2021, 87th Leg., R.S., if Respondent is required to make a verification pursuant to Section 2274.002 of the Texas Government Code (relating to prohibition on contracts with companies that discriminate against firearm and ammunition industries), Respondent verifies that it (1) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and (2) will not discriminate during the term of the contract against a firearm entity or firearm trade association. If Respondent does not make that verification, Respondent must state here why the verification is not required:
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- 48. Security Controls for State Agency Data.** In accordance with Senate Bill 475, Acts 2021, 87th Leg., R.S., pursuant to Texas Government Code, Section 2054.138, Respondent understands, acknowledges, and agrees that if awarded a contract pursuant to this Solicitation and under which Respondent will be authorized to access, transmit, use, or store data for System Agency, Respondent is required to meet the security controls the System Agency determines are proportionate with System Agency's risk under the contract based on the sensitivity of System Agency's data and that Respondent must periodically provide to System Agency evidence that Respondent meets the security controls required under the contract.
- 49. Cloud Computing State Risk and Authorization Management Program (TX-RAMP).** In accordance with Senate Bill 475, Acts 2021, 87th Leg., R.S., pursuant to Texas Government Code, Section 2054.0593, Respondent acknowledges and agrees that, if providing cloud computing services for System Agency, Respondent must comply with the requirements of the state risk and authorization management program and that System Agency may not enter or renew a contract with a vendor to purchase cloud computing services for the agency that are subject to the state risk and authorization management program unless the vendor demonstrates compliance with program requirements. If providing cloud computing services for System Agency that are subject to the state risk and authorization management program, Respondent certifies it will maintain program compliance and certification throughout the term of the Contract.
- 50. Foreign-Owned Companies in Connection with Critical Infrastructure.** If Texas Government Code, Section 2274.0102(a)(1) (eff. Sept. 1, 2023, Section 2275.0102(a)(1), pursuant to House Bill 4595, Acts 2023, 88th Leg., R.S.) (relating to prohibition on contracts with certain foreign-owned companies in connection with critical infrastructure) is applicable to a contract resulting from this Solicitation, pursuant to Government Code Section 2274.0102 (eff. Sept. 1, 2023, Section 2275.0102, pursuant to House Bill 4595, Acts 2023, 88th Leg., R.S.), Respondent certifies that neither it nor its parent company, nor any affiliate of Respondent or its parent company, is: (1) majority owned or controlled by citizens or governmental entities of China, Iran, North Korea, Russia, or any other country designated by the Governor under Government Code Section 2274.0103 (eff. Sept. 1, 2023, Section 2275.0103, pursuant to House Bill 4595, Acts 2023, 88th Leg., R.S.), or (2) headquartered in any of those countries.

- 51. Critical Infrastructure Subcontracts.** For purposes of this Paragraph, the designated countries are China, Iran, North Korea, Russia, and any countries lawfully designated by the Governor as a threat to critical infrastructure. Pursuant to Section 113.002 of the Business and Commerce Code, Respondent shall not enter into a subcontract that will provide direct or remote access to or control of critical infrastructure, as defined by Section 113.001 of the Texas Business and Commerce Code, in this state, other than access specifically allowed for product warranty and support purposes to any subcontractor unless (i) neither the subcontractor nor its parent company, nor any affiliate of the subcontractor or its parent company, is majority owned or controlled by citizens or governmental entities of a designated country; and (ii) neither the subcontractor nor its parent company, nor any affiliate of the subcontractor or its parent company, is headquartered in a designated country. Respondent will notify the System Agency before entering into any subcontract that will provide direct or remote access to or control of critical infrastructure, as defined by Section 113.001 of the Texas Business & Commerce Code, in this state.
- 52. Enforcement of Certain Federal Firearms Laws Prohibited.** In accordance with House Bill 957, Acts 2021, 87th Leg., R.S., if Texas Government Code, Section 2.101 is applicable to Respondent, Respondent certifies that it is not ineligible to receive state grant funds pursuant to Texas Government Code, Section 2.103.
- 53. Prohibition on Abortions.** Respondent understands, acknowledges, and agrees that, pursuant to Article II of the General Appropriations Act, (1) no funds shall be used to pay the direct or indirect costs (including marketing, overhead, rent, phones, and utilities) of abortion procedures provided by contractors of HHSC; and (2) no funds appropriated for Medicaid Family Planning, Healthy Texas Women Program, or the Family Planning Program shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures. Respondent represents and warrants that it is not ineligible, nor will it be ineligible during the term of the contract resulting from this Solicitation, to receive appropriated funding pursuant to Article II.
- 54. Public Information Act Copy.** Respondent understands, acknowledges, and agrees, that solicitation responses and contracts are subject to the Texas Public Information Act (PIA), Texas Government Code Chapter 552, and may be disclosed to the public upon request or through posting on the System Agency's website, the LBB's website, or as otherwise required by law. Respondent certifies that it:
- ☐ asserts that information provided in its response is exempt from disclosure under the PIA, and Respondent, therefore, has submitted a "Public Information Act Copy" as required under the solicitation; or
 - ☐ asserts that there is no information provided in its response that is exempt from disclosure under the PIA, and Respondent, therefore, has not submitted a "Public Information Act Copy."
- 55. No Felony Criminal Convictions.** Respondent represents that neither Respondent nor any of its employees, agents, or representatives, including any subcontractors and employees, agents, or representative of such subcontractors, have been convicted of a felony criminal offense or that if such a conviction has occurred Respondent has fully advised System Agency in writing of the facts and circumstances surrounding the convictions.

- 56. Unfair Business Practices.** Respondent represents and warrants that it has not been the subject of allegations of Deceptive Trade Practices violations under Chapter 17 of the Texas Business and Commerce Code, or allegations of any unfair business practice in any administrative hearing or court suit and that Respondent has not been found to be liable for such practices in such proceedings. Respondent certifies that it has no officers who have served as officers of other entities who have been the subject of allegations of Deceptive Trade Practices violations or allegations of any unfair business practices in an administrative hearing or court suit and that such officers have not been found to be liable for such practices in such proceedings.
- 57. False Representation.** Respondent understands, acknowledges, and agrees that any false representation or any failure to comply with a representation, warranty, or certification made by Respondent is subject to all civil and criminal consequences provided at law or in equity including, but not limited to, immediate termination of any contract resulting from this Solicitation.
- 58. Permits and Licenses.** Respondent represents and warrants that it will comply with all applicable laws and maintain all permits and licenses required by applicable city, county, state, and federal rules, regulations, statutes, codes, and other laws that pertain to any contract resulting from this Solicitation.
- 59. False Statements.** Respondent represents and warrants that all statements and information prepared and submitted in this document are current, complete, true, and accurate. Submitting a Response with a false statement or material misrepresentations made during the performance of a contract is a material breach of contract and may void the submitted Response and any resulting contract.
- 60. Signature Authority.** By submitting this Response, Respondent represents and warrants that the individual submitting this document and the documents made part of this Response is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract that may result from the submission of this Response.

Signature Page Follows

Authorized representative on behalf of Respondent must complete and sign the following:

Legal Name of Respondent

Assumed Business Name of Respondent, if applicable (d/b/a or 'doing business as')

Texas County(s) for Assumed Business Name (d/b/a or 'doing business as')

Attach Assumed Name Certificate(s) filed with the Texas Secretary of State and Assumed Name Certificate(s), if any, for each Texas County Where Assumed Name Certificate(s) has been filed.



02/20/2024

Signature of Authorized Representative

Date Signed

**Printed Name of Authorized Representative
First, Middle Name or Initial, and Last Name**

Title of Authorized Representative

Physical Street Address

City, State, Zip Code

Mailing Address, if different

City, State, Zip Code

Phone Number

Fax Number

Email Address

DUNS Number

Federal Employer Identification Number

Texas Identification Number (TIN)

Texas Franchise Tax Number

Texas Secretary of State Filing Number

SAM.gov Unique Entity Identifier (UEI)

FORM I: REQUESTED ANNUAL BUDGET TEMPLATE

Legal Name of Respondent:		Hays County					
	A	B	C	D	E	F	G
Budget Categories	Total Budget	HHSC Requested Funds	Direct Federal Funds	Other State Agency Funds <small>Check if Cash Match</small> <input type="checkbox"/>	Other Funds <small>Check if Cash Match</small> <input type="checkbox"/>	Local Funding Sources <small>Check if Cash Match</small> <input checked="" type="checkbox"/>	In-Kind Match
A. Personnel	\$0						\$0
B. Fringe Benefits	\$0						\$0
C. Travel	\$0						\$0
D. Equipment	\$0						\$0
E. Supplies	\$0						\$0
F. Contractual	\$475,100	\$313,566				\$161,534	\$0
G. Other	\$0						\$0
H. Total Direct Costs	\$475,100	\$313,566	\$0	\$0	\$0	\$161,534	\$0
I. Indirect Costs	\$0						\$0
J. Total (Sum of H and I)	\$475,100	\$313,566	\$0	\$0	\$0	\$161,534	\$0
K. Program Income - Projected Earnings	\$0						

NOTE: The "Total Budget" amount for each Budget Category will have to be allocated (entered) manually among the funding sources. Enter amounts in whole dollars.

	Budget Catetory	Distribution Total	Budget Total		Budget Category	Distribution Total	Budget Total
Check Totals For:	Personnel	\$0	\$0		Fringe Benefits	\$0	\$0
	Travel	\$0	\$0		Equipment	\$0	\$0
	Supplies	\$0	\$0		Contractual	\$475,100	\$475,100
	Other	\$0	\$0		Indirect Costs	\$0	\$0

TOTAL FOR:	Distribution Totals	\$475,100	Budget Total	\$475,100
-------------------	----------------------------	------------------	---------------------	------------------

GENERAL INSTRUCTIONS FOR COMPLETION

Please include all projected costs associated with the program.

- Enter the legal name of your organization in Cell E2 (Legal Name of Respondent) on the 'Budget Summary' tab above.
- Enter complete budget details on the tabs associated with each budget line item (e.g., Personnel, Travel, Equipment, etc.).
- Navigate back to the 'Budget Summary' tab once you've entered completed budget details on the tabs associated with each budget line item.

- Distribute the amounts by line item among the 'HHSC Requested Funds' and 'Local Funding Sources' columns. No need to distribute amounts noted in the 'In-Kind Match' column as they are already distributed within the appropriate column and line item.
- Refer to the table below the budget to ensure that the 'Distribution Totals' in Cell F28 equals the 'Budget Total' in Cell J28.
- Allocate any projected 'Program Income - Projected Earnings' (*i.e.*, gross income directly generated by a supporting activity during the period of performance), in Cells E18:I18.

PERSONNEL Budget Category Detail Form

Legal Name of Respondent:

Hays County

[illegible]

[illegible]

SalaryWage Total	\$0
------------------	-----

FRINGE BENEFITS

Itemize the elements of fringe benefits in the space below:

	Fringe Benefit Rate %	
	Fringe Benefits Total	\$0

TRAVEL Budget Category Detail Form

Legal Name of Respondent:

Hays County

Conference / Workshop Travel Costs					
Description of Conference/Workshop (List conference/workshop registration fees in OTHER Budget Category Detail Form)	Justification	Location City/State	Number of:	Travel Costs	
			Days/Employees		
				Mileage	\$0
				Airfare	
				Meals	
				Lodging	
				Other Costs	
				Total	\$0
				Mileage	
				Airfare	
				Meals	
				Lodging	
				Other Costs	
				Total	\$0
				Mileage	
				Airfare	
				Meals	
				Lodging	
				Other Costs	
				Total	\$0
				Mileage	
				Airfare	
				Meals	
				Lodging	
				Other Costs	
				Total	\$0

Other / Local Travel Costs

Justification	Number of Miles	Mileage Reimbursement Rate	Mileage Cost (a)	Other Costs (b)	Total (a) + (b)
			\$0		\$0
			\$0		\$0
			\$0		\$0
			\$0		\$0
			\$0		\$0
			\$0		\$0
			\$0		\$0

Total for Other / Local Travel **\$0**

Other / Local Travel Costs: **\$0**

Conference / Workshop Travel Costs: **\$0**

Total Travel Costs: **\$0**

Indicate Policy Used:

Respondent's Travel Policy

State of Texas Travel Policy

EQUIPMENT AND CONTROLLED ASSETS Budget Category Detail Form

Legal Name of Respondent:

Hays County

Itemize, describe and justify the list below. Attach complete specifications or a copy of the purchase order if requested by HHSC.

Description of Item	Purpose & Justification	Number of Units	Cost Per Unit	Total
				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
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				\$0
				\$0
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				\$0
				\$0
				\$0
				\$0
				\$0
FY2017	Form P			7 \$0

				\$0
				\$0
				\$0
				\$0
				\$0

Total Amount Requested for Equipment:

\$0

SUPPLIES Budget Category Detail Form

Legal Name of Respondent:

Hays County

Itemize and describe each supply item and **provide an estimated quantity and cost (i.e. #of boxes & cost/box) if applicable.** Provide a justification for each supply item. Costs may be categorized by each general type (e.g., office, computer, medical, educational, etc.)

Description of Item <small>[If applicable, provide estimated quantity and cost (i.e. # of boxes & cost/box)]</small>	Purpose & Justification	Total Cost
		\$0
EY2017	Form P	

[illegible]

Total Amount Requested for Supplies:

\$0

CONTRACTUAL Budget Category Detail Form

Legal Name of Respondent: Hays County

List contracts for services related to the scope of work that is to be provided by a third party. If a third party is not yet identified, describe the service to be contracted and show co Named." Justification for any contract that delegates \$100,000 or more of the scope of the project in the Applicant's HHSC funding request, must be attached behind this form.

CONTRACTOR NAME (Agency or Individual)	DESCRIPTION OF SERVICES (Scope of Work)	Justification	METHOD OF PAYMENT (i.e., Monthly, Hourly, Unit, Lump Sum)	# of Months, Hours, Units, etc.	RATE OF PAYMENT (i.e., hourly rate, unit rate, lump sum amount)
To Be Named	Substance Use Detox Services	Substance Use Detox services that last between 3 and 7 days (5 day average). This includes 24 hour observation and, if necessary, Medically Assisted Treatment. Detox services are for individuals who are in immediate crisis due to substance use and need to be under observation to detox safely. Funds budgeted at \$500/day for 5 days for 7	Unit	7	\$2,500.00
To Be Named	Residential Substance Abuse Treatment (30 days)	30 day residential treatment stays for substance abuse treatment. Length of stay is dependent on need of individual. (\$500/day * 30 days * 5 individuals)	Unit	5	\$15,000.00
To Be Named	Residential Substance Abuse Treatment (60 days)	60 day residential treatment stays for substance abuse treatment. Length of stay is dependent on need of individual. (\$500/day * 60 days * 3 individuals)	Unit	3	\$30,000.00

To Be Named	Residential Substance Abuse Treatment (90 days)	90 day residential treatment stays for substance abuse treatment. Length of stay is dependent on need of individual. 90 day stays are only for high-need/high-risk individuals. (\$500/day * 90 days * 2 individuals)	Unit	2	\$45,000.00
To Be Named	Intensive Outpatient Treatment	Outpatient treatment services engaging participants 3 days a week for approximately 3-4 hours per day for a total of 8 weeks. Services may be offered in person or virtually depending on the need of the individual. (\$225/day * 3 days * 8 weeks * 12 individuals). Services include programming, group counseling, coping skills, and resiliency	Unit	12	\$5,400.00
To Be Named	Partial Hospitalization Services	Participants attend services 5 days a week for an average of 4 days. These services are for individuals who do not need full residential substance abuse treatment, but need more support than is offered by the Intensive Outpatient Model. (\$400/day * 5 days * 4 weeks * 8 individuals)	Unit	8	\$8,000.00
Horton House	Sober Living Housing	Sober living home available only for men. Funds are budgeted to allow 4 individuals to stay for 6 months (4 * 6 months * \$525/month = \$12,600) and 4 individuals to stay for 12 months (4 * 12 months * \$525/months = \$25,200)	Monthly	72	\$525.00



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY

Sponsor:

Judge Becerra

Agenda Item:

Ratify a grant application to the Office of the Governor requiring matching funds for a FY25 grant related to a Residential Substance Abuse Treatment Grant program in the amount of \$281,250.00. **BECERRA/T.CRUMLEY**

Summary:

On February 6th, the Commissioners Court approved the submission of a grant application to the Office of the Governor, Residential Substance Abuse Treatment Program grant. The agenda item incorrectly listed that no match was required for this grant. If funded, there is a 25% match required. This will result in a required matching funds amount of \$281,250.00.

The grant application was submitted on February 7th. If the court chooses not to provide these matching funds, staff will withdraw the grant application. No funding decision will be made by the Office of the Governor until September. If awarded, the grant period would begin 10/1/2024 and run through 9/30/2025.

Fiscal Impact:

Amount Requested: \$281,250

Line Item Number: TBD

Budget Office:

Source of Funds: N/A

Budget Amendment Required Y/N?: N/A

Comments: If awarded, cash match will need to be identified during the annual budget process

Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

Auditor's Office

G/L Account Validated Y/N?: TBD

New Revenue Y/N?: TBD If Awarded

Comments:

Attachments

Application

[Print This Page](#)**Agency Name:** Hays County**Grant/App:** 5069901 **Start Date:** 10/1/2024 **End Date:** 9/30/2025**Project Title:** Hays County Substance Abuse Treatment Program**Status:** Application Pending Submission

Narrative Information

Introduction

The purpose of this funding is to support development and implementation of residential substance abuse treatment programs within correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment and after-care programs for those prisoners.

Program-Specific Questions

Drug Testing

Projects must perform urinalysis or conduct other proven reliable methods of drug and alcohol testing for program participants and former participants while they remain in the custody of the state or local government.

Describe the testing policy, including the method used for testing and the frequency of testing for participants: Drug testing will be conducted on a scheduled basis of once a month via urinalysis. Additional random testing will be collected via urinalysis between scheduled collections. Individuals must adhere to drug testing requirements in order to participate in the program.

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Constitutional Compliance

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

Twelve-Step Programs

Grant funds may not be used to support or directly fund programs such as the Twelve Step Program which courts have ruled are inherently religious. OOG grant funds cannot be used to support these programs, conduct meetings, or purchase related materials.

Cybersecurity Training Requirement

Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Government](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the [Texas Department of Information Resources Statewide Cybersecurity Awareness Training](#) page.

Criminal History Reporting

Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

Uniform Crime Reporting (UCR)

Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

Entities That Collect Sexual Assault/Sex Offense Evidence or Investigate/Prosecute Sexual Assault or Other Sex Offenses

In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit [DPS's Sexual Assault Evidence Tracking Program website](#) for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant .

Compliance with State and Federal Laws, Programs and Procedures

Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to PSO and is active until August 31, 2025 or the end of the grant period, whichever is later.

Equal Employment Opportunity Plan (EEO Plan)

If awarded, applicant agrees to comply with the Equal Employment Opportunity Program (EEOP) requirements per 28 C.F.R. § 42 Subpart E. Agencies may use the EEO Utilization Report Builder to assist with preparing Verification Forms and, if required, Utilization Reports.

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with PSO and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:

Shari Miller

Enter the Address for the Civil Rights Liaison:

712 S. Stagecoach Trail, Suite 1063 San Marcos, Tx 78666

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

(512) 393-2245

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

☒ **I certify to all of the application content & requirements.**

Project Abstract :

Hays County Judicial Services is seeking funding to establish a residential substance abuse treatment program. Participants will engage in the program for between 6 and 9 months depending on the needs of the individual. In order to complete the program, Hays County will contract with a treatment provider who has clinical staff capable of providing clients with full substance abuse and detox services. Clients will be subject to regular drug and alcohol testing in order to stay in compliance with the program.

Problem Statement :

Individuals who are suffering with substance abuse problems are often more likely to commit a crime or to reoffend than others. This leads to a high level of incarceration of individuals with substance abuse issues. When these individuals are incarcerated rather than offered treatment options, their underlying issues are not resolved and they often end up reoffending. By establishing a residential treatment program, Hays County seeks to provide assistance to 10 individuals over the course of a year to help treat substance abuse disorders and lower the chances of the individual reoffending.

Supporting Data :

Currently, 54% of individuals on pretrial supervision were arrested on charges that involve controlled substances or DWIs. Additionally, between July 1 and December 31, 2023, 32% of all arrests in Hays County included at least one charge for Possession of a Controlled Substance, Possession of a Dangerous Drug, Possession of Marijuana, or Driving While Intoxicated.

Project Approach & Activities:

Hays County will contract with a licensed service provider in order to provide a residential based substance abuse treatment program as an alternative to incarceration. In its first year, the program will seek to engage 10 individuals. Individuals will be engaged for a period of 6-9 months and will be subject to regular - both scheduled and random - urinalysis to ensure they are adhering to the requirements of the program by not using drugs or alcohol. During their time in the program, individuals will participate in counseling sessions with licensed staff and will be offered support in seeking employment and vocational training.

Capacity & Capabilities:

In order to complete the project, Hays County will contract with a clinical service provider who has a full staff capable of assisting individuals with detox and treatment. Because Hays County does not have clinical staff, contracting with a provider is the most effective way to complete this project. Staff in the Judicial Services department will continue to monitor the progress of the program by regular meetings with both the service provider as well as people participating in the program.

Performance Management :

Progress will be monitored in two main ways. First, Judicial Services staff will regularly receive reports from the selected contractor about progress of each individual from the clinical perspective. This will help to ensure participants are meeting their goals for participation in the program. Pretrial officers from the Judicial Services Department will also check in with their clients who are participating in the program to ensure they feel supported and are meeting their goals. This will allow officers to gain a more holistic view of the programs success by allowing for personal connection and individualized conversations.

Target Group :

This project will target individuals who have been identified as a good fit for the pretrial supervision program, but who have active substance abuse issues. Rather than holding these individuals in the Hays County jail, they will be released into the Residential Substance Abuse Treatment program. The program will aim to serve 20 individuals.

Evidence-Based Practices:

Residential settings are often more effective than outpatient treatment for substance abuse disorder. "Residential Treatment for Substance Use Disorder: A Review of Clinical Effectiveness" by Gray and Argaez found that " residential treatment was equally or more effective than other less intensive treatment modalities." The review found that although outpatient methods were also effective in reducing substance use rates, residential patients usually saw a greater success in treatment.

You are logged in as **User Name:** scorprew

[Print This Page](#)**Agency Name:** Hays County**Grant/App:** 5069901 **Start Date:** 10/1/2024 **End Date:** 9/30/2025**Project Title:** Hays County Substance Abuse Treatment Program**Status:** Application Pending Submission

Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

Program Type

Select one:

☒ Residential☐ Jail-based

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Counseling or Treatment for Substance Abuse	100.00	Hays County will contract with an outside vendor to provide a residential substance abuse treatment program. Services will be provided by licensed, clinical staff and will engage the individuals for a period of 6-9 months as an alternative to incarceration.

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
-------------------	--------------	--------------------------

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[Print This Page](#)**Agency Name:** Hays County**Grant/App:** 5069901 **Start Date:** 10/1/2024 **End Date:** 9/30/2025**Project Title:** Hays County Substance Abuse Treatment Program**Status:** Application Pending Submission**Measures Information**

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Alcohol and/or drug testing – random: Individuals receiving	10
Alcohol continuous monitoring: Individuals receiving	
Counseling or treatment for substance abuse: Individuals receiving	10
Substance abuse treatment by a LICENSED professional: Individuals receiving	10
Substance abuse treatment using medication assisted treatment (MAT): Individuals receiving	

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
-----------------	--------------

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
-----------------------	--------------

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
------------------------	--------------

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Print This Page

Agency Name: Hays County
Grant/App: 5069901 Start Date: 10/1/2024 End Date: 9/30/2025

Project Title: Hays County Substance Abuse Treatment Program
Status: Pending OOG Review

Budget Details Information
Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Contractual and Professional Services	Substance Abuse-Related Case Management, Counseling, Outpatient, and/or Treatment Services	Residential treatment for 10 individuals for a period of 6-9 months. 6 months is estimated at \$90,000 and 9 months is estimated at \$135,000. Funds are budgeted at an average of these two numbers resulting in \$112,500 for 10 individuals for a total of \$1,125,000.	\$843,750.00	\$281,250.00	\$0.00	\$0.00	\$1,125,000.00	0

You are logged in as User Name: scorprew



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY/PRATHER

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Authorize the acceptance of an additional \$50,000.00 in grant funding from the Texas Veterans Commission, General Assistance Program to support the Veterans County Service Office and amend the budget accordingly.

INGALSBE/T.CRUMLEY/PRATHER

Summary:

On Tuesday, February 13th, staff from the Hays County Veterans' Service Office appeared before the Texas Veterans Commission to request an additional \$50,000 in grant funding be added to the current year's General Assistance grant award. The original award was given at \$100,000. The additional \$50,000 is to be allocated toward direct client services. This increase brings the total grant award to \$150,000.

Grant number G-2022-21928

Grant period: 7/1/23 - 6/30/24

Fiscal Impact:

Amount Requested: None

Line Item Number: 001-720-99-136.4301/.5805

Budget Office:

Source of Funds: TVC Grant Funds

Budget Amendment Required Y/N?: Yes

Comments: N/A

(\$50,000) - Increase Intergovernmental Revenue 001-720-99-136.4301

\$50,000 - Increase Veterans Financial Assistance 001-720-99-136.5805

Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$50,000 in Intergovernmental Revenues

Comments:

Attachments

Grant Amendment

Hays County

Grant ID: G-2022-21928
Status: Approved

Amendment ID: 39382602
Created: 01/08/2024

Status

Approved

▼ Comments

Comments for TVC:

What is being amended?

Budget

▼ Budget

Which Budget categories are being amended? Direct Client Services

Direct Client Services Group

Category	Unit Cost	Quantity	Amount Requested
Mortgage	\$1,937.50	16	\$31,000.00
Rent	\$1,648.00	25	\$41,200.00
Utilities	\$175.40	80	\$14,032.00
Food Voucher	\$175.00	12	\$2,100.00

Restorative Dental	\$1,500.00	2	\$3,000.00
Assistive Technologies	\$500.00	6	\$3,000.00
Transportation Beneficiary Vehicle	\$12,429.98	1	\$12,429.98
Transportation Rides	\$1,775.98	1	\$1,775.98
Total			\$108,537.96

Changes to Direct Client Services Group:

Requesting an additional \$50,000 to be awarded to client services to go towards mortgage, rent and utilities. Specifically, based upon recent expenditures, we estimate the need for an additional \$15,000 for mortgage assistance, \$25,000 in rental assistance, and \$10,000 in utility assistance.

If the area to change is not identified in the Budget section above, input the changes in this narrative box.

For what purpose is the amendment being requested?

Requesting an additional \$50,000 to supplement rent, mortgage, and utility assistance. We had budgeted \$150,000 for the grant renewal period for the 23-24 fiscal. In response to the mandated budget adjustment of a reduction of \$50,000, we decreased the client services budget to \$58,537. As noted in our November Payment Reimbursement Request Report, almost 70% of the budget allocated to client services has been expended, or \$40,648.34. Veterans and their dependents continue to be in need of and require financial assistance in Hays County. We are concerned that all available funds will be depleted before the end of the grant fiscal year.

What impact will the amendment have on the grant project?

A substantial portion of mortgages and rent frequently are an average of \$2,000. This holds notable importance since vendors demand full payment. We would be able to continue serving Hays County veterans and their dependents through the 23-24 fiscal year if we were to receive additional funding, which would enable us to offer financial relief in the form of complete payments rather than temporary assistance in the form of partial payments.

What is the justification for the amendment?

The cost of living in Hays County is currently higher than the state average. According to the United States Census Bureau the median gross rent in Hays County is \$1,355 and the median selected monthly owner costs with a mortgage are \$2,092

We concluded the 22-23 grant year with a successful record of clients served and all funds expended. In fiscal year 23-24, Hope for Hays County Veterans was granted a sum of \$100,000. A division of the remaining grant funds would result in an allocation of roughly \$500 per application. Given the amount of debt clients bring to us in a time of crisis, \$500 is insufficient to make a difference, particularly considering that some vendors will not accept payment until the debt is paid in full.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T.CRUMLEY

Sponsor:

Commissioner Shell

Agenda Item:

Authorize the submission of a grant application to the U.S. Department of Justice, The Bureau of Justice Assistance, Body-Worn Camera Grant Program for small, rural, and tribal law enforcement agencies. (SRT) in the amount of \$9,479.40. **SHELL/T.CRUMLEY**

Summary:

This grant (SRT) proposal would provide the Hays County Fire Marshal's Office with four body-worn cameras. These cameras will support the department in ensuring the safety of deputies, aiding in training efforts, and maintaining accountability within the office. This grant (SRT) requires a dollar-for-dollar match. Required match of \$4,874.40. This grant application is not related to the Office of The Governor grant application submitted on 02/06/24.

Fiscal Impact:

Amount Requested: \$4,874.70 cash match

Line Item Number: TBD

Budget Office:

Source of Funds: N/A

Budget Amendment Required Y/N?: N/A

Comments: If awarded, the cash match will need to be identified.

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office

G/L Account Validated Y/N?: TBD

New Revenue Y/N?: TBD if Awarded

Comments:

Attachments

Budget Template

Application



(/sp/srtbwc_fy23microgrant_program)

Budget ▾

Save Changes

Close

This form is now marked complete.

Last saved on 2/23/2024 at 12:31:15 PM

FY23 Cost Categories *

× Equipment, Supplies and Other ▾

If this is the first budget line you have created for the SRT Application, select the "Equipment, Supplies and Other" Cost Category.

Which of the following best describes your agency's current status in the BWC selection or procurement process? Please check only one. *

- ☐ With this potential funding, we intend to implement a BWC program but have not explored any supply and equipment options.
- ☐ In anticipation of grant funding, we have browsed and/or explored options for BWCs but have not obtained any cost quotes.

- ☒ In anticipation of grant funding, we have a specific budget or obtained cost quotes from vendors.

Do you plan to purchase or lease a body-worn camera bundle package? *

- ☒ Yes
☐ No

How many cameras will be included? *

4

What other items are anticipated to be included in the package? *

Please select all that apply.

- ☒ Body-Worn Camera Mounting
☐ Docking/ Transfer/ Charging Stations
☐ Software-as-a-service (SaaS)
☐ Wiring and Antennas
☐ Pairing Device (i.e. phone)
☐ Shipping
☐ Support Software (i.e. redaction/transcribing/etc.)
☐ Software Programming
☐ Maintenance and Upgrade Fees
☐ Other

What is the total estimated cost of the package (total purchase - including all cameras and associated supplies/equipment)? *

\$ 9,749.40

What is the source of funds for the package? *

- ☐ Grant funding

- ☐ Match funding
- ☒ Both sources of funding

Please provide a description of how each item described above will support fulfilling the project goals and objectives? *

Body-worn cameras are a crucial tool for the Hays County Fire Marshal's office to enhance accountability and transparency. Wearing these cameras, deputies can record their actions and interactions during emergency responses, investigations, and other duties. This will help ensure that all procedures are followed correctly and that decisions are made transparently, which builds trust with the public. Moreover, body-worn cameras provide an accurate record of events, which can be used for training purposes, and reviewing incidents. With clear video evidence, the public can have confidence in the actions of the Fire Marshal's office, knowing that accountability is a top priority.

Word Count: 100 / 100

Equipment, Supplies, and Other Bundled Total Cost

\$ 9,749.40

Request Amount *

\$ 9,749.40

Non-Fed Match Amount *

\$ 4,874.70

Last saved on 2/23/2024 at 12:31:15 PM

Save Changes

Close





(/sp/srtbwc_fy23microgrant_program)

Applications ▾

Save Changes

Close

Please complete all required fields.

You can save as a draft and return later to complete by clicking "Save Draft" at the bottom of the page.

Click here (<https://www.srtbwc.com/wp-content/uploads/2023/12/SRT-BWC-Application-Instructions-v2-12.4.23-FINAL.pdf>) for the application overview page.

This form is now marked complete.
Last saved on 2/22/2024 at 3:56:34 PM

Agency Information

If your agency is not listed in the dropdown list below, please type "Other" and select it from the dropdown list.

Agency *

If your agency is not listed in the dropdown list below, please type "Other" and select it from the dropdown list.

Agency Name ***Agency Address *****Agency City *****Agency State *****Agency Zip *****What is your agency ORI? ***

If you do not have an ORI, please write N/A.

Which of the following best describes your agency? ***Please specify agency type. ***

Hays County Fire Marshal Office

How many full-time sworn police officers/deputies does your agency currently employ? *

7

Click here to find out if our agency qualifies as a rural agency.
(<https://data.hrsa.gov/tools/rural-health>)

For agencies seeking to qualify based upon a rural designation, please click on the link above. This link will bring you to the Health Resources and Services Administration (HRSA) federal agency website for you to verify your county and/or address information as rural. After you have verified your eligibility, please return to this submission portal to complete your application.

Does your agency qualify as rural? *

- ☒ Yes
☐ No
☐ Not Sure

Does your agency plan to use award funds for body-worn cameras purchased prior to January 1, 2024? *

- ☐ Yes
☒ No

Does your agency currently use body-worn cameras? *

- ☒ Yes
☐ No

How many body-worn cameras does your agency have? *

4

What was the source of funding for those cameras? Please check all that apply. *

- ☐ Federal funding
- ☐ State funding
- ☒ Local funding
- ☐ Private funding
- ☐ Other

Is your agency replacing existing body-worn cameras? *

- ☒ Yes
- ☐ No

Is your agency expanding your current body-worn camera program to additional personnel, such as in detention facilities, courts or other special units? *

- ☐ Yes
- ☒ No

Under this grant program, how many body-worn cameras do you anticipate needing in total, including replacements and expansion? *

4

Who oversees all of your agency operations (i.e., Chief, Sheriff, Commissioner, Director, etc.)? *

Different from Profile



Operations Contact First Name *

Ruben

Operations Contact Last Name *

Becerra

Operations Contact Title *

Hays County Judge

Who is the Point of Contact for this application? *

Same as Profile

Did an outside entity, such as a consultant or vendor, assist with the completion of this application? *

- ☐ Yes
- ☒ No

Can your agency commit to providing matching funds for this project? *

- ☒ Yes
- ☐ No

Body-Worn Camera Information

The following statements are common reasons that agencies would like to purchase body-worn cameras. Please identify the top three statements that best fit your agency's interest in BWCs.

1. Highest priority *

BWCs provide evidence for the investigation or prosecution of crimes

2. Next highest priority *

BWCs will serve as a de-escalation tool

3. Third highest priority *

BWCs will encourage officer compliance with my agency's policies and procedures

**Does your state require body-worn cameras for officers? ***

- ☐ Yes
- ☐ No
- ☒ Don't Know

Do you know who will serve as the Project Director for your BWC program? *

Yes

**Who in your agency will be serving as the Project Director (i.e. provide management oversight of the project) for your BWC program? ***

Different from Profile

**Project Director First Name ***

Mike

Project Director Last Name *

Jones

Project Director Rank or Agency Role *

Hays County Office of Emergency Services Director

Approximately how long has the Project Director served in your agency? *

10 or more years

**Has the Project Director managed similar technology projects in the past? Please check all that apply. ***

- ☐ In-Car Video
- ☒ Computer or IT Systems
- ☒ Communications Systems (Radios, etc.)
- ☐ Other
- ☐ The Project Director has not managed any similar technology projects in the past.

Does the Project Director have experience with any of the following tasks? Please check all that apply. *

- ☒ Staff Supervision
- ☒ Budget Management
- ☒ Project Timelines
- ☒ Training
- ☐ Vendor Relations or Procurement
- ☒ Community Relations
- ☐ Other
- ☐ The Project Director does not have any experience with the above listed tasks.

How does your agency plan to purchase your body-worn cameras? *

Seek pricing from 3 or more vendors



How much time will be spent for training on BWCs per officer/deputy before deployment occurs? *

6-10 hours per officer/deputy



What topics does your agency plan to cover during your BWC training? Please check all that apply. *

- ☒ Policy
- ☒ State Statutes

- ☒ Equipment and Technology Operations
- ☐ Other

What types of training will your agency use? Please check all that apply. *

- ☒ Roll-call Training
- ☐ Academy Training
- ☒ Refresher or Annual Trainings
- ☐ Other

What method of training will be used by your agency? Please check all that apply. *

- ☒ Lectures
- ☒ Web-based
- ☒ Field on the job training
- ☒ Scenario-based
- ☐ Other

Can your agency commit to the development of a training plan for BWC users that at the minimum includes BWC operations, BWC policy, and any state or local laws and regulations affecting BWC deployment and use? *

- ☒ Yes
- ☐ No

Does your agency currently have a body-worn camera program or plan for a BWC program? *

- ☒ Yes
- ☐ No

Does your agency have a technology system or a plan for a technology system to manage the BWC footage? *

- ☒ Yes
☐ No

Does your agency have a formally approved BWC policy? *

- ☒ Yes
☐ No

Does your agency currently employ In-Car Video (ICV)? *

- ☐ Yes
☒ No

Has your agency worked with your local or state prosecutor's office in the development of your body-worn camera program? *

- ☐ Yes
☒ No

Has your agency worked with members or organizations within the community in the development of your body-worn camera program? *

- ☐ Yes
☒ No

Are you participating in a collaboration with neighboring or regional jurisdictions to implement or expand body-worn camera programs? *

- ☐ Yes
☒ No

Grant Management Experience

Within the last 5 years, has your agency received a federal grant for any purpose, other than the Patrick Leahy Bulletproof Vest Partnership? *

- ☒ Yes
☐ No
☐ Don't Know

Approximately, how much in federal funds has your agency received in the past 5 years? *

\$50,000+



Did this grant originate from an agency within the U.S. Department of Justice? (i.e., from the Office of Community Oriented Policing Services (COPS), National Institute of Justice (NIJ), Office for Victims of Crime (OVC), the Bureau of Justice Assistance (BJA), Office on Violence Against Women (OVW) and/or Office of Juvenile Justice and Delinquency Prevention (OJJDP)). *

- ☐ Yes
☒ No

Has your agency ever received a state or local grant for any purpose? *

- ☒ Yes
☐ No
☐ Don't Know

How much in TOTAL state or local funds has your agency received in the past 2 years? *

\$50,000+



Please provide a brief description of the funding. *

Hazard Mitigation Funding (\$153,600.00) and Good Neighbor Citizen Grant Program.(\$1,500.00).

Does your agency have a pending application(s) with other potential funding sources for BWC? *

- ☒ Yes
☐ No

Please provide a brief description of the pending application and its source of funding. *

We just submitted an application to the Office of The Governor for 4 body cameras. This application is pending.

If you were to receive funding under this program, how would your agency plan to fund this body worn camera program after the grant ends? Please check all that apply. *

- ☒ Agency budget
☒ Apply for additional federal or state grants
☐ Apply for private funds
☐ We do not have any plans
☐ Other

Data Collection and Reporting

Will your agency commit to routinely reporting the number of officer-involved citizen complaints? *

- ☒ Yes
☐ No

Is your agency willing to cooperate with a program evaluation or a research study on digital evidence management? *

- ☒ Yes
☐ No

Will your agency commit to routinely reporting the number of officer-involved uses of force? *

- ☒ Yes
☐ No

Priority Considerations Supporting Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety (see Application kit for additional information).

Will your agency report data on deaths in custody? *

- ☒ Yes
☐ No

Will your agency report data on officer suicides and officers killed and assaulted? *

- ☒ Yes
☐ No

Does your agency restrict unannounced entries and neck/carotid restraints in your standard operating procedures? *

- ☒ Yes
☐ No

Does your agency restrict the possession and use of militarized equipment in your standard operating procedures? *

- ☒ Yes
☐ No

Does your agency include, or will your agency commit to including, citizen notification in your body-worn camera policy? *

- ☒ Yes
☐ No

Project Narrative

In this section, please describe how funding from this BWC program will assist each of the following entities:

- A.) Your agency;
- B.) Your community; and
- C.) Your criminal justice partners.

Project Narrative *

The Hays County Fire Marshal's Office aims to implement body-worn cameras to enhance safety and efficiency for both deputy fire marshals and the public of Hays County. These cameras will serve as valuable tools in documenting emergency responses, fire investigations, and public education efforts. By capturing footage of fire scenes and rescue operations, the Fire Marshal's Office can analyze incidents for training purposes, identify safety hazards, and improve response strategies. Additionally, the presence of body-worn cameras promotes accountability and

2/22/24, 4:02 PM

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Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding

Sponsor:

Commissioner Cohen

Agenda Item:

Amend the Transportation Department's budget for road-building materials valued at \$24,941.25 to receive approximately 225 tons of Limestone Rock Asphalt, Type II, Grade DS material from the Texas Department of Transportation through their FY 2024 County Assist Surplus Program and add to the department's inventory. **COHEN/BORCHERDING**

Summary:

The Transportation Department will receive road-building materials offered to Hays County by the State through the FY 2024 TxDOT County Assist Surplus Program. This material will be available for use on any county-maintained roadway. Attachment: TxDOT Surplus Program Work Order

Fiscal Impact:

Amount Requested: N/A

Line Item Number: 020-710-00.4610/.5351

Budget Office:

Source of Funds: Texas Department of Transportation Materials Donation

Budget Amendment Required Y/N?: Yes

Comments: Amend to record the value of the materials received.

(\$24,941.25) - Increase Contributions 020-710-00.4610

\$24,941.25 - Increase Road Materials 020-710-00.5351

Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments: N/A

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$24,941.25 in Contributions

Comments: N/A

Attachments

Assistance Letter Backup

Application Backup



P.O. DRAWER 15426 | AUSTIN, TEXAS 78761-5426 | (512) 832-7000 | WWW.TXDOT.GOV

February 5, 2024

Judge of Hays County Courthouse
111 East San Antonio Street, Suite 300
San Marcos TX 78666

In accordance with the Texas Transportation Code §201.706, the Austin District is requesting counties submit applications for County Assistance. Distributed materials may include surplus materials on hand or new materials. New materials will be made available when surplus materials on hand are not sufficient to meet the required annual value.

Hays County is eligible to receive **\$24,941.25** of roadway materials. **Requests for material for fiscal year 2024 are to be submitted to the county's TXDOT maintenance office by February 15 2024, and materials must be picked up or delivered before March 1, 2024.**

Each county shall request their roadway materials in one county-wide submission and materials from our surplus stock will be distributed on a first-come, first-served basis. Each county is responsible for the hauling of all surplus materials received under this program. New materials will be hauled by the suppliers to the county, and the cost of delivery will be included in the value of materials received. Surplus materials not requested by your county will be made available to other counties.

Enclosed you will find the following: 1) a list of the maintenance offices in the Austin District, location and contact information; 2) an application form for roadway materials requests; 3) a list of available surplus inventory and its location.

If you have any questions concerning this program please contact Chris Martinez at (512) 865-1896, or by e-mail at chris.martinez@txdot.gov. We look forward to receiving your request.

Sincerely,

Omar X. De Leon, P.E.
Director of Operations

cc: William Semora Jr. Hays Area Engineer, Austin District, TxDOT Jesse Serna, Hays Maintenance Supervisor, Austin District, TxDOT

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer



**APPLICATION FOR TxDOT MATERIALS
AUSTIN DISTRICT
(Per Transportation Code §201.706)**

Hays County Date of Program Call: January 2024

(Clearly print or type)

Use one application form for each material requested.

If the requested material is from the Austin District's surplus list then the county will be responsible for hauling and it will not be necessary to specify a delivery location.

If the requested material is not found on the Austin District's surplus list, then TxDOT may requisition it from a supplier. In that case, it will be necessary to specify the delivery site for the material. Directions to the delivery site should be from the closest State roadway. The directions should also be specific regarding distance, direction traveled, landmarks, etc. Please limit the FOB sites to as few locations as possible.

IF THE COUNTY REQUESTS MATERIALS NOT FOUND ON THE SURPLUS LIST, TxDOT RESERVES THE RIGHT TO SUBSTITUTE COMPARABLE SURPLUS MATERIALS FOR THOSE REQUESTED BY THE COUNTY.

County Priority:		
Material Needed:	LRA-DS	Quantity (with units) 225 Tons
<div style="text-align: center;">If requesting new materials, specify delivery location in detail:</div> <div style="border-top: 1px dashed black; border-bottom: 1px dashed black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px dashed black; border-bottom: 1px dashed black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px dashed black; border-bottom: 1px dashed black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px dashed black; border-bottom: 1px dashed black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px dashed black; border-bottom: 1px dashed black; height: 10px; margin-top: 5px;"></div>		



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sheriff Gary Cutler

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Approve out-of-state travel for Records Program Administrator Kelsie Pina and Emergency Communications Manager Megan Jones to attend the Tyler Connect Conference on May 19-22, 2024, in Indianapolis, Indiana. **INGALSBE/CUTLER**

Summary:

Approve out-of-state travel for Records Program Administrator Kelsie Pina and Emergency Communications Manager Megan Jones to attend the Tyler Connect Conference on May 19-22, 2024, in Indianapolis, Indiana. Mrs. Jones is a member of the Tyler New World CAD Advisory Group and is required to attend. Both Mrs. Jones and Ms. Pina will be able to attend numerous educational and training sessions highlighting software enhancements and advanced product use to help improve performance and the Sheriff's Office outcomes and efficiencies. They will be able to network with professional peers from across the country to exchange insights and solutions to better use the technology. Funding for registration fees and travel expenses, including airfare, hotel, and per diem fees, will be paid out of the Sheriff's Office Continuing Education funds.

Fiscal Impact:

Amount Requested: \$5,000 estimate for air fare, hotel, conference registration, per diems
Line Item Number: 001-618-00.5551

Budget Office:

Source of Funds: General Fund
Budget Amendment Required Y/N?: No
Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD
Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes, Continuing Education Expense
New Revenue Y/N?: N/A
Comments:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sheriff Gary Cutler

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Approve out-of-state travel for Corporal Garrett Dominguez to attend Hostage Crisis Negotiations Level II on May 20-24, 2024, in Jacksonville, Florida. **INGALSBE/CUTLER**

Summary:

Approve out-of-state travel for Corporal Garrett Dominguez to attend Hostage Crisis Negotiations Level II on May 20-24, 2024, in Jacksonville, Florida. This course will enhance Cpl. Dominguez's knowledge and skills that he acquired upon completing the Basic Crisis Negotiations Course. This course will introduce advanced negotiation concepts and shift the primary focus to team building and team roles and responsibilities. This course will take an in-depth look at a subject's psychological state and methods to de-escalate situations involving subjects displaying psychosis/psychotic behavior, domestic violence, and the cycle of violence to achieve cooperation. Funding for registration fees and travel expenses, including airfare, hotel, rental car and per diem fees, will be paid for out of the Sheriff's Office Continuing Education funds.

Fiscal Impact:

Amount Requested: \$4,300 estimate for air fare, hotel, rental car, registration, per diems

Line Item Number: 001-618-00.5551

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: N/A

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office

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

New Revenue Y/N?: N/A

Comments:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sheriff Gary Cutler

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Authorize the acceptance of a donation to the Sheriff's Office of \$4,278.10 for the purchase of law enforcement equipment and amend the budget accordingly. **INGALSBE/CUTLER**

Summary:

On October 10, 2023, the court authorized the acceptance of a grant award from the Office Of the Governor totaling \$30,892. The award is for the purchase of camera poles. The S.O. received a donation of \$4,278.10 from the Hays County Citizen Sheriff's Academy Alumni Association Inc. to complete this purchase by the grant-end period of 3/31/2024. The S.O. has obtained three quotes for this purchase, and they are included with the agenda item.

Fiscal Impact:

Amount Requested: None

Line Item Number: 001-618-00.4614/.5719_700

Budget Office:

Source of Funds: Donated Funds

Budget Amendment Required Y/N?: Yes

Comments: Budget donated funds in operating budget to complete equipment purchase.

(\$4,279) - Increase Contributions_Capital 001-618-00.4614

\$4,279 - Increase Misc. Equipment_Capital 001-618-00.5719_700

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments: 3 quotes received, will still need to enter a PO.

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$4,278.10 in Capital Contributions

Comments:

Attachments

Quotes

Alumni Letter

Quote

Date	Quote No.
11/8/2023	2447
Expiration Date	
12/8/2023	
Vendor #	

Salesperson	Job	Delivery Days-ARO	Terms
Devin	TE Pole Camer	60	Net 30

For those wishing to pay with a credit card there will be a 3.5% convenience fee.



1313 West Bagley Road • Berea, OH 44017
 Toll Free: 800-888-4002 • Local: 440-239-0100
 Fax: 440-239-9243
 www.protechsales.com

Quote

Date: November 9 2023 **Quote #:** 324864

Expires: 60 days 60 days

Department: Hays Co Sheriff's Office

ATTN: Paul Mooney

Address: 1307 Uhland Rd

City: San Marcos

State: TX

Zip: 78666

Phone:

Fax:

E-Mail:

Ship To Location: (if different from above)

Department:

ATTN:

Address:

City:

State:

Zip:

#	Qty	Part Number	Description	Cost Each	Total Cost
1					
2	1	17' Core Kit	Core Pole kit		\$10,499.00
3	1	UDC4	Core kit		\$14,569.00
5	1	PG 17	17" Pole Grip		\$4,700.00
6	3	Core Mon	CORE Monitors	\$2,139.00	\$6,417.00
7					

Federal Id#: 34-1607042

Delivery: FOB Origin

Quote by: Ed

E-mail:

edrell@protechsales.com

Title: Sales Representative

Sub-Total: \$36,185.00

Shipping: \$215.00

Tax:

Total: \$36,400.00

Purchase Order #:		Date:		Exp. Date:
Card Credit Type:		Card #:		Sec Code:
Name on Card:		Billing Address:		
City:	State:	Zip:		



TACTICAL ELECTRONICS

ELITE TACTICAL CAMERAS & EOD SOLUTIONS

Company Address 2200 N Hemlock Ave
Broken Arrow, OK 74012
US

Phone 918-249-8326

Created Date 11/13/2023
Expiration Date 3/13/2024
Quote Number 2023-2505
Lead Times 60 Days ARO

Prepared By Curtis Sprague
Phone 918-249-8326 x206
Email curtis.sprague@tacticalelectronics.com
Fax 918-249-8328

Contact Name Paul Mooney
Phone (512) 393-7800
Email paul.mooney@co.hays.tx.us

Bill To Name Hays County Sheriff's Office
Bill To Hays County Sheriff's Office
1307 Uhland Road
San Marcos, TX 78666
US

Ship To Name Hays County Sheriff's Office
Ship To Hays County Sheriff's Office
1307 Uhland Road
San Marcos, TX 78666
United States

Product	Part Number	Sales Price	Quantity	Total Price
CORE Monitor	CR01MONR01BL	\$2,155.00	3.00	\$6,465.00
CORE Pole Camera 17' KIT	CR03POLE01BL-17FT	\$10,500.00	1.00	\$10,500.00
CORE Pole Grip 17'	CR01POLE01BL-17FT	\$4,725.00	1.00	\$4,725.00
CORE Under Door Camera- 4 camera version	CR01UDCC04BL	\$14,574.00	1.00	\$14,574.00

Subtotal \$36,264.00
Discount 0.00%
Total Price \$36,264.00
Shipping and Handling \$45.63
Grand Total \$36,309.63

*Unless otherwise noted, this quote may include items from the U.S. Munitions List (USML) or the Commerce Control List (CCL). USML/CCL commodities are controlled by the U.S. Government and in many cases cannot be transferred (exported, sold or given) to a foreign country, a non U.S. Citizen/National, or a non-Permanent U.S. Resident without a valid State/Commerce Department export authorization. **It is the responsibility of the purchaser to determine what the applicable requirements may be and to obtain all necessary authorizations, licenses or approvals.** The use, disposition, export and re-export of the property covered or included in this quote is subject to the provisions of law included in the Arms Export Control Act (22 USC 2751 et seq.); Export Administration Act of 1979 (50 USC App. 2401 et seq.) as contained under Executive Order 1294; International Traffic in Arms Regulation (22 CFR 120 et seq.); Export Administration Regulations (15 CFR 730 et seq.); Foreign Assets Control Regulations (31 CFR 500 et seq.) and the Espionage Act (18 USC 793 et seq.).*



Hays County Citizens Sheriff's Academy Alumni Association

810 S. Stagecoach Trail, San Marcos Texas 78666
(512) 393-7792

February ,24, 2024

HAYS COUNTY SWAT TEAM
810 S. Stagecoach Trail
San Marcos, Texas 78666

Your request of January 8, 2024 for monetary assistance in order to complete the purchase of a Core Tactical Kit in the amount of \$4278.10 is approved. Please let us know how to complete our donation in that amount in order for you to complete the purchase of said Core Tactical Kit.


Gary Anderson
Treasurer.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jude Prather, Director of Veteran Services

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Authorize payment to Panoramic Software Inc. in the amount of \$1,980 for Vetpro software licenses for the Veteran's Administration Office in which no purchase order was issued as required per the Hays County Purchasing Policy. **INGALSBE/PRATHER**

Summary:

The Veteran's Administration Office was approved the purchase of Panoramic Software Inc. for Vetpro software licenses in FY2024. However, the company does not provide a service agreement or accept purchase orders. This software is a web-based Veteran claims management software solution which has enhanced the VSO daily processes. Funds are available in their operating budget to cover this expense.

Fiscal Impact:

Amount Requested: \$1,980.00

Line Item Number: 001-720-00.5429

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 renewal

Auditor's Office

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

New Revenue Y/N?: N/A

Comments:

Attachments

Panoramic Software Invoice

Panoramic Software Inc.
32932 Pacific Coast Highway #14-482
Dana Point, CA 92629 US
949-496-4236
britt@panosoft.com
www.panosoft.com

Invoice

**BILL TO**

Hays County Veterans Services Office
Attn: Michael Hernandezq
111 E San Antonio St #200
San Marcos TX 78666

SHIP TO

Hays County Veterans Services Office
Attn: Michael Hernandezq
111 E San Antonio St #200
San Marcos TX 78666

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
13553	10/02/2023	\$1,980.00	11/01/2023	Net 30	

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	VetPro National User Annual License Fee License Term: October 1, 2023-September 30, 2024	4	495.00	1,980.00

BALANCE DUE

\$1,980.00



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sheriff Gary Cutler

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Authorize the Jail Facility to replace a backflow enclosure where insurance proceeds were received totaling \$7,581.53 and amend the budget accordingly. **INGALSBE/CUTLER**

Summary:

In November of last year, a vehicle hit a backflow enclosure causing damage and requiring replacement. The jail received insurance proceeds of \$7,581.53 to replace this item.

Fiscal Impact:

Amount Requested: \$7,460 (equipment only)

Line Item Number: 001-618-03.4680/.5719_700

Budget Office:

Source of Funds: Insurance Proceeds

Budget Amendment Required Y/N?: Yes

Comments: Budget full insurance proceeds \$7,581.53, which includes \$7,460 for equipment to be purchased and \$121.53 for county labor for installation already budgeted.

(\$7,582) - Increase Compensation for Loss 001-618-03.4680

\$7,460 - Increase Misc. Equipment_Capital 001-618-00.5719_700

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?: Yes, \$7,582 in Compensation for Loss

Comments:

Attachments

Claim Quotes

Quote

JHB SUPPLY, LLC

Landscape • Industrial • Commercial



Date	Quote #
11/30/2023	11928

19125 North Creek PKWY
Suite 120 #303
Bothell, WA 98011
Phone: 425-533-0984

www.eastgatesupply.com

Ship To

Hays County Sheriff Office
Charles Dauwalder
Ship to Zip Code: 78666
512-738-0634

Order Notes

All quotes are valid for 30 days unless
explicitly stated otherwise.

Ordering:

Payment by Credit Card:

Call (800) 583-4891

Payment by Check:

Mail a check with your quote number to:

JHB Supply LLC
ATTN: A/R Processing
20715 N Pima Road, Suite 108
Scottsdale, AZ 85255

Payment by Wire Transfer:

Please email support@eastgatesupply.com for wire
transfer instructions. Please include your quote
number.

Item	Description	Qty	Rate	Total
600-AL	600-AL (2) Doors / 1000Watt Slab Mount Heater HCH1000-120	1	7,460.00	7,460.00
Delivery	Shipping - Delivery Included		0.00	0.00
Sales-Tax	Note: Sales tax will be added to final order if tax exempt permit is not provided at time of purchase.		0.00	0.00
			Total	\$7,460.00

Melanie Munoz

From: Vickie Dorsett
Sent: Wednesday, January 17, 2024 3:27 PM
To: Melanie Munoz; Erica Hernandez
Cc: Julie Villalpando; Chad Edwards
Subject: RE: Backflow Enclosure

Below is the estimated salary cost. Let me know if you need anything else.

<u>Employee</u>	<u>Emp ID</u>	<u>Hrly Rate</u>	<u>Est. Hours</u>	<u>Salary Cost</u>	<u>Fringe</u>	<u>Total</u>
	2389	\$ 29.01	2	\$ 58.02	\$ 12.42	\$ 70.45
	9512	\$ 21.04	2	\$ 42.08	\$ 9.01	\$ 51.08
						\$ 121.53

Vickie G. Dorsett
Budget Officer/Payroll Director
Hays County
O: 512.393.2275
M: 512.757.5917

Confidentiality Notice: The information contained in this message is covered by the Electronics Communications Act, 18 U.S.C. 2510-2521 and may be privileged and/or confidential and protected from disclosure. Unauthorized review, use, disclosure, or distribution is strictly prohibited. If you are not the intended recipient, please contact sender by e-mail, and destroy all copies of the original message. Thank you.

From: Melanie Munoz <melanie.munoz@co.hays.tx.us>
Sent: Wednesday, January 17, 2024 3:12 PM
To: Vickie Dorsett <vickie.dorsett@co.hays.tx.us>; Erica Hernandez <erica.hernandez@co.hays.tx.us>
Cc: Julie Villalpando <julie@co.hays.tx.us>; Chad Edwards <chad.edwards@co.hays.tx.us>
Subject: RE: Backflow Enclosure

Hi Vickie,

I know you're super busy! What information do you need to factor in labor costs to repair the backflow enclosure? I will need something showing labor costs in order to send that to Statefarm to include in the check total.

██████████ - \$29.01 hourly

██████████ \$21.03 hourly

Please let me know what else you may need.

Thank you,



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sheriff Gary Cutler

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Authorize the execution of the FY 2024 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF) and amend the budget accordingly. **INGALSBE/CUTLER**

Summary:

The Sheriff's Office has received funding from the Drug Enforcement Administration to offset overtime costs for the deputy assigned to the OCDETF Program. Funding refers to the following programs; no county match is required.

OCDETF, SW-TXW-1015 Banded Rock, \$3,000

OCDETF, SW-TXW-1008 Operation Brock, \$4,000

OCDETF, SW-TXW-1032 No Saints, \$3,000

OCDETF, SW-TXW-0967 Carrera de Tortugas, \$2,000

Fiscal Impact:

Amount Requested: None

Line Item Number: 001-618-99-069.4301/.5032

Budget Office:

Source of Funds: DOJ Grant Funds

Budget Amendment Required Y/N?: Yes

Comments: N/A

(\$10,000) - Increase Intergovernmental Revenue

\$10,000 - Increase Overtime CBA

Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$10,000 in Intergovernmental Revenues

Comments:

Attachments

OCDETF SLOT Agreement SW-TXW-0967

OCDETF SLOT Agreement SW-TXW-1008

OCDETF SLOT Agreement SW-TXW-1015

OCDETF SLOT Agreement SW-TXW-1032

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement
For the Use of the State & Local Overtime and Authorized
Expenses / Strategic Initiative Program

UEI #:

EFT*
indicator:

Federal Tax Identification: -

EXO USE ONLY

DC#: A-32-

*EFT indicator is required if there is more than one bank account associated with the UEI.

Amount Requested:

Amount requested should match the amount calculated on the Initial Funding Form, Page 2

Number of Officers Listed:

OCDETF Investigation / Strategic Initiative
Number:

Operation
Name:

From:

Beginning Date of Agreement

To:

Ending Date of Agreement

Federal Agency Investigations
Number:

Sponsoring Federal Agency(ies):

State & Local Organization

Supervisor:

Phone Number:

Email Address:

Group / Squad Supervisor:

Phone Number:

Email Address:

State & Local Organization Name:

State & Local Address:

Addendum A in use? Y N

Please provide the name, phone number, and email address for the **financial staff person(s)** who is/are directly responsible for the billing on the Reimbursement Request at the State & Local Organization and the person responsible for the **Sam.gov entity administration**:

Finance Contact:

Phone Number:

Email Address:

SAM.gov Entity
Administrator:

Phone Number:

Email Address:

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement Initial Funding Form
For the Use of the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

OCDETF Case #: _____

Amount Requested: _____

This amount should be entered on Page 1 of the Reimbursable Agreement.

Please note: The amount requested should cover your active investigation plan from the agreement start date (which cannot be prior to the case approval date. Proactive funding analysis will be conducted to determine the need for additional funds throughout the life of the agreement.

Agreement Activity: *(Please check all that apply)*

Surveillance

Takedown

Trial/Court

Wire

Approved
Pending

Other

If Other, please describe the type of investigative activity the State & Local Agency will be participating in:

Factors to Consider when Determining the Initial Agreement Amount: *(Required)*

Average Officer Overtime Rate::

Estimated overtime hours for your active
investigation plan, from the agreement start date:

Prior year agreement spending,
if any:

Please provide a brief explanation on how the initial funding amount was determined, if other factors were considered:

This Agreement is between the above-named State & Local Law Enforcement Organization and the Organized Crime Drug Enforcement Task Forces (OCDETF) Program. This Agreement shall be effective when signed by State & Local Law Enforcement Organization official who has supervisory authority over, and is authorized to assign, the participating Law Enforcement Officers to the OCDETF investigation or Strategic Initiative; the Sponsoring Federal Agency Special Agent in Charge (SAC), or designee, of the sponsoring Federal Agency field office where the State & Local Officers will be working; the sponsoring Agency Regional OCDETF Coordinator; the Regional OCDETF Director; and the OCDETF Executive Office.

1. It is agreed that the State & Local Law Enforcement officers named on this Agreement will assist in OCDETF Investigations, Strategic Initiatives and prosecutions as set forth in the Organized Crime Drug Enforcement Task Forces State & Local Overtime and Authorized Expense/Strategic Initiative Programs, Policies and Procedures Manual, Fiscal Year 2024.
2. No individual Agreement with a State & Local Organization may exceed \$25,000; and the cumulative amount of OCDETF State & Local overtime monies that may be expended on a single OCDETF investigation within a single fiscal year may not exceed \$50,000 without express prior approval from the OCDETF Executive Office. The OCDETF EXO will entertain requests to exceed these funding levels; however, there will be increased scrutiny from management pursuant to levels of funding requested. To receive approval to exceed this level of funding, a Cap Waiver Request Form approved by the Regional Director, must be sent to the to the OCDETF Internal Auditor and OCDETF Budget Mailbox (ocdetf.budget.mailbox@usdoj.gov).
3. Each Reimbursable Agreement will be allowed no more than five (5) modifications per year. If the funds for a particular Agreement are completely deobligated with the intention of closing the Agreement, it will not count as a modification for purposes of this policy. No increase modifications should be submitted if there are no bills entered on the Agreement in MIS. These amendments or changes must be submitted as a Modification Memo, signed by the Regional OCDETF Director, or designee, and sent to the OCDETF EXO in a timely manner not to exceed thirty (30) days. The signed Modification Memo should be returned to the State & Local Organization, included in the region's State & Local agreement file, and be available upon request.
4. If an Agreement does not have a bill entered in MIS within ninety (90) days of the Agreement funding date (in MIS) or ninety (90) days between the last bill payment date (in MIS), the funds should be deobligated. [For example, if an Agreement is dated October 1st, and there is no activity by December 30th, the Agreement's funds should be deobligated.] The Regional Program Specialist Assistant/Program Specialist will routinely run 90-day inactivity reports from MIS to identify inactive Agreements eligible for deobligation. The OCDETF EXO will assist with monitoring aging Agreements. Furthermore, if a State & Local Organization determines there will be no additional work performed under a particular Agreement, a funding change notification (modification memo) identifying the amount to be deobligated should be submitted to the OCDETF EXO as soon as possible.
5. The State & Local Law Enforcement Organization agrees to provide experienced Law Enforcement officers who are identified in this Agreement to work on the specified OCDETF Investigation or Strategic Initiative. Any change in Law Enforcement officers assigned must be agreed to by all approving officials.
6. Officers who are not deputized shall possess no Law Enforcement authority other than that conferred by virtue of their position as a commissioned officer of their parent Agency.
7. Officers who are deputized may possess Federal Law Enforcement authority as specified by the Agency affording the deputation.

8. Any State & Local officers assigned to an OCDETF Investigation or Strategic Initiative in accordance with this Agreement are not considered Federal employees and do not take on the benefits of Federal employment by virtue of their participation in the Investigation or Strategic Initiative.
9. Officers assigned to OCDETF investigations or Strategic Initiatives are expected to work full-time (as defined by the State & Local Organization) on the investigation(s) or Strategic Initiative(s) to be paid overtime. To satisfy the “full-time” expectation, a Law Enforcement Officer should work forty (40) hours per week as defined by the State & Local Organization or eight (8) hours per day on a single, or multiple, OCDETF investigation(s) or Strategic Initiative(s). Any established exceptions or waivers to this definition shall be approved by the RCG and attached as an Addendum A to the Agreement. Officers not meeting the full-time expectation will not be reimbursed for overtime without an approved exception or waiver in the Addendum A. If the Addendum A allows for zero regular hours to be worked, it must also limit the number of overtime hours allowed in a billing month with zero regular hours (the limit established is up to the discretion of the RCG but should be explicitly mentioned in Addendum A if allowed).
10. The Reimbursement Request must be submitted to the Regional Coordination Group within thirty (30) days of the close of the month in which the overtime was worked. [For example, if overtime is incurred in May, the Reimbursement Request for the May overtime should be submitted to the Regional Coordination Group no later than June 30th.] Requests not submitted within this period, may not honored or paid.
11. Analysis of reimbursement claims by the Regional Coordination Group may result in a modification of the obligation of funds contained within this Agreement as well as the period covered. The Organization affected by any such modification will receive a memo notifying them of the changes.
12. Overtime payments, including all other non-OCDETF Federal sources (such as Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) may not, on an annual per person basis, exceed 25% of the current approved Federal salary rate in effect at the time the overtime is performed. The State & Local Organization is responsible for ensuring that this annual payment is not exceeded. The OCDETF Program Specialist, or designee, will monitor these payments through MIS and communicate to the Federal Agency Regional OCDETF Coordinators, who provide status updates to any officer approaching the threshold.
13. The Overtime Log (page 2 of the Reimbursement Request) must be attached to the Reimbursement Request when submitting the monthly invoices. When completing the Overtime Log, each column must be completed with the totals reported at the bottom. The Overtime Log must include the officer’s name from the Agreement or Officer Modification Form, the number of regular hours worked, the number of overtime hours worked, the overtime rate, and the cumulative overtime total of each State & Local Officer on all federal cases such as HIDTA, Safe Streets, etc. Do not leave any columns blank; enter “0” for any columns with a non-applicable amount. The ‘Totals’ row of Columns A, B, D, and E must match the amounts listed on the Reimbursement Request. Additionally, the Reimbursement Request contains an officer’s Overtime Log for tracking individual officer’s hours. The column in the overtime log titled ‘Other Federal Overtime earned this Fiscal Year’ should be used to track other federal non-OCDETF cases (i.e., Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) overtime hours earned in the fiscal year, so when combined with the officer’s total OCDETF overtime hours the individual officer’s total federal overtime hours can be tracked towards the 25% threshold.
14. Under no circumstances will the State & Local Organization charge any indirect costs for the administration or implementation of this Agreement.
15. The State & Local Law Enforcement Organization shall maintain paper or electronic records for a period of six (6) years. Accurate and complete records must account for all obligations and expenditures of funds under the agreement in accordance with generally accepted accounting principles to facilitate on-site auditing and inspection.

16. The RCG is also responsible for identifying and implementing any additional policy requirements for its specific region, as needed. Regional policies are documented in the Addendum B of approved Agreements. The agencies must adhere to these additional requirements unless they have written approval by the RCG for any exceptions to the regional policies.
17. The sponsoring Federal Agency considers DOJ as a sharing participant of any assets seized and forfeited for the investigation.
18. Fringe benefits (such as retirement, FICA, or other expenses) are NOT to be included in overtime payment. Auxiliary educational benefits are also NOT to be included in overtime payment. Reimbursement of overtime payment is based solely on the authorized overtime rate of each participating officer listed in the Agreement. Under no circumstances may a State & Local Law Enforcement Organization include any administrative fees for the processing of overtime. Additionally, officers are not eligible for reimbursement of compensation time earned in lieu of overtime payment. OCDETF will only reimburse an actual dollar (\$) amount paid to the officer for overtime worked, any additional benefit (including compensation time) will NOT be reimbursed.
19. The State & Local Law Enforcement Organization shall permit examination and auditing by representatives of OCDETF, the sponsoring Federal Agency, the U.S. Department of Justice, the Comptroller General of the United States, and/or any of their duly authorized agents and representatives, of all records, documents, accounts, invoices, receipts, or expenditures relating to this agreement. In addition, all such records and reports shall be maintained until all audits and examinations are completed and resolved, or for a period of six (6) years after termination of the agreement, whichever is later. Failure to provide proper documentation will limit State & Local Law Enforcement Organizations from receiving OCDETF funding in the future.
20. The State & Local Organization will comply with Title VI of the Civil Rights Act of 1964 and all requirements applicable to OCDETF Agreements pursuant to the regulations of the Department of Justice (see, 28 C.F.R. Part 42, Subparts C and G; 28 C.F.R. 50.3 (1991)) relating to discrimination on the grounds of race, color, sex, age, national origin, or handicap.
21. This Agreement may be terminated by any of the parties by written notice to the other parties ten (10) business days prior to termination. Billing for outstanding obligations shall be received by OCDETF within thirty (30) days of the notice of termination.
22. The Debt Collection Improvement Act of 1996 requires that most payments made by the Federal government, including vendor payments, must be made by electronic funds transfer (EFT). In accordance with the act, all OCDETF reimbursement payments will be issued via EFT. Participants are required to register in SAM.gov to receive reimbursements; registration information will be provided upon request. In certain circumstances the OCDETF Executive Office may make exceptions for Organizations that are unable to accept this form of payment, however, such Organizations must include written justification in the addendum of each new Agreement.

This Agreement is not a contract or obligation to commit Federal funds in the maximum amounts projected. Funding allocations for the period set forth and agreed to herein represent projections only and are based upon consultation between the sponsoring Federal Agency and the State & Local Law Enforcement Organization. They are, therefore, subject to modification by OCDETF based upon the progress and needs of the OCDETF investigation or Strategic Initiative. Additionally, resources are contingent upon the availability of AFF funds per the approval and signature of the OCDETF EXO obligating authority. The OCDETF EXO will approve and certify all terms and conditions of the Agreement have been met.

Approved By: _____
Authorized State & Local Official Title Date

Print Name

Approved By: _____
Sponsoring Federal Agency Special Agent in Charge or Designee Date

Print Name

Approved By: _____
Sponsoring Agency Regional OCDETF Coordinator Date

Approved By: _____
Assistant United States Attorney Regional OCDETF Director/Program Specialist Date

Funds are encumbered for the State & Local Organization overtime costs and authorized expense/Strategic Initiative Programs specified above. **Subject to availability of funds.**

Approving Official: _____
OCDETF Executive Office Date

Organized Crime Drug Enforcement Task Forces
FY 2024 State & Local Law Enforcement Officers Assigned to
Participate in the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

	<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

OCDETF Officer Form (Continued)

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		
30.		
31.		
32.		

*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

Addendum A

Definition of “Full-Time Participation” Exemption

The Southwest Region Coordination Group State and Local OVERTIME POLICY

For purposes of reimbursing OCDETF overtime claims, the following applies:

- 1. Work 40 hours per week on a single OCDETF investigation or multiple OCDETF investigations; or**
- 2. If the officer/agent is not assigned full time to a task force working exclusively OCDETF investigations, then the officer/agent is required to work 8 hours regular time in a given day toward the OCDETF investigation before claiming any overtime; or**
- 3. To accommodate exigent unforeseen circumstances when effective management of dedicated resources cannot handle a particular enforcement action, overtime hours incurred may be reimbursed without the officer/agent having worked an 8 hour shift dedicated to the investigation, provided that the officer/agent is diverted from normal shift work to accommodate the need at the request of a supervisor of a federal agency.**

Reimbursement under such circumstances will be limited to the overtime incurred in response to the unforeseen exigent circumstances, that is, when the enforcement action is complete, no additional overtime will be reimbursed without compliance with 1 or 2 above. Under no circumstances will more than 24 overtime hours per month per state/local entity be reimbursed under this provision. The federal agency supervising the enforcement action should notify the appropriate Regional Coordinator of the enforcement action and overtime hours incurred by the State and Local Department(s) promptly.

Exemptions will be considered on a case by case basis per individual incident. All approvals are subjected to the availability of funds.

A written justification for any waiver request where no regular hours were worked, under exceptions # 2 and #3, must be attached to each affected claim for reimbursement.

Any Other Exceptions or Justifications

NONE

ADDENDUM B
TO STATE AND LOCAL OVERTIME AGREEMENT
STRATEGIC INITIATIVE FUNDING REQUEST

Note: The following ONLY pertains to Strategic Initiative Funding Requests

State and Local agencies acknowledge that all proposed expenditures requested under State and Local Overtime funds are conditioned upon the Southwest Regional Coordination Group (RCG) approval concurrent with any pre-approval process by the OCDETF Executive Office before funding is initiated.

Furthermore, the requesting State and Local agencies acknowledge that any approval process from the State and Local Overtime funds are considered reimbursable expenditures.

Any State and Local agency seeking Strategic Initiative Funding should initially contact the federal agency point of contact. The federal agency point of contact will coordinate further responses with the RCG.

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement
For the Use of the State & Local Overtime and Authorized
Expenses / Strategic Initiative Program

UEI #:

EFT*
indicator:

Federal Tax Identification: -

*EFT indicator is required if there is more than one bank account associated with the UEI.

EXO USE ONLY

DC#: A-32-

Amount Requested:

Amount requested should match the amount calculated on the Initial Funding Form, Page 2

Number of Officers Listed:

OCDETF Investigation / Strategic Initiative
Number:

Operation
Name:

From:

Beginning Date of Agreement

To:

Ending Date of Agreement

Federal Agency Investigations
Number:

Sponsoring Federal Agency(ies):

State & Local Organization

Supervisor:

Phone Number:

Email Address:

Group / Squad Supervisor:

Phone Number:

Email Address:

State & Local Organization Name:

State & Local Address:

Addendum A in use? Y N

Please provide the name, phone number, and email address for the **financial staff person(s)** who is/are directly responsible for the billing on the Reimbursement Request at the State & Local Organization and the person responsible for the **Sam.gov entity administration**:

Finance Contact:

Phone Number:

Email Address:

SAM.gov Entity
Administrator:

Phone Number:

Email Address:

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement Initial Funding Form
For the Use of the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

OCDETF Case #: _____

Amount Requested: _____

This amount should be entered on Page 1 of the Reimbursable Agreement.

Please note: The amount requested should cover your active investigation plan from the agreement start date (which cannot be prior to the case approval date. Proactive funding analysis will be conducted to determine the need for additional funds throughout the life of the agreement.

Agreement Activity: *(Please check all that apply)*

Surveillance

Takedown

Trial/Court

Wire

Approved
Pending

Other

If Other, please describe the type of investigative activity the State & Local Agency will be participating in:

Factors to Consider when Determining the Initial Agreement Amount: *(Required)*

Average Officer Overtime Rate::

Estimated overtime hours for your active
investigation plan, from the agreement start date:

Prior year agreement spending,
if any:

Please provide a brief explanation on how the initial funding amount was determined, if other factors were considered:

This Agreement is between the above-named State & Local Law Enforcement Organization and the Organized Crime Drug Enforcement Task Forces (OCDETF) Program. This Agreement shall be effective when signed by State & Local Law Enforcement Organization official who has supervisory authority over, and is authorized to assign, the participating Law Enforcement Officers to the OCDETF investigation or Strategic Initiative; the Sponsoring Federal Agency Special Agent in Charge (SAC), or designee, of the sponsoring Federal Agency field office where the State & Local Officers will be working; the sponsoring Agency Regional OCDETF Coordinator; the Regional OCDETF Director; and the OCDETF Executive Office.

1. It is agreed that the State & Local Law Enforcement officers named on this Agreement will assist in OCDETF Investigations, Strategic Initiatives and prosecutions as set forth in the Organized Crime Drug Enforcement Task Forces State & Local Overtime and Authorized Expense/Strategic Initiative Programs, Policies and Procedures Manual, Fiscal Year 2024.
2. No individual Agreement with a State & Local Organization may exceed \$25,000; and the cumulative amount of OCDETF State & Local overtime monies that may be expended on a single OCDETF investigation within a single fiscal year may not exceed \$50,000 without express prior approval from the OCDETF Executive Office. The OCDETF EXO will entertain requests to exceed these funding levels; however, there will be increased scrutiny from management pursuant to levels of funding requested. To receive approval to exceed this level of funding, a Cap Waiver Request Form approved by the Regional Director, must be sent to the to the OCDETF Internal Auditor and OCDETF Budget Mailbox (ocdetf.budget.mailbox@usdoj.gov).
3. Each Reimbursable Agreement will be allowed no more than five (5) modifications per year. If the funds for a particular Agreement are completely deobligated with the intention of closing the Agreement, it will not count as a modification for purposes of this policy. No increase modifications should be submitted if there are no bills entered on the Agreement in MIS. These amendments or changes must be submitted as a Modification Memo, signed by the Regional OCDETF Director, or designee, and sent to the OCDETF EXO in a timely manner not to exceed thirty (30) days. The signed Modification Memo should be returned to the State & Local Organization, included in the region's State & Local agreement file, and be available upon request.
4. If an Agreement does not have a bill entered in MIS within ninety (90) days of the Agreement funding date (in MIS) or ninety (90) days between the last bill payment date (in MIS), the funds should be deobligated. [For example, if an Agreement is dated October 1st, and there is no activity by December 30th, the Agreement's funds should be deobligated.] The Regional Program Specialist Assistant/Program Specialist will routinely run 90-day inactivity reports from MIS to identify inactive Agreements eligible for deobligation. The OCDETF EXO will assist with monitoring aging Agreements. Furthermore, if a State & Local Organization determines there will be no additional work performed under a particular Agreement, a funding change notification (modification memo) identifying the amount to be deobligated should be submitted to the OCDETF EXO as soon as possible.
5. The State & Local Law Enforcement Organization agrees to provide experienced Law Enforcement officers who are identified in this Agreement to work on the specified OCDETF Investigation or Strategic Initiative. Any change in Law Enforcement officers assigned must be agreed to by all approving officials.
6. Officers who are not deputized shall possess no Law Enforcement authority other than that conferred by virtue of their position as a commissioned officer of their parent Agency.
7. Officers who are deputized may possess Federal Law Enforcement authority as specified by the Agency affording the deputation.

8. Any State & Local officers assigned to an OCDETF Investigation or Strategic Initiative in accordance with this Agreement are not considered Federal employees and do not take on the benefits of Federal employment by virtue of their participation in the Investigation or Strategic Initiative.
9. Officers assigned to OCDETF investigations or Strategic Initiatives are expected to work full-time (as defined by the State & Local Organization) on the investigation(s) or Strategic Initiative(s) to be paid overtime. To satisfy the “full-time” expectation, a Law Enforcement Officer should work forty (40) hours per week as defined by the State & Local Organization or eight (8) hours per day on a single, or multiple, OCDETF investigation(s) or Strategic Initiative(s). Any established exceptions or waivers to this definition shall be approved by the RCG and attached as an Addendum A to the Agreement. Officers not meeting the full-time expectation will not be reimbursed for overtime without an approved exception or waiver in the Addendum A. If the Addendum A allows for zero regular hours to be worked, it must also limit the number of overtime hours allowed in a billing month with zero regular hours (the limit established is up to the discretion of the RCG but should be explicitly mentioned in Addendum A if allowed).
10. The Reimbursement Request must be submitted to the Regional Coordination Group within thirty (30) days of the close of the month in which the overtime was worked. [For example, if overtime is incurred in May, the Reimbursement Request for the May overtime should be submitted to the Regional Coordination Group no later than June 30th.] Requests not submitted within this period, may not honored or paid.
11. Analysis of reimbursement claims by the Regional Coordination Group may result in a modification of the obligation of funds contained within this Agreement as well as the period covered. The Organization affected by any such modification will receive a memo notifying them of the changes.
12. Overtime payments, including all other non-OCDETF Federal sources (such as Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) may not, on an annual per person basis, exceed 25% of the current approved Federal salary rate in effect at the time the overtime is performed. The State & Local Organization is responsible for ensuring that this annual payment is not exceeded. The OCDETF Program Specialist, or designee, will monitor these payments through MIS and communicate to the Federal Agency Regional OCDETF Coordinators, who provide status updates to any officer approaching the threshold.
13. The Overtime Log (page 2 of the Reimbursement Request) must be attached to the Reimbursement Request when submitting the monthly invoices. When completing the Overtime Log, each column must be completed with the totals reported at the bottom. The Overtime Log must include the officer’s name from the Agreement or Officer Modification Form, the number of regular hours worked, the number of overtime hours worked, the overtime rate, and the cumulative overtime total of each State & Local Officer on all federal cases such as HIDTA, Safe Streets, etc. Do not leave any columns blank; enter “0” for any columns with a non-applicable amount. The ‘Totals’ row of Columns A, B, D, and E must match the amounts listed on the Reimbursement Request. Additionally, the Reimbursement Request contains an officer’s Overtime Log for tracking individual officer’s hours. The column in the overtime log titled ‘Other Federal Overtime earned this Fiscal Year’ should be used to track other federal non-OCDETF cases (i.e., Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) overtime hours earned in the fiscal year, so when combined with the officer’s total OCDETF overtime hours the individual officer’s total federal overtime hours can be tracked towards the 25% threshold.
14. Under no circumstances will the State & Local Organization charge any indirect costs for the administration or implementation of this Agreement.
15. The State & Local Law Enforcement Organization shall maintain paper or electronic records for a period of six (6) years. Accurate and complete records must account for all obligations and expenditures of funds under the agreement in accordance with generally accepted accounting principles to facilitate on-site auditing and inspection.

16. The RCG is also responsible for identifying and implementing any additional policy requirements for its specific region, as needed. Regional policies are documented in the Addendum B of approved Agreements. The agencies must adhere to these additional requirements unless they have written approval by the RCG for any exceptions to the regional policies.
17. The sponsoring Federal Agency considers DOJ as a sharing participant of any assets seized and forfeited for the investigation.
18. Fringe benefits (such as retirement, FICA, or other expenses) are NOT to be included in overtime payment. Auxiliary educational benefits are also NOT to be included in overtime payment. Reimbursement of overtime payment is based solely on the authorized overtime rate of each participating officer listed in the Agreement. Under no circumstances may a State & Local Law Enforcement Organization include any administrative fees for the processing of overtime. Additionally, officers are not eligible for reimbursement of compensation time earned in lieu of overtime payment. OCDETF will only reimburse an actual dollar (\$) amount paid to the officer for overtime worked, any additional benefit (including compensation time) will NOT be reimbursed.
19. The State & Local Law Enforcement Organization shall permit examination and auditing by representatives of OCDETF, the sponsoring Federal Agency, the U.S. Department of Justice, the Comptroller General of the United States, and/or any of their duly authorized agents and representatives, of all records, documents, accounts, invoices, receipts, or expenditures relating to this agreement. In addition, all such records and reports shall be maintained until all audits and examinations are completed and resolved, or for a period of six (6) years after termination of the agreement, whichever is later. Failure to provide proper documentation will limit State & Local Law Enforcement Organizations from receiving OCDETF funding in the future.
20. The State & Local Organization will comply with Title VI of the Civil Rights Act of 1964 and all requirements applicable to OCDETF Agreements pursuant to the regulations of the Department of Justice (see, 28 C.F.R. Part 42, Subparts C and G; 28 C.F.R. 50.3 (1991)) relating to discrimination on the grounds of race, color, sex, age, national origin, or handicap.
21. This Agreement may be terminated by any of the parties by written notice to the other parties ten (10) business days prior to termination. Billing for outstanding obligations shall be received by OCDETF within thirty (30) days of the notice of termination.
22. The Debt Collection Improvement Act of 1996 requires that most payments made by the Federal government, including vendor payments, must be made by electronic funds transfer (EFT). In accordance with the act, all OCDETF reimbursement payments will be issued via EFT. Participants are required to register in SAM.gov to receive reimbursements; registration information will be provided upon request. In certain circumstances the OCDETF Executive Office may make exceptions for Organizations that are unable to accept this form of payment, however, such Organizations must include written justification in the addendum of each new Agreement.

This Agreement is not a contract or obligation to commit Federal funds in the maximum amounts projected. Funding allocations for the period set forth and agreed to herein represent projections only and are based upon consultation between the sponsoring Federal Agency and the State & Local Law Enforcement Organization. They are, therefore, subject to modification by OCDETF based upon the progress and needs of the OCDETF investigation or Strategic Initiative. Additionally, resources are contingent upon the availability of AFF funds per the approval and signature of the OCDETF EXO obligating authority. The OCDETF EXO will approve and certify all terms and conditions of the Agreement have been met.

Approved By: _____
Authorized State & Local Official Title Date

Print Name

Approved By: _____
Sponsoring Federal Agency Special Agent in Charge or Designee Date

Print Name

Approved By: _____
Sponsoring Agency Regional OCDETF Coordinator Date

Approved By: _____
Assistant United States Attorney Regional OCDETF Director/Program Specialist Date

Funds are encumbered for the State & Local Organization overtime costs and authorized expense/Strategic Initiative Programs specified above. **Subject to availability of funds.**

Approving Official: _____
OCDETF Executive Office Date

Organized Crime Drug Enforcement Task Forces
FY 2024 State & Local Law Enforcement Officers Assigned to
Participate in the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

	<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
1.			
2.			
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10.			

*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

OCDETF Officer Form (Continued)

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
11.		
12.		
13.		
14.		
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32.		

*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

Addendum A

Definition of “Full-Time Participation” Exemption

The Southwest Region Coordination Group State and Local OVERTIME POLICY

For purposes of reimbursing OCDETF overtime claims, the following applies:

- 1. Work 40 hours per week on a single OCDETF investigation or multiple OCDETF investigations; or**
- 2. If the officer/agent is not assigned full time to a task force working exclusively OCDETF investigations, then the officer/agent is required to work 8 hours regular time in a given day toward the OCDETF investigation before claiming any overtime; or**
- 3. To accommodate exigent unforeseen circumstances when effective management of dedicated resources cannot handle a particular enforcement action, overtime hours incurred may be reimbursed without the officer/agent having worked an 8 hour shift dedicated to the investigation, provided that the officer/agent is diverted from normal shift work to accommodate the need at the request of a supervisor of a federal agency.**

Reimbursement under such circumstances will be limited to the overtime incurred in response to the unforeseen exigent circumstances, that is, when the enforcement action is complete, no additional overtime will be reimbursed without compliance with 1 or 2 above. Under no circumstances will more than 24 overtime hours per month per state/local entity be reimbursed under this provision. The federal agency supervising the enforcement action should notify the appropriate Regional Coordinator of the enforcement action and overtime hours incurred by the State and Local Department(s) promptly.

Exemptions will be considered on a case by case basis per individual incident. All approvals are subjected to the availability of funds.

A written justification for any waiver request where no regular hours were worked, under exceptions # 2 and #3, must be attached to each affected claim for reimbursement.

Any Other Exceptions or Justifications

NONE

ADDENDUM B
TO STATE AND LOCAL OVERTIME AGREEMENT
STRATEGIC INITIATIVE FUNDING REQUEST

Note: The following ONLY pertains to Strategic Initiative Funding Requests

State and Local agencies acknowledge that all proposed expenditures requested under State and Local Overtime funds are conditioned upon the Southwest Regional Coordination Group (RCG) approval concurrent with any pre-approval process by the OCDETF Executive Office before funding is initiated.

Furthermore, the requesting State and Local agencies acknowledge that any approval process from the State and Local Overtime funds are considered reimbursable expenditures.

Any State and Local agency seeking Strategic Initiative Funding should initially contact the federal agency point of contact. The federal agency point of contact will coordinate further responses with the RCG.

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement
For the Use of the State & Local Overtime and Authorized
Expenses / Strategic Initiative Program

UEI #:

EFT*
indicator:

Federal Tax Identification: -

*EFT indicator is required if there is more than one bank account associated with the UEI.

EXO USE ONLY

DC#: A-32-

Amount Requested:

Amount requested should match the amount calculated on the Initial Funding Form, Page 2

Number of Officers Listed:

OCDETF Investigation / Strategic Initiative
Number:

Operation
Name:

From:

Beginning Date of Agreement

To:

Ending Date of Agreement

Federal Agency Investigations
Number:

Sponsoring Federal Agency(ies):

State & Local Organization

Supervisor:

Phone Number:

Email Address:

Group / Squad Supervisor:

Phone Number:

Email Address:

State & Local Organization Name:

State & Local Address:

Addendum A in use? Y N

Please provide the name, phone number, and email address for the **financial staff person(s)** who is/are directly responsible for the billing on the Reimbursement Request at the State & Local Organization and the person responsible for the **Sam.gov entity administration**:

Finance Contact:

Phone Number:

Email Address:

SAM.gov Entity
Administrator:

Phone Number:

Email Address:

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement Initial Funding Form
For the Use of the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

OCDETF Case #: _____

Amount Requested: _____

This amount should be entered on Page 1 of the Reimbursable Agreement.

Please note: The amount requested should cover your active investigation plan from the agreement start date (which cannot be prior to the case approval date. Proactive funding analysis will be conducted to determine the need for additional funds throughout the life of the agreement.

Agreement Activity: *(Please check all that apply)*

Surveillance

Takedown

Trial/Court

Wire

Approved
Pending

Other

If Other, please describe the type of investigative activity the State & Local Agency will be participating in:

Factors to Consider when Determining the Initial Agreement Amount: *(Required)*

Average Officer Overtime Rate::

Estimated overtime hours for your active
investigation plan, from the agreement start date:

Prior year agreement spending,
if any:

Please provide a brief explanation on how the initial funding amount was determined, if other factors were considered:

This Agreement is between the above-named State & Local Law Enforcement Organization and the Organized Crime Drug Enforcement Task Forces (OCDETF) Program. This Agreement shall be effective when signed by State & Local Law Enforcement Organization official who has supervisory authority over, and is authorized to assign, the participating Law Enforcement Officers to the OCDETF investigation or Strategic Initiative; the Sponsoring Federal Agency Special Agent in Charge (SAC), or designee, of the sponsoring Federal Agency field office where the State & Local Officers will be working; the sponsoring Agency Regional OCDETF Coordinator; the Regional OCDETF Director; and the OCDETF Executive Office.

1. It is agreed that the State & Local Law Enforcement officers named on this Agreement will assist in OCDETF Investigations, Strategic Initiatives and prosecutions as set forth in the Organized Crime Drug Enforcement Task Forces State & Local Overtime and Authorized Expense/Strategic Initiative Programs, Policies and Procedures Manual, Fiscal Year 2024.
2. No individual Agreement with a State & Local Organization may exceed \$25,000; and the cumulative amount of OCDETF State & Local overtime monies that may be expended on a single OCDETF investigation within a single fiscal year may not exceed \$50,000 without express prior approval from the OCDETF Executive Office. The OCDETF EXO will entertain requests to exceed these funding levels; however, there will be increased scrutiny from management pursuant to levels of funding requested. To receive approval to exceed this level of funding, a Cap Waiver Request Form approved by the Regional Director, must be sent to the to the OCDETF Internal Auditor and OCDETF Budget Mailbox (ocdetf.budget.mailbox@usdoj.gov).
3. Each Reimbursable Agreement will be allowed no more than five (5) modifications per year. If the funds for a particular Agreement are completely deobligated with the intention of closing the Agreement, it will not count as a modification for purposes of this policy. No increase modifications should be submitted if there are no bills entered on the Agreement in MIS. These amendments or changes must be submitted as a Modification Memo, signed by the Regional OCDETF Director, or designee, and sent to the OCDETF EXO in a timely manner not to exceed thirty (30) days. The signed Modification Memo should be returned to the State & Local Organization, included in the region's State & Local agreement file, and be available upon request.
4. If an Agreement does not have a bill entered in MIS within ninety (90) days of the Agreement funding date (in MIS) or ninety (90) days between the last bill payment date (in MIS), the funds should be deobligated. [For example, if an Agreement is dated October 1st, and there is no activity by December 30th, the Agreement's funds should be deobligated.] The Regional Program Specialist Assistant/Program Specialist will routinely run 90-day inactivity reports from MIS to identify inactive Agreements eligible for deobligation. The OCDETF EXO will assist with monitoring aging Agreements. Furthermore, if a State & Local Organization determines there will be no additional work performed under a particular Agreement, a funding change notification (modification memo) identifying the amount to be deobligated should be submitted to the OCDETF EXO as soon as possible.
5. The State & Local Law Enforcement Organization agrees to provide experienced Law Enforcement officers who are identified in this Agreement to work on the specified OCDETF Investigation or Strategic Initiative. Any change in Law Enforcement officers assigned must be agreed to by all approving officials.
6. Officers who are not deputized shall possess no Law Enforcement authority other than that conferred by virtue of their position as a commissioned officer of their parent Agency.
7. Officers who are deputized may possess Federal Law Enforcement authority as specified by the Agency affording the deputation.

8. Any State & Local officers assigned to an OCDETF Investigation or Strategic Initiative in accordance with this Agreement are not considered Federal employees and do not take on the benefits of Federal employment by virtue of their participation in the Investigation or Strategic Initiative.
9. Officers assigned to OCDETF investigations or Strategic Initiatives are expected to work full-time (as defined by the State & Local Organization) on the investigation(s) or Strategic Initiative(s) to be paid overtime. To satisfy the “full-time” expectation, a Law Enforcement Officer should work forty (40) hours per week as defined by the State & Local Organization or eight (8) hours per day on a single, or multiple, OCDETF investigation(s) or Strategic Initiative(s). Any established exceptions or waivers to this definition shall be approved by the RCG and attached as an Addendum A to the Agreement. Officers not meeting the full-time expectation will not be reimbursed for overtime without an approved exception or waiver in the Addendum A. If the Addendum A allows for zero regular hours to be worked, it must also limit the number of overtime hours allowed in a billing month with zero regular hours (the limit established is up to the discretion of the RCG but should be explicitly mentioned in Addendum A if allowed).
10. The Reimbursement Request must be submitted to the Regional Coordination Group within thirty (30) days of the close of the month in which the overtime was worked. [For example, if overtime is incurred in May, the Reimbursement Request for the May overtime should be submitted to the Regional Coordination Group no later than June 30th.] Requests not submitted within this period, may not honored or paid.
11. Analysis of reimbursement claims by the Regional Coordination Group may result in a modification of the obligation of funds contained within this Agreement as well as the period covered. The Organization affected by any such modification will receive a memo notifying them of the changes.
12. Overtime payments, including all other non-OCDETF Federal sources (such as Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) may not, on an annual per person basis, exceed 25% of the current approved Federal salary rate in effect at the time the overtime is performed. The State & Local Organization is responsible for ensuring that this annual payment is not exceeded. The OCDETF Program Specialist, or designee, will monitor these payments through MIS and communicate to the Federal Agency Regional OCDETF Coordinators, who provide status updates to any officer approaching the threshold.
13. The Overtime Log (page 2 of the Reimbursement Request) must be attached to the Reimbursement Request when submitting the monthly invoices. When completing the Overtime Log, each column must be completed with the totals reported at the bottom. The Overtime Log must include the officer’s name from the Agreement or Officer Modification Form, the number of regular hours worked, the number of overtime hours worked, the overtime rate, and the cumulative overtime total of each State & Local Officer on all federal cases such as HIDTA, Safe Streets, etc. Do not leave any columns blank; enter “0” for any columns with a non-applicable amount. The ‘Totals’ row of Columns A, B, D, and E must match the amounts listed on the Reimbursement Request. Additionally, the Reimbursement Request contains an officer’s Overtime Log for tracking individual officer’s hours. The column in the overtime log titled ‘Other Federal Overtime earned this Fiscal Year’ should be used to track other federal non-OCDETF cases (i.e., Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) overtime hours earned in the fiscal year, so when combined with the officer’s total OCDETF overtime hours the individual officer’s total federal overtime hours can be tracked towards the 25% threshold.
14. Under no circumstances will the State & Local Organization charge any indirect costs for the administration or implementation of this Agreement.
15. The State & Local Law Enforcement Organization shall maintain paper or electronic records for a period of six (6) years. Accurate and complete records must account for all obligations and expenditures of funds under the agreement in accordance with generally accepted accounting principles to facilitate on-site auditing and inspection.

16. The RCG is also responsible for identifying and implementing any additional policy requirements for its specific region, as needed. Regional policies are documented in the Addendum B of approved Agreements. The agencies must adhere to these additional requirements unless they have written approval by the RCG for any exceptions to the regional policies.
17. The sponsoring Federal Agency considers DOJ as a sharing participant of any assets seized and forfeited for the investigation.
18. Fringe benefits (such as retirement, FICA, or other expenses) are NOT to be included in overtime payment. Auxiliary educational benefits are also NOT to be included in overtime payment. Reimbursement of overtime payment is based solely on the authorized overtime rate of each participating officer listed in the Agreement. Under no circumstances may a State & Local Law Enforcement Organization include any administrative fees for the processing of overtime. Additionally, officers are not eligible for reimbursement of compensation time earned in lieu of overtime payment. OCDETF will only reimburse an actual dollar (\$) amount paid to the officer for overtime worked, any additional benefit (including compensation time) will NOT be reimbursed.
19. The State & Local Law Enforcement Organization shall permit examination and auditing by representatives of OCDETF, the sponsoring Federal Agency, the U.S. Department of Justice, the Comptroller General of the United States, and/or any of their duly authorized agents and representatives, of all records, documents, accounts, invoices, receipts, or expenditures relating to this agreement. In addition, all such records and reports shall be maintained until all audits and examinations are completed and resolved, or for a period of six (6) years after termination of the agreement, whichever is later. Failure to provide proper documentation will limit State & Local Law Enforcement Organizations from receiving OCDETF funding in the future.
20. The State & Local Organization will comply with Title VI of the Civil Rights Act of 1964 and all requirements applicable to OCDETF Agreements pursuant to the regulations of the Department of Justice (see, 28 C.F.R. Part 42, Subparts C and G; 28 C.F.R. 50.3 (1991)) relating to discrimination on the grounds of race, color, sex, age, national origin, or handicap.
21. This Agreement may be terminated by any of the parties by written notice to the other parties ten (10) business days prior to termination. Billing for outstanding obligations shall be received by OCDETF within thirty (30) days of the notice of termination.
22. The Debt Collection Improvement Act of 1996 requires that most payments made by the Federal government, including vendor payments, must be made by electronic funds transfer (EFT). In accordance with the act, all OCDETF reimbursement payments will be issued via EFT. Participants are required to register in SAM.gov to receive reimbursements; registration information will be provided upon request. In certain circumstances the OCDETF Executive Office may make exceptions for Organizations that are unable to accept this form of payment, however, such Organizations must include written justification in the addendum of each new Agreement.

This Agreement is not a contract or obligation to commit Federal funds in the maximum amounts projected. Funding allocations for the period set forth and agreed to herein represent projections only and are based upon consultation between the sponsoring Federal Agency and the State & Local Law Enforcement Organization. They are, therefore, subject to modification by OCDETF based upon the progress and needs of the OCDETF investigation or Strategic Initiative. Additionally, resources are contingent upon the availability of AFF funds per the approval and signature of the OCDETF EXO obligating authority. The OCDETF EXO will approve and certify all terms and conditions of the Agreement have been met.

Approved By: _____
Authorized State & Local Official Title Date

Print Name

Approved By: _____
Sponsoring Federal Agency Special Agent in Charge or Designee Date

Print Name

Approved By: _____
Sponsoring Agency Regional OCDETF Coordinator Date

Approved By: _____
Assistant United States Attorney Regional OCDETF Director/Program Specialist Date

Funds are encumbered for the State & Local Organization overtime costs and authorized expense/Strategic Initiative Programs specified above. **Subject to availability of funds.**

Approving Official: _____
OCDETF Executive Office Date

Organized Crime Drug Enforcement Task Forces
FY 2024 State & Local Law Enforcement Officers Assigned to
Participate in the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

	<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
1.			
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10.			

*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

OCDETF Officer Form (Continued)

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
11.		
12.		
13.		
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*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

Addendum A

Definition of “Full-Time Participation” Exemption

The Southwest Region Coordination Group State and Local OVERTIME POLICY

For purposes of reimbursing OCDETF overtime claims, the following applies:

- 1. Work 40 hours per week on a single OCDETF investigation or multiple OCDETF investigations; or**
- 2. If the officer/agent is not assigned full time to a task force working exclusively OCDETF investigations, then the officer/agent is required to work 8 hours regular time in a given day toward the OCDETF investigation before claiming any overtime; or**
- 3. To accommodate exigent unforeseen circumstances when effective management of dedicated resources cannot handle a particular enforcement action, overtime hours incurred may be reimbursed without the officer/agent having worked an 8 hour shift dedicated to the investigation, provided that the officer/agent is diverted from normal shift work to accommodate the need at the request of a supervisor of a federal agency.**

Reimbursement under such circumstances will be limited to the overtime incurred in response to the unforeseen exigent circumstances, that is, when the enforcement action is complete, no additional overtime will be reimbursed without compliance with 1 or 2 above. Under no circumstances will more than 24 overtime hours per month per state/local entity be reimbursed under this provision. The federal agency supervising the enforcement action should notify the appropriate Regional Coordinator of the enforcement action and overtime hours incurred by the State and Local Department(s) promptly.

Exemptions will be considered on a case by case basis per individual incident. All approvals are subjected to the availability of funds.

A written justification for any waiver request where no regular hours were worked, under exceptions # 2 and #3, must be attached to each affected claim for reimbursement.

Any Other Exceptions or Justifications

NONE

ADDENDUM B
TO STATE AND LOCAL OVERTIME AGREEMENT
STRATEGIC INITIATIVE FUNDING REQUEST

Note: The following ONLY pertains to Strategic Initiative Funding Requests

State and Local agencies acknowledge that all proposed expenditures requested under State and Local Overtime funds are conditioned upon the Southwest Regional Coordination Group (RCG) approval concurrent with any pre-approval process by the OCDETF Executive Office before funding is initiated.

Furthermore, the requesting State and Local agencies acknowledge that any approval process from the State and Local Overtime funds are considered reimbursable expenditures.

Any State and Local agency seeking Strategic Initiative Funding should initially contact the federal agency point of contact. The federal agency point of contact will coordinate further responses with the RCG.

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement
For the Use of the State & Local Overtime and Authorized
Expenses / Strategic Initiative Program

UEI #:

EFT*
indicator:

Federal Tax Identification: -

*EFT indicator is required if there is more than one bank account associated with the UEI.

EXO USE ONLY

DC#: A-32-

Amount Requested:

Amount requested should match the amount calculated on the Initial Funding Form, Page 2

Number of Officers Listed:

OCDETF Investigation / Strategic Initiative
Number:

Operation
Name:

From:

Beginning Date of Agreement

To:

Ending Date of Agreement

Federal Agency Investigations
Number:

Sponsoring Federal Agency(ies):

State & Local Organization

Supervisor:

Phone Number:

Email Address:

Group / Squad Supervisor:

Phone Number:

Email Address:

State & Local Organization Name:

State & Local Address:

Addendum A in use? Y N

Please provide the name, phone number, and email address for the **financial staff person(s)** who is/are directly responsible for the billing on the Reimbursement Request at the State & Local Organization and the person responsible for the **Sam.gov entity administration**:

Finance Contact:

Phone Number:

Email Address:

SAM.gov Entity
Administrator:

Phone Number:

Email Address:

Organized Crime Drug Enforcement Task Forces
FY 2024 Agreement Initial Funding Form
For the Use of the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

OCDETF Case #: _____

Amount Requested: _____

This amount should be entered on Page 1 of the Reimbursable Agreement.

Please note: The amount requested should cover your active investigation plan from the agreement start date (which cannot be prior to the case approval date. Proactive funding analysis will be conducted to determine the need for additional funds throughout the life of the agreement.

Agreement Activity: *(Please check all that apply)*

Surveillance

Takedown

Trial/Court

Wire

Approved
Pending

Other

If Other, please describe the type of investigative activity the State & Local Agency will be participating in:

Factors to Consider when Determining the Initial Agreement Amount: *(Required)*

Average Officer Overtime Rate::

Estimated overtime hours for your active
investigation plan, from the agreement start date:

Prior year agreement spending,
if any:

Please provide a brief explanation on how the initial funding amount was determined, if other factors were considered:

This Agreement is between the above-named State & Local Law Enforcement Organization and the Organized Crime Drug Enforcement Task Forces (OCDETF) Program. This Agreement shall be effective when signed by State & Local Law Enforcement Organization official who has supervisory authority over, and is authorized to assign, the participating Law Enforcement Officers to the OCDETF investigation or Strategic Initiative; the Sponsoring Federal Agency Special Agent in Charge (SAC), or designee, of the sponsoring Federal Agency field office where the State & Local Officers will be working; the sponsoring Agency Regional OCDETF Coordinator; the Regional OCDETF Director; and the OCDETF Executive Office.

1. It is agreed that the State & Local Law Enforcement officers named on this Agreement will assist in OCDETF Investigations, Strategic Initiatives and prosecutions as set forth in the Organized Crime Drug Enforcement Task Forces State & Local Overtime and Authorized Expense/Strategic Initiative Programs, Policies and Procedures Manual, Fiscal Year 2024.
2. No individual Agreement with a State & Local Organization may exceed \$25,000; and the cumulative amount of OCDETF State & Local overtime monies that may be expended on a single OCDETF investigation within a single fiscal year may not exceed \$50,000 without express prior approval from the OCDETF Executive Office. The OCDETF EXO will entertain requests to exceed these funding levels; however, there will be increased scrutiny from management pursuant to levels of funding requested. To receive approval to exceed this level of funding, a Cap Waiver Request Form approved by the Regional Director, must be sent to the to the OCDETF Internal Auditor and OCDETF Budget Mailbox (ocdetf.budget.mailbox@usdoj.gov).
3. Each Reimbursable Agreement will be allowed no more than five (5) modifications per year. If the funds for a particular Agreement are completely deobligated with the intention of closing the Agreement, it will not count as a modification for purposes of this policy. No increase modifications should be submitted if there are no bills entered on the Agreement in MIS. These amendments or changes must be submitted as a Modification Memo, signed by the Regional OCDETF Director, or designee, and sent to the OCDETF EXO in a timely manner not to exceed thirty (30) days. The signed Modification Memo should be returned to the State & Local Organization, included in the region's State & Local agreement file, and be available upon request.
4. If an Agreement does not have a bill entered in MIS within ninety (90) days of the Agreement funding date (in MIS) or ninety (90) days between the last bill payment date (in MIS), the funds should be deobligated. [For example, if an Agreement is dated October 1st, and there is no activity by December 30th, the Agreement's funds should be deobligated.] The Regional Program Specialist Assistant/Program Specialist will routinely run 90-day inactivity reports from MIS to identify inactive Agreements eligible for deobligation. The OCDETF EXO will assist with monitoring aging Agreements. Furthermore, if a State & Local Organization determines there will be no additional work performed under a particular Agreement, a funding change notification (modification memo) identifying the amount to be deobligated should be submitted to the OCDETF EXO as soon as possible.
5. The State & Local Law Enforcement Organization agrees to provide experienced Law Enforcement officers who are identified in this Agreement to work on the specified OCDETF Investigation or Strategic Initiative. Any change in Law Enforcement officers assigned must be agreed to by all approving officials.
6. Officers who are not deputized shall possess no Law Enforcement authority other than that conferred by virtue of their position as a commissioned officer of their parent Agency.
7. Officers who are deputized may possess Federal Law Enforcement authority as specified by the Agency affording the deputation.

8. Any State & Local officers assigned to an OCDETF Investigation or Strategic Initiative in accordance with this Agreement are not considered Federal employees and do not take on the benefits of Federal employment by virtue of their participation in the Investigation or Strategic Initiative.
9. Officers assigned to OCDETF investigations or Strategic Initiatives are expected to work full-time (as defined by the State & Local Organization) on the investigation(s) or Strategic Initiative(s) to be paid overtime. To satisfy the “full-time” expectation, a Law Enforcement Officer should work forty (40) hours per week as defined by the State & Local Organization or eight (8) hours per day on a single, or multiple, OCDETF investigation(s) or Strategic Initiative(s). Any established exceptions or waivers to this definition shall be approved by the RCG and attached as an Addendum A to the Agreement. Officers not meeting the full-time expectation will not be reimbursed for overtime without an approved exception or waiver in the Addendum A. If the Addendum A allows for zero regular hours to be worked, it must also limit the number of overtime hours allowed in a billing month with zero regular hours (the limit established is up to the discretion of the RCG but should be explicitly mentioned in Addendum A if allowed).
10. The Reimbursement Request must be submitted to the Regional Coordination Group within thirty (30) days of the close of the month in which the overtime was worked. [For example, if overtime is incurred in May, the Reimbursement Request for the May overtime should be submitted to the Regional Coordination Group no later than June 30th.] Requests not submitted within this period, may not honored or paid.
11. Analysis of reimbursement claims by the Regional Coordination Group may result in a modification of the obligation of funds contained within this Agreement as well as the period covered. The Organization affected by any such modification will receive a memo notifying them of the changes.
12. Overtime payments, including all other non-OCDETF Federal sources (such as Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) may not, on an annual per person basis, exceed 25% of the current approved Federal salary rate in effect at the time the overtime is performed. The State & Local Organization is responsible for ensuring that this annual payment is not exceeded. The OCDETF Program Specialist, or designee, will monitor these payments through MIS and communicate to the Federal Agency Regional OCDETF Coordinators, who provide status updates to any officer approaching the threshold.
13. The Overtime Log (page 2 of the Reimbursement Request) must be attached to the Reimbursement Request when submitting the monthly invoices. When completing the Overtime Log, each column must be completed with the totals reported at the bottom. The Overtime Log must include the officer’s name from the Agreement or Officer Modification Form, the number of regular hours worked, the number of overtime hours worked, the overtime rate, and the cumulative overtime total of each State & Local Officer on all federal cases such as HIDTA, Safe Streets, etc. Do not leave any columns blank; enter “0” for any columns with a non-applicable amount. The ‘Totals’ row of Columns A, B, D, and E must match the amounts listed on the Reimbursement Request. Additionally, the Reimbursement Request contains an officer’s Overtime Log for tracking individual officer’s hours. The column in the overtime log titled ‘Other Federal Overtime earned this Fiscal Year’ should be used to track other federal non-OCDETF cases (i.e., Safe Streets, HIDTA, IRS, ICE, FEMA, etc.) overtime hours earned in the fiscal year, so when combined with the officer’s total OCDETF overtime hours the individual officer’s total federal overtime hours can be tracked towards the 25% threshold.
14. Under no circumstances will the State & Local Organization charge any indirect costs for the administration or implementation of this Agreement.
15. The State & Local Law Enforcement Organization shall maintain paper or electronic records for a period of six (6) years. Accurate and complete records must account for all obligations and expenditures of funds under the agreement in accordance with generally accepted accounting principles to facilitate on-site auditing and inspection.

16. The RCG is also responsible for identifying and implementing any additional policy requirements for its specific region, as needed. Regional policies are documented in the Addendum B of approved Agreements. The agencies must adhere to these additional requirements unless they have written approval by the RCG for any exceptions to the regional policies.
17. The sponsoring Federal Agency considers DOJ as a sharing participant of any assets seized and forfeited for the investigation.
18. Fringe benefits (such as retirement, FICA, or other expenses) are NOT to be included in overtime payment. Auxiliary educational benefits are also NOT to be included in overtime payment. Reimbursement of overtime payment is based solely on the authorized overtime rate of each participating officer listed in the Agreement. Under no circumstances may a State & Local Law Enforcement Organization include any administrative fees for the processing of overtime. Additionally, officers are not eligible for reimbursement of compensation time earned in lieu of overtime payment. OCDETF will only reimburse an actual dollar (\$) amount paid to the officer for overtime worked, any additional benefit (including compensation time) will NOT be reimbursed.
19. The State & Local Law Enforcement Organization shall permit examination and auditing by representatives of OCDETF, the sponsoring Federal Agency, the U.S. Department of Justice, the Comptroller General of the United States, and/or any of their duly authorized agents and representatives, of all records, documents, accounts, invoices, receipts, or expenditures relating to this agreement. In addition, all such records and reports shall be maintained until all audits and examinations are completed and resolved, or for a period of six (6) years after termination of the agreement, whichever is later. Failure to provide proper documentation will limit State & Local Law Enforcement Organizations from receiving OCDETF funding in the future.
20. The State & Local Organization will comply with Title VI of the Civil Rights Act of 1964 and all requirements applicable to OCDETF Agreements pursuant to the regulations of the Department of Justice (see, 28 C.F.R. Part 42, Subparts C and G; 28 C.F.R. 50.3 (1991)) relating to discrimination on the grounds of race, color, sex, age, national origin, or handicap.
21. This Agreement may be terminated by any of the parties by written notice to the other parties ten (10) business days prior to termination. Billing for outstanding obligations shall be received by OCDETF within thirty (30) days of the notice of termination.
22. The Debt Collection Improvement Act of 1996 requires that most payments made by the Federal government, including vendor payments, must be made by electronic funds transfer (EFT). In accordance with the act, all OCDETF reimbursement payments will be issued via EFT. Participants are required to register in SAM.gov to receive reimbursements; registration information will be provided upon request. In certain circumstances the OCDETF Executive Office may make exceptions for Organizations that are unable to accept this form of payment, however, such Organizations must include written justification in the addendum of each new Agreement.

This Agreement is not a contract or obligation to commit Federal funds in the maximum amounts projected. Funding allocations for the period set forth and agreed to herein represent projections only and are based upon consultation between the sponsoring Federal Agency and the State & Local Law Enforcement Organization. They are, therefore, subject to modification by OCDETF based upon the progress and needs of the OCDETF investigation or Strategic Initiative. Additionally, resources are contingent upon the availability of AFF funds per the approval and signature of the OCDETF EXO obligating authority. The OCDETF EXO will approve and certify all terms and conditions of the Agreement have been met.

Approved By: _____
Authorized State & Local Official Title Date

Print Name

Approved By: _____
Sponsoring Federal Agency Special Agent in Charge or Designee Date

Print Name

Approved By: _____
Sponsoring Agency Regional OCDETF Coordinator Date

Approved By: _____
Assistant United States Attorney Regional OCDETF Director/Program Specialist Date

Funds are encumbered for the State & Local Organization overtime costs and authorized expense/Strategic Initiative Programs specified above. **Subject to availability of funds.**

Approving Official: _____
OCDETF Executive Office Date

Organized Crime Drug Enforcement Task Forces
FY 2024 State & Local Law Enforcement Officers Assigned to
Participate in the State & Local Overtime and
Authorized Expenses / Strategic Initiative Program

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

	<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

OCDETF Officer Form (Continued)

State & Local Organization:

OCDETF Investigation / Strategic Initiative Number:

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

<u>Name*</u>	<u>Title / Rank</u>	<u>DOB</u>
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
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28.		
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30.		
31.		
32.		

*Please list the Name that matches the Officer's pay statements (first/last names only) - these exact names must be listed on the Reimbursement Request.

Addendum A

Definition of “Full-Time Participation” Exemption

The Southwest Region Coordination Group State and Local OVERTIME POLICY

For purposes of reimbursing OCDETF overtime claims, the following applies:

- 1. Work 40 hours per week on a single OCDETF investigation or multiple OCDETF investigations; or**
- 2. If the officer/agent is not assigned full time to a task force working exclusively OCDETF investigations, then the officer/agent is required to work 8 hours regular time in a given day toward the OCDETF investigation before claiming any overtime; or**
- 3. To accommodate exigent unforeseen circumstances when effective management of dedicated resources cannot handle a particular enforcement action, overtime hours incurred may be reimbursed without the officer/agent having worked an 8 hour shift dedicated to the investigation, provided that the officer/agent is diverted from normal shift work to accommodate the need at the request of a supervisor of a federal agency.**

Reimbursement under such circumstances will be limited to the overtime incurred in response to the unforeseen exigent circumstances, that is, when the enforcement action is complete, no additional overtime will be reimbursed without compliance with 1 or 2 above. Under no circumstances will more than 24 overtime hours per month per state/local entity be reimbursed under this provision. The federal agency supervising the enforcement action should notify the appropriate Regional Coordinator of the enforcement action and overtime hours incurred by the State and Local Department(s) promptly.

Exemptions will be considered on a case by case basis per individual incident. All approvals are subjected to the availability of funds.

A written justification for any waiver request where no regular hours were worked, under exceptions # 2 and #3, must be attached to each affected claim for reimbursement.

Any Other Exceptions or Justifications

NONE

ADDENDUM B
TO STATE AND LOCAL OVERTIME AGREEMENT
STRATEGIC INITIATIVE FUNDING REQUEST

Note: The following ONLY pertains to Strategic Initiative Funding Requests

State and Local agencies acknowledge that all proposed expenditures requested under State and Local Overtime funds are conditioned upon the Southwest Regional Coordination Group (RCG) approval concurrent with any pre-approval process by the OCDETF Executive Office before funding is initiated.

Furthermore, the requesting State and Local agencies acknowledge that any approval process from the State and Local Overtime funds are considered reimbursable expenditures.

Any State and Local agency seeking Strategic Initiative Funding should initially contact the federal agency point of contact. The federal agency point of contact will coordinate further responses with the RCG.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sheriff Gary Cutler

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Authorize the execution of an agreement with LeadsOnline to purchase CellHawk a Cell Phone Mapping & Analysis System used by the Sheriff's Office for investigative purposes valued at \$4,579.00 and amend the budget accordingly.
INGALSBE/CUTLER

Summary:

In the FY 2024 budget, the Sheriff's Office is approved to purchase a cell phone mapping and analysis system used for investigative purposes. The S.O. obtained three quotes, with LeadsOnline valued at \$4,579 for year one and will remain effective through the service periods. Funding of \$5,500 for this purchase is approved in the Sheriff's Office Operating budget. Service periods and fiscal impact: FY 2025 \$5,145, FY 2026 \$5,299, FY 2027 \$5,458

Fiscal Impact:

Amount Requested: \$4,579

Line Item Number: 001-618-00.5429

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: Move budgeted funds to properly record the expense in the general ledger.

\$4,579 - Increase Software Licenses 001-618-00.5429

(\$4,579) - Decrease Software_Capital 001-618-00.5718_700

Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Obtained three quotes

Auditor's Office:

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N.A

Comments:

Attachments

LeadsOnline Quote & Agreement

Penlink Quote 39095

Penlink Quote39096

LexisNexis Accurant Trax



Real Time Crime • CellHawk • Toolbox

QUOTE

6900 Dallas Parkway, Suite 825
Plano, Texas 75024-4200

Hays County Sheriff's Office
1307 Uhland Road
San Marcos, TX 78666

Date: 10/17/2023
Quote#: Q-449-10
Terms: Quote Only
Agency ID: 449

Service Dates:

11/1/2023 – 9/30/2024

DESCRIPTION	TOTAL
CellHawk Service Package Up to 5 Users Unlimited Records Unlimited Support and Training Webinars	\$4,579
Thank you for your interest in LeadsOnline! Please contact your LeadsOnline representative to move forward with this quote. We accept Checks, Credit Cards, and EFT/ACH Payments	Total: \$4,579

Update Your Billing Contact Information Online:
www.leadsonline.com/update

Download our W-9:
www.leadsonline.com/w9

For questions about your LeadsOnline service, subscription package or agency / user accounts, call (972) 361-0900 or email support@leadsonline.com.

For questions about your quote, vendor forms, or general billing inquiries, email accounting@leadsonline.com.

AGENCY AGREEMENT – ATTACHMENT 'B'

SCOPE OF WORK AND ANNUAL SUBSCRIPTION FEE

AGENCY: HAYS COUNTY SHERIFF'S OFFICE UNIT: INVESTIGATIONS

1. SERVICE.

LeadsOnline CellHawk Cell Phone Mapping & Analysis System for Law Enforcement Agency users (**Service**).

Agency represents that it is a law enforcement agency or governing body of a law enforcement agency, an entity duly authorized by municipal, state county or federal government to enforce laws or investigate crimes, and the Eligible Users are employed by Agency in the Unit listed at the top of this Attachment 'B'.

2. PURPOSE.

Law Enforcement Use: Exclusively for the official law enforcement agency duties of Agency's Unit; information retrieved from the Service is for the exclusive use of Eligible Users with the exception of disclosure necessary to investigate and prosecute crimes within the jurisdiction of and investigated by Agency's Unit.

3. DEFINITIONS.

Analysis Files are records electronically submitted by an Agency to the Service for automated analysis including but not limited to unstructured images, video, audio or text submitted, and data related to communications or movements of devices, vehicles and other entities, reference data for identifying locations including cell site lists, landmarks, and locations related to crimes). Analysis Files are typically generated by telecommunications network providers and systems, app providers, computers, extraction systems and are provided to Agency via a legal process or voluntarily by persons with the right to provide them. Analysis Files are Agency Property.

4. SERVICE RECIPIENT AND ELIGIBLE USERS.

Capacity and Eligible User: no more than 5 named individual employees of Hays County Sheriff's Office in its Investigations unit, each with a unique login (**Eligible Users**).

- Eligible User logins may not be shared and individuals in a division who are not Eligible Users may not access the Service.
- During initial onboarding, Agency must provide LeadsOnline with the names and email addresses of Eligible Users (Agency may revise its Eligible Users Form a reasonable number of times each year)
- Access to Analysis Files is limited to Eligible Users for Services on this Attachment 'B' but may be shared with eligible users of other Attachments to the Agency Agreement if directed by Agency.

Maximum number of rows allowed: Unlimited

5. TERM, SERVICE PERIODS AND SUBSCRIPTION FEES.

Order Term: This Attachment 'B' will become effective as of the Effective Date and remain in effect through the Service Periods listed below (**Initial Term**) and any renewal Service Periods or until termination by LeadsOnline or Agency as described below. The Effective Date shall be defined as the date of the last signature below.

Renewals: Neither party is obligated to renew this Attachment 'B'. Prior to the expiration of the Initial Term or any renewal term, the parties may renew this Attachment 'B' for an additional one-year term by LeadsOnline's submission of a valid invoice to Agency for the renewal Service Period at then-current pricing and Agency's payment of such invoice within thirty (30) days of renewal.

SERVICE PERIOD	DUE DATE	AMOUNT
Start Date through September 30, 2024	Due upon receipt	\$4,579
October 01, 2024 through September 30, 2025	Due on or before October 01, 2024	\$5,145
October 01, 2025 through September 30, 2026	Due on or before October 01, 2025	\$5,299
October 01, 2026 through September 30, 2027	Due on or before October 01, 2026	\$5,458

6. FEATURES.

SERVICE	FEATURES
LeadsOnline CellHawk System	Upload Analysis Files to analyze communications or movements of devices, vehicles and other entities, reference data for identifying locations including cell site lists, landmarks, and locations related to crimes.
LeadsOnline Live Ping System	Create a Live Ping with any carrier and direct notifications from any carrier to route to your users and to LeadsOnline CellHawk for mapping, filtering, and analysis.
LeadsOnline Deconfliction System	Benefit from coordinated investigative efforts through pointers to the records of other Law Enforcement Agencies when users match on persons, property, devices, vehicles, and other entities.
LeadsOnline Toolbox	Use LeadsOnline's automated search warrant generation, automated phone lookups, repository of training materials, video tutorials, templates, resources, software, process guides, carrier and network specifications, contacts, subject matter assistance and other content relevant to criminal investigations.

7. TRAINING AND REMOTE TECHNICAL SUPPORT.

- One-Hour Online New User CellHawk Basic Training class.
 - ✓ Additional courses available via LeadsOnline CellHawk Training Portal.
 - ✓ Other on-demand training webinars on digital evidence analysis are available in the LeadsOnline Toolbox.
- Technical Support program is described at leadsonline.com/support.

8. MISC.

This Attachment 'B' is attached to and incorporated into the Agency Agreement between **Agency** and **LeadsOnline** dated January 10, 2007 (**Agreement**). This Attachment 'B' is governed by the terms of the Agreement between the parties. All terms not defined in this Attachment 'B' have the meanings ascribed to such terms in the Agreement. This Attachment 'B' and the Agreement constitute the entire agreement between the parties, and supersede all prior or contemporaneous negotiations, agreements, and representations, whether oral or written, related to this subject matter. No modification or waiver of any term of this Attachment 'B' is effective unless both parties sign an amendment to this Attachment 'B'. LeadsOnline may include a purchase order number on Agency's invoice solely for Agency's internal payment and record keeping processes, but any terms within any purchase order in response to a quote, Attachment to the Agreement or invoice will not modify or enlarge the obligations or liabilities of either party even if the parties sign it.

LeadsOnline LLC (LeadsOnline)	Hays County Sheriff's Office (Agency)
Signature:	Signature:
Printed Name: Alexander Finley	Printed Name:
Title: CEO	Title:
Date:	Date:
Address: 6900 Dallas Parkway, Suite 825 Plano, TX 75024-4200	Address: _____ _____



Quote

Company Address 5944 Vandervoort Dr.
Lincoln, Nebraska 68516
United States

Quote Number 00039095
Created Date 2/14/2024

Bill To:

Hays County Sheriff's Office (TX)
1307 Uhland Rd
San Marcos, Texas 78666
United States

Ship To:

Hays County Sheriff's Office (TX)
United States

Prepared By Michael Bussell
Freight Terms FOB Origin

Expiration Date 5/31/2024
Payment Terms Net 30

Quote Line Item Display

Quantity	Product Name	Description
5	GeoTime Desktop North America Bundle - Nodelocked	<p>GeoTime Desktop: Desktop application for advanced 3D analysis, visualization, and complete reports from investigative case data.</p> <p>Includes:</p> <ul style="list-style-type: none">- 1 Permanent GeoTime Desktop (Nodelocked) License- 1 Year of Maintenance including upgrades and fixes- 1 Year of Formats Subscription (data clean up and normalization)- On-going improvements to data formats support- Online maps and geocoding- Email and phone support <p>\$999 USD / license / year for annual maintenance, support and online services.</p>

Subtotal	USD 22,495.00
Discount	USD 0.00
Tax	USD 0.00
Total price	USD 22,495.00



Quote

Company Address 5944 Vandervoort Dr.
Lincoln, Nebraska 68516
United States

Quote Number 00039096
Created Date 2/14/2024

Bill To:

Hays County Sheriff's Office (TX)
1307 Uhland Rd
San Marcos, Texas 78666
United States

Ship To:

Hays County Sheriff's Office (TX)
United States

Prepared By Michael Bussell
Freight Terms FOB Origin

Expiration Date 5/31/2024
Payment Terms Net 30

Quantity	Product	Sales Price	Total Price
1.00	Annual Training Subscription - Free In-Person Seat	USD 0.00	USD 0.00
1.00	Annual Training Subscription - Free In-Person Seat	USD 0.00	USD 0.00
1.00	Annual Training Subscription - Free In-Person Seat	USD 0.00	USD 0.00
1.00	Annual Training Subscription - Free In-Person Seat	USD 0.00	USD 0.00
5.00	Four (4) Hours Telephone Support	USD 500.00	USD 2,500.00
5.00	GeoTime Desktop - Nodelocked Maintenance Renewal	USD 499.00	USD 2,495.00
5.00	GeoTime Desktop North America - Nodelocked	USD 3,000.00	USD 15,000.00
5.00	GeoTime Desktop North America Bundle - Nodelocked	USD 0.00	USD 0.00
5.00	GeoTime Formats Subscription - 1 License - Nodelocked	USD 500.00	USD 2,500.00
1.00	PenLink Academy Training Subscription	USD 1,029.75	USD 1,029.75

Totals			
		Subtotal	USD 23,524.75
		Discount	USD 0.00
		Tax	USD 0.00
		Total price	USD 23,524.75

Pen-Link, Ltd is a U.S. - Based Small Business, DUNS: 195956636 / TIN: 47-0707585 / CAGE: 0K6H9

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TERMS AND CONDITIONS:

<https://www.penlink.com/terms-and-conditions-north-america>



Accurint® TraX™ Proposal

Hays County Sheriff's Office

November 29, 2023

Submitted by:

Joe Ryan
Strategic Account Manager
LexisNexis Risk Solutions
443.340.9250
joe.ryan@lexisnexisrisk.com

This proposal includes data that shall not be disclosed outside the Hays County Sheriff's Office or any other department necessary to process an order, and shall not be duplicated, used, or disclosed, in whole or in part, for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of, or in connection with, the submission of this data, the Division shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. The entire proposal shall be subject to the restrictions contained herein. In addition, this data is exempt from disclosure pursuant to the Freedom of Information Act, 5 U.S.C. 522(b)(3) and (4). LexisNexis and the Knowledge Burst logo are registered trademarks of RELX Inc. Accurint is a registered trademark of LexisNexis Risk Data Management Inc. TraX is a trademark of ZetX Inc. . © 2022 LexisNexis.



Robert Wojtanowicz, MPA, MAS, CCIA
Strategic Analyst Supervisor
Hays County Sheriff's Office
1307 Uhland Road
San Marcos, TX 78666

RE: LexisNexis Accurint® TraX™ Proposal

November 29, 2023p

Dear Mr. Wojtanowicz,

Thank you for your interest and time to review the Accurint TraX suite. LexisNexis® Risk Solutions is proud to offer the Accurint TraX suite as part of our commitment to provide Law Enforcement industry leading investigative solutions.

Please find this quote presented to Hays County Sheriff's Office and valid for the next 60 days. I look forward to discussing this proposal with you at your earliest convenience. In the meantime, if you have any questions, I can be reached by phone at 443.340.9250 and e-mail at joe.ryan@lexisnexisrisk.com.

Sincerely,

A handwritten signature in black ink that reads 'Joe Ryan'.

Joe Ryan
Strategic Account Manager
LexisNexis Risk Solutions

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Accurint® TRAX™ Solutions

The **Accurint TraX Suite** provides analytical solutions and services for Law Enforcement use cases in criminal investigations.

- **Accurint TraX** is a cloud-based analytic solution that marries mobile phone records from cellular providers with location and cell tower data to generate insights and visual evidence.
- **VIPER** is a Cloud-based virtual pen register that provides a live feed of cellular geolocation data to surveil potential suspects.
- **Investigative Training** offering courses to accredit/train users how to utilize geolocation data in criminal investigations and present evidence in court using Accurint TraX.
- **Device Geolocation Services** offering device geolocation analysis and case assistance to law enforcement, providing support during complex investigations and aiding agency with getting started and best practices.

Solutions Details

Accurint TraX

Unlimited Use & Authorized Users of the Accurint TraX Suite to include:

- Mapping tools that visualizes location data
- Analytical tools to help visualize patterns and connections
- Real Time cell phone ping mapping
- Authorized User means employees directly employed with the requesting agency listed above as sworn law enforcement officers, crime analysts or dispatchers, unless agreed upon otherwise by LexisNexis
- CJIS Compliant, Cloud Based platform: (as defined by the US Department of Justice CJISD-ITS-DOC-08140-5.9, which can be found at - <https://www.fbi.gov/services/cjis/cjis-security-policy-resource-center>)
- Ongoing 24-hour support
- CDR investigative assistance (does not include full case review and consulting)

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- Tower dump assistance
- Custom agency search warrants prepared per provider
- All files belong to the agency upon upload into Accurint TraX
- Access to bulk phone number look up
- Complimentary weekly and monthly Accurint TraX webinars

VIPER: Virtual Pen Register

- VIPER is a 100% Cloud Based Solution that requires no end-user hardware. The system can be accessed from any computer or tablet with an internet connection.
- No Hardware Requirements: LexisNexis maintains all the required VPNs to the cellular carriers. You never have to deal with provisioning or setting up VPN connections to the carriers.
- VIPER is a CJIS Compliant, FedRAMP Certified cloud solution. Our security is second to none. VIPER can be deployed all the way up to a TS environment when required.
- Google Earth Compatible: All VIPER data can be viewed and updated in real-time in Google Earth. VIPER utilizes a network link to update data every 10 seconds. All Google Earth files are sharable.
- Combine Historical & Real-Time Data: VIPER can integrate historical CDRs, real-time ping data, and pen register data in one interface. Maximize your data.
- FIPS 140-2 SECURE: The FIPS 140-2 standard is an information technology security approval program for cryptographic modules produced by private sector vendors who seek to have their products certified for use in government departments and regulated industries that collect, store, transfer, share and disseminate sensitive but unclassified (SBU) information.

Training

- **40 Hour Training:** Provides knowledge of cellular technologies with hands on workshops giving students the ability to build complex court room presentations with big data visualization. This course provides strategic training to Detectives and Analysts to understand the landscape of geospatial investigative practices.
- **Fugitive Mission Planning & Cellular Investigations:** This three-day course is designed for those focused on apprehending violent criminals. This course emphasizes intelligence gathering of a known suspect, utilizing tracking resources to geolocate suspects, and developing arrest plans for suspects.

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- **Subject Matter Expert (SME) Training*:** This advanced 40-hour class will investigate several case studies incorporating complex cellular technology, cellular theory, training and experience and peer consensus throughout the week with an emphasis on presenting a final analysis for a formal brief or court room presentation.

**Attendance of a 40-Hour Basic Cellular Investigations Training course is a prerequisite.*

Geolocation Basic Services

LexisNexis Subject Matter Experts offer customers assistance with getting started, search warrant language, and data uploads and mapping. Our team can also offer case peer reviews and support during exigent cases. Your agency will be provided with best practices utilizing our investigative products and solutions.

Geolocation Expanded Services

For a fee, LexisNexis Subject Matter Experts offer several additional options to all customers for complex analysis, mapping, and reporting. Our experts can assist your agency with creating a court room work product, obtaining key geolocation data, locating a device and more. This team can provide customized assistance your agency may need during complex investigations.

Pricing

Accurint TraX Pricing for Hays County Sheriff's Office

Accurint TraX	\$10,500
Total Annual Subscription Price	\$10,500

Quote valid for 60 days. Subject to 5% increase upon renewal.

Additional Optional Solutions and Services

VIPER (annual cost)	\$3,150
Investigative Training Courses, 40 Hour Training	\$1,000
Investigative Training Courses Fugitive Mission Planning & Cellular Investigations	\$600
Investigative Training Courses Subject Matter Expert (SME) Training	\$1,250
Geolocation Expanded Services (25 hours)	\$3,000

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**Hays County Commissioners Court**

Date: 02/27/2024

Requested By:

Jerry Borcharding

Sponsor:

Commissioner Ingalsbe

Co-Sponsor:

Commissioner Shell

Agenda ItemApprove Utility Permits. **INGALSBE/SHELL/BORCHERDING****Summary**

TRN-2023-7254-UTL PCT. 1	MCI proposes to install 121' of underground conduit and fiber optic cable along the north side of Foster PI, in Kyle, Tx.
TRN-2024-7510-UTL PCT. 3	PEC service pole to be installed 1' from private property in Hays County ROW on Lame Hoss Lane in the Rolling Oaks Subdivision in Driftwood.
TRN-2024-7404-UTL PCT. 4	Frontier proposes to bore and place approximate 21,000 feet of 1.25 HDPE conduit, 52 handholes, 76 flower pots, 1 fiber distribution hub and place aerial cable to house Fiber Optic cable in support of its fiber to the home. Hays County will only permit Pina Forest Drive, Sun Bonnet Drive, and Rebel Drive. Traffic Control will be in applicable areas per MUTCD.

Attachments

Permit
Plan Set
Permit
Site Plan
Permit
Plan Set



Hays County Transportation Department

2171 Yarrington Rd, Suite 200, Kyle Texas 78640
(P) 512-393-7385 (Web) www.hayscountytexas.com

UTILITY PERMIT APPROVAL LETTER

**** Notification must be given IN WRITING at least 24 hours before work begins and proper traffic control must be implemented throughout the work zone. ****

The utility company or any of its representatives, engineers, contractors, or authorized agents agree to use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation AND will insure that traffic control measures complying with applicable portions of the Texas Manual of Uniform Traffic Control Devices will be installed and maintained during installation.

General Special Provisions:

1. Construction of this line will begin on or after 1/8/2024 .

Utility Company Information:

Name:
Address: TX
Phone:
Contact Name:

Engineer / Contractor Information:

Name: SAM
Address: 4801 Southwest Pkwy Austin TX 78735
Phone: 5128798294
Contact Name: Daniel LeTexier

Hays County Information:

Utility Permit Number: TRN-2023-7254-UTL
Type of Utility Service: HDPE conduit and fiber optic cable
Project Description:
Road Name(s): Foster Pl, , , , , ,
Subdivision:
Commissioner Precinct:

What type of cut(s) will you be using ? ☒ Boring ☒ Trenching ☐ Overhead ☐ N/A

Authorization by Hays County Transportation Department

The above-mentioned permit was approved in Hays County Commissioners Court on .

A handwritten signature in cursive script, appearing to read "Roland Chan".

02/09/2024

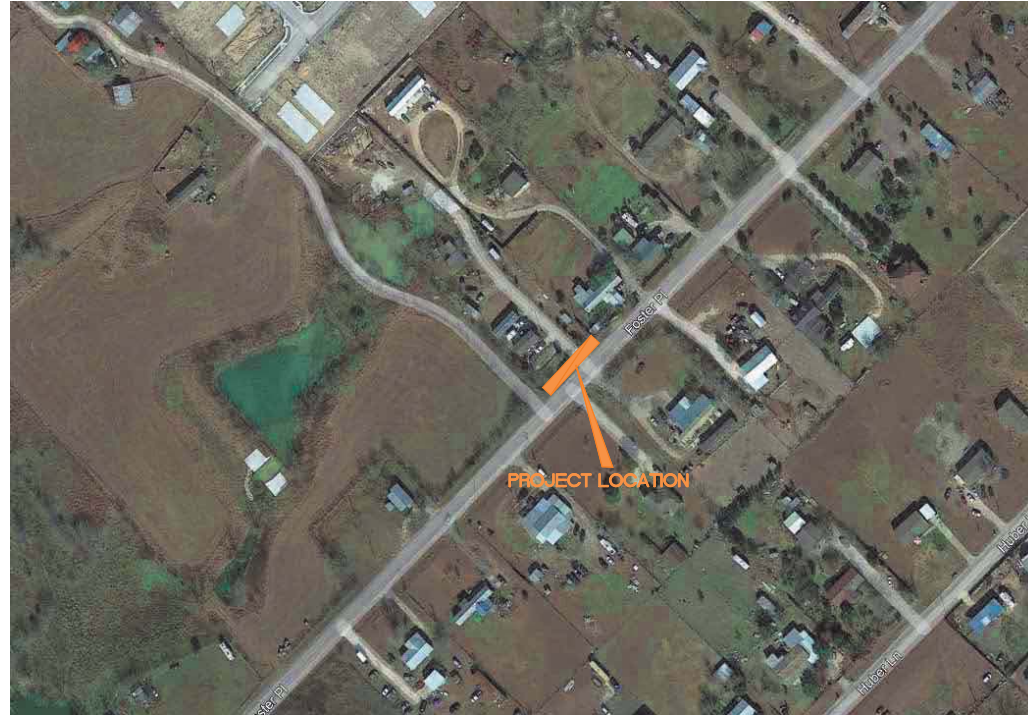
Signature

Title

Date

SHEET INDEX:

- 1 COVER SHEET:
PROJECT INFORMATION
- 2 KEY MAP
- 3 CONTACTS
- 4 LEGEND
- 5 GENERAL NOTES
- 6 UG ROUTE PLAN, UG ROUTE PROFILE
- 7-16 CONSTRUCTION TYPICALS
- 17 TRAFFIC CONTROL TYPICALS



LOCATION MAP:

BARRON_LAKE_STX

(KYLE, TEXAS)(HAYS COUNTY DISTRICT)

BOM		
MATERIAL QUANTITIES	UNIT	QTY
AERIAL FIBER W/ 6M STRAND	FT	
AERIAL FIBER OVERLASH	FT	
SNOW SHOE	EA	
ANCHOR/DOWN GUY	EA	
RISER	EA	
DIRECTIONAL BORE W/ (1) 2" HDPE	FT	116
OPEN TRENCH W/ (1) 2" HDPE	FT	5
ADDITIONAL 2" HDPE	FT	
MICRODUCT	FT	
30X60X30 CORE HANDHOLE	EA	
36X60X30 HUBBELL HANDHOLE	EA	
24X36X24 NED HANDHOLE	EA	
30X60X30 NED HANDHOLE	EA	
36X60X30 NED HANDHOLE	EA	2
864CT FIBERCABLE (W/ SLACK)	FT	321
FIBER SPLICES	EA	

INTERNAL ID: AUS_2003CGZS_30_HCO_4
NFID: 2003CGZS.30
SCOPE OF WORK: SuperNED
FQID: FIB:BUR::500958702
EWO: 2303BEWI
PROJECT DESCRIPTION:
MCI METRO PROPOSES TO INSTALL 121' OF 864CT FOC
ALONG FOSTER PL.

BEGIN
Latitude: N 30.025849
Longitude: W -97.797177

END
Latitude: N 30.026102
Longitude: W -97.796925



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL.
KYLE, TX 78640

DATE: 12/04/2023

SCALE: 1" = 40'

REVISIONS		
DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

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Ofc: 512.447.0575 email: info@sam.biz
Texas Firm Registration No. 10054500

PROJECT: 1023078031

COVER

SHEET 1 OF 17

HAYS COUNTY, TX
BARRON_LAKE_STX

CONTACT SHEET

OWNER:

MCI METRO
DAVID NORRIS
PROJECT MANAGER
(213)300-7569
DAVID.NORRIS@VERIZON.COM

ENGINEERING:

SURVEYING AND MAPPING, LLC
4801 SOUTHWEST PWKY
AUSTIN, TEXAS 78735

DANIEL LETEXIER
512-879-8294
DANIEL.LETEXIER@SAM.BIZ

PERMITTING AGENCIES:

HAYS COUNTY

TIMOTHY D. VANDE VORDE
OPERATION SUPERINTENDENT
TRANSPORTATION DEPARTMENT
(512)738-0747
TVANDEVORDE@CO.HAYS.TX.US



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL,
KYLE, TX 78640

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CONTACTS

SHEET 3 OF 17

KEY MAP



SCALE: 1" = 40'

SHEET 2 OF 17

LEGEND

	PROPOSED UNDERGROUND ROUTE
	ASSUMED RIGHT OF WAY LINE
	EDGE OF PAVEMENT
	ROADWAY CENTERLINE
	EASEMENT
	SOLID WHITE LINE/FOG LINE
	CURB & GUTTER
	GUARDRAIL
	FENCE LINE
	TRAIN TRACKS
	DITCH LINE
	LANDSCAPING
	WATER WAY OUTLINES
	TRAFFIC SIGNAL
	UNDERGROUND WATER LINE
	UNDERGROUND GAS LINE
	UNDERGROUND WASTEWATER SEWER LINE
	UNDERGROUND STORM DRAIN LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND TELEPHONE LINE
	OVERHEAD UTILITY LINE
	UNDERGROUND FIBER OPTIC
	BRIDGE
	GROUND SYMBOL
	SPLICE SYMBOL

	PROP. HANDHOLE
	FIBER OPTIC HANDHOLE (OTHERS)
	HANDHOLE (OTHERS)
	MANHOLE
	MARKER
	MARKER (OTHERS)
	MARKER (RIGHT OF WAY)
	SIGN
	POLE
	TRAFFIC SIGNAL POLE & STREET LIGHT
	ANCHOR
	CLEANOUT W/GROUND RODS
	PEDESTAL
	CULVERT
	METERS
	FIRE HYDRANT
	VALVES
	VENT
	CURB INLET
	TREE
	MAILBOX
	NOT TO SCALE
	UTILITY BOX
	BOREPIT
	TRAFFIC LIGHTS



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL.
KYLE, TX 78640

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PROJECT: 1023078031

COVER

SHEET 4 OF 17

CONSTRUCTION NOTES

1. WHERE TRENCHING TECHNIQUES ARE USED THE MINIMUM DEPTH TO THE TOP OF CONDUIT WILL BE 48" UNLESS OTHERWISE APPROVED BY THE PROJECT ENGINEER. A MAXIMUM DEPTH OF 82" IS REQUIRED TO THE TOP OF THE HDPE.
2. WHENEVER DIRECTIONAL BORING IS UTILIZED TO INSTALL CONDUITS ALL EXCAVATIONS SHALL BE BACKFILLED PER HAYS COUNTY SPECIFICATIONS.
3. VERIFICATION OF THE LOCATION OF ALL UTILITY CROSSINGS IS THE SUBCONTRACTOR'S RESPONSIBILITY. HAND DIG WHERE REQUIRED. ALL KNOWN UTILITIES MUST BE "TEST PITTED".
4. CONTACT TEXAS 811 72 HOURS IN ADVANCE OF CONSTRUCTION AT 1-800-DIG-TESS FOR LOCATION OF BURIED UTILITIES.
5. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL HAYS COUNTY TRAFFIC LOOPS LOCATED.
6. CONFIRM WITH MCI METRO, WITH HAYS COUNTY CORRESPONDENCE, THAT ALL TRAFFIC LOOP LOCATIONS HAVE BEEN COORDINATED FOR MARKING.
7. AT THE END OF EACH WORK DAY CONDUIT CAPS WILL BE PLACED ON ALL VACANT DUCTS.
8. A MINIMUM BENDING RADIUS OF 24" FOR FIBER CABLE WILL BE ADHERED TO.
9. MAXIMUM CABLE INSTALLATION TENSION SHALL NOT EXCEED 600 POUNDS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL AND STORAGE OF ALL SHRUBBERY TO BE REPLACED.
11. RESTORATION OF THE CONSTRUCTION AREA TO ORIGINAL OR BETTER CONDITION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
12. PLACE 6" OF 3/4" CRUSHED ROCK IN THE BOTTOM OF THE PIT PRIOR TO PLACING THE HANDHOLE.
13. ALWAYS HAND DIG WITHIN 2' OF UTILITIES.
14. PLACE A 100' COIL OF SLACK IN EACH HANDHOLE/MANHOLE.
15. EXCAVATE OUTSIDE THE DRIP LINE OF ALL TREES TO PREVENT ROOT DAMAGE.
16. CONSTRUCTION MATERIALS AND STAGING AREAS ARE NOT PERMITTED WITHIN 25' BUFFER ZONE OF WETLANDS, CREEKS, AND STREAMS.
17. THE CURB AND GUTTER IS NOT TO BE DISTURBED WITHOUT PRIOR APPROVAL.
18. IN THE EVENT THAT IT IS NECESSARY TO REMOVE ANY PORTION OF THE CURB AND GUTTER IT IS TO BE REPLACED SEAM TO SEAM IN A MATCHING CONFIGURATION TO THE ADJACENT CURB AND GUTTER.
19. ALL WORK WILL ADHERE TO THE REQUIREMENTS SET FORTH IN THE LATEST HAYS COUNTY UTILITY POLICY.
20. CONSTRUCTION NOTES SHALL APPLY TO ALL DRAWINGS.
21. A MINIMUM DEPTH OF 112" OR GREATER IS REQUIRED AT ALL RIVER, CREEK, AND/OR GULLY CROSSINGS.

GENERAL NOTES

1. GENERAL NOTES SHALL APPLY TO ALL DRAWINGS.
 2. ALL WORK SHALL COMPLY WITH APPLICABLE STATE, COUNTY, & LOCAL REGULATORY AGENCIES. INCLUDING BUT NOT LIMITED TO OSHA, HAYS COUNTY, ETC.
 3. THE CONTRACTOR SHALL CONTACT THE ADJACENT PROPERTY OWNERS A MINIMUM OF 12 HOURS IN ADVANCE OF CONSTRUCTION AT THE WORK SITE.
 4. ALL TRAFFIC CONTROL DEVICES SHALL BE IN PLACED BEFORE WORK IS STARTED. DEVICES NO LONGER REQUIRED SHALL BE REMOVED AS SOON AS POSSIBLE.
 5. PEDESTRIAN TRAFFIC AREAS MUST BE MAINTAINED AT ALL TIMES. PEDESTRIANS MAY NOT BE REROUTED ONTO PRIVATE PROPERTY OR INTO STREETS.
 6. NO EQUIPMENT OR MATERIALS SHALL BE STORED OR PERMITTED TO STAND UNPROTECTED WHERE TRAFFIC IS MAINTAINED.
 7. NO EQUIPMENT OR MATERIALS SHALL BE STORED ON ROAD SURFACE AT ANY TIME.
 8. NO EQUIPMENT OR MATERIALS SHALL BE STORED ON SIDEWALK AT ANY TIME.
 9. EXCAVATION MATERIAL SHALL BE STORED AWAY FROM THE PAVED ROADWAY. ALL SPILLED MATERIAL WILL BE REMOVED IMMEDIATELY.
 10. EXISTING SIGNS, DELINEATORS, GUARDRAILS, MARKERS, TREES, SHRUBS, FENCES, WALKS, STEPS, ETC., THAT ARE DISTURBED BY THIS CONSTRUCTION SHALL BE REPLACED OR RESTORED TO THEIR ORIGINAL CONDITION OR TO THE SATISFACTION OF THE INSPECTING ENGINEER, PROPERTY OWNER, CITY, COUNTY, STATE AND/OR ANY OTHER AGENCY HAVING AUTHORITY/JURISDICTION.
 11. CITY, COUNTY, STATE ROAD SIGNS, DELINEATORS, GUARDRAILS, ETC. SHALL NOT BE REMOVED. WRITTEN PERMISSION SHALL BE REQUIRED PRIOR TO ANY EXCAVATION IN THIS AREA.
 12. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY, COUNTY, STATE SPECIFICATIONS AND STANDARDS.
 13. ALL PERSONS WHO FLAG TRAFFIC ON STATE RIGHT-OF-WAY MUST BE CERTIFIED.
 14. ALL SURFACE AND SUBSURFACE RESTORATION IS TO BE IDENTICAL TO THE ADJACENT UNDISTURBED AREAS.
 15. THE CONTRACTOR IS RESPONSIBLE FOR ANY UTILITY DAMAGES. WHEN ANY PERSON DAMAGES A UTILITY LINE OR PROTECTIVE COATING DURING EXCAVATION OR DEMOLITION THE ONSITE COUNTY INSPECTOR AND THE AFFECTED UTILITY WILL BE NOTIFIED.
 16. ON ALL WORK ASSOCIATED WITH HAYS COUNTY PROJECTS THE RESIDENT ADMINISTRATOR FOR HAYS COUNTY MUST BE NOTIFIED AT LEAST 48 HRS BEFORE STARTING WORK.
 17. CONTRACTOR IS RESPONSIBLE FOR ALL COMPACTING AND SEDIMENT CONTROL REGULATIONS.
- * THESE PLANS MEET OR EXCEED HAYS COUNTY ROAD AND BRIDGE STANDARDS AND SPECIFICATIONS.
- ** NO HANDHOLES ARE TO BE PLACED WITHIN DITCH LINES.
- ALL DRIVEWAYS WILL BE BORED.

ADDITIONAL NOTES

1. CONTRACTOR RESPONSIBLE FOR INSTALLATION/REPAIR/REPLACE OF MAILBOXES AND SIGNS. MAILBOXES AND SIGNS SHALL BE INSTALLED IN ACCORDANCE WITH HAYS COUNTY STANDARDS.
2. CONTRACTOR SHALL REPLACE ALL AREAS WITHIN HAYS COUNTY RIGHT-OF-WAY TO ORIGINAL CONDITION.
3. CONSTRUCTION SHALL NOT CHANGE OR IMPACT EXISTING DRAINAGE CONDITIONS.
4. NATURAL AREAS WITHIN HAYS COUNTY RIGHT-OF-WAY WHICH ARE DISTURBED SHALL BE RE VEGETATED OR STABILIZED WITH SOIL RETENTION BLANKETS.
5. MINIMUM OF 4' SEPARATION MUST BE MAINTAINED BETWEEN THE BORES AND ALL CULVERTS.



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL.
KYLE, TX 78640

DATE: 12/04/2023

SCALE: 1" = 40'

REVISIONS		
DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

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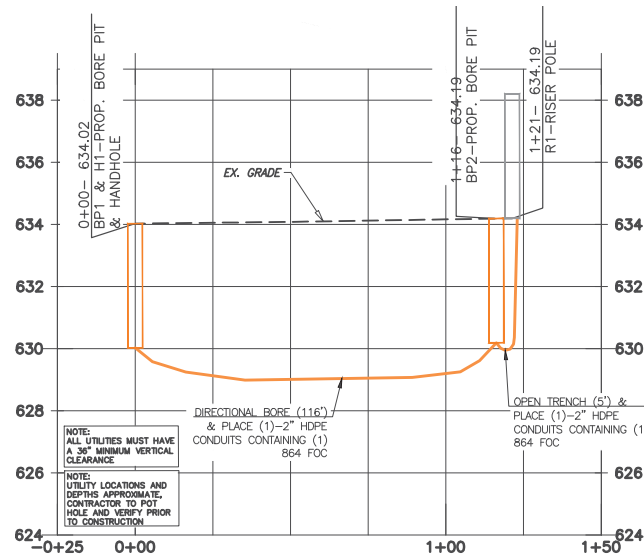
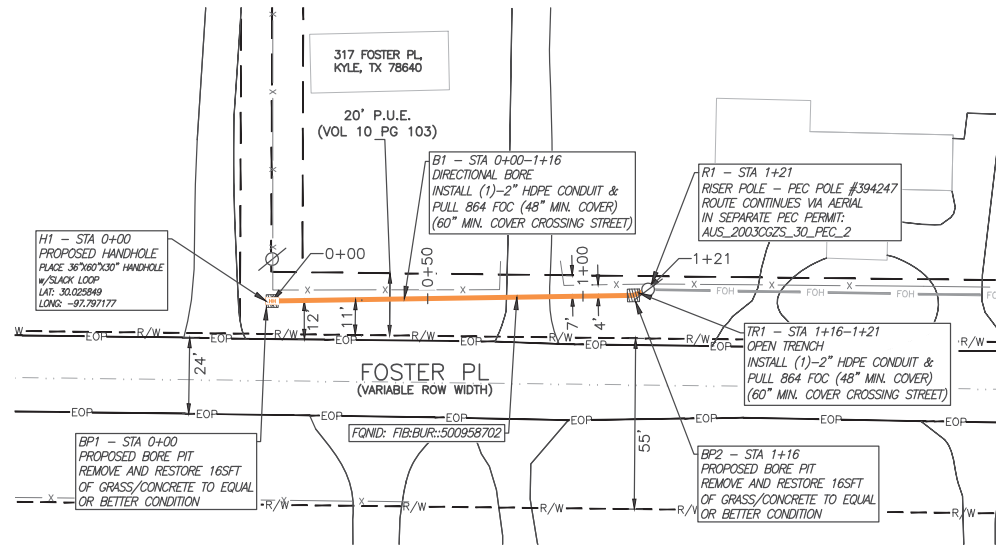
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Texas Firm Registration No. 10054500

PROJECT: 1023078031

NOTES

SHEET 5 OF 17

HAYS COUNTY, TX
BARRON_LAKE_STX



CAUTION!
USE CARE
UNDERGROUND
UTILITIES IN AREA

CONTRACTOR'S NOTE:

ALL LINE WORK AND UTILITY LOCATIONS ARE APPROXIMATE.
CONTRACTOR IS RESPONSIBLE FOR
EXACT LOCATIONS.



CAUTION:
ALL UTILITY LOCATIONS DEPICTED ARE
APPROXIMATE. CONTRACTORS REQUIRED
TO TEST HOLE/POT HOLE, EXPOSE,
DAYLIGHT ALL UTILITY CROSSINGS AND
CALL 811 PRIOR TO CONSTRUCTION.

ANY UTILITIES CLOSER THAN 3'
HORIZONTAL SEPARATION TO AN OPEN
TRENCH OR BORE PIT, HAND DIGGING
REQUIRED. RIGHT OF WAY LOCATION(S)
DEPICTED ARE APPROXIMATE, AND BASED
UPON PUBLIC RECORDS. CONTRACTORS
REQUIRED TO VERIFY PRIOR TO
CONSTRUCTION.

CONTRACTOR TO MAINTAIN MINIMUM
CONSTRUCTION CLEARANCE
REQUIREMENTS FROM ALL JURISDICTION
AND THIRD PARTY INFRASTRUCTURE.

UTILITIES SHOWN ARE BASED UPON
PUBLIC AVAILABLE AS-BUILT PLANS AND
UTILITY MARKINGS LOCATED IN THE
FIELD.

SITE: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL,
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DATE: 12/04/2023

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REVISIONS		
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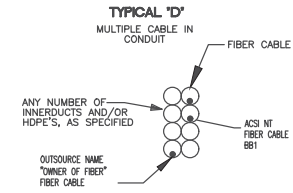
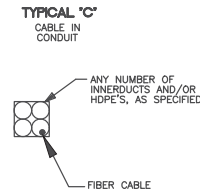
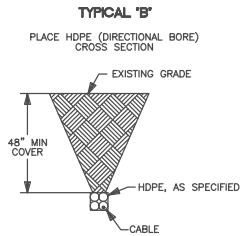
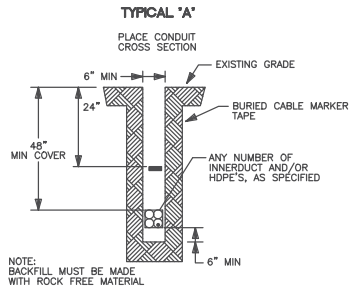
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PLAN

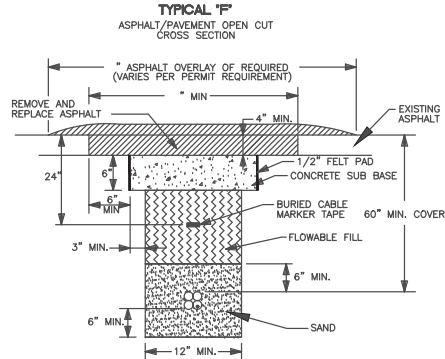
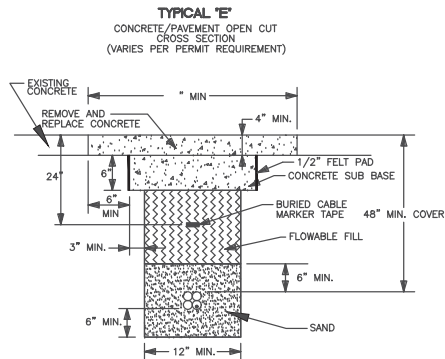
SHEET 6 OF 17

BURIED CONSTRUCTION TYPICALS - 1

PLACEMENT - TYPICALS



OPEN CUT - TYPICALS



1. THE BOTTOM OF THE TRENCH SHALL BE LEVEL, FLAT AND NOT HAVE ANY ROCK DEBRIS.
2. ALL BACKFILL MUST BE APPROVED BY ENGINEER, AND/OR PERMITTING AUTHORITY INSPECTOR.
3. EXCAVATED MATERIAL MAY BE DEEMED SUITABLE BACKFILL BY ENGINEER AND/OR PERMITTING AUTHORITY INSPECTOR.
4. MINIMUM SIX (6) INCHES OF CLEAN SAND SHALL BE PLACED OVER THE CONDUIT.
5. FLOWABLE FILL MIX DESIGN SHALL BE PER CITY AND/OR PERMITTING AUTHORITY.
6. ALL FLOWABLE FILL AND CONCRETE SHALL BE VIBRATED USING A 2" DIAMETER VIBRATOR.
7. CONCRETE AND ASPHALT THICKNESS SHALL MATCH EXISTING.
8. #4 DOWELS SHOULD BE DRILLED INTO ADJACENT UNDISTURBED CONCRETE TO PREVENT DIFFERENTIAL SETTLEMENT.



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL.
KYLE, TX 78640

DATE: 12/04/2023

SCALE: 1" = 40'

REVISIONS		
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Office: 512.447.0575 email: info@sam.biz
Texas Firm Registration No. 10084500

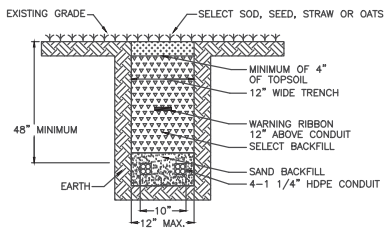
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BUR CONST TYP1

SHEET 7 OF 17

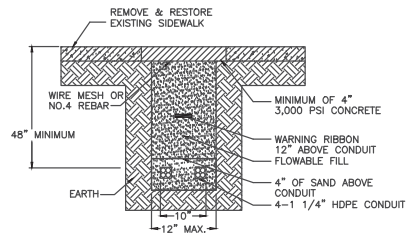
BURIED CONSTRUCTION TYPICALS - 2

SOD/UNIMPROVED AREA TRENCH RESTORATION TYPICAL



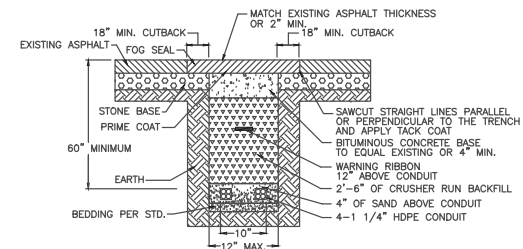
1. ALL BACKFILL MUST BE APPROVED BY ENGINEER OR PERMITTING AUTHORITY INSPECTOR.
2. EXCAVATION MATERIAL MAY BE DEEMED SUITABLE BACKFILL BY ENGINEER, AND/OR PERMITTING AUTHORITY.
3. A MAXIMUM OF EIGHT (8) INCH LAYS OF BACKFILL MATERIAL WILL BE ALLOWED. FOUR LAYERS OF CURB AND GUTTER SHALL BE PLACED ABOVE THE CONDUIT.
4. THE BOTTOM OF THE TRENCH SHALL BE LEVEL, FLAT, AND NOT HAVE ANY ROCK DEBRIS.
5. ALL DISTURBED GRASS AREAS ARE TO BE SEEDDED WITH KENTUCKY 31 FESCUE SEED. MULCH IS TO BE APPLIED AND MAINTAINED TO ACHIEVE A SATISFACTORY GRASS COVER TO CONTROL EROSION.
6. IN CORPUS CHRISTI DISTRICT DOTS WILL BE PLANTED: E. 1 THROUGH NOV. 30. IN COULTRILL DISTRICT DOTS WILL BE PLANTED: KARLIS, KARLIS, REFUGIO, SAN PATRICIO, LIVE OAK, JIM WELLS, KLEBERG, NOYES, AND ARANSAS.)

SIDEWALK TRENCH RESTORATION TYPICAL



1. REMOVE ENTIRE SIDEWALK PANEL JOIN TO JOINT.
2. EXPANSION BOARD SHALL BE PLACED ON ALL EXISTING CONCRETE EDGES.
3. FLOWABLE FILL MIX DESIGN SHALL BE PER PERMITTING AUTHORITY SPECIFICATIONS.
4. THE NEW CONCRETE SIDEWALK SHALL BE PLACED LEVEL AND FLAT TO MATCH EXISTING.
5. THE FINISH SHALL MATCH EXISTING SIDEWALK.
6. FOUR (4) INCHES OF CLEAN SAND SHALL BE PLACED OVER THE MULTICELL CONDUIT.
7. THE BOTTOM OF THE TRENCH SHALL BE LEVEL, FLAT, AND NOT HAVE ANY ROCK DEBRIS.
8. CONCRETE REINFORCEMENT SHALL CONSIST OF WIRE MESH 6"x6"x10 GAUGE WIRE OR NO.4 REBAR PLACED ON 12" CENTERS.
9. ALL FLOWABLE FILL AND CONCRETE SHALL BE VIBRATED USING A 2" DIAMETER VIBRATOR.
10. CONCRETE SIDEWALK THICKNESS SHALL MATCH EXISTING.

ASPHALT TRENCH RESTORATION TYPICAL



1. BITUMINOUS CONCRETE SURFACE SHALL BE PLACED TO A DEPTH EQUAL TO THE EXISTING SURFACE OR 2" MINIMUM. (COARSE SURFACE)
2. MINIMUM 6" CONCRETE SHALL BE PLACED TO A DEPTH EQUAL TO THE EXISTING PAVEMENT OR 4" MINIMUM. (BC)
3. THE TOP 2" -5" OF THE TRENCH BELOW PAVEMENT SHALL BE BACKFILLED WITH CRUSHER RUN.
4. ALL ROAD SURFACE EDGES SHALL BE SAWED IN A STRAIGHT LINE.
5. SS-1 TOP SOAT COAT WILL BE APPLIED AT THE RATE 0.1 GAL. PER SQ. YARD OVER THE CONCRETE BASE AND THE EDGES OF THE EXISTING ASPHALT.
6. THE ASPHALT PATCH SHALL BE SMOOTH, FLAT AND EVEN WITH EXISTING ASPHALT SURFACE. ALL JOINTS WILL BE SEALED AFTER PAVING.
7. FOUR (4) INCHES OF CLEAN SAND SHALL BE PLACED OVER THE CONDUIT.
8. BOTH SIDES OF THE TRENCH SHALL BE LEVEL, A 3" SAND BEDDING WILL BE PLACED AS REQUIRED.
9. TYPICAL TRENCH WIDTH IS 12".



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SITE ADDRESS:
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KYLE, TX 78640

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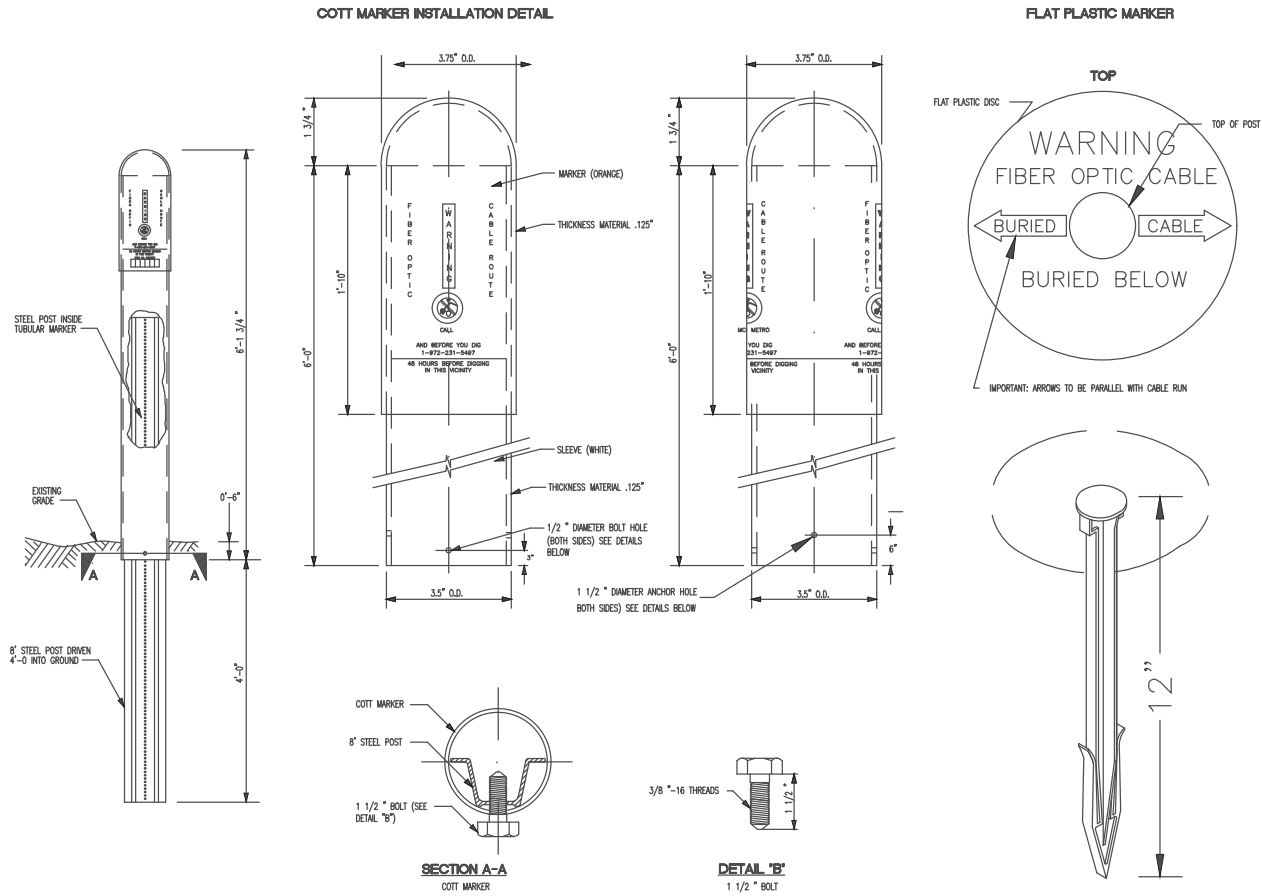


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Ofc: 512.447.0575 email: info@sam.biz
Texas Firm Registration No. 10064300

PROJECT: 1023078031

BUR CONST TYP2

SHEET 8 OF 17



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL,
KYLE, TX 78640

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Suite 100 Austin, Texas, 78735
Ofc: 512.447.0575 email: info@sai.com
Texas Firm Registration No. 10054500

PROJECT: 1023078031

CABLE MARKER

SHEET 9 OF 17

HAYS COUNTY, TX
BARRON_LAKE_STX

MATERIAL PROPERTIES

THE FOLLOWING MATERIAL PROPERTIES FOR POLYMER CONCRETE PRODUCTS WERE ESTABLISHED THROUGH INDEPENDENT THIRD PARTY TESTING:

COMPRESSIVE STRENGTH	ASTM C 579	> 12,500 PSI
FLEXURAL STRENGTH (REINFORCED)	ASTM D 790	> 7,500 PSI
FLEXURAL STRENGTH (NON-REINFORCED)	ASTM D 790	> 3,000 PSI
MODULUS OF RUPTURE	ASTM C 99	□ 3,000 PSI
WATER ABSORPTION	ASTM C 97	□ 0.25%
IMPACT RESISTANCE	ASTM D 2444	> 70 FT-LB
FRICTION COEFFICIENT	ASTM C 1028	> 0.5
CHEMICAL RESISTANCE	ASTM D 543	RESISTANT, > 75% RETENTION

PHYSICAL PROPERTIES

THIS UNIT (BODY & LID) MEETS OR EXCEEDS THE REQUIREMENTS OF SCTE 77 TIER 22 AND 30K PERFORMANCE (DESIGN LOAD: 30,000 LBS / TEST LOAD: 45,000 LBS)

T22/30K STANDARD HANDHOLE
DESIGN LOAD: 30,000 LBS
TEST LOAD 45,000 LBS

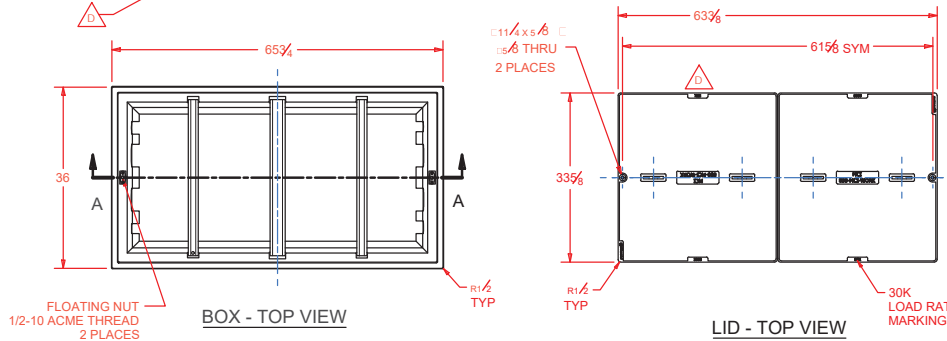
REVISION HISTORY			
REV	DESCRIPTION	REV BY	DATE APPROVED
D	CHANGE ESTIMATED WEIGHTS AND LOAD RATE MARKING UPDATED TO 30K: DESIGN LOAD: 30,000 LBS. TEST LOAD 45,000 LBS	GTORRES	12/16/2019 AGARCIA

CUSTOMER APPROVAL

PRODUCT IS APPROVED IN ACCORDANCE WITH THE SPECIFICATIONS DESCRIBED ON THIS SHEET.

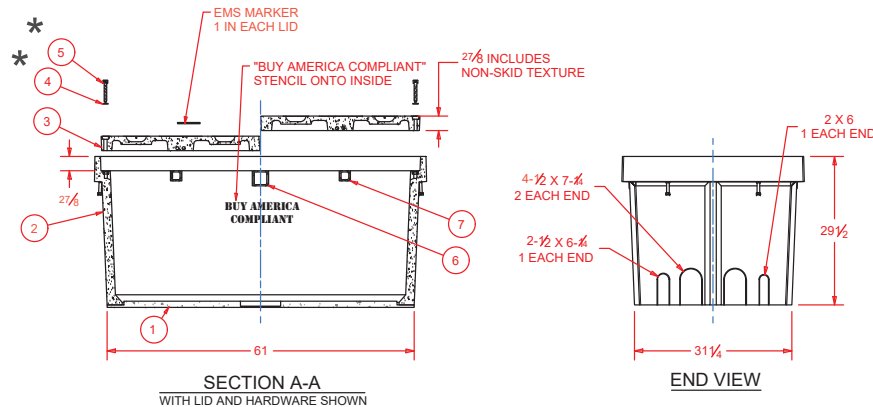
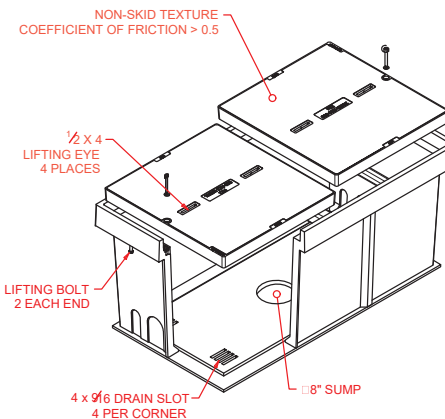
SIGNATURE _____

DATE _____



BOX - TOP VIEW

LID - TOP VIEW



SECTION A-A
WITH LID AND HARDWARE SHOWN

END VIEW

MATERIAL: POLYMER CONCRETE WITH FRP FLOOR.

NOTE: FOR SKU 30606100K BAG ALL HARDWARE MARKED WITH (*) AND TAPE BAG TO 3X3 CROSS BRACE

7	2 0700557	SQ TUBE 2X2X1/4 31 LONG GALV
6	1 0700569	SQ TUBE 3X3X1/4 31 LONG GALV
5	2 05823400	BOLT, JOHNNY, SS, 1/2-10 ACME X 3-3/4 LONG HEX PIN
4	2 HWH-F11	WASHER, FLAT SST .531 ID x 1.062 OD .095 THICK
3	2 30605015	LID, PC3060 T22/30K - MCI
2	1 30602030	PC3060-30 BODY
1	1 30609000	FLOOR, FG 3060

ITEM QTY	SKU	DESCRIPTION
7	2 0700557	SQ TUBE 2X2X1/4 31 LONG GALV
6	1 0700569	SQ TUBE 3X3X1/4 31 LONG GALV
5	2 05823400	BOLT, JOHNNY, SS, 1/2-10 ACME X 3-3/4 LONG HEX PIN
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CUSTOMER FORMAT DRAWING

TOTAL EST. UNIT WEIGHT: 810 LBS

EST. LID WEIGHT: 136 LBS (EA HALF) EST. BODY WITH FLOOR WEIGHT: 535 LBS

UNLESS OTHERWISE SPECIFIED
ALL DIMENSIONS ARE IN INCHES
TOLERANCE:

XXX = .005

.XX = .010

.X = .030

FRACTION = 1/16

ANGLE = 1:1

e

801 S PINE ST
MADERA, CA 93637
1-800-486-7070

Enclosure Solutions

TITLE
UNIT, PC3060-30 30K - MCI 800-MCI-
WORK - CONDUIT KNOCKOUTS AND FRP
FLOOR

SIZE
C

SCALE
30606100 / 30606100K

REV
D

SHEET 1 OF 1

LAST PLOT: 4/22/2015 @ 15:18

MCI metro



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL,
KYLE, TX 78640

DATE: 12/04/2023

SCALE: 1" = 40'

REVISIONS		
DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

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SAM

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Suite 100 Austin, Texas 78735
Ofc: 512.447.0575 email: info@sam.biz
Texas Firm Registration No. 10084500

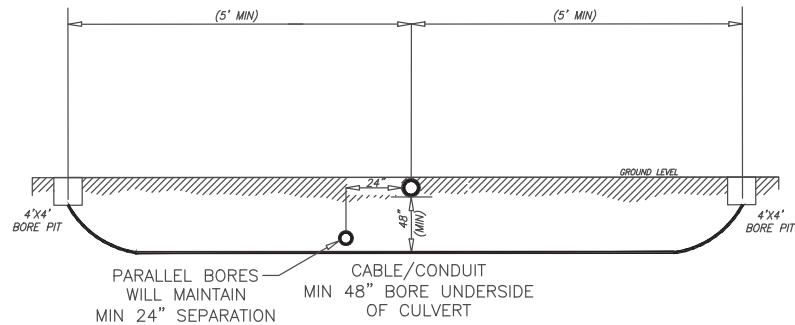
PROJECT: 1023078031

36X60X30 OC HH

SHEET 10 OF 17

HAYS COUNTY, TX
BARRON_LAKE_STX

TYPICAL CULVERT CROSSING BORE DETAIL



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL.
KYLE, TX 78640

DATE: 12/04/2023

SCALE: 1" = 40'

REVISIONS

DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

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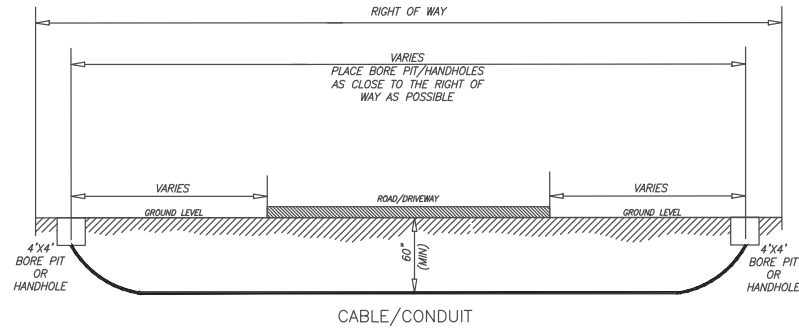
PROJECT: 1023078031

TYP CULV BORE DET

SHEET 11 OF 17

HAYS COUNTY, TX
BARRON_LAKE_STX

TYPICAL ROAD/DRIVEWAY CROSSING BORE DETAIL



CROSSING UNDER ROADS (1) 2" HDPE
CONDUITS WILL BE PLACED

CROSSING UNDER DRIVEWAYS (1)-2" HDPE
CONDUITS WILL BE PLACED



SITE NAME: BARRON_LAKE_STX

SITE ADDRESS:
317 FOSTER PL,
KYLE, TX 78640

DATE: 12/04/2023

SCALE: 1" = 40'

REVISIONS

DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

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4801 Southwest Parkway, Building Two,
Suite 100 Austin, Texas, 78735
Office: 512.447.0575 email: info@sai.biz
Texas Firm Registration No. 10064300

PROJECT: 1023078031

TYP RD BORE DET

SHEET 12 OF 17

\\SAMINC\AUS\PROJECTS\1023076031\100\SURVEY\02BASE\REDESIGN\HCO_4\BARRON_LAKE_STX_AUS_200306ZS_30_HCO_4.DWG

MINIMUM 60' BORE PIT (30' EACH SIDE OF GAS LINE)

GAS X-ING

7' OF CLEARANCE REQUIRED BELOW GAS LINE (2' IF TRENCHING)

VARIABLE

GROUND LEVEL

4'x4' BORE PIT

CABLE/CONDUIT

48" (MIN)

4'x4' BORE PIT



DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

SHEET 13 OF 17

421 - HYDRAULIC CEMENT CONCRETE (with required SP 421---024)

SPECIFICATION REQUIREMENTS

1) The following will need to be shown on the plans or require a plan note:

A coarse aggregate magnesium sulfate soundness loss other than a maximum OF 18% (optional)

If a value less than 1.0% will be used for the maximum decantation for coarse aggregate (optional)

For all concrete subject to direct traffic if an acid insoluble value less than 60% will be used (optional)

If blending of fine aggregates to meet the acid insoluble requirement will not be allowed (optional)

If a sand equivalent of less than 80 will be used (optional)

For Class K concrete if fineness modulus values outside the range of 2.60 and 2.80 will be allowed (optional)

If mortar and grout will be used in the project (required)

Strength requirements for concrete Classes F, H, K, and HES if used (required)

Coarse aggregate grade for Class K and HES if used (required)

If the responsibility of the contractor is waived regarding furnishing and maintaining: (optional)

- o test molds
- o curing facilities
- o maturity meters if used,
- o wheelbarrow or other container acceptable for the sampling of concrete
- o strength-testing equipment in accordance with the controlling test (ie., compression machine or flexural beam breakers)

If the controlling strength test will not be compressive (optional)

If the contractor will not be responsible for the handling and transportation of test specimens and the cleaning of molds, if needed (optional)

When sulfate resistant concrete is required (required)

HAYS COUNTY plant/truck inspection/certification in lieu of NRMCA/professional engineer certification for NON-STRUCTURAL CONCRETE ONLY (optional)

To allow the use of volumetric mixers for structural concrete (optional)

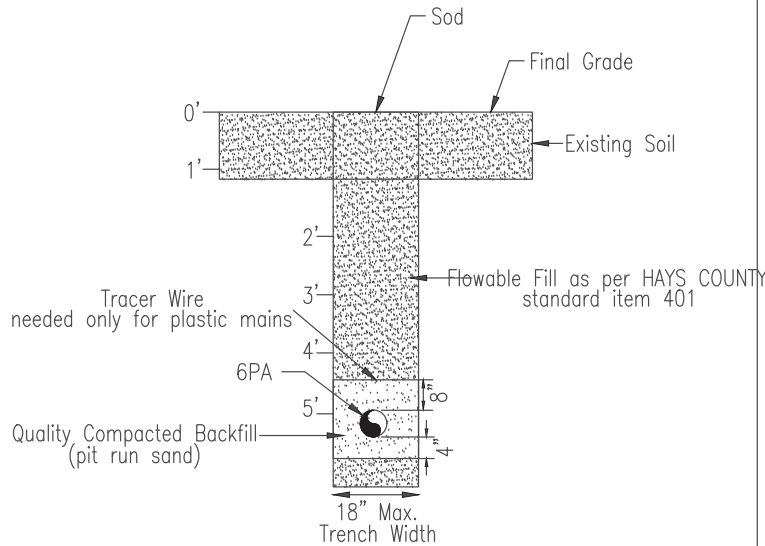
To designate the use of high performance concrete classes: C(HPC), F(HPC), H(HPC), and S(HPC) (required)

Designate an alternate strength over-design requirement other than what is in the specification only for Class K, non-structural concrete and Class C concrete not used for bridge class structures (optional)



Designate dosage rate of corrosion inhibiting admixture if used (required)

To waive air entrainment requirements for all concrete classes or individual concrete classes (already waived for Class B and drilled shaft concrete) (optional - refer to Bridge and Pavement Design Manuals)

To alter target air contents (currently set at 4.0% for pavements and 5.5% for structural concrete) (optional)



Trench Detail For Earth Excavation Only < 10' from Curb



SITE NAME: BARRON_LAKE_STX


SITE ADDRESS:
317 FOSTER PL,
KYLE, TX 78640

DATE: 12/04/2023

SCALE: 1" = 40'

REVISIONS		
DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

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4801 Southwest Parkway, Building Two,
Suite 100 Austin, Texas, 78755
Office: 512.447.0575 email: info@sam.biz
Texas Firm Registration No. 10064300

PROJECT: 1023078031

TRENCHDET2

SHEET 15 OF 17

\\SAMINC\AUS\PROJECTS\1023078031\100\SURVEY\02BASE\REDESIGN\HCO_4\BARRON_LAKE_STX_AUS_2003CGZS_30_HCO_4.DWG



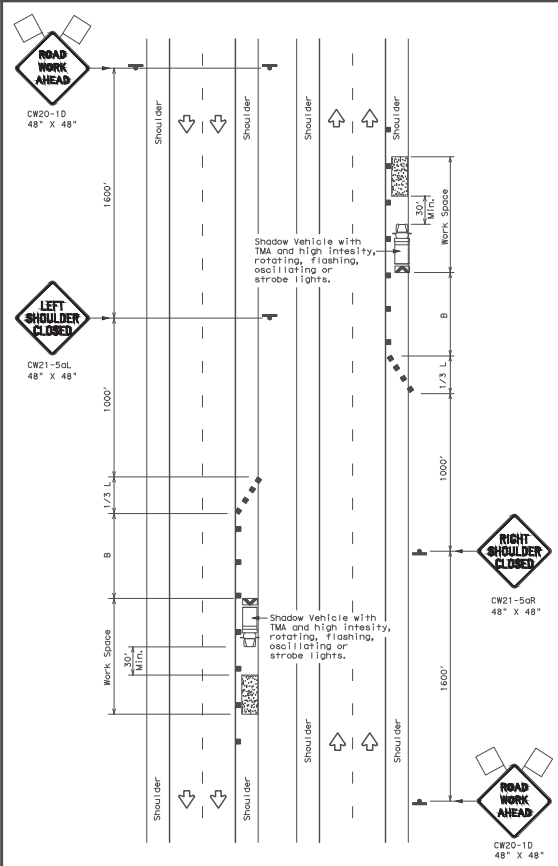
REVISIONS

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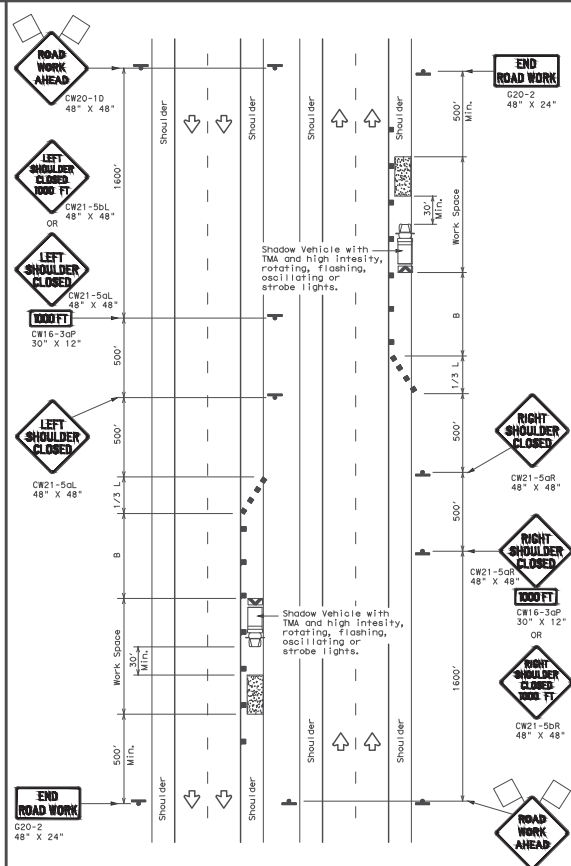


DISCLAIMER: This drawing is prepared by the Texas Department of Transportation. No warranty of any kind is made by the Texas Department of Transportation for the use of this drawing for any purpose other than that for which it was prepared. The user assumes all liability for the use of this drawing for any purpose other than that for which it was prepared.

DATE:
FILE:



TCP (5-1a)
WORK AREA ON SHOULDER



TCP (5-1b)
WORK AREA ON SHOULDER

LEGEND

Type 3 Barricade	Channelizing Devices
Heavy Work Vehicle	Truck Mounted Attenuator (TMA)
Trailer Mounted Flashing Arrow Board	Portable Changeable Message Sign (PCMS)
Sign	Traffic Flow
Flag	Flagger

Posted Speed	Formula	Minimum Desirable Taper Lengths ft.	Suggested Maximum Spacing of Channelizing Devices	Suggested Longitudinal Buffer Space ft.
30	$L = WS/60$	10' 150'	On a Taper 30'	90'
35		205'	On a Tangent 35'	120'
40		265'	On a Tangent 40'	155'
45		450'	On a Tangent 45'	195'
50		500'	On a Tangent 50'	240'
55		550'	On a Tangent 55'	295'
60		600'	On a Tangent 60'	350'
65		650'	On a Tangent 65'	410'
70		700'	On a Tangent 70'	475'
75		750'	On a Tangent 75'	540'
80		800'	On a Tangent 80'	615'

X Conventional Roads Only
XX Taper lengths have been rounded off.
L=Length of Taper (FT) W=Width of Offset (FT) S=Posted Speed (MPH)

TYPICAL USAGE			
MOBILE	SHORT DURATION	SHORT TERM STATIONARY	LONG TERM STATIONARY
	TCF (5-1a)	TCF (5-1b)	TCF (5-1b)

GENERAL NOTES

- A Shadow Vehicle with a TMA should be used anytime it can be positioned 30' to 100' in advance of the area of crew exposure without adversely affecting the performance or quality of the work. Type 3 barricades or drums may be substituted when workers on foot are no longer present when approved by the Engineer.
- 28" tall or taller one-piece cones will be allowed only for Short Duration or Short Term stationary operations when workers are present to maintain the devices upright and in proper location. Intermediate term stationary work areas should use Drums, Vertical Panels or 42" tall two-piece cones.

TRAFFIC CONTROL PLAN
SHOULDER WORK FOR
FREEWAYS / EXPRESSWAYS

TCP (5-1) - 18

FILE:	1025-1-18.dgn	DATE:	02/04/2023	BY:	AW
DESIGNED BY:	AW	CHECKED BY:	AW	DATE:	02/04/2023
REVISIONS:		DATE:		BY:	
2-18		DATE:		BY:	



SITE NAME: BARRON_LAKE_STX
SITE ADDRESS:
317 FOSTER PL,
KYLE, TX 78640
DATE: 12/04/2023
SCALE: 1" = 40'

REVISIONS		
DATE	DESCRIPTION	BY
12/04/23	INITIAL SUBMITTAL	AEM

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SAM
4801 Southwest Parkway, Building Two,
Suite 100 Austin, Texas, 78735
Office: 512-447-0575 email: info@sam.biz
Texas Firm Registration No. 10064300

PROJECT: 1023078031
TCP
SHEET 17 OF 17



Hays County Transportation Department

2171 Yarrington Rd, Suite 200, Kyle Texas 78640
(P) 512-393-7385 (Web) www.hayscountytexas.com

UTILITY PERMIT APPROVAL LETTER

**** Notification must be given IN WRITING at least 24 hours before work begins and proper traffic control must be implemented throughout the work zone. ****

The utility company or any of its representatives, engineers, contractors, or authorized agents agree to use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation AND will insure that traffic control measures complying with applicable portions of the Texas Manual of Uniform Traffic Control Devices will be installed and maintained during installation.

General Special Provisions:

1. Construction of this line will begin on or after 2/5/2024 .

Utility Company Information:

Name: FRONTIER COMMUNICATIONS
Address: TX
Phone:
Contact Name: DARRIN ALBRECHT

Engineer / Contractor Information:

Name: SDT Solutions
Address: TX
Phone:
Contact Name: PAUL ERWIN

Hays County Information:

Utility Permit Number: TRN-2024-7404-UTL
Type of Utility Service: FIBER OPTIC
Project Description:
Road Name(s): CR 228, SUN BONNET DR, PINAFORE STR, REBEL DR, FULL LIST OF ROADS ON PLANS
Subdivision:
Commissioner Precinct:

What type of cut(s) will you be using? ☒ Boring ☐ Trenching ☒ Overhead ☐ N/A

Authorization by Hays County Transportation Department

The above-mentioned permit was approved in Hays County Commissioners Court on .

A handwritten signature in cursive script, reading "Roland Chapman".

02/13/2024

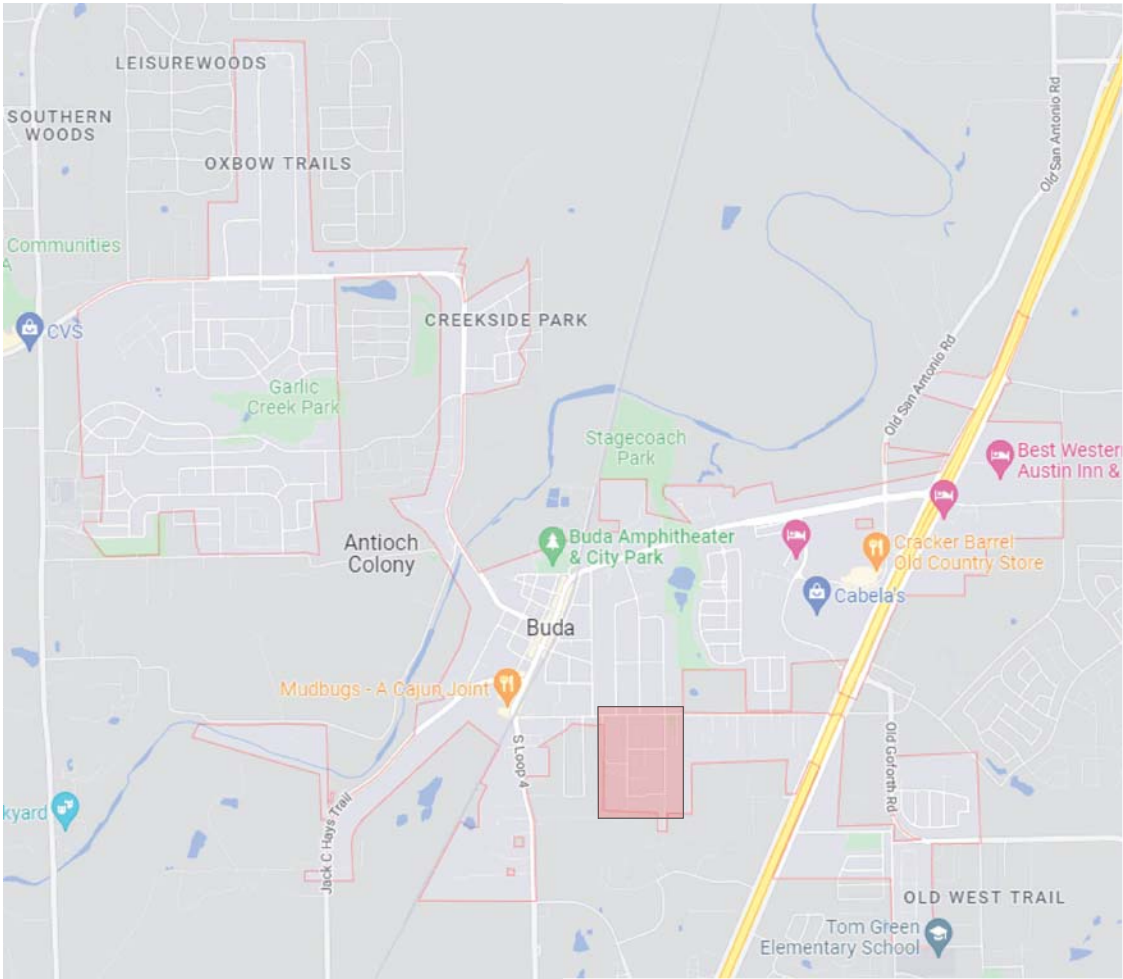
Signature

Title

Date

CONDUIT DESIGN

FTTH H2003



VICINITY MAP

PROJECT TOTALS

PICKUP POINT:	FRONTIER HUB H2003
PATH LENGTH:	4" BORE FOR 6,135' 2" BORE FOR 8,758'
MATERIALS:	- 14,893' OF 1.25" HDPE - (42) 17"X30" HANDHOLES - (14) 24"X36" HANDHOLES - (76) FLOWPOTS - (1) 3'X3' HUB H2003
SHEET INDEX	- CVR-COVER - 1-2 GENERAL NOTES - C.O.B. GEN NOTES - ESC NOTES - CONTACT SHEET - TCP - DTL-DETAIL - 1-7 CONDUIT DESIGN - 1-4 ROAD CROSS SECTIONS



CITY OF BUDA ENGINEERING
DEPARTMENT

SIGNATURE



JOB ID: 5286702 H2003	DATE: 9/1/22
TITLE: CONDUIT DESIGN	
STREET ADDRESS:	
CITY/STATE: BUDA, TX	
FTR ENGINEER: XXX	
FTR INSPECTOR:	



DRAWN BY: XXX	SHEET #:
EST. #:	CVR



GENERAL NOTES

FRONTIER COMMUNICATIONS
















CONSTRUCTION SPECIFICATIONS

- Contact Frontier Engineer sixty (60) days prior to need of service in order to confirm compliance, order materials, and schedule work forces.
- FRONTIER COMMUNICATIONS, INCORPORATED RESERVES THE RIGHT TO REFUSE ANY CONDUIT, PULL BOXES, MANHOLES, OR UTILITY BOXES THAT DEVIATED FROM PLANS AND SPECIFICATIONS.
- CHANGES OR DEVIATIONS FROM THIS PLAN MUST BE APPROVED BY FRONTIER.
- CONTACT THE FRONTIER INSPECTOR 48 HOURS BEFORE TRENCHING AND UPON COMPLETION OF YOUR SUBSTRUCTURES TO SCHEDULE THE FINAL INSPECTION.
- FRONTIER INSPECTOR SHALL BE PRESENT ON SITE WHEN CONTRACTOR NEEDS TO ACCESS ANY FRONTIER FACILITY.
- All conduit risers bends to have a minimum thirty-six (36) inch radius.
- All horizontal ninety degree bends (90°) shall have a radius of not less than 12.5 feet and all vertical ninety degree bends (90°) shall have a radius of not less than three feet. No more than two (2) ninety degree (90°) horizontal bends shall be placed in any single run unless otherwise specified. Contact Frontier engineer concerning any required deviations.
- All conduit must be proven using a mandrel no less than ½" smaller than the conduit to be accepted. Mule tape shall be placed in all conduits proven. Wall to wall measurements must be taken with a mule tape.
- Accurate AS-BUILTS shall be provided to the Frontier inspector assigned to this project. AS-BUILTS shall include conduit section measurements, wall to wall footages, stations and offsets of AS-BUILT Frontier structures, and the cover to the top of the Frontier underground structure placed. Copy of the AS-BUILT conduit work order must be provided to the Frontier inspector assigned to your project.
- Contact MTCS 909-798-4400 at the inspection office for coordination of inspection
- Place temporary conduit cap on end of all conduits terminated outside of a building.
- Place temporary conduit caps on all conduit ends exposed during construction to prevent dirt and debris from entering conduit.
- Place temporary conduit caps on all exposed conduit ends at end of each work day.
- Minimum separation from other utilities shall be a minimum of 12". Conduit placed in same trench with primary power conduit must be separated by no less than twelve inches (12") of well-packed sand or three inches (3") of concrete. Minimum cover shall be no less than thirty (30") inches measured from the final grade of the street flow line to the top of Frontier structure unless noted otherwise. Ducts placed in the driven portion of the roadway must have no less than 48 inches (48") of cover to top of pipe measured at flow line of roadway.
- Frontier will not install cables not contained in conduit.
- Provide source of ground at the telephone backboard location: (1) #6 insulated copper wire (solid preferred) to power system ground. - (1) #6 insulated copper wire (solid preferred) to metallic structure such as UFER ground or building steel. - (1) #6 insulated copper wire (solid preferred) to metallic water pipe bonded to previously described permanent metallic structure. Leave adequate wire to extend six feet beyond the base of backboard. NOTE: THE FOLLOWING MUST NOT BE USED FOR GROUND SOURCES: ROOF TRUSSES, FLOOR JOINTS, BRACES, SPRINKLER SYSTEM PIPES, METAL ELECTRICAL DISTRIBUTION CONDUIT, AND HORIZONTAL STEEL MEMBERS LESS THAN ¾" THICK.
- Provide cable racking and pulling irons as described in attachments.
- Three to six weeks will be needed from the date of final inspection for Frontier to start placing facilities. All paperwork and easements must also be completed, if applicable.
- Manholes to be adjusted to final grade as shown on the approved grading plan.
- Actual footages of conduit are needed to order materials.

GENERAL NOTES CONTINUED

GENERAL NOTES :

1. ALL INSTALLATION WILL BE DONE SO BY DIRECTIONAL BORE ONLY AND NO UNNECESSARY PAVE CUTS WILL BE MADE.
2. UTILITIES SHOWN LOCATED BY RECORD MAPS/FIELD OBSERVATIONS. EXACT LOCATIONS TO BE VERIFIED BEFORE CONSTRUCTION BEGINS.
3. ALL PROPOSED FACILITIES SHALL BE PLACED OUTSIDE EDGE OF PAVEMENT.
4. PLACE ALL HDPE PARALLEL DUCT AT A RUNNING ALIGNMENT OF 5FT FROM RIGHT OF WAY (R/W), UNLESS STATED OTHERWISE.
5. ALL PARALLEL DUCT WILL REMAIN DISTANCE OF 3FT OR GREATER FROM PRE-EXISTING UTILITIES.
6. ALL UTILITY MEASUREMENTS WILL BE RECORDED AS DISTANCE FROM EDGE OF PAVEMENT UNLESS OTHERWISE SPECIFIED.
7. ALL WORK SHALL CONFORM WITH CITY OF BUDA 2017 UNIFIED DEVELOPMENT CODE (THE "UDC") SUBSECTION 4.04.01 FOR "TREE PRESERVATION AND MITIGATION" **WHEN APPLICABLE TO BUILD LOCATION.**

LEGEND	
<u>RIGHT OF WAY (R/W)</u>	
<u>CONDUIT (F)</u>	
<u>UNDERGROUND (UG)</u>	
<u>AERIAL CABLE</u>	
<u>EDGE OF PAVEMENT (EOP)</u>	
<u>CENTERLINE (C/L)</u>	
<u>WATER (W)</u>	
<u>SEWER (S)</u>	
<u>FIRE HYDRANT</u>	
<u>FLOWERPOT</u>	
<u>HANDHOLE</u>	
<u>MANHOLE</u>	
<u>UTILITY VALVE</u>	
<u>UTILITY METER</u>	
<u>UTILITY MANHOLE</u>	

CITY OF BUDA GENERAL CONSTRUCTION NOTES

1. ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN REVIEWING THESE PLANS, THE CITY OF BUDA MUST RELY ON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.
2. THESE PLANS, PREPARED BY THE CITY OF BUDA DO NOT EXTEND TO OR INCLUDE DESIGNS OR SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF THE REGISTERED ENGINEER(S) HEREON DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOR OR HEREFTER BE INCORPORATED INTO THESE PLANS.
3. CONTRACTOR SHALL CONTACT THE CITY OF BUDA'S ENGINEER (512-312-0084) A MINIMUM OF TWO WORKING DAYS IN ADVANCE OF BLOCKING TRAFFIC LANES AND A MINIMUM OF SIX WORKING DAYS IN ADVANCE OF SCHEDULED DETOURING OF TRAFFIC LANES.
4. CONTRACTOR TO GIVE NOTICE TO ALL AUTHORIZED INSPECTORS, SUPERINTENDENTS, OR PERSONS IN CHARGE OF PRIVATE AND PUBLIC UTILITIES AFFECTED BY HIS OPERATIONS PRIOR TO COMMENCEMENT OF WORK. CONTRACTOR TO ASSURE HIMSELF THAT ALL CONSTRUCTION PERMITS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF WORK. REQUIRED PERMITS THAT CAN BE ISSUED TO CONTRACTOR TO BE OBTAINED AT HIS EXPENSE.
5. CONTRACTOR TO COORDINATE INTERRUPTIONS OF ALL UTILITIES AND SERVICES. ALL WORK TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY COMPANY OR AGENCY INVOLVED.
6. CONTRACTOR TO LOCATE, PROTECT, AND MAINTAIN BENCHMARKS, MONUMENTS, CONTROL POINTS, AND PROJECT ENGINEERING REFERENCE POINT, REESTABLISH DISTURBED OR DESTROYED ITEMS BY REGISTERED PUBLIC LAND SURVEYOR IN THE STATE OF TEXAS, AT NO ADDITIONAL COST TO OWNER.
7. CONTRACTOR TO CONTROL DUST CAUSED BY THE WORK AND COMPLY WITH POLLUTION CONTROL REGULATIONS OF GOVERNING AUTHORITIES. DUST CONTROL SHALL BE ACHIEVED BY THE APPLICATION OF WATER BY AN APPROVED SPRINKLER IN AMOUNTS SUFFICIENT TO CONTROL THE DUST TO THE SATISFACTION OF THE ENGINEER (NO SEPARATE PAY).
8. BURNING IS NOT ALLOWED ON THIS PROJECT.
9. DEMOLITION PERMITS (IF NEEDED) ARE TO BE OBTAINED BY THE CONTRACTOR.
10. ACQUISITION OF RIGHT OF WAY AND/OR EASEMENT IS THE RESPONSIBILITY OF THE CITY OF BUDA.
11. THE CONTRACTOR IS TO OBTAIN PERMIT PRIOR TO PERFORMING ANY WORK IN THE PUBLIC RIGHT-OF-WAY.
12. CONTRACTOR SHALL REPAIR ALL STREET CROSSINGS, DRIVEWAYS AND DITCHES TO THEIR ORIGINAL CONDITION OR BETTER. STREET CROSSINGS SHALL BE REPAIRED WITHIN 10 WORKING DAYS AFTER CROSSING IS MADE, UNLESS PRIOR APPROVAL IS OBTAINED TO THE CONTRARY.
13. ALL DAMAGE CAUSED DIRECTLY OR INDIRECTLY TO THE STREET SURFACE OR SUBSURFACE OUTSIDE OF THE PAVEMENT CUT AREA SHALL BE REGARDED AS PART OF THE STREET CUT REPAIR. THIS INCLUDES ANY SCRAPES, GOUGES, CUTS, CRACKING, DEPRESSIONS AND/OR ANY OTHER DAMAGE CAUSED BY THE CONTRACTOR DURING THE EXECUTION OF THE WORK. THESE AREAS WILL BE INCLUDED IN THE TOTAL AREA OF REPAIR. THE AREAS OF REPAIR SHALL BE SAW CUT IN STRAIGHT, NEAT LINES PARALLEL TO THE UTILITY TRENCH. ALL REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE AND SHALL MEET ALL CITY TESTING REQUIREMENTS AND SPECIFICATIONS.
14. ALL CONSTRUCTION OPERATIONS SHALL BE ACCOMPLISHED IN ACCORDANCE WITH APPLICABLE REGULATION OF THE UNITED STATES OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION. (OSHA STANDARDS MAY BE PURCHASED FROM THE GOVERNMENT'S PRINTING OFFICE; INFORMATION AND RELATED REFERENCE MATERIALS MAY BE PURCHASED FROM OSHA, 611 EAST 6TH STREET, ASUTIN, TX.)
15. ALL SITE WORK MUST ALSO COMPLY WITH ENVIRONMENTAL REQUIREMENTS.
16. THROUGHOUT THE CONSTRUCTION, AND AT THE COMPLETION OF THE CONSTRUCTION, THE CONTRACTOR IS TO ENSURE THAT DRAINAGE OF STORM WATER RUNOFF IS NOT BLOCKED.
17. ALL EXCESS EXCAVATED MATERIAL AND SOIL IS TO BECOME PROPERTY OF CONTRACTOR AND TO BE REMOVED FROM SITE. (NO SEPARATE PAY.)
18. ALL CULVERTS REMOVED FROM CONSTRUCTION SHALL BE REPLACED TO ORIGINAL GRADE; ROAD DITCH SHALL BE GRADED TO PROVIDE FOR AN EVEN GRADE AND SECTION BETWEEN EXISTING CULVERTS. ALL CULVERTS SHALL BE CLEAN AND FREE OF DEBRIS DURING AND AFTER CONSTRUCTION.
19. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE CITY OF BUDA AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS AND TO VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGE TO PRIVATE PROPERTY, WHICH OCCURRED AS A RESULT OF ANY PORTION OF THIS PROJECT. ANY DAMAGE TO PRIVATE PROPERTY SHALL BE REPAIRED TO EQUAL OR BETTER CONDITION. THE CONTRACTOR SHALL COORDINATE ALL REPAIRS TO PRIVATE PROPERTY WITH THE PROPERTY OWNER. CONTRACTOR SHALL PAY AND/OR SETTLE WITH PRIVATE PROPERTY OWNER FOR ALL COSTS RELATED TO ANY DAMAGE. THE CITY OF BUDA WILL NOT PROVIDE SEPARATE PAY FOR REPAIR OF ANY DAMAGES, REIMBURSEMENTS OR SETTLEMENTS.

CITY OF BUDA EROSION AND SEDIMENTATION CONTROL NOTES

1. THE CONTRACTOR SHALL INSTALL EROSION/SEDIMENTATION CONTROLS AND TREE/NATURAL AREA PROTECTIVE FENCING PRIOR TO ANY SITE PREPARATION WORK (CLEARING, GRUBBING OR EXCAVATION).
2. THE PLACEMENT OF EROSION/SEDIMENTATION CONTROLS SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN'S ENVIRONMENTAL CRITERIA MANUAL AS ADOPTED BY THE CITY OF BUDA.
3. TREES DO NOT EXIST WITHIN THE PROJECT LIMITS, AND TREE PROTECTION WILL NOT BE REQUIRED.
4. A PRE-CONSTRUCTION CONFERENCE SHALL BE HELD WITH THE CONTRACTOR, DESIGN ENGINEER/PERMIT APPLICANT AND INSPECTOR AFTER INSTALLATION OF THE EROSION/SEDIMENTATION CONTROLS AND TREE/NATURAL AREA PROTECTION MEASURES AND PRIOR TO BEGINNING ANY SITE PREPARATION WORK. THE CONTRACTOR SHALL NOTIFY THE CITY OF BUDA ENGINEERING DEPARTMENT, 312-0084, AT LEAST THREE DAYS PRIOR TO THE MEETING DATE.
5. ANY MAJOR VARIATION IN MATERIALS OR LOCATIONS OF CONTROLS OR FENCES FROM THOSE SHOWN ON THE APPROVED PLANS WILL REQUIRE A REVISION AND MUST BE APPROVED BY THE REVIEWING ENGINEER, ENVIRONMENTAL SPECIALIST OR CITY ARBORIST AS APPROPRIATE. MINOR CHANGES TO BE MADE AS FIELD REVISIONS TO THE PLAN MAY BE REQUIRED BY THE INSPECTOR DURING THE COURSE OF CONSTRUCTION TO CORRECT CONTROL INADEQUACIES.
6. THE CONTRACTOR IS REQUIRED TO INSPECT THE CONTROLS AND FENCES AT WEEKLY INTERVALS AND AFTER SIGNIFICANT RAINFALL EVENTS TO INSURE THAT THEY ARE FUNCTIONING PROPERLY. THE PERSON(S) RESPONSIBLE FOR THE MAINTENANCE OF CONTROLS AND FENCES SHALL IMMEDIATELY MAKE ANY NECESSARY REPAIRS TO DAMAGED AREAS. SILT ACCUMULATION AT CONTROLS MUST BE REMOVED WHEN THE DEPTH REACHED SIX (6) INCHES.

PERMANENT EROSION CONTROL:

1. ALL DISTURBED AREAS SHALL BE RESTORED AS NOTED BELOW. A MINIMUM OF FOUR INCHES OF TOPSOIL SHALL BE PLACED IN ALL DRAINAGE CHANNELS (EXCEPT ROCK) AND BETWEEN THE CURB AND RIGHT-OF-WAY LINE.
2. THE SEEDING FOR PERMANENT EROSION CONTROL SHALL BE AS SPECIFIED IN THE CITY OF AUSTIN STANDARD SPECIFICATION 604S, AS ADOPTED BY THE CITY OF BUDA.

DUST CONTROL:

1. DUST CONTROL METHODS ARE REQUIRED AS PER CITY OF AUSTIN'S ENVIRONMENTAL CRITERIA MANUAL SECTION 1.4.5.D AS ADOPTED BY THE CITY OF BUDA.

CONTACTS

NORTH TEXAS

SR MANAGER: STEPHEN HIGGINS

COORDINATOR: GREG HAMMONS (BLUESTREAK, ERVIN CABLE, FUTURE)

CMIII: CORY WEAVER (FUTURE)

CMIII: BRANDON LEAL (BLUESTREAK, ERVIN CABLE)

SOUTH TEXAS

SR MANAGER: ANDY CRENSHAW

COORDINATOR: JOSH MAY (HOUSLEY-COLLEGE STATION, BRYAN; SDT-AUSTIN; FUTURE-AUSTIN) **(979) 402-7446**

CMIII: JOSEPH JARMUSCH, **(956) 328-6644**

COORDINATOR: STEVE CORTESE (HOUSLEY-SAN ANGELO, BROWNWOOD)

CMIII: MARKUS WATSON

COORDINATOR: EDWARD WILLIAMS (FUTURE-GULF; HP-GULF; SDT-GULF; HOUSLEY-VALLEY)

CMIII: BRADLEY CONNER

24" x 36" FRP FLARED BOX ASSEMBLY

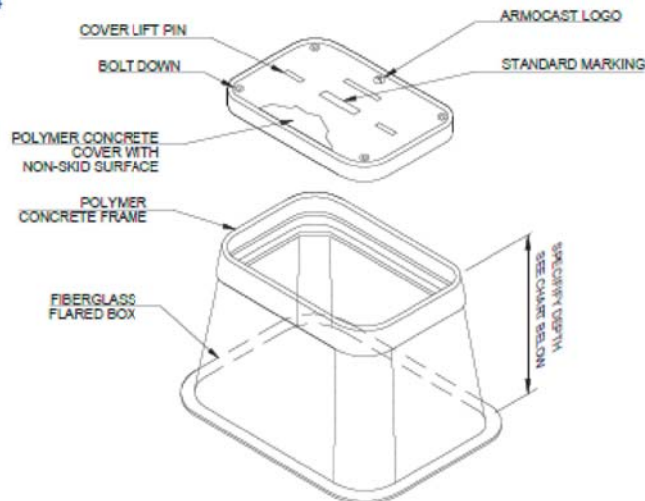
18" to 36" DEPTHS



FIBERGLASS

ARMORCAST PRODUCTS COMPANY

A6001974



24"W x 36"L FRP FLARED BOX ASSEMBLIES Specify Depth Below

DESCRIPTION	NOMINAL SIZE W x L x D	LOAD RATING	ANSI TIER	PART NUMBER	APPROX. PALLET WEIGHT	QTY.
Box & Cover Assembly	24" x 36" x 18"	10K	8	A6001974AX18	173 lbs.	5
	24" x 36" x 18"	20K	15	A6001974TAX18	242 lbs.	5
Box & Cover Assembly	24" x 36" x 24"	10K	8	A6001974AX24	174 lbs.	5
	24" x 36" x 24"	20K	15	A6001974TAX24	241 lbs.	5
Box & Cover Assembly	24" x 36" x 30"	10K	8	A6001974AX30	207 lbs.	5
	24" x 36" x 30"	20K	15	A6001974TAX30	276 lbs.	5
Box & Cover Assembly	24" x 36" x 36"	10K	8	A6001974AX36	210 lbs.	5
	24" x 36" x 36"	20K	15	A6001974TAX36	280 lbs.	5

COMPONENTS

DESCRIPTION	NOMINAL SIZE W x L x D	LOAD RATING	ANSI TIER	PART NUMBER	APPROX. PALLET WEIGHT	QTY.
Replacement Covers	24" x 36"	10K	8	A6001975	95 lbs.	20
	24" x 36"	20K	15	A6001975T	157 lbs.	20
Replacement Boxes	24" x 36" x 18"	10K / 20K	8 / 15	A6001974X18	78 lbs.	5
	24" x 36" x 24"	10K / 20K	8 / 15	A6001974X24	79 lbs.	5
	24" x 36" x 30"	10K / 20K	8 / 15	A6001974X30	112 lbs.	5
	24" x 36" x 36"	10K / 20K	8 / 15	A6001974X36	115 lbs.	5
Extensions 18" Boxes Only	24" x 36" x 8"	10K / 20K	8 / 15	A6001974EX8	50 lbs.	5
	24" x 36" x 16"	10K / 20K	8 / 15	A6001974EX16	62 lbs.	3

- Boxes are Open Bottom.
- For sizes not shown please contact Armorcast Products for more information

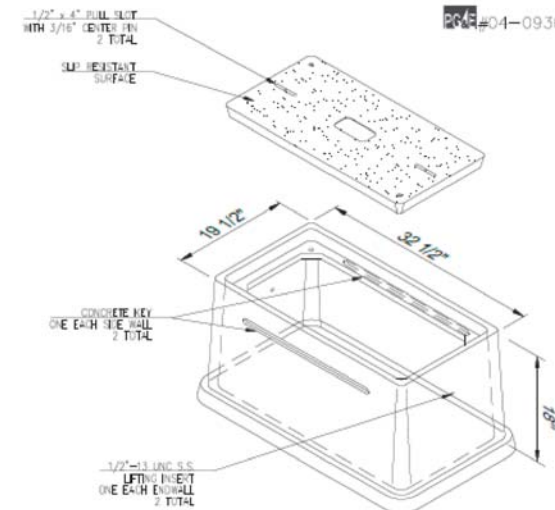
www.armorcastprod.com Tel: (818) 982-3600 Fax: (818) 982-7742

17x30 HANDHOLE
NON-CONCRETE

17"x30"x18"
(INSIDE DIMENSIONS).

PG&E APPROVED, POLYMER CONCRETE FRAME AND NON-SKID COVER FOR STRENGTH. FRP FIBERGLASS REINFORCED BODY FOR LIGHT WEIGHT. FLARED AT BASE TO PROVIDE ADDITIONAL WORK SPACE. MEETS ALL REQUIREMENTS OF W.U.C.

PG&E#04-0936



NOMINAL DIMENSIONS	PG&E CODE NO.	DESCRIPTION	APPROX. WT. LBS.
17"x30"x18"	04-0936	BOX AND COVER ASSEMBLY	184
17"x30"x18"	04-0928	BOX ONLY	132
17"x30"x3"	04-0117	3" EXTENSIONS	47
	04-3720	LD ONLY	52

DESIGN LOAD: STATIC DESIGN LOAD OF 8000 LBS. OVER A 10" X 10" AREA.

FOR COMPLETE DESIGN AND PRODUCT INFORMATION CONTACT JENSEN PRECAST.

1/25/08
1/30/08 (REVISED)
© 2008 Jensen Precast

JENSEN
PRECAST

Frontier
COMMUNICATIONS

JOB ID: 5286702 DATE: 9/1/22

TITLE: CONDUIT DESIGN

STREET ADDRESS:

CITY/STATE: BUDA, TX

FTR ENGINEER: XXX

FTR INSPECTOR:



DRAWN BY:

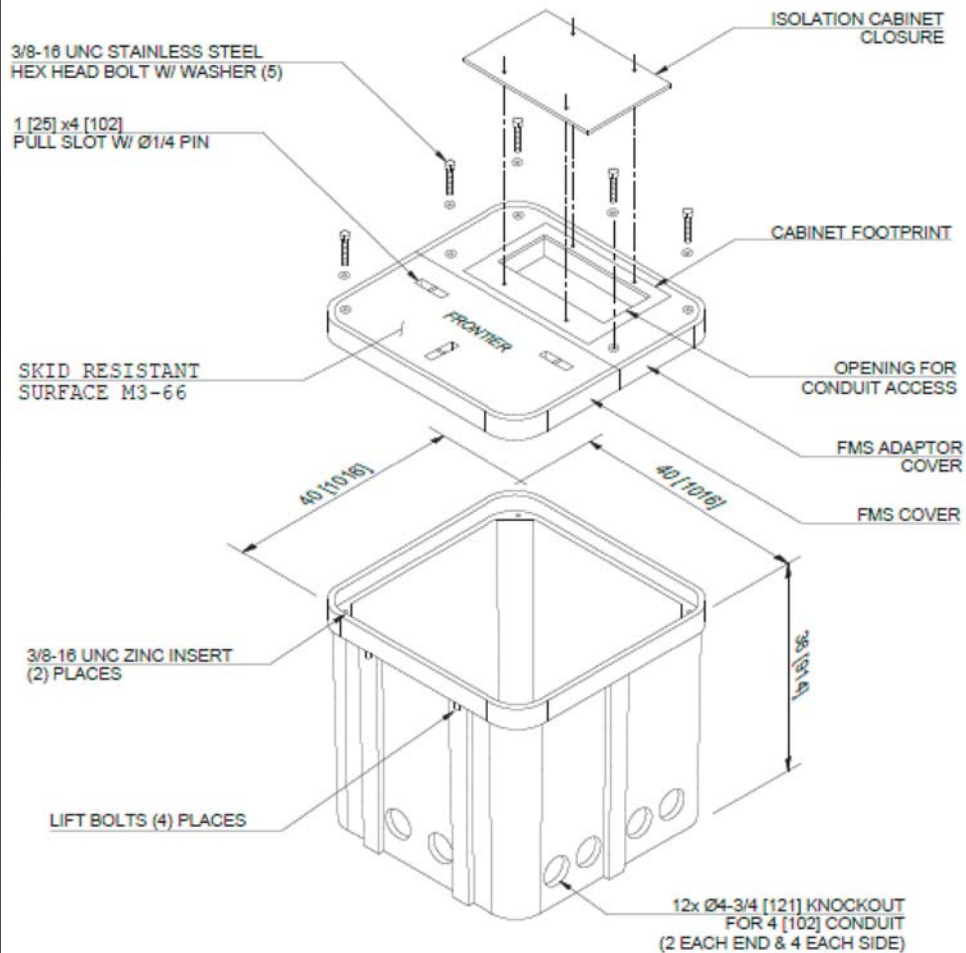
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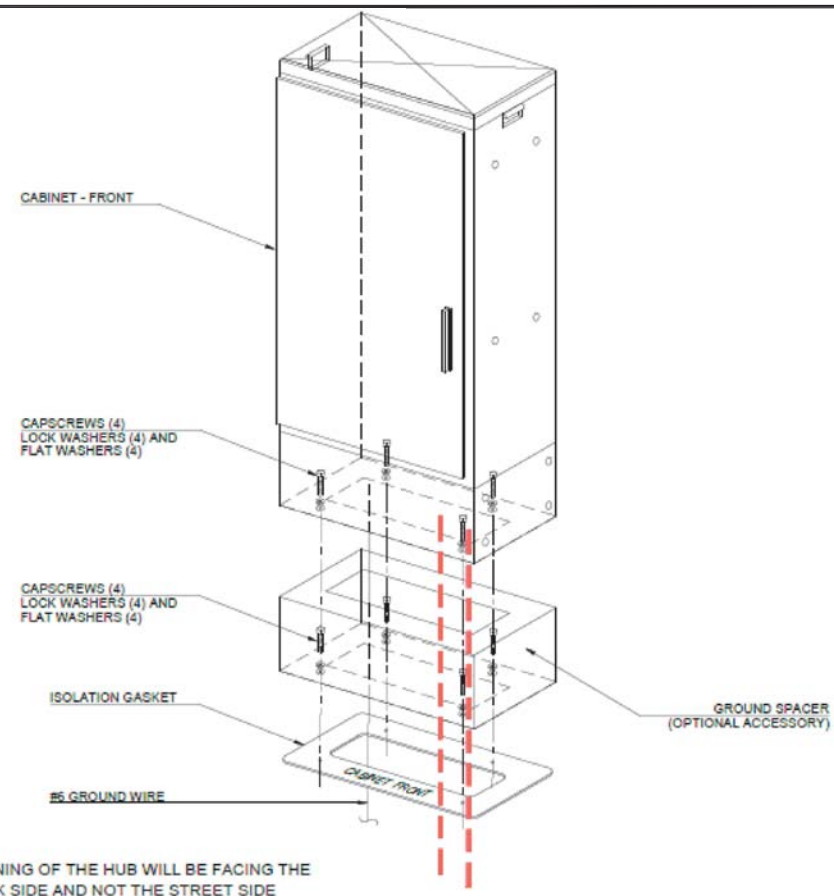
SHEET #:

DTL 1

FIBERGLASS
BOXES



TYPICAL 3'x3' DISTRIBUTION TUB



THE OPENING OF THE HUB WILL BE FACING THE
SIDEWALK SIDE AND NOT THE STREET SIDE

GENERATION III FIBER DISTRIBUTION HUB



JOB ID: 5286702 | DATE: 9/1/22

TITLE: CONDUIT DESIGN

STREET ADDRESS:

CITY/STATE: BUDA, TX

FTR ENGINEER: XXX

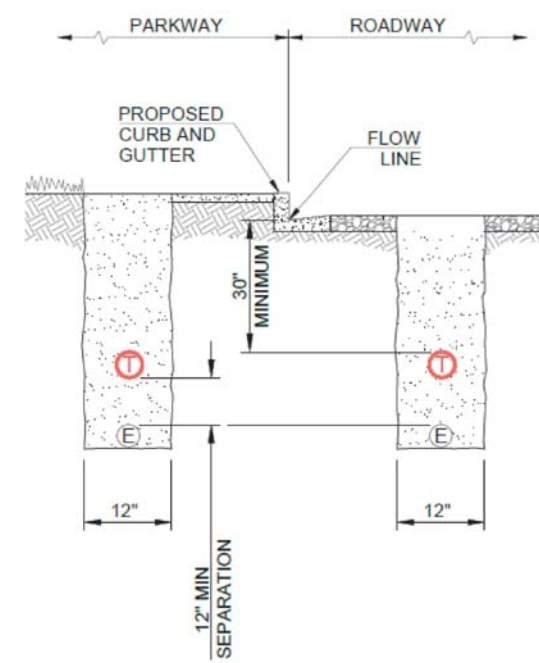
FTR INSPECTOR:



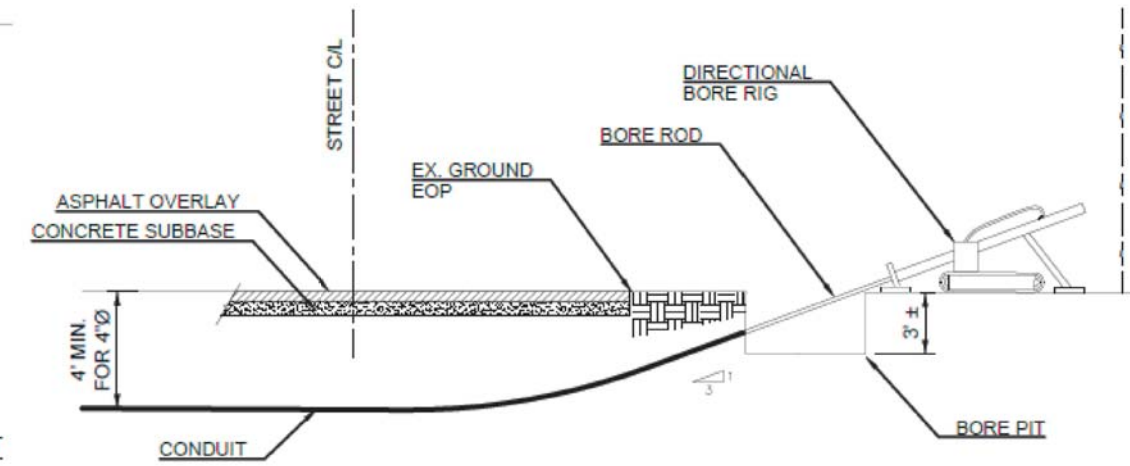
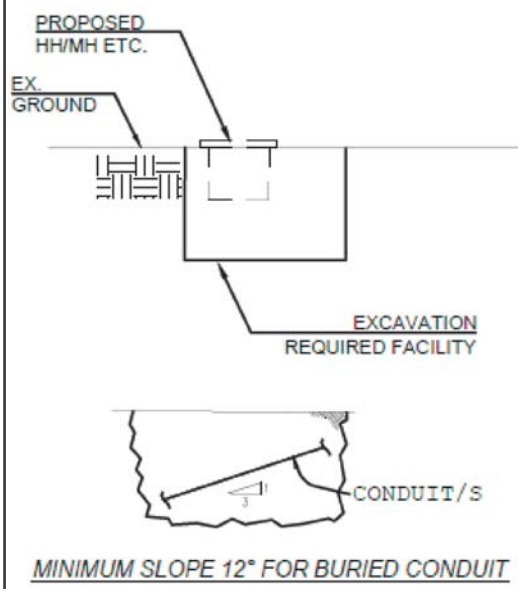
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EST. #:

SHEET #:
DTL 1

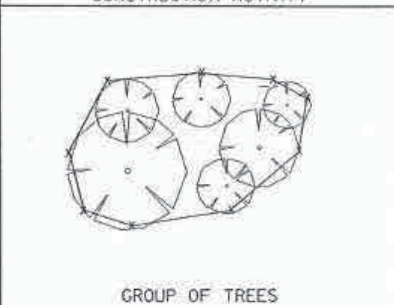
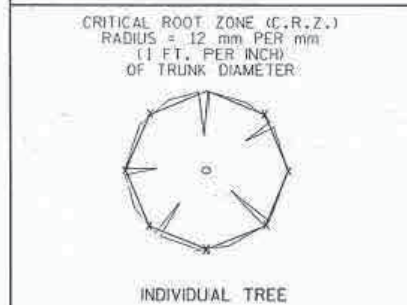
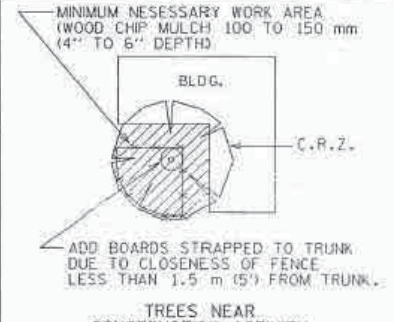
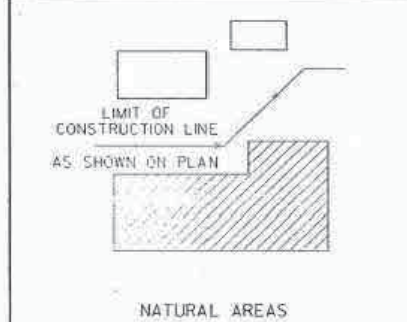
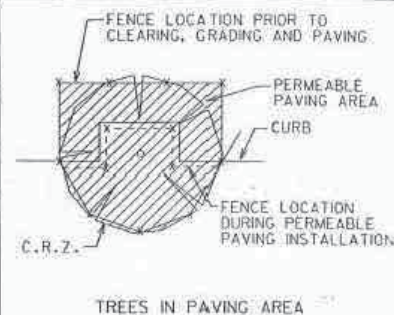
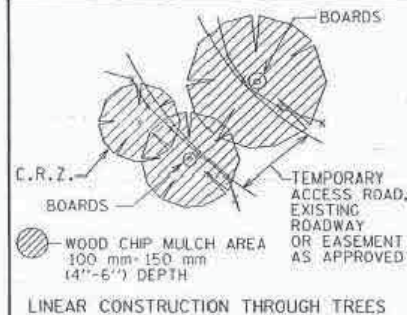
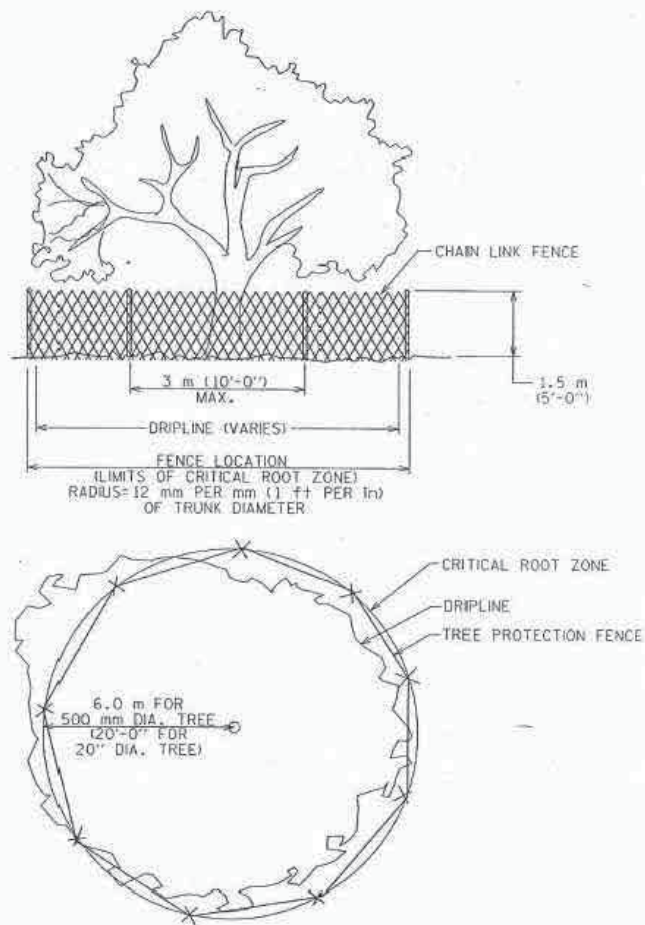



PUBLIC R/W TRENCH DETAIL




DIRECTIONAL BORE DETAILS

JOB ID: 5286702		DATE: 9/1/22
TITLE: CONDUIT DESIGN		
STREET ADDRESS:		
CITY/STATE: BUDA, TX		
FTR ENGINEER: XXX		
FTR INSPECTOR:		
	DRAWN BY: XXX	
	EST. #:	SHEET #: DTL 2



CITY OF AUSTIN WATERSHED PROTECTION DEPARTMENT	TREE PROTECTION FENCE TYPE A - CHAIN LINK
	THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR APPROPRIATE USE OF THIS STANDARD. STANDARD NO. 610S-2

CITY OF AUSTIN WATERSHED PROTECTION DEPARTMENT	TREE PROTECTION FENCE LOCATIONS
	THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR APPROPRIATE USE OF THIS STANDARD. STANDARD NO. 610S-1

CITY OF AUSTIN TREE PROTECTION

Frontier
COMMUNICATIONS

JOB ID: 5286702 DATE: 9/1/22

TITLE: CONDUIT DESIGN

STREET ADDRESS:

CITY/STATE: BUDA, TX

FTR ENGINEER: XXX

FTR INSPECTOR:


LUCK GROVE
TELECOM INC.

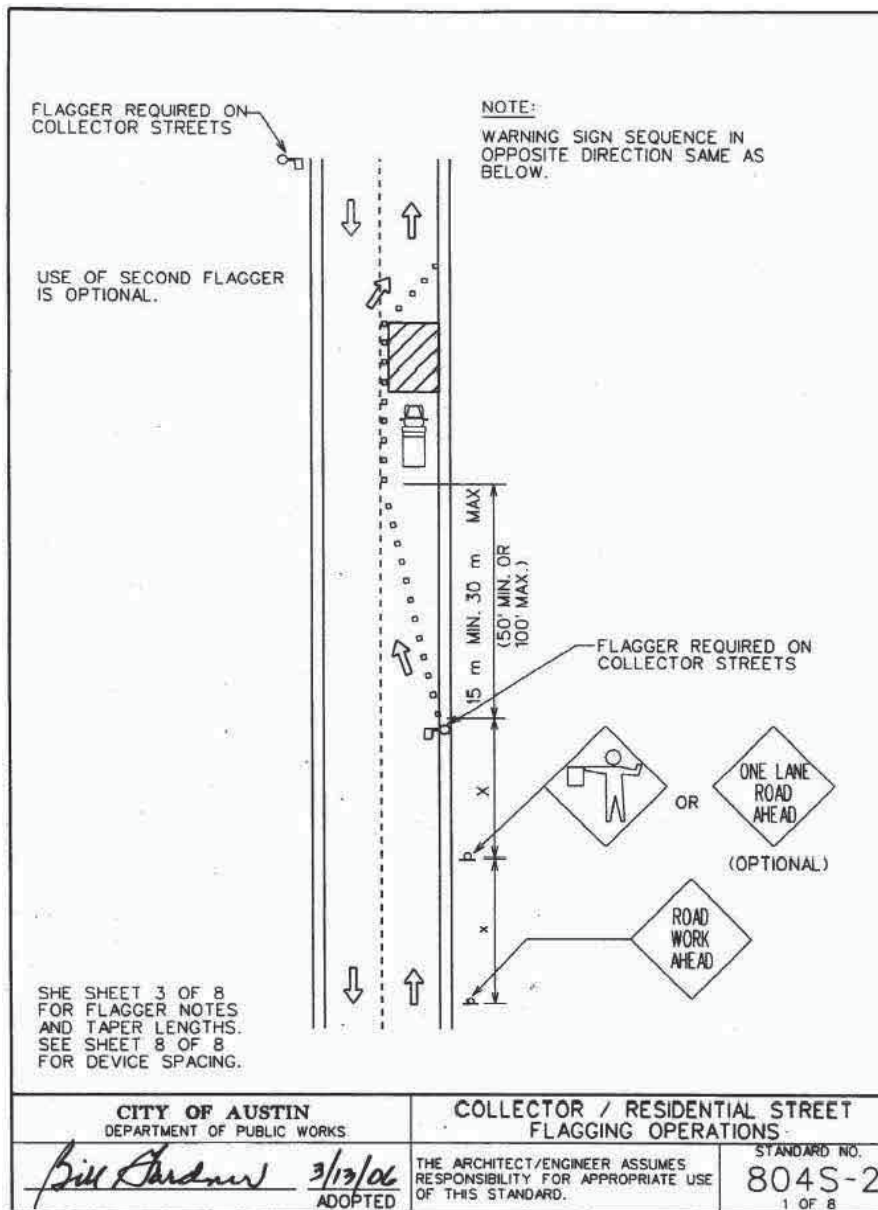
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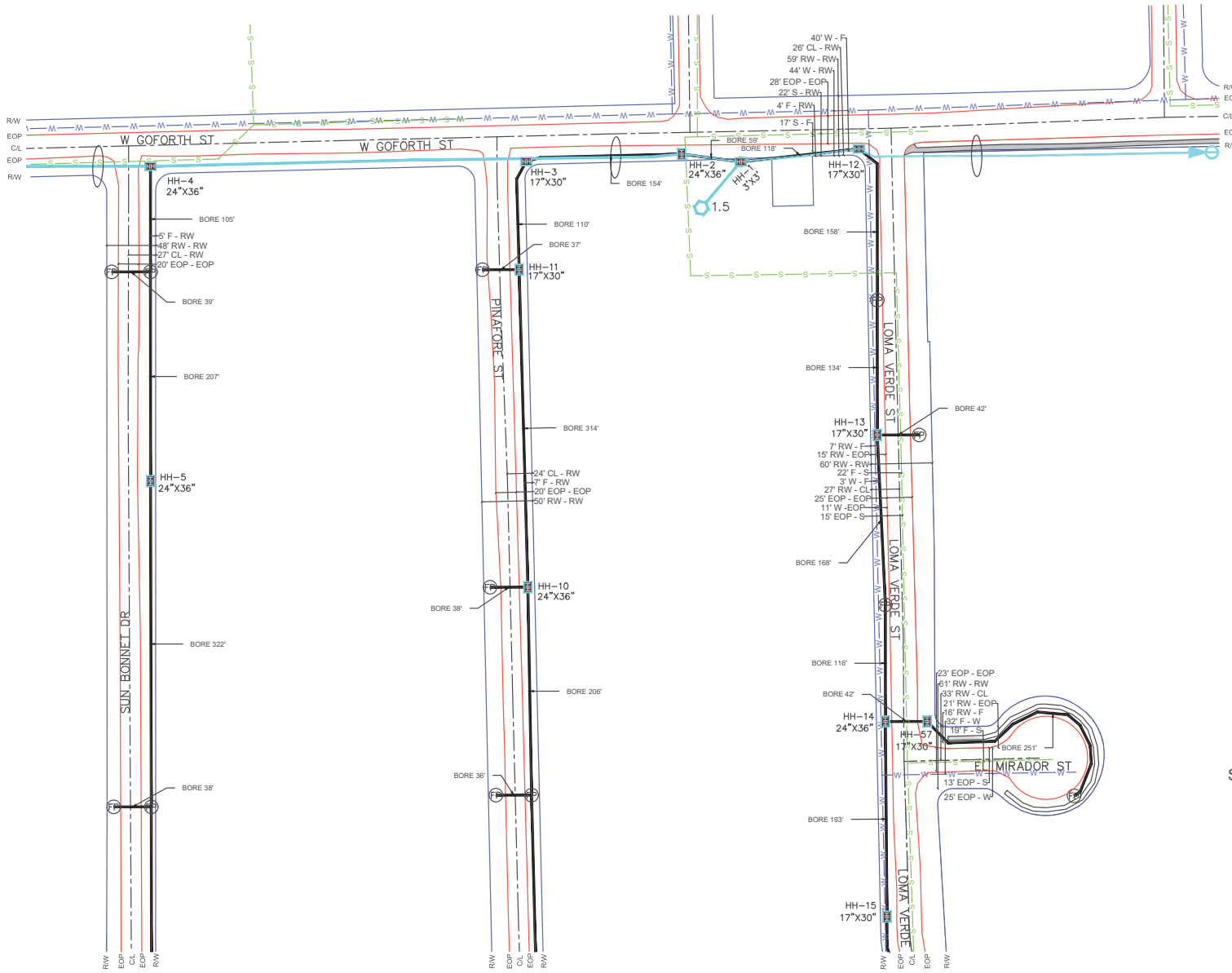
SHEET #:

DTL 3



CITY OF AUSTIN TRAFFIC CONTROL DETAIL

Frontier COMMUNICATIONS	
JOB ID: 5286702	DATE: 9/1/22
TITLE: CONDUIT DESIGN	
STREET ADDRESS:	
CITY/STATE: BUDA, TX	
FTR ENGINEER: XXX	
FTR INSPECTOR:	
 LUCK GROVE TELECOM INC.	DRAWN BY: XXX
	EST. #:
	SHEET #: DTL 4



MATCH LINE A
SEE SHEET # 2

LEGEND

- RIGHT OF WAY (R/W) ————
- CONDUIT (F) ————
- UNDERGROUND (UG) ————
- AERIAL CABLE ————
- EDGE OF PAVEMENT (EOP) ————
- CENTERLINE (CL) ————
- WATER (W) ————
- SEWER (S) ————
- FIRE HYDRANT
- FLOWPOT
- HANDHOLE
- MANHOLE
- UTILITY VALVE
- UTILITY METER
- UTILITY MANHOLE

AT HANDHOLE LOCATION 1:
DIG BORE PIT,
PLACE 3'x3' HANDHOLE

AT HANDHOLE LOCATIONS 2,
4 & 5, 10 & 14: DIG BORE PIT,
PLACE 24"x36" HANDHOLES

AT HANDHOLE LOCATIONS 3,
11 - 13, 15 & 57: DIG BORE PIT,
PLACE 17"x30" HANDHOLES

AT ALL FLOWPOT LOCATIONS:
DIG BORE PIT,
PLACE 11"x11"x16" FLOWPOTS



SCALE: 1"=100'



MATCH LINE C
SEE SHEET # 3

MATCH LINE C
SEE SHEET # 3

MATCH LINE C
SEE SHEET # 3

Frontier COMMUNICATIONS

JOB ID: 5286702 H2003 DATE: 9/1/22

TITLE: CONDUIT DESIGN

STREET ADDRESS: W GOFORTH ST, SUN BONNET DR, PINAFORE ST, LOMA VERDE ST, EL MIRADOR ST

CITY/STATE: BUDA, TX

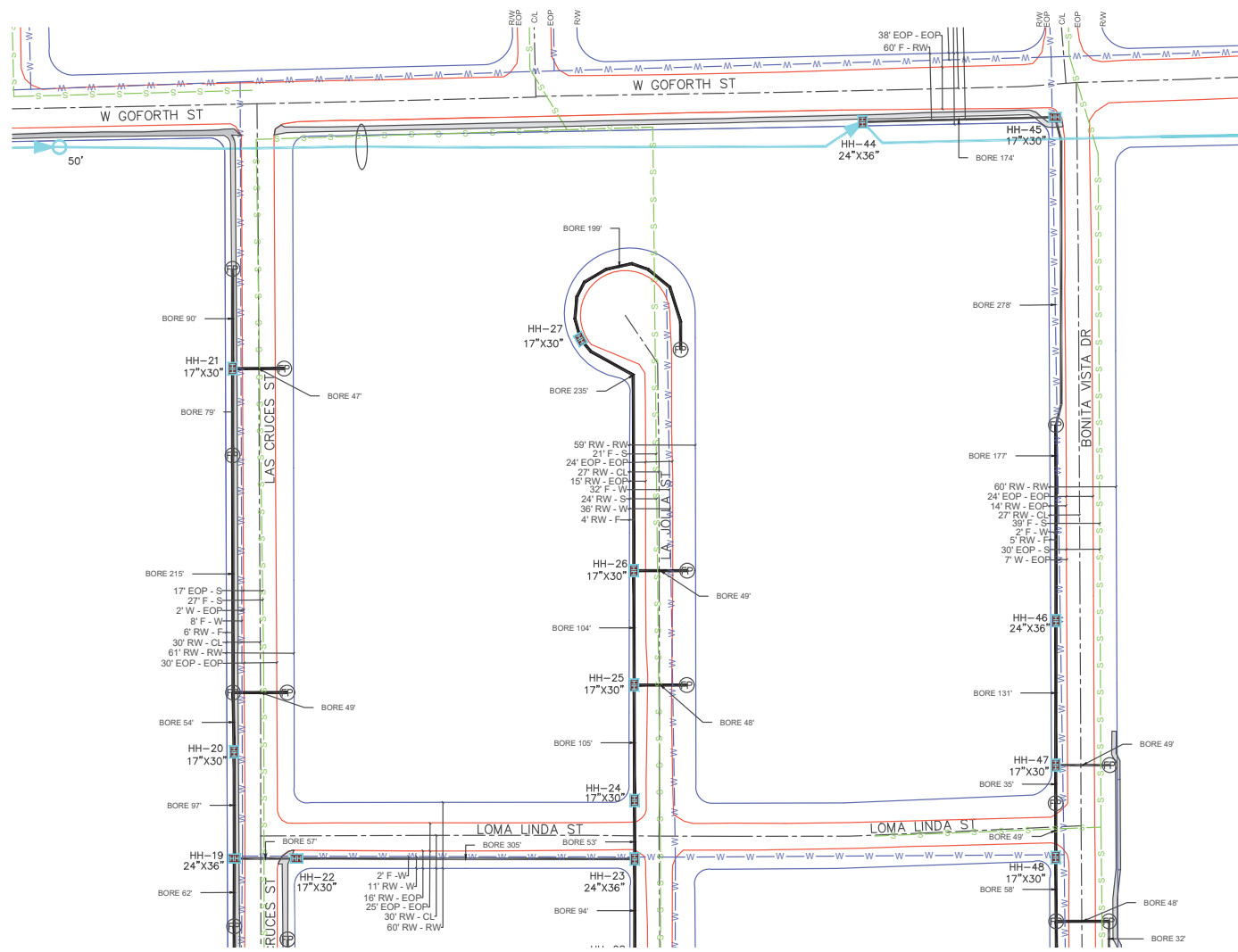
FTR ENGINEER: XXX

FTR INSPECTOR:

DRAWN BY: XXX

EST. #: SHEET #: 1








LUCK GROVE TELECOM INC.



MATCH LINE B
SEE SHEET # 5

MATCH LINE B
SEE SHEET # 5

MATCH LINE B
SEE SHEET # 5

LEGEND	
RIGHT OF WAY (R/W)	_____
CONDUIT (F)	_____ XX _____
UNDERGROUND (UG)	-----
AERIAL CABLE	-----
EDGE OF PAVEMENT (EOP)	_____
CENTERLINE (C/L)	-----
WATER (W)	_____
SEWER (S)	_____
FIRE HYDRANT	
FLOWERPOT	
HANDHOLE	
MANHOLE	
UTILITY VALVE	
UTILITY METER	
UTILITY MANHOLE	

AT HANDHOLE LOCATIONS
19, 23, 44 & 46: DIG BORE PIT,
PLACE 24"x36" HANDHOLES

AT HANDHOLE LOCATIONS
20 - 22, 24 - 27, 45, 47 & 48:
DIG BORE PIT, PLACE 17"x30"
HANDHOLES


AT ALL FLOWERPOT LOCATIONS:
DIG BORE PIT,
PLACE 11"X11"X16" FLOWERPOTS



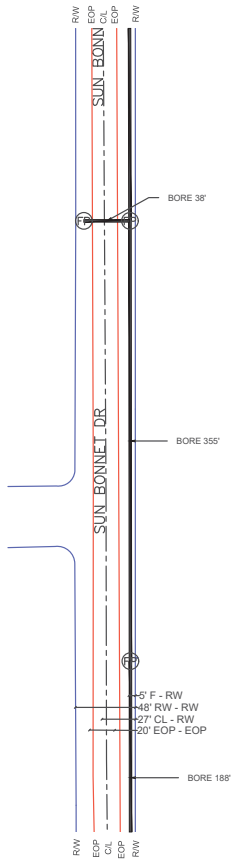
SCALE: 1"=100'

Frontier
COMMUNICATIONS

JOB ID: 5286702 H2003		DATE: 9/1/22
TITLE: CONDUIT DESIGN		
STREET ADDRESS: W GORFORTH ST, LAS CRUCES ST, LOMA LINDA ST, BONITA VISTA DR, LA JOILA ST		
CITY/STATE: BUDA, TX		
FTR ENGINEER: XXX		
FTR INSPECTOR:		

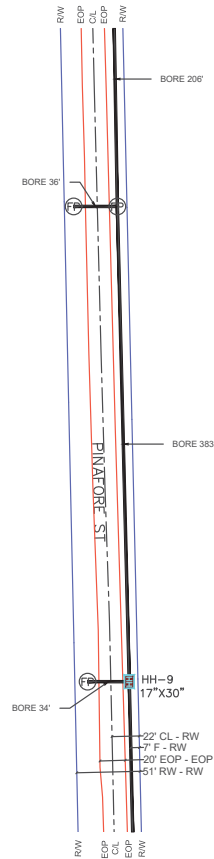
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MATCH LINE C
SEE SHEET # 1



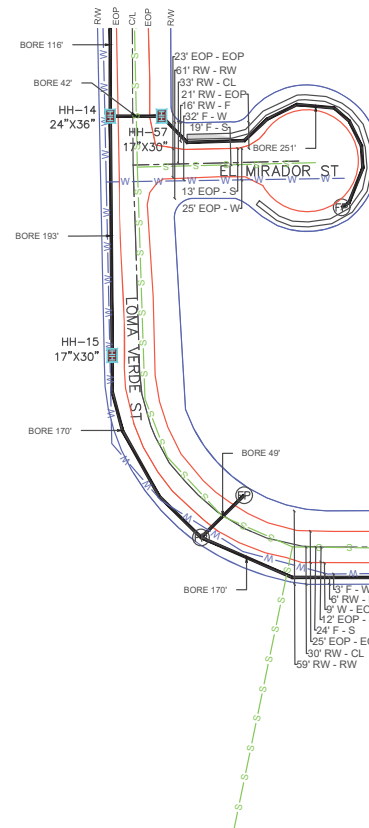
MATCH LINE D
SEE SHEET # 4

MATCH LINE C
SEE SHEET # 1



MATCH LINE D
SEE SHEET # 4

MATCH LINE C
SEE SHEET # 1



LEGEND	
RIGHT OF WAY (R/W)	—
CONDUIT (F)	— xx —
UNDERGROUND (UG)	- - - - -
AERIAL CABLE	- - - - -
EDGE OF PAVEMENT (EOP)	—
CENTERLINE (CL)	- - - - -
WATER (W)	—
SEWER (S)	—
FIRE HYDRANT	⊗
FLOWERPOT	⊗
HANDHOLE	⊗
MANHOLE	⊗
UTILITY VALVE	⊗
UTILITY METER	⊗
UTILITY MANHOLE	⊗

AT HANDHOLE LOCATION 14:
DIG BORE PIT, PLACE 24"x36"
HANDHOLE


AT HANDHOLE LOCATIONS 6,
9, 15 & 16 & 57: DIG BORE PIT,
PLACE 17"x30" HANDHOLES

AT ALL FLOWERPOT LOCATIONS:
DIG BORE PIT,
PLACE 11"x11"x16" FLOWERPOTS

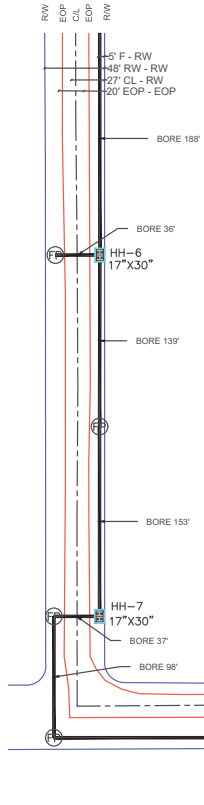


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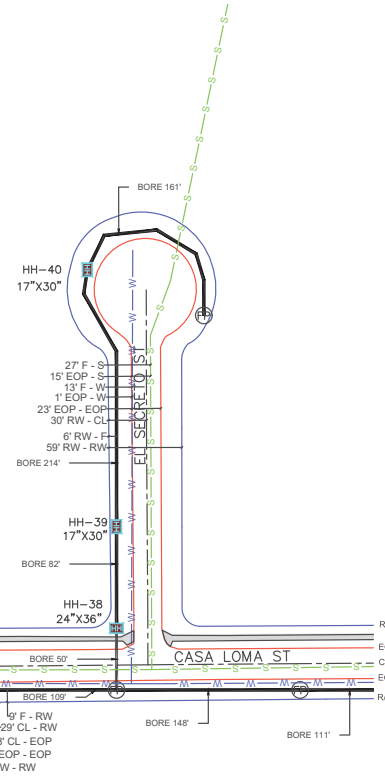
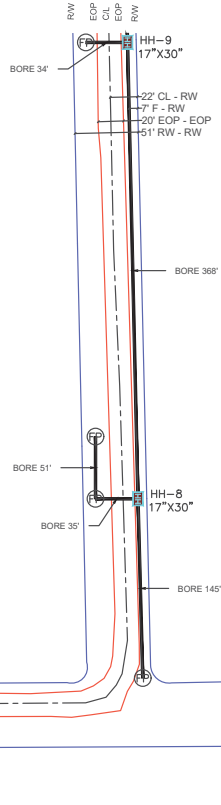


Frontier COMMUNICATIONS	
JOB ID: 5286702 H2003	DATE: 9/1/22
TITLE: CONDUIT DESIGN	
STREET ADDRESS: SUN BONNET DR, PINAFORE ST, LOMA VERDE ST, EL MIRADOR ST	
CITY/STATE: BUDA, TX	
FTR ENGINEER: XXX	
FTR INSPECTOR:	
	
DRAWN BY: XXX	SHEET #: 3

MATCH LINE D
SEE SHEET # 3



MATCH LINE D
SEE SHEET # 3



MATCH LINE F
SEE SHEET # 5

LEGEND	
RIGHT OF WAY (RW)	—
CONDUIT (F)	— XX —
UNDERGROUND (UG)	----
AERIAL CABLE	----
EDGE OF PAVEMENT (EOP)	----
CENTERLINE (CL)	----
WATER (W)	----
SEWER (S)	----
FIRE HYDRANT	
FLOWERPOT	
HANDHOLE	
MANHOLE	
UTILITY VALVE	
UTILITY METER	
UTILITY MANHOLE	

AT HANDHOLE LOCATION 38:
DIG BORE PIT, PLACE 24"x36"
HANDHOLE

AT HANDHOLE LOCATIONS 6 -
9, 37, 39 & 40: DIG BORE PIT,
PLACE 17"x30" HANDHOLES

AT ALL FLOWERPOT LOCATIONS:
DIG BORE PIT,
PLACE 11"x11"x16" FLOWERPOTS

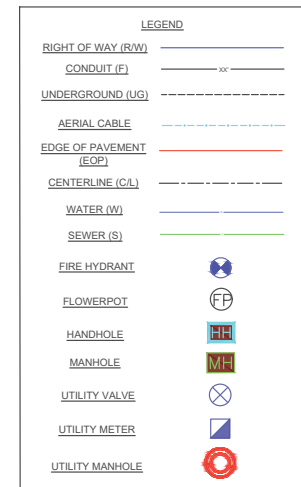


SCALE: 1"=100'



Frontier COMMUNICATIONS	
JOB ID: 5286702 H2003	DATE: 9/1/22
TITLE: CONDUIT DESIGN	
STREET ADDRESS: KALISPEIL RD	
CITY/STATE: BUDA, TX	
FTR ENGINEER: XXX	
FTR INSPECTOR:	
	DRAWN BY: XXX
	EST. #: SHEET #:
	4

MATCH LINE F
SEE SHEET # 4



AT ALL FLOWERPOT LOCATIONS:
DIG BORE PIT,
PLACE 11"X11"X16" FLOWERPOTS



SCALE: 1"=100'



JOBID: 5286702 H2003	DATE: 9/1/22
TITLE: CONDUIT DESIGN	
STREET ADDRESS: MANDAN ST, SEQUOYAH ST, ARIKARA ST, HIDATSA ST	
CITY/STATE: BUDA, TX	
FTR ENGINEER: XXX	
FTR INSPECTOR:	

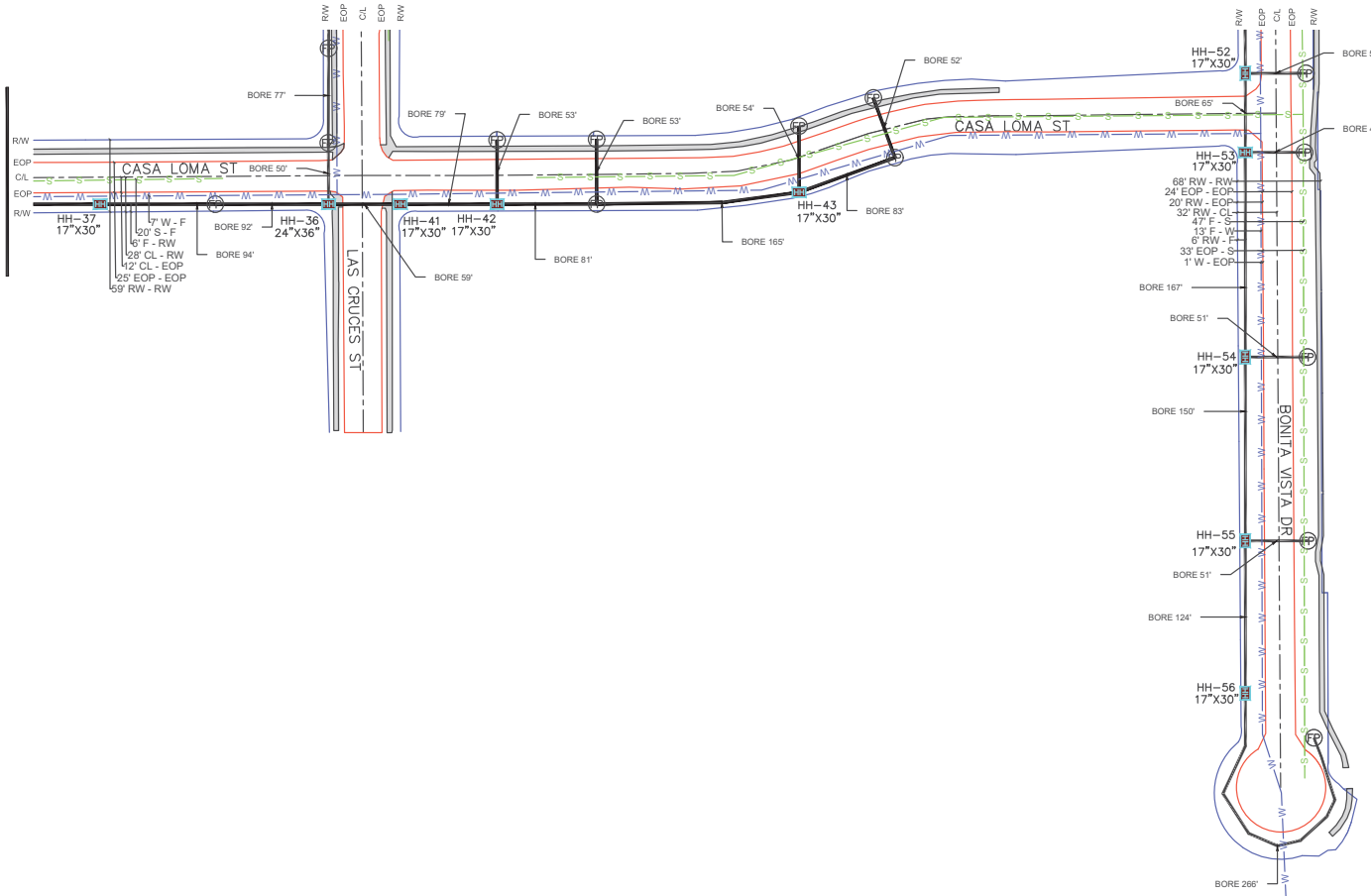
DRAWN BY: XXX	
EST. #:	SHEET #: 5



MATCH LINE F
SEE SHEET # 4

MATCH LINE H
SEE SHEET # 7

MATCH LINE E
SEE SHEET # 5



LEGEND	
RIGHT OF WAY (R/W)	---
CONDUIT (F)	---
UNDERGROUND (UG)	---
AERIAL CABLE	---
EDGE OF PAVEMENT (EOP)	---
CENTERLINE (CL)	---
WATER (W)	---
SEWER (S)	---
FIRE HYDRANT	FP
FLOWERPOT	FP
HANDHOLE	HH
MANHOLE	MH
UTILITY VALVE	UV
UTILITY METER	UM
UTILITY MANHOLE	UMH

AT HANDHOLE LOCATIONS 2, 4 & 5, 10 & 14: DIG BORE PIT, PLACE 24"x36" HANDHOLES

AT HANDHOLE LOCATIONS 3, 11 - 13, 15 & 57: DIG BORE PIT, PLACE 17"x30" HANDHOLES

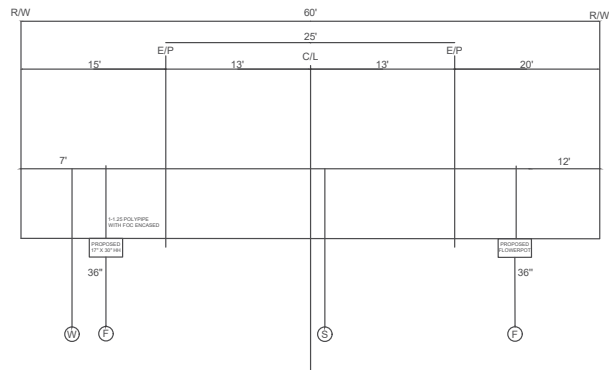
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SCALE: 1"=100'

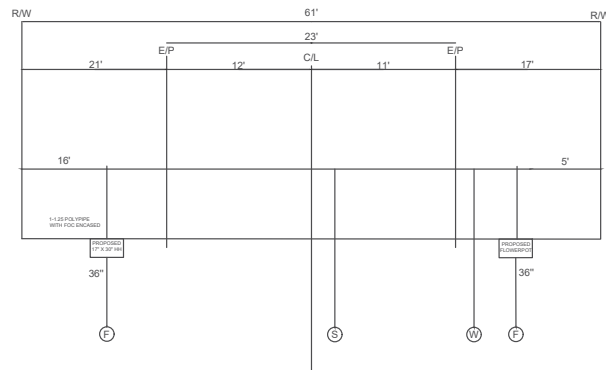


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TITLE: CONDUIT DESIGN	
STREET ADDRESS: SEQUOYAH ST	
CITY/STATE: BUDA, TX	
FTR ENGINEER: XXX	
FTR INSPECTOR:	
	DRAWN BY: XXX
EST. #:	SHEET #: 6

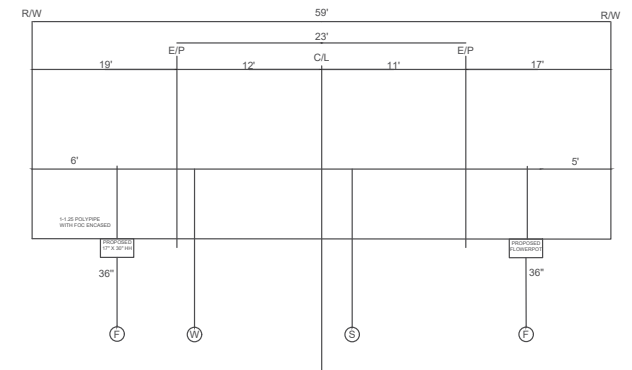
CROSS SECTION
LOOKING NORTH AT LOMA VERDE ST



CROSS SECTION
LOOKING EAST AT EL MIRADOR ST

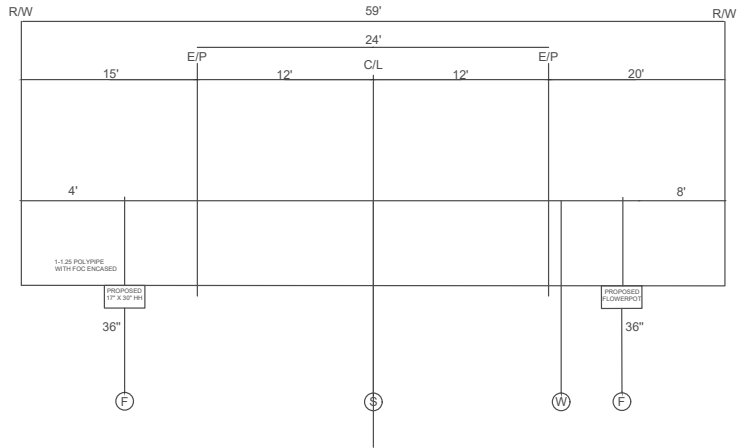


CROSS SECTION
LOOKING NORTH AT EL SECRETO ST

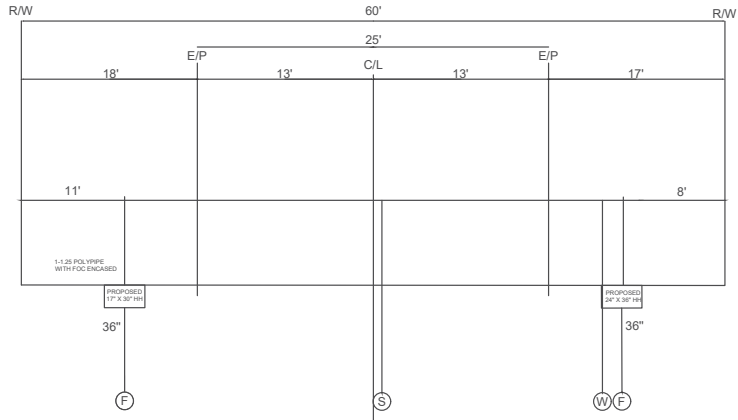


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TITLE: CONDUIT DESIGN		
STREET ADDRESS: LOMA VERDE ST, EL MIRADOR ST, EL SECRETO ST		
CITY/STATE: BUDA, TX		
FTR ENGINEER: XXX		
FTR INSPECTOR:		
	DRAWN BY: XXX	
	EST. #:	SHEET #: 8

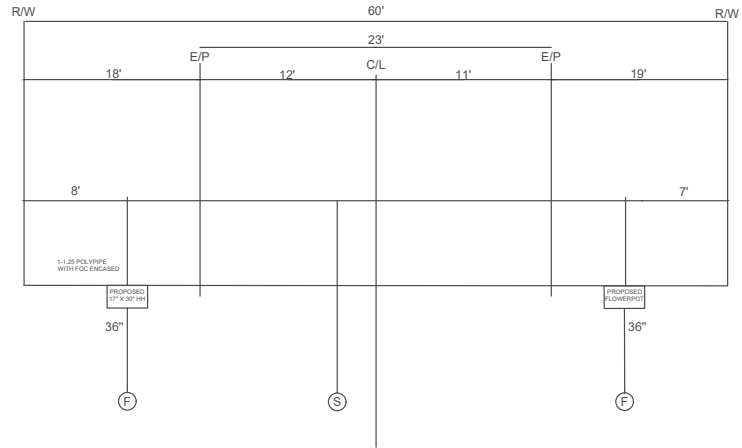
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LOOKING NORTH AT LA JOILA ST



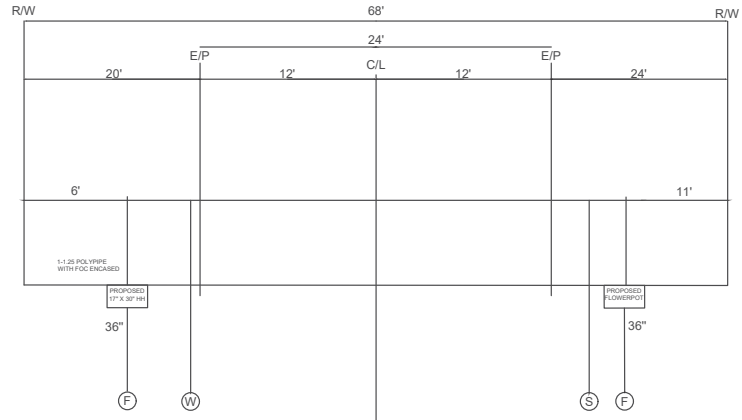
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LOOKING EAST AT LOMA LINDA ST



CROSS SECTION
LOOKING EAST AT VILLAGE LN

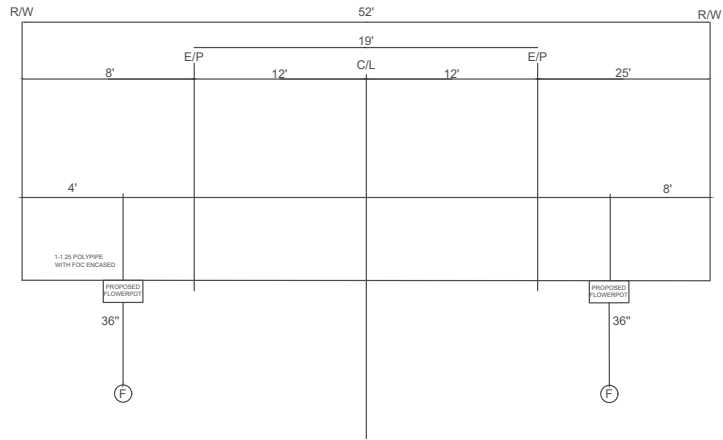


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LOOKING NORTH AT BONITA VISTA ST

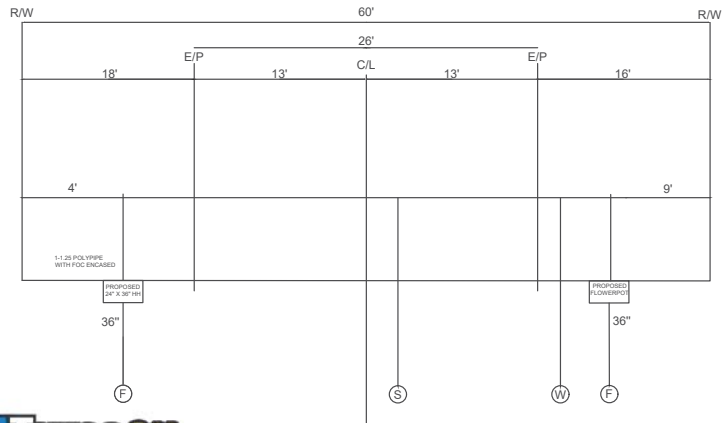


JOB ID: 5286702 H2003		DATE: 9/6/22
TITLE: CONDUIT DESIGN		
STREET ADDRESS: LA JOILA ST, VILLAGE LN, LOMA LINDA ST, BONITA VISTA ST		
CITY/STATE: BUDA, TX		
FTR ENGINEER: XXX		
FTR INSPECTOR:		
		DRAWN BY: XXX
		EST. #:
		SHEET #: 9

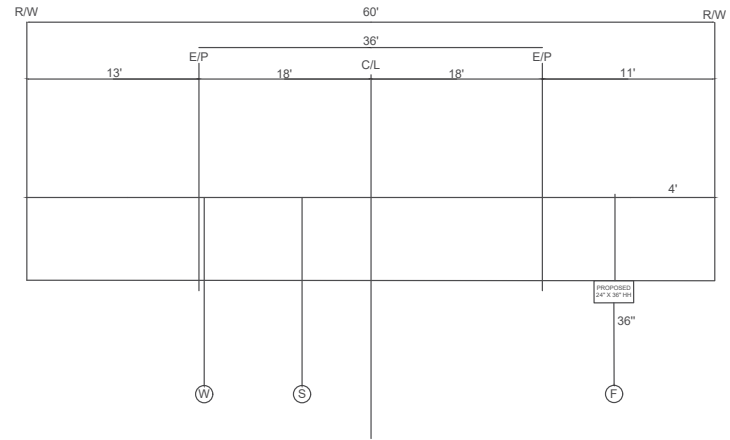
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LOOKING EAST AT REBEL DR



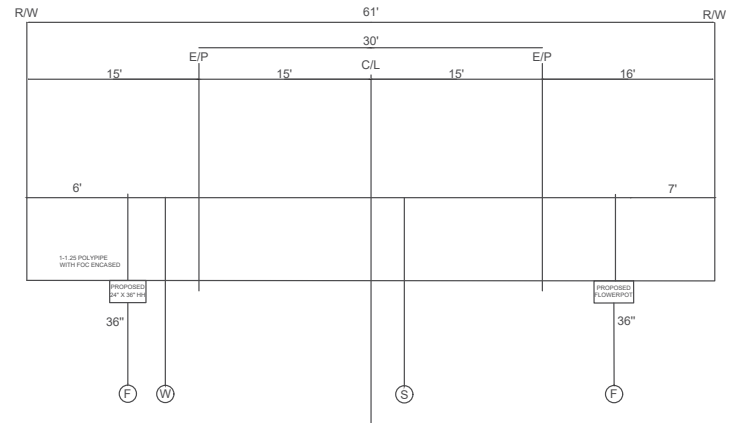
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LOOKING EAST AT CASA LOMA ST



CROSS SECTION
LOOKING EAST AT W GOFORTH ST

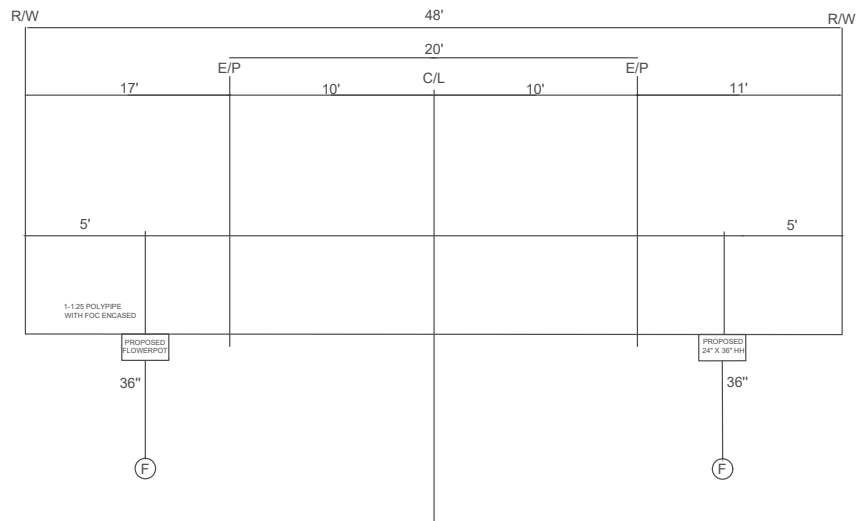


CROSS SECTION
LOOKING NORTH AT LAS CRUCES ST

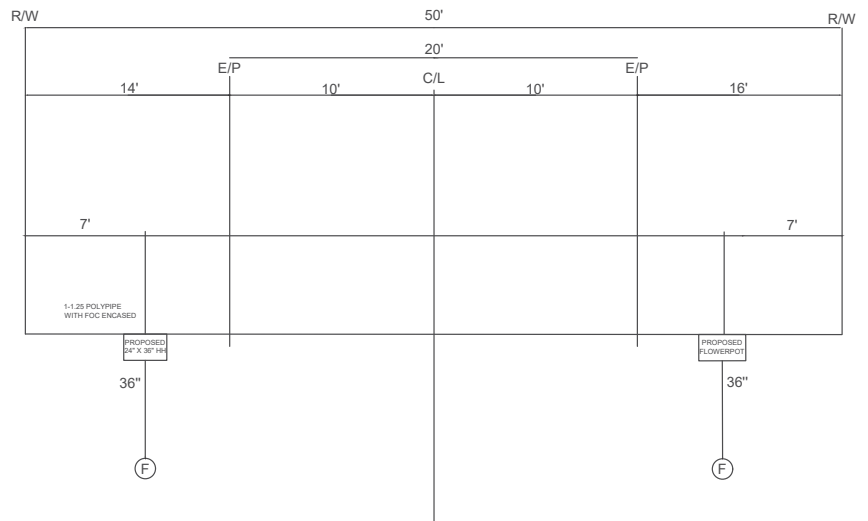


JOB ID: 5286702 H2003		DATE: 9/6/22	
TITLE: CONDUIT DESIGN			
STREET ADDRESS: REBEL DR, W GOFORTH ST, CASA LOMA ST, LAS CRUCES ST			
CITY/STATE: BUDA, TX			
FTR ENGINEER: XXX			
FTR INSPECTOR:			
 LUCK GROVE TELECOM INC.		DRAWN BY: XXX	
		EST. #:	SHEET #: 10

CROSS SECTION LOOKING SOUTH AT SUN BONNET DR



CROSS SECTION LOOKING SOUTH AT PINAFORE ST



JOB ID: 5286702 H2003		DATE: 9/7/22
TITLE: CONDUIT DESIGN		
STREET ADDRESS: SUN BONNET DR, PINAFORE ST		
CITY/STATE: BUDA, TX		
FTR ENGINEER: XXX		
FTR INSPECTOR:		
	DRAWN BY: XXX	
	EST. #: 10	SHEET #: 10



Hays County Transportation Department

2171 Yarrington Rd, Suite 200, Kyle Texas 78640
(P) 512-393-7385 (Web) www.hayscountytexas.com

UTILITY PERMIT APPROVAL LETTER

**** Notification must be given IN WRITING at least 24 hours before work begins and proper traffic control must be implemented throughout the work zone. ****

The utility company or any of its representatives, engineers, contractors, or authorized agents agree to use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation AND will insure that traffic control measures complying with applicable portions of the Texas Manual of Uniform Traffic Control Devices will be installed and maintained during installation.

General Special Provisions:

1. Construction of this line will begin on or after 3/20/2024 .

Utility Company Information:

Name: PEC
Address: 1810 RM 150 Kyle TX
Phone:
Contact Name: Alan Herring

Engineer / Contractor Information:

Name: Lamar Technical Services Inc.
Address: 2002 Windy Terrace Cedar Park TX 78613
Phone: 5126368598
Contact Name: Race Chapman

Hays County Information:

Utility Permit Number: TRN-2024-7510-UTL
Type of Utility Service: Secondary triplex overhead
Project Description:
Road Name(s): 111 Lame Hoss Lane
Subdivision:
Commissioner Precinct:

What type of cut(s) will you be using ? ☐ Boring ☐ Trenching ☒ Overhead ☐ N/A

Authorization by Hays County Transportation Department

The above-mentioned permit was approved in Hays County Commissioners Court on .

A handwritten signature in cursive script that reads "Roland Chapman".

02/09/2024

Signature

Title

Date



Pedernales Electric Cooperative

CONSTRUCTION PACKET - MAP SKETCH

Printed: 2/7/2024

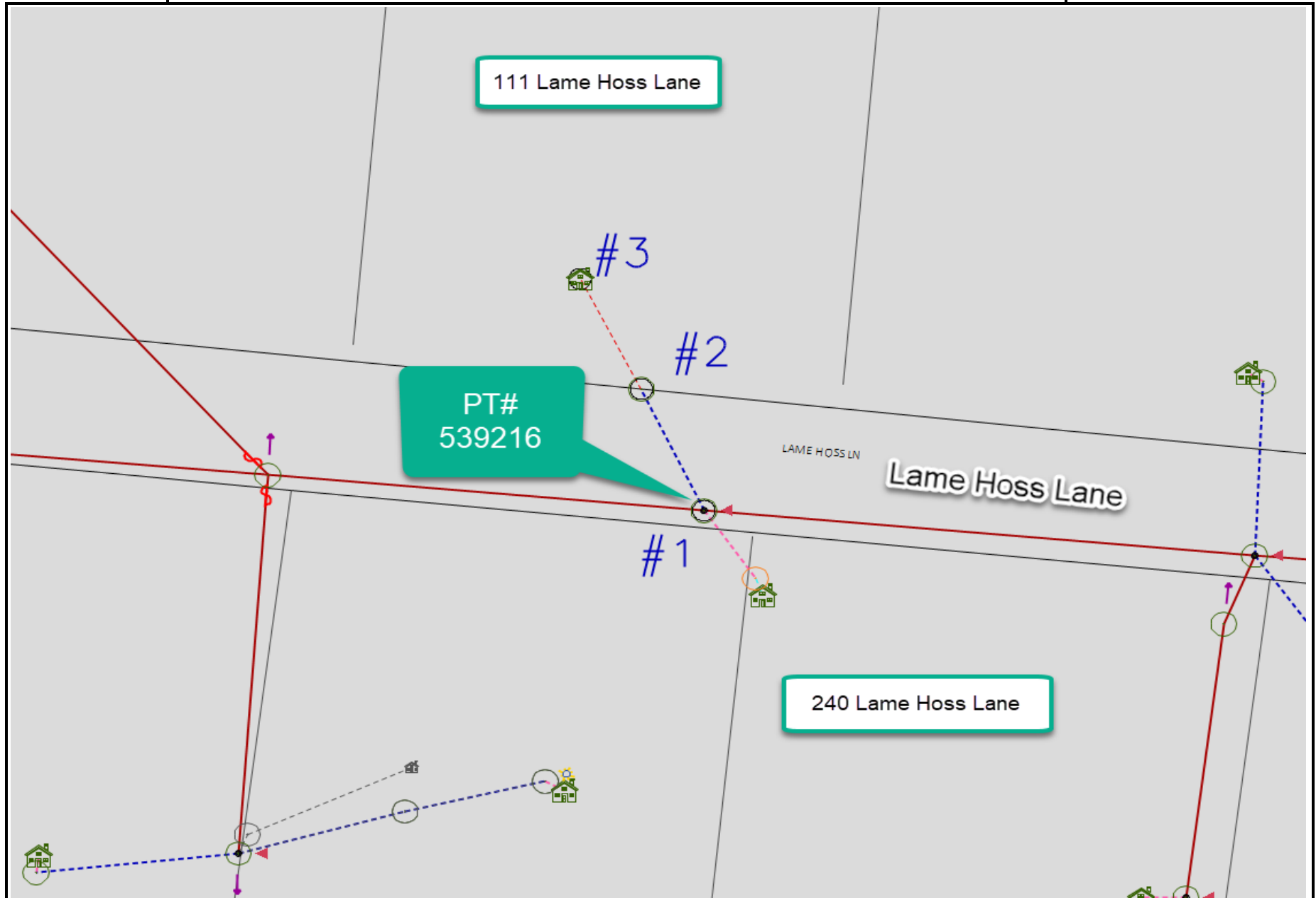
X Coordinate:	0	Description:	WO Number:	169484
Y Coordinate:	0	Install secondary pole and underground secondary to new meter	Design Name:	RL_RU140_Corriveau 539216
GPS N			Name & Address:	CHRIS CORRIVEAU, 2000446524, 111 LAME HOSS LN DRIFTWOOD, 78619
GPS W			USC Location:	6000232046
County:	Hays	Job Site:	Main Phone:	5084549588
City:	Driftwood	111 Lame Hoss Lane	Business Phone:	
Substat:	RUTHERFORD T2		Cell Phone:	
Feeder:	RU140	Date Letter Sent:	Appl Date:	1/31/2024
Subdivision:	Rolling Oaks	Amount Due:	Released:	
Phase:		Date Payment Recd:	Staked By:	Race Chapman (512) 636-8598
		Amount Recd:	Voltage/Phase:	Phase A, 120/240V
Sect:	3	Directions:	Completed By:	
Lot:	3	At 240 Lame Hoss Lane find PT#539216		
Block:				
One Call:				
One Call:		Comments:		
1 Tel Co:		PT#539216		
Communications:				
Communications:				
1 Gas Co:				
1 CATV:				
1 Water:				
1 Wastewater:		Eas Rec:		



Pedernales Electric Cooperative



CONSTRUCTION PACKET - OVERALL MAP



ASSEMBLY UNITS SUMMARY

Location					
Location Name	Function	Unit	Quantity	Remark	Description
#1	Added	K19	1		LO: Service Assembly Eye Nut
#2	Added	K18	1		LO: Service Assembly Eye Bolt
#2	Added	M2-2	1		Pole Grnd Butt Plate NESC "Made Ground"
#2	Added	O1-0 TP	65		OH Service Conductor 1-0 Triplex
#2	Added	P40-4	1		Pole 40 Ft Class 4 Wood
#2	Added	POLE SET - 7.5 CUB	1		Pole Set - 7.5 cubic ft
#2	Added	UM2-1.3	3		1 Ph Standoff Bracket 3"
#3	Added	METER RF 2S CL200 RD	1		Meter RF 2S CL200 w/RD
#3	Added	U2-0 ALTP	120		URD Conductor 2-0 Al Triplex

Summary			
Unit	Function	Quantity	Description
K18	Added	1	LO: Service Assembly Eye Bolt
K19	Added	1	LO: Service Assembly Eye Nut
M2-2	Added	1	Pole Grnd Butt Plate NESC "Made Ground"
METER RF 2S CL200 RD	Added	1	Meter RF 2S CL200 w/RD
O1-0 TP	Added	65	OH Service Conductor 1-0 Triplex
P40-4	Added	1	Pole 40 Ft Class 4 Wood
POLE SET - 7.5 CUB	Added	1	Pole Set - 7.5 cubic ft
U2-0 ALTP	Added	120	URD Conductor 2-0 Al Triplex
UM2-1.3	Added	3	1 Ph Standoff Bracket 3"



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Tammy Crumley

Sponsor:

Judge Becerra

Agenda Item

Approve Specifications for RFP 2024-P08 Generator - Preventative Maintenance and Repair Services and authorize Purchasing to solicit for proposals and advertise. **BECERRA/T.CRUMLEY**

Summary

Hays County, Texas ("County") is seeking a well-qualified company to provide generator preventative maintenance and repair services for all Hays County generators located throughout the County. The contractor will be responsible for furnishing any and all necessary parts, labor, machine shop work, field work, shop and field welding, miscellaneous repair, travel time, expenses, and equipment necessary to do the work required.

Attachments

RPF 2024-P08 Solicitation



SOLICITATION, OFFER AND AWARD

Hays County
Purchasing Office
712 S. Stagecoach Trail, Suite 1012
San Marcos, Texas 78666

Solicitation No.: RFP 2024-P08 Generator – Preventative Maintenance and Repair Services		Date Issued: February 29, 2024	
SOLICITATION			
Vendors must submit proposals as listed: One (1) original and one (1) digital copy on a thumb drive at the Hays County Purchasing Office at the address shown above or Electronically through BidNet Direct and one (1) hard copy at the Hays County Purchasing Office at the address shown above until: 10:00 a.m. local time March 21, 2024. Proposals received after the time and date set for submission will be returned unopened.			
For information please email: purchasing@co.hays.tx.us	Questions concerning this RFP must be received in writing no later than 5:00 March 7, 2024.	Phone No.: (512) xfdxrzxx393-2278	
OFFER (Must be fully completed by Respondent)			
In compliance with the above, the undersigned offers and agrees to furnish all items or services awarded at the prices stipulated for each item delivered at the designated point(s) and within the time specified herein. Award shall include all solicitation documents and attachments. MANUALLY SIGN ALL COPIES SUBMITTED. SIGNATURE IS MANDATORY.			
Respondent		Respondent's Authorized Representative	
Entity Name: Mailing Address:		Name: Title: Email Address: Phone No.:	
Signature:		Date:	
Name, Email Address and Phone No. of person authorized to conduct negotiations on behalf of Respondent:			
NOTICE OF AWARD (To be completed by County)			
Funding Source:	Awarded as to item(s):	Contract Amount:	
Vendor:		Term of Contract:	
This contract issued pursuant to award made by Commissioners Court on:	Date:	Agenda Item:	
Important: Award notice may be made on this form or by other Authorized official written notice.	_____		
	Hays County Judge _____ Date _____		

	Hays County Clerk _____ Date _____		

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I. RFP Submittal Checklist

This checklist is provided for the Vendor's convenience and identifies documents that **MUST** be submitted for the bid/proposal/SOQ to be considered responsive, as well as the required forms requested by Hays County.

A COMPLETE SOLICITATION RESPONSE PACKAGE INCLUDES:

The following forms **MUST be returned for the bid/proposal/SOQ to be considered responsive:**

- ___ 1. Solicitation, Offer and Award Form completed and signed along with Proposal
- ___ 2. Attachment A: Fee Schedule and Rates
- ___ 3. Vendor Reference Form

Required Forms by Hays County:

- ___ 1. Conflict of Interest Questionnaire completed and signed
- ___ 2. Code of Ethics signed
- ___ 3. HUB Practices signed
- ___ 4. House Bill 89 Verification signed and notarized
- ___ 5. Senate Bill 252 Certification
- ___ 6. Debarment & Licensing Certification signed and notarized
- ___ 7. Vendor/Bidder's Affirmation completed and signed
- ___ 8. Federal Affirmations and Solicitation Acceptance
- ___ 9. Related Party Disclosure Form
- ___ 10. System for Award Management (www.SAM.gov) Entity Registration Page
- ___ 11. Any addenda applicable to this solicitation

Hays County will accept bids/proposals/SOQ, by the stated due date by one of the following methods:

- ___ 1. Electronic Submission of Bid Packet through BidNet Direct and one (1) hard copy delivered, within 24 hours of proposal due date, in a sealed envelope with the Solicitation Number and Vendor's name on the outermost envelope addressed to: Hays County Purchasing, 712 S Stagecoach Trail, Suite 1012, San Marcos, TX 78666
OR
- ___ 2. One (1) original bid packet and one (1) digital copy on a thumb drive in a sealed envelope with the Solicitation Number and Vendor's Name on the outermost envelope, addressed to:
Hays County Purchasing, 712 S Stagecoach Trail, Suite 1012, San Marcos, TX 78666

II. Summary

- 1. Type of Solicitation:** Request for Proposal (RFP)
- 2. Solicitation Number:** RFP 2024-P08
Generator - Preventative Maintenance & Repair Services
- 3. Issuing Office:** Hays County Purchasing Office
712 S. Stagecoach Trail, Suite 1012
San Marcos, TX 78666
- 4. Responses to Solicitation:** Sealed proposals marked with Solicitation Number and Vendor Name on the outermost envelope
Manual: One (1) Original and one (1) digital copy on a thumb drive, or
Electronic: Proposals can be submitted through BidNet Direct and one (1) hard copy is required to be received within 24 hours of due date.
- 5. Deadline for Responses:** In issuing office no later than:
March 21, 2024; 10:00 a.m. Central Time (CT)
- 6. Initial Contract Term:** May 2024 – April 2025
- 7. Optional Contract Terms:** Four (4), one (1) year renewal options
- 8. Designated Contact:** Hays County Purchasing
Email: purchasing@co.hays.tx.us
- 9. Questions & Answers:** Questions regarding this solicitation must be made in writing and submitted to the designated contact above no later than March 7, 2024; 5:00 p.m. CT. Telephone inquiries will not be accepted. Questions may be submitted by email to the address above. Answers to questions will be provided in the form of an addendum posted after the question deadline on the CivicPlus, BidNet Direct, and ESBD websites for the benefit of all potential respondents. The County reserves the right to contact the person submitting a question to clarify the question received, if necessary. Each clarification, supplement, or addenda to this IFB, if any, will be posted on the CivicPlus, BidNet Direct and ESBD websites. All potential or actual respondents are responsible for monitoring the websites for such materials. Respondents are deemed to have notice of, and are required to comply with, any such material posted in accordance with this paragraph. Respondents should not rely upon any other sources of written or oral responses to inquiries.
- 10. Addenda** Any interpretations, corrections or changes to this RFP and specifications will be made by addenda. Sole issuing authority of addenda shall be vested in the Hays County Purchasing Office. It is the Vendor's

responsibility to acknowledge receipt of all addenda with proposal submission.

11. Contact with County Staff:

Upon issuance of this solicitation, employees and representatives of Hays County, other than the Purchasing Office staff identified as the Designated Contact above, will not discuss the contents of this solicitation with any Vendor or its representatives. Failure of a Vendor or any of its representatives to observe this restriction may result in disqualification of any related offer. This restriction does not preclude discussions between affected parties for the purpose of conducting business unrelated to this procurement.

Anticipated Schedule of Events

February 29, 2024	Issuance of RFP
March 7, 2024	Deadline for Submission of Questions (5:00 PM CT)
March 21, 2024	Deadline for Submission of Proposals (10:00 AM CT) Late proposals will not be accepted.
May 2024	Anticipated contract award date

III. Specifications

A. Introduction

Hays County, Texas ("County") is seeking a well-qualified company to provide generator preventative maintenance and repair services for all Hays County generators located throughout the County. The contractor will be responsible for furnishing any and all necessary parts, labor, machine shop work, field work, shop and field welding, miscellaneous repair, travel time, expenses, and equipment necessary to do the work required. Hays County reserves the right to add or remove facilities at any time to meet the Counties requirements.

B. Scope of Work

All work shall be accomplished in strict accordance with specifications set forth herein, and all applicable state, county and local laws, codes and ordinances. In addition, without exception, the contractor must have proper licensing at the time of submission of the response to this RFP.

1. Annual Maintenance (AM) Services:

Annual Maintenance service (AM) shall include all complete service checks and cleaning as specified below. The AM service shall include all servicers required in the PM in addition to the services outlines below. Annual shall mean one (1) time per year during the non-service quarter outlines in the PM Specifications.

Annual Maintenance shall include, but not limited to:

- Change oil and filter
 - Change the fuel filter
 - Change the air filter
 - Clean the crankcase breather
 - Change spark plugs
 - Check coolant concentration
 - Flush the cooling system (as needed)
 - Perform load bank testing for a minimum of 2-hours (copy of test results shall be provided to the County)
 - Fuel Testing & reconditioning (Diesel-fueled units only)
 - Remove water from fuel tank (Diesel-fueled units only)
-
- Perform work during regular business hours 7:00 AM to 5:00 PM, Monday through Friday.
 - Send customer a copy of each maintenance inspection report with all applicable areas filled out by the service technician.
 - Report any noted problems with equipment and recommended courses of corrective action to the Hays County Supervisor or designee.
 - Advise when main fuel tank is below 3/4 full.
 - Contractor must get permission from Hays County in writing to perform any repairs deemed necessary for proper operation of the standby power system at time of inspection. Cost for additional repairs will be reimbursed for parts and materials at cost only.

2. Preventative Maintenance (PM) Services:

Quarterly preventative maintenance (PM) service shall include complete service checks and cleaning as specified below. Quarterly shall mean three (3) times per year spaced three months apart. The fourth quarter shall be reserved for the Annual Maintenance (AM).

Preventative Maintenance cycle shall include, but not limited to:

- Check for an address alarms and warnings.

- Fuel system and levels shall be checked, and water drained (from diesel) from the separators as needed. Gas unit fuel supply shall be checked and supply piping checked for cracks or damage.
 - Coolant System and levels shall be maintained by checking the catch tank.
 - Lubrication system: oil levels shall be checked during non-operating and operating conditions. Oil shall be maintained as close to full as possible.
 - Air system (combustion and cooling air)
 - All loose crimps or wire connections shall be corrected and corroded wires shall be cleaned or replaced.
 - Starting system (batteries and charger), batteries shall be checked for cleanliness and corrosion and replaced if necessary. Battery operator shall be checked, tested and replaced if necessary.
 - Alternators shall be inspected and cleaned.
 - Transfer switches shall be inspected, and power turned off and on for testing.
- Preventative Maintenance shall include the general cleanliness of the generator and its surroundings. In an enclosed unit a successful respondent shall assure no rodents are taking up residence. Check for and report and repair leaks.
 - Perform work during regular business hours 7:00 AM to 5:00 PM, Monday through Friday.
 - Send customer a copy of each maintenance inspection report with all applicable areas filled out by the service technician.
 - Report any noted problems with equipment and recommended courses of corrective action to the Hays County Supervisor or designee.
 - Contractor must get permission from Hays County in writing to perform any repairs deemed necessary for proper operation of the standby power system at time of inspection. Cost for additional repairs will be reimbursed for parts and materials at cost only.

3. Repair Services:

- Contractor shall provide on-call and non-emergency repairs on a time and material basis. Hourly rates paid under the agreement shall be only for actual productive hours on the job site. The County shall not be directly invoiced for the following:
 - Travel and/or transportation of workers;
 - Parts and materials acquisition including freight, handling, and delivery; and
 - Movement of Contractor owned or rented equipment,
 - For purposes of the agreement, these are considered overhead, and the costs shall be included in the fixed hourly rates in Attachment A.
- Prior to beginning any repair or replacement, the contractor will troubleshoot the system to diagnose the system's problems. The County shall not incur any extra charge for this service.
- Repair services shall only occur when a proposal has been submitted and authorization to commence work has been given to Contractor by the County Supervisor or his designee.
- Repair proposals shall include an itemized list of materials, costs of materials, mark-up percent, labor rates and hours, equipment rental, miscellaneous service, reference Generator model/serial number and/or description, location of equipment, and Job number (if available). Contractors shall also include the appropriate hours and number of Journeymen and/or Apprentice/Installers required to complete service.
- Contractor shall furnish all necessary labor, tools, equipment, and materials as may be required to complete the repair service. The County will reserve the right to provide materials and/or equipment to the Contractor at the County's sole discretion.
- At the completion of each repair service, the Contractor shall provide a report of the Generator Repair service to the County Supervisor or his designee. Any findings shall be described, along with a list of materials replaced, and total hours of labor.

- At the sole discretion of the County, material may be provided to complete scope of repair work. In addition, the County shall reserve the right to bid outside of the contract when any repair service is over \$10,000.
4. On Call/Emergency Services:
- Contractor shall be accessible by a toll-free local telephone call during regular business hours. Local off-hours answering service for emergencies shall be available for contractor notification twenty-four (24) hours a day, seven (7) days per week, all year, including holidays. The expected two (2) hour response time from initial call notification is required during business days from 7:00 AM to 5:00 PM. If the contractor is notified after business hours, or notification would result in an arrival after 7:00 PM, response time shall be expected the next business day at 7:00 AM provided a two (2) hour time window was provided from notification to expected response time.
 - The Contractor shall provide on call services within 24 hours after County's notification of non- critical/ non-emergency repair service requests.
 - In an event of a system failure deemed by the County as an emergency, the Contractor shall physically arrive to the County site within two (2) hours of County notification, except for the Jail or Juvenile Detention Center. See the table below for Service Call Classifications and approved response and completion times.
 - In the event of an emergency, a formal written proposal may be waived, however Contractor shall not commence work until explicitly given approval from the County Supervisor or his designee.
 - In the event the generators are down at the Jail or Juvenile Detention Center, the Contractor shall be required to be available and onsite immediately. Generators MUST be in working condition at all times.
 - The Hays County Juvenile Detention Center has legal responsibilities for Alternate Power Source that can be reviewed in Texas Administrative Code 343.224. The awarded vendor shall review those responsibilities and be able to ensure Hays County complies with the Codes at all times.
 - The Hays County Jail has legal responsibilities for Alternate Power Source that can be reviewed in Texas Administrative Code 263.50. The awarded vendor shall review those responsibilities and be able to ensure Hays County complies with the Codes at all times.
 - At the discretion of the County, a separate Contractor can be contacted to respond in critical emergency events should the Contractor not respond in initial contact.

Service Call Classification	Response/Completion
Emergency	Vendor shall respond within 30 minutes of notification and work to completion or contain the emergency. (Work to be completed within 2 calendar days)
Hot/Cold	Vendor shall respond within 30 minutes and alleviate the discomfort. (Work to be completed within 2 business days)
Urgent	Vendor shall respond within 2 hours of notification during normal work hours. (Work to be completed within 3 business days)
Routine	Vendor shall respond within one business day of notification. (Work to be completed within 5 business days)
Utility Services	Vendor shall respond within one business day of notification. (Work to be completed within 5 business days)

5. Equipment Inspection:

- An initial full equipment inspection will be available to the awarded contractor(s) by site and within a timeframe that will be designated by the County's Authorized Representatives, if they so desire.
- The vendor shall have visited the facilities and shall have inspected all equipment, to be fully acquainted and familiarized with conditions as they exist, and the operations to be carried out. The vendor shall make such investigations as appropriate, to fully understand any difficulties and restrictions involved, while attending to the execution of the work with minimal disruption to the operations of the facility.

6. System Failure:

- Should any of the contractor(s) activities result in the generator system failure, or shutdown of any part of the system, the vendor is required to immediately inform the County's Authorized Representatives and follow up with a written notice within twenty-four (24) hours. The written notification shall state the reason the equipment is not in service, when repairs will be completed and the system back in full operation. The contractor shall make every effort to expedite the service and minimize the disruption (the cooling effectiveness) to the location being serviced and shall employ every ordinary and extraordinary effort to minimize loss of air conditioning time.

7. System Condition:

- Whenever services are provided, the contractor shall ensure that the Generator equipment and systems are left in an operable condition. The contractor shall document all services performed and submit said documentation with their invoice for services.

8. Stoppage of Work:

The County reserves the right to stop work on any project if, in the opinion of the County Supervisor or his designee:

- Materials or work are not in conformance with the OEM specifications, applicable codes, standards, County specifications and/or accepted practices.
- The contractor's activities result in damage to County property.
- The contractor's activity adversely interferes with the normal operation of the facility.
- Contractor's personnel are not properly licensed to perform the work or as it pertains to county facilities the contractor's personnel have not received their security background clearances.
- Any other condition, situation, or circumstance which, in the opinion of the County's Authorized Representatives or Inspector, would be a detriment to the best interests of the County if allowed to persist.

9. Inspection of Work:

- The County reserves the right to inspect the contractor's work at any time to assure compliance with all terms and conditions of this Agreement. All work will be inspected pursuant to applicable codes. All deficiencies noted by the County will be submitted to the contractor for correction. Within thirty (30) calendar days after submission of deficiencies to the contractor, an inspection of the air conditioning system may be conducted to ensure corrective action was taken. Should the deficiencies not be corrected, the contractor shall be liable for any cost incurred by the County to ensure the correction to include, but not limited to, additional inspections, repairs and meetings.

10. New Installations:

- Any new installation(s) of generator shall be biddable at the sole discretion of the County. No guarantee is given to Contractor awarded specific route where installation will occur.

11. Parts:

- The contractor(s) shall have access to most of the common parts necessary to service the units.
- All furnished materials shall be new and genuine manufacturer's authorized replacement parts. Equivalent or rebuilt parts shall be pre-approved for use by the County Supervisor or his designee prior to use. The utilization of used materials is strictly prohibited without the pre-approval and consent of the County Supervisor or his designee.

12. Warranty:

- Warranty on all parts and labor shall be provided at a minimum of 12 months. Parts provided by the County shall not be included under the 12-month warranty.

C. Fee Schedule and Rates

The Vendor shall fill out Attachment A and provide pricing for Yearly Routine Services, 3-year Preventative Maintenance and labor rates for all labor categories of employees envisioned to provide repair and emergency services that align with the work.

- Annual Maintenance & Preventative Maintenance Services: Prices shall be listed for all inclusive per generator.
- Repair Services: Hourly rates paid under the agreement shall be only for actual productive hours on the job site. The County shall not be directly invoiced for the following:
 - Travel and/or transportation of workers;
 - Parts and materials acquisition including freight, handling, and delivery; and
 - Movement of Contractor owned or rented equipment,
 - For purposes of the agreement, these are considered overhead, and the costs shall be included in the fixed hourly rates.
- Materials Markup: the County will not consider any proposal with a parts and materials markup in excess of 20%. Mark up on parts and materials shall include the contractors time, labor and travel to obtain the necessary parts for repairs and replacements.

D. Qualifications

The following minimum requirements must be demonstrated in order for the submission to be considered responsive to Hays County.

- Contractor shall have at least five (5) years of similar experience.
- Must possess the required licenses to operate a business in the State of Texas.
- All employees must possess the certifications, and licenses required by the State of Texas.

REFERENCES: Hays County requires respondent to supply with the proposal, a list of at least three (3) references where like services have been supplied by their company for a county or company of similar size within the last five (5) years. Include name of company, address, telephone number and name of representative.

RESPONSIBILITY: A prospective respondent must affirmatively demonstrate respondent's responsibility. A prospective respondent must meet the following requirements:

- Have adequate financial resources, or the above ability to obtain such resources as required
- Be able to comply with required or proposed delivery schedule
- Have a satisfactory record of performance
- Be otherwise qualified and eligible to receive an award

TIME OF PERFORMANCE: It is imperative that the prospective respondent respond to County requests in a timely manner and comply with required or proposed delivery schedules. Please describe how you intend to respond to and track County requests.

SYSTEM FOR AWARD MANAGEMENT: Respondent and its Principals may not be debarred or suspended nor otherwise on the Excluded Parties List System (EPLS) in the System for Award Management (SAM). Include verification that the company as well as the company's principals are not listed (are not debarred) through the System for Award Management (www.SAM.gov). Enclose a printout of the Entity Registration page that shows your firm is in active status and is not expired.

E. Proposal Requirements

Proposals shall be prepared simply and economically, providing a straightforward, concise description of the respondent's ability to meet the requirements of this RFP. Emphasis shall be on the quality, completeness, clarity of content, responsiveness to the requirements, and the understanding of the County's Needs.

Proposals shall not exceed thirty (30) pages (15 sheets front and back) in length, but not including:

- **Front and Rear Covers**
- **Letter of Transmittal:** RFP Subject Line, name of Vendor, address, telephone number, name of contact person, and signed by the individual authorized to negotiate for and contractually bind the company.
- **Table of Contents**
- **Appendix materials (any required forms, see RFP Submittal Checklist, and addenda from Hays County)**

Items that count towards the 30-page limit

- **Profile/Experience of the Company**
 - Company information shall include: Company legal name of the Bidder, principal place of business, number of years in business, and description of company organization including identification of number of staff dedicated to the project.
 - Experience of the Company and prior work performance on three (3) projects of similar size and scope that have been completed in the last five (5) years.
 - List of any criminal charges, civil lawsuits, or dispute resolutions to which the Company is a part in the past five (5) years and the nature of the issue. Indicating if and how it was resolved.
- **Key Personnel**
 - Provide resumes of all employees who may be assigned to provide services if your company is selected.
 - Provide an organizational chart containing the names, telephone numbers and email address of the prime providers and any sub-providers that would be proposed for the team and their contract responsibilities by work category.
- **Capacity to Perform (Methodology/Technical Approach)**
 - Provide a description of your proposed approach/strategy to perform the Scope of Work activities.
 - Describe your existing customer service program. How to you resolve customer complaints and monitor customer satisfaction?
 - Describe your communication plan to assure proper flow of information and timelines between your company and the County.
 - Implementation Schedule
- **Safety Record, Practice and Quality Assurance Plan**
 - Describe your company's approach to the prevention of accidents and injuries and quality assurance.

- **Fee Schedule and Rates**

- Attachment A: Fee Schedule and Rates, Include all fees on the fee schedule that may be associated with the contract for generator preventative maintenance and repair services.

Sheet size is limited to 8½" x 11" sheets only, using 12-point font. The organizational chart is permissible to use an 11" x 17" sheet (one-sided) and a font smaller than 12-point for the organizational chart, provided text is clearly legible. It is permissible to use a font smaller than 12-point for graphics, provided text is clearly legible.

The proposal must be submitted with a continuous binding (e.g. – spiral, GBC, etc.) along the left edge; no other binding will be accepted and should not exceed thirty (30) pages, fifteen (15) pages front and back, not including the appendix materials.

F. Evaluation Criteria

The Evaluating Committee will evaluate each respondent's proposal based on a comprehensive set of criteria. Proposals received shall be evaluated and ranked by the County according to the following criteria: **(Maximum Point Total 100)**

1. Fee Schedule and Rates	35 points
2. Capacity to Perform	25 points
3. Safety Record, Practice and Quality Assurance Plan	25 points
4. Experience of the Company	15 points

Interview (optional)

Ranking

At the County's discretion, submitting entities may be requested by the Evaluating Committee to conduct interviews as part of the evaluation process, prior to making recommendations to Commissioners Court regarding award.

It is the practice of Hays County to encourage local participation and to promote and encourage contracting and subcontracting opportunities for locally owned businesses and labor in all contracts.

The County of Hays does not discriminate on the basis of race, color, national origin, sex, religion, age and disability in employment or the provision of services. Hays County is an Affirmative Action/Equal Opportunity Employer and strives to attain goals for Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), as amended. Section 3 Residents and Business Concerns, Minority Business Enterprises, Small Business Enterprises and Women Business Enterprises are encouraged to submit proposals.

Hays County reserves the right to award to multiple contractors and to designate contractors in terms of primary service providers and standby service providers.

G. Submittal Requirements

The Company must deliver their proposal to the Hays County Purchasing Department by one of the following methods by the specified deadline:

Mailed or Dropped off Proposals:

- One (1) original proposal with required forms manually signed by the respondent with original signatures
- One (1) digital copy of the full proposal with all required forms on a thumb drive

Electronic Proposals:

- Upload proposal with required forms manually signed by the respondent. (through BidNet Direct)
- One (1) original proposal with required forms manually signed by the respondent, delivered to the Hays County Purchasing Office. Either the original or Electronic Proposal (through BidNet Direct) MUST be received by the due date and time to be considered responsive. Physical copy must be received in the Hays County Purchasing Office within 24 hours of proposal due date.

LATE SUBMITTALS WILL NOT BE ACCEPTED.

ALTERING PROPOSALS: Any interlineations, alteration, or erasure made before receiving time must be initialed by the signer of the proposal, guaranteeing authenticity.

WITHDRAWING OF PROPOSAL: A proposal may be withdrawn at any time prior to the official opening. After the official opening, proposals may not be amended, altered or withdrawn without the recommendation of the County Purchasing Manager and the approval of Commissioners Court.

FORMS: All proposals must be submitted on the forms provided in this solicitation document. Changes to solicitation forms made by bidders shall disqualify the proposal.

RESPONDENT'S ACCEPTANCE: by submitting a response to this RFP, the respondent certifies that is has fully read and understands the terms, conditions and statements of this Request for Qualifications and has knowledge of the scope of the quality of services to be furnished and intends to adhere to the provisions described herein.

H. Award of Contract

BASIS OF AWARD: The County reserves the right to award a contract for named project to an organization on the basis of "best value". Best value will be determined based on cost, experience, qualifications, references, proposed methodology/technical proposal, and overall responsiveness, clarity, and organization of the solicitation response.

COMPANY AGREES, if this proposal is accepted, to furnish any and all services upon which prices are offered, at the price(s) and upon the terms and conditions contained in the specifications. The period for acceptance of the proposal will be one hundred twenty (120) calendar days.

The awarded company expressly warrants that all services specified in the RFP will be performed with care and diligence and in accordance with all specifications of the RFP. The awarded company agrees to correct any deficiencies in its performance of services upon notification by the County and without additional expense to the County.

ACCEPT OR REJECT: It is understood that Hays County reserves the right to accept or reject any and all submittals as it shall deem to be in the best interest of Hays County. The prospective entities are fully responsible for all costs incurred in the preparation and/or presentation of the RFP submittals. All received RFP submittals will become the property of the County. The RFP does not commit the County to award a contract, issue a purchase order, or pay any costs incurred in the preparation of a submission in response to this RFP. Proposals may be held for one hundred twenty (120) calendar days after opening without taking action.

COMMISSIONERS COURT APPROVAL REQUIRED: The Hays County Commissioners Court must approve the contractors selected to provide the services requested in this RFP. The County reserves the right to authorize contract negotiations to begin without further discussion with contractors submitting a response. Therefore, each proposal should be submitted as completely and accurately as possible. The County reserves the right to request additional data, oral discussions, or presentations in support of the

written proposal. If the proposal is accepted and approved by Commissioners Court, this document shall be made part of the contract.

Respondent's Obligation Regarding Evaluation

- a. **SUBMISSION OF INFORMATION.** Submitters are cautioned that it is each contractor and or individual's sole responsibility to submit information related to the evaluation categories, and the County is under no obligation to solicit such information if it is not included with the proposal. Failure of a contractor or individual to submit such information may cause an adverse impact on the evaluation of the specific proposal.
- b. **SUBMITTER REVIEW OF RFP.** Submitters are responsible for examining and being familiar with all specifications, terms, conditions, provisions, and instructions of the RFP and their responses. Failure to do so will be at the contractor and/or individual's risk and will not be a determinative factor when awarding the contract for services.

ORAL NON-BINDING: Any non-written representations, explanations, or instructions given by County staff or County agents are not binding and do not form a part of, or alter in any way, the RFP, a written agreement pertinent to the RFP, or the awarding of the contract.

RESERVATIONS BY COUNTY: The Commissioners Court has the right to accept, reject, or cancel any and all submissions. In addition, the County expressly reserves the following:

1. waive any defect, irregularity, or informality in any submission or RFP procedure;
2. extend the RFP closing time and date;
3. reissue this RFP in a different form or context;
4. procure any item by other allowable means;
5. revise and modify, at any time before the RFP submittal due date, the factors and/or weights of factors the County will consider in evaluating RFP submittals and to otherwise revise or expand its evaluation methodology as set forth herein;
6. investigate the qualifications of any contractor under consideration and require confirmation of information furnished by a contractor;
7. require additional information from a contractor concerning contents of its RFP submittal and/or require additional evidence of qualifications;
8. waive minor deviations from specifications, conditions, terms, or provisions of the RFP, if it is determined that waiver of the minor deviations improves or enhances the County's business interests under the RFP;
9. extend any contract when most advantageous to the County, as set forth in this RFP.
10. appoint an evaluation committee to review RFP submittals or responses, make recommendations and seek the assistance of outside technical experts in RFP submittal evaluation;
11. hold interviews and conduct discussions and correspondence with one or more of the contractors responding to this RFP to seek an improved understanding and evaluation of the responses to this RFP.
12. disclose information contained in an RFP submittal to the public as required under the Texas Public Information Act; AND/OR
13. exercise any other right reserved or afforded to Hays County under this RFP. The County reserves the right to modify the process, in its sole discretion, to address applicable law and/or the best interest of the County.

The County shall not, under any circumstances, be bound by or be liable for any obligations with respect to any construction project until such time (if at all) a contract has been awarded and all approvals obtained in form and substance satisfactory to the County have been executed and authorized by the County, and then only to the extent of such agreements.

I. Warranty of Performance

The successful respondent expressly warrants that all services specified in the RFP will be performed with care and diligence and in accordance with all specifications of the RFP. The successful bidder agrees to correct any deficiencies in performance of services upon notification by the County and without additional expense to the County.

CONTINUING NON-PERFORMANCE of the bidder, in terms of specifications, shall be basis for the termination of the contract by the County. The County shall not pay for merchandise/services that are unsatisfactory. Failure to perform any provision will constitute a default of contract, in which case, corrective action shall take place within ten (10) days from the date of written notice citing the nature of breach. Failure to take corrective action or to provide a satisfactory written reply excusing such failure within the prescribed ten (10) days will authorize the County to terminate this agreement by written notice.

COMPLIANCE WITH LAWS: The successful Respondents shall comply with all applicable federal, state and local laws and regulations pertaining to the practice of the profession and the execution of the duties under the solicitation. Any contract executed as a result of this RFP shall be governed by the laws of the State of Texas.

IV. General Terms and Conditions for Solicitations

Applicable To: Request for Proposals (RFP)

1. GENERAL DEFINITIONS:

- a. "Auditor" means the Hays County Auditor or his/her designee.
- b. "Commissioners Court" means Hays County Commissioners Court.
- c. "Contract" means the contract awarded pursuant to the RFP.
- d. "Contractor" means a person or firm receiving an award of contract from Commissioners Court.
- e. "County" means Hays County, Texas, a political subdivision of the State of Texas.
- f. "County Building" means any County owned buildings and does not include buildings leased by County.
- g. "Is doing business" and "has done business" mean:
 - i. Paying or receiving in any calendar year any money or other valuable thing which is worth more than \$250 in the aggregate in exchange for personal services or for purchase of any property or property interest, either real or personal, either legal or equitable; or
 - ii. Loaning or receiving a loan of money; or goods or otherwise creating or having in existence any legal obligation or debt with a value of more than \$250 in the aggregate in a calendar year;
 - iii. But does not include any retail transaction for goods or services sold to a Key Contracting Person at a posted, published, or marked price available to the general public.
- h. "Key Contracting Person" means any person or business listed in Exhibit A to Affidavit.
- i. "Purchasing Manager" means the Hays County Purchasing Manager.
- j. "Sub-contractor" means a person or firm doing business with a Contractor.

2. **FUNDING:** Funds for payment on this Contract have been provided through the County budget approved by Commissioners Court for this fiscal year only. State of Texas statutes prohibit the obligations and expenditure of public funds beyond the fiscal year for which a budget has been approved. However, the cost of items or services covered by this Contract is considered a recurring requirement and is included as a standard and routine expense of Hays County to be included in each proposed budget within the foreseeable future. County Commissioners expect this to be an integral part of future budgets to be approved during the period of this Contract except for unanticipated needs or events which may prevent such payments against this Contract. However, County cannot guarantee the availability of funds, and enters into this Contract only to the extent such funds are made available. The Fiscal Year for County extends from October 1st of each calendar year to September 30th of the next calendar year.

3. **FUNDING OUT:** Despite anything to the contrary in this Contract, if, during budget planning and adoption, Commissioners Court fails to provide funding for this Contract for the following fiscal year of County, County may terminate this Contract after giving Contractor thirty (30) calendar days written notice that this Contract is terminated due to the failure to fund it.

4. INVOICING/PAYMENTS:

- a. Contractor shall provide County with an Internal Revenue Form W-9, Request for Taxpayer Identification Number and Certification, that is completed in compliance with the Internal Revenue Code and its rules and regulations before any Contract funds are payable.
- b. As a minimum, invoices shall include: (i) name, address, and telephone number of Contractor and similar information in the event payment is to be made to a different address; (ii) County Contract or Purchase Order number; (iii) identification of products or services as outlined in this Contract; (iv) quantity or quantities, applicable unit prices, total prices, and total amount; and (v) any additional payment information called for by this Contract. County will not pay invoices that are in excess of the amount authorized by the purchase order.
- c. Payment shall be made by check or warrant by County upon satisfactory delivery and acceptance of products and services and submission of an invoice to the address below:
County Auditor

712 S Stagecoach Trail, Suite 1071

San Marcos, Texas 78666

- d. Payment shall be deemed to have been made on the date of mailing of the check or warrant. For purposes of payment discounts, time will begin upon satisfactory delivery of products and services and/or submission of acceptable invoice, whichever is last. Partial payments will not be made unless specifically requested and approved by County prior to Contract award.
 - e. Accrual and payment of interest on overdue payments shall be governed by Tex. Gov't Code Ann., ch. 2251.
5. COUNTY TAXES: If the Contractor subsequently becomes delinquent in the payment of County taxes, it will be grounds for cancellation of the contract. Despite anything to the contrary, if the contractor is delinquent in payment of County property taxes at the time of invoicing, Contractor assigns any payments to be made for performance under this contract to the County Tax Assessor-Collector for the payment of delinquent taxes.
6. PROMPT PAYMENT ACT: TEX. GOV'T CODE ANN., ch 2251 (Vernon Supp. 1995) requires that payments be made within 30 calendar days. If County fails to pay within 30 days, interest on overdue amounts is subject to Chapter 2251, Texas Government Code. The law does not apply if the terms of a federal grant, contract, regulation, or statute prevent local governments from making timely payments with federal funds. Contractors and subcontractors must pay their suppliers interest if the supplier is not paid within 10 calendar days after the contractor or subcontractor receives payment. Contractors must apply for interest payments within 6 months of submitting a proper invoice if they believe such interest was due but not paid. Interest begins accruing 30 days after either of the following, whichever is later; (i) satisfactory delivery or performance has been completed, or, (ii) a correct invoice is received at the designated place.
7. FOB POINT: Delivery of all products under this contract, if any, shall be made Free on Board to final destination, at the address shown in this contract or as indicated on each Purchase Order placed against this contract. The title and risk of loss of the goods shall not pass to County until acceptance takes place at the F.O.B. point.
8. INSPECTION AND ACCEPTANCE: The County office or department receiving items pursuant to this contract shall inspect and accept only those items that are satisfactory to them, and reject those items which are damaged or which do not conform to specifications. Contractor shall be responsible for the proper labeling, packing, and delivery to final destination, including replacement of rejected deliveries.
9. VARIATION IN QUANTITY: No variation in the quantity of any item called for by this contract will be accepted unless such variation has been caused by conditions of loading, shipping, or packing, or allowances in manufacturing processes, and then only to the extent, if any, specified elsewhere in this contract.
10. OFFICIALS NOT TO BENEFIT: If a member of Commissioners Court belongs to a cooperative association, the County may purchase equipment or supplies from the association only if no member of the Commissioners Court will receive a pecuniary benefit from the purchase, other than as reflected in an increase in dividends distributed generally to members of the association.
11. NONDISCRIMINATION; CIVIL RIGHTS/ADA COMPLIANCE:
 - a. Contractor shall not engage in employment practices that have the effect of discriminating against employees or prospective employees because of age, race, color, sex, creed, national origin or handicapped condition.
 - b. Contractor shall provide all services and activities required in a manner that would comply with the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, Public Law 93-1122, Section 504, and with the provisions of the Americans with Disabilities Act of 1990, Public Law 101-336 [S.933] if Contractor were an entity bound to comply with these laws.

12. CHANGES:

- a. This Contract may be amended only by written instrument signed by both County and Contractor. It is acknowledged by Contractor that NO OFFICIAL, EMPLOYEE, AGENT OR REPRESENTATIVE OF COUNTY HAS ANY AUTHORITY, EITHER EXPRESS OR IMPLIED, TO CHANGE THE SCOPE OF THIS CONTRACT OR OTHERWISE AMEND THIS CONTRACT, OR ANY ATTACHMENTS HERETO, UNLESS EXPRESSLY GRANTED THAT AUTHORITY BY THE COMMISSIONERS COURT.
- b. Contractor shall submit all requests for changes to this Contract or any attachment(s) to it to the Purchasing Manager. The Purchasing Manager shall present Contractor's requests to Commissioners Court for consideration.

13. REPRESENTATIONS:

- a. Contractor represents that he has thoroughly examined the drawings, specifications, schedule, instructions and all other contract documents. Contractor has made all investigations necessary to be thoroughly informed regarding plant and facilities for delivery of material, equipment and/or services as required by the proposal conditions.
- b. The Contractor's delivery time includes weekends and holidays.
- c. Contractor certifies that he is a qualified, bondable business entity that he is not in receivership or contemplates it, and has not filed for bankruptcy. He further certifies that the Company, Corporation, Partnership, or Sole Proprietorship is not delinquent with respect to payment of County property taxes.
- d. Contractor warrants that all applicable patents and copyrights which may exist on items that will be supplied under the contract have been adhered to and further warrants that County shall not be liable for any infringement of those rights. Warranties granted County shall apply for the duration of this contract or for the life of equipment or supplies purchased, whichever is longer. County must not extend use of the granted exclusive rights to any other than County employees or those with whom County has established a relationship aimed at furthering the public interest, and then only for official public uses. County will not knowingly or intentionally violate any applicable patent, license, or copyright. Contractor must indemnify County, its officers, agents, and employees against all claims, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees arising in connection with any alleged or actual infringement of existing patents, licenses or copyrights applicable to items sold.
- e. The Contractor warrants that upon execution of a contract with the County, he will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of age, religion, race, color, sex, creed, handicap, or national origin and will submit reports as the County may require to assure compliance.
- f. Contractor warrants to County that all items delivered and all services rendered will conform to the specifications, drawings, or other descriptions furnished or incorporated by reference, and will be of merchantable quality, good workmanship, and free from defects. Contractor further agrees to provide copies of applicable warranties or guarantees to the Purchasing Manager. Copies will be provided within 10 days after the Notice of Award is issued. Return of merchandise under warranty shall be at Contractor's expense.

14. SUBCONTRACTS:

- a. Contractor shall not enter into any subcontracts for any service or activity relating to the performance of this Contract without the prior written approval or the prior written waiver of this right of approval from County. IT IS ACKNOWLEDGED BY CONTRACTOR THAT NO OFFICER, AGENT, EMPLOYEE OR REPRESENTATIVE OF COUNTY HAS THE AUTHORITY TO GRANT SUCH APPROVAL OR WAIVER UNLESS EXPRESSLY GRANTED THAT SPECIFIC AUTHORITY BY THE COMMISSIONERS COURT.
- b. If a subcontract is approved, Contractor must make a "good faith" effort to take all necessary and reasonable steps to insure HUBs maximum opportunity to be subcontractors under this Contract. Contractor must obtain County approval of all proposed HUB subcontractors through the Purchasing

Manager. Failure by Contractor to make a good faith effort to employ HUBs as subcontractors constitutes a breach of this Contract and may result in termination of this Contract.

15. ASSIGNMENT:

- a. The parties to this Contract shall not assign any of the rights or obligation hereunder without the prior written consent of the other party. No official, employee, representative or agent of County has the authority to approve any assignment under this Contract unless that specific authority is expressly granted by Commissioners Court.
- b. The terms, provisions, covenants, obligations and conditions of this Contract are binding upon and inure to the benefit of the successors in interest and the assigns of the parties to this Contract if the assignment or transfer is made in compliance with the provisions of this Contract.
- c. Contractor remains responsible for the performance of this Contract when there is a change of name or change of ownership. If a change of name is required, the Purchasing Manager shall be notified immediately. No change in the obligation of or to Contractor will be recognized until it is approved by Commissioners Court.

16. DISPUTES AND APPEALS: The Purchasing Manager acts as the County representative in the issuance and administration of this contract in relation to disputes. Any document, notice, or correspondence not issued by or to the Purchasing Manager or other authorized County person, in relation to disputes is void unless otherwise stated in this contract. If the Contractor does not agree with any document, notice, or correspondence issued by the Purchasing Manager, or other authorized County person, the Contractor must submit a written notice to the Purchasing Manager within ten (10) calendar days after receipt of the document, notice, or correspondence, outlining the exact point of disagreement in detail. If the matter is not resolved to the Contractor's satisfaction, Contractor may submit a written Notice of Appeal to the Commissioners Court, through the Purchasing Manager, if the Notice is submitted within ten (10) calendar days after receipt of the unsatisfactory reply. Contractor then has the right to be heard by Commissioners Court.

17. MEDIATION: When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in §154.073 of the Texas Civil Practice and Remedies Code, unless both parties agree, in writing, to waive the confidentiality.

18. FORCE MAJEURE: If the performance by either party of any of its obligations under this Contract is interrupted or delayed due to an act of God or the common enemy or as the result of war, riot, civil commotion, sovereign conduct, or the act or conduct of any person or persons not a party to this Contract, then it shall be excused from performance for such period of time as is reasonably necessary to remedy the effects thereof.

19. NON-WAIVER OF DEFAULT:

- a. No payment, act or omission by County may constitute or be construed as a waiver of any breach or default of Contractor which then exists or may subsequently exist. No official, agent, employee or representative of County may waive any breach of any term or condition of this Contract unless expressly granted that specific authority by the Commissioners Court.
- b. All rights of County under this Contract are specifically reserved and any payment, act or omission shall not impair or prejudice any remedy or right to County under it. Any right or remedy in this Contract shall not preclude the exercise of any other right or remedy under this Contract or under any law, nor shall any action taken in the exercise of any right or remedy be deemed a waiver of any other rights or remedies.

20. **TERMINATION FOR DEFAULT:** Failure by either County or Contractor to perform any provisions of this Contract shall constitute a breach of contract. Either party may require corrective action within ten (10) calendar days after date of receipt of written notice citing the exact nature of the other's breach. Failure to take corrective action or failure to provide a satisfactory written reply excusing such failure within the ten (10) calendar days shall constitute a default. The defaulting party shall be given a twenty (20) calendar day period within which to show cause why this Contract shall not be terminated for default. All notices for corrective action, breach, default or show cause on behalf of County shall be issued by the Purchasing Manager or County legal representative only, and all replies to the same shall be made in writing to the County Purchasing Manager or County legal representative at the address provided herein. Notices issued by or to anyone other than the Purchasing Manager or County legal representative shall be null and void, and shall be considered as not having been issued or received. County reserves the right to enforce the performance of this Contract in any manner prescribed by law in case of default and may contract with another party with or without competition or further notification to the contractor. At a minimum, Contractor shall be required to pay any difference in the cost of securing the services covered by this Contract, or compensate for any loss or damage to the County derived hereunder if it becomes necessary to contract with another source because of a default, plus reasonable administrative costs and attorney's fees. In the event of termination for default, County, its agents or representatives, shall not be liable for loss of any profits anticipated under this Contract.
21. **TERMINATION FOR CONVENIENCE:** County reserves the right to terminate this Contract upon thirty (30) days written notice for any reason deemed by the Commissioners Court to serve the public interest, or resulting from any governmental law, ordinance, regulation, or court order. Termination for convenience shall not be exercised with the sole intention of awarding the same or similar contract requirements to another source. In the event of such termination, County shall pay Contractor those costs directly attributable to work done in preparation for compliance with this Contract prior to termination; provided, however, that no costs shall be paid which are recoverable in the normal course of the business in which Contractor is engaged, nor shall County pay any costs which can be mitigated through the sale of supplies or inventories. If County pays for the cost of supplies or materials obtained for use under this Contract those supplies or materials shall become the property of County and shall be delivered to the FOB point shown in this Contract, or as designated by the Purchasing Manager. County shall not be liable for loss of any profits anticipated under this Contract.
22. **GRATUITIES:** Contractor shall not provide any gratuity in any form, including entertainment, gifts, or otherwise, to any employee, buyer, agent, or representative of County with a view to securing a contract, or securing favorable treatment with respect to the award or amendment, or the making of any determination with respect to the performance of this Contract. County may terminate this Contract if it is found that gratuities of any kind including entertainment, or gifts were offered or given by the Contractor or any agent or representative of the Contractor, to any County Official or employee with a view toward securing favorable treatment with respect of this contract. If this Contract is terminated by the County pursuant to this provision, County shall be entitled, in addition to any other rights and remedies, to recover from the Contractor at least three times the cost incurred by Contractor in providing the gratuities.
23. **COVENANT AGAINST CONTINGENT FEES:** Contractor represents and warrants that no persons or selling agency has been retained to solicit this Contract upon an understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial selling agencies maintained by the Contractor to secure business. For breach or violation of this warranty, County shall have the right to terminate this Contract without liability, or in its discretion to, as applicable, add to or deduct from the Contract price for consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.
24. **COUNTY ACCESS:** Contractor shall maintain and make available for inspection, audit or reproduction by any authorized representative of County all books, documents, and other evidence pertinent to the costs and expenses of this Contract, including but not limited to both direct and indirect costs, cost of labor, material, equipment, supplies, and services, and all other costs and expenses of whatever nature for which

reimbursement is claimed under this Contract. All required records shall be maintained until an audit is completed and all required questions arising therefrom are resolved, or three (3) years after completion of the contract term, whichever occurs first; provided, however, the records will be retained beyond the third year if an audit is in progress or the finding of a completed audit have not been resolved satisfactorily.

25. FORFEITURE OF CONTRACT:

- a. The selected Offeror must forfeit all benefits of the contract and County must retain all performance by the selected Offeror Contractor and recover all consideration or the value of all consideration paid to the selected Offeror pursuant to the contract if:
- b. The selected Offeror was doing business at the time of submitting its proposal offer or had done business during the 365- day period immediately prior to the date on which its proposal offer was due with one or more Key Contracting Persons if the selected Offeror failed to disclose the name of any such Key Contracting Person in its offer; or
- c. The selected Offeror does business with a Key Contracting Person after the date on which the offer that resulted in the contract is submitted and prior to full performance of the contract.

26. CONTRACTOR CLAIMS NOTIFICATION:

- a. If any claim, or other action, that relates to Contractor's performance under this Contract, including proceedings before an administrative agency, is made or brought by any person, firm, corporation, or other entity against Contractor, Contractor shall give written notice to County of the following information within ten (10) working days after being notified of it:
 - i. The existence of the claim, or other action;
 - ii. The name and address of the person, firm, corporation or their entity that made a claim or that instituted any type of action or proceeding;
 - iii. The alleged basis of the claim, action or proceeding;
 - iv. The court or administrative tribunal, if any, where the claim, action or proceeding was instituted; and
 - v. The name or names of any person against whom this claim is being made.
- b. Except as otherwise directed, Contractor shall furnish to County copies of all pertinent papers received by Contractor with respect to making these claims or actions and all court pleadings related to the defense of these claims or actions.

27. CERTIFICATION OF ELIGIBILITY: This provision applies if the anticipated Contract exceeds \$100,000. By submitting a bid or proposal in response to this solicitation, the bidder/respondent certifies that at the time of submission, he/she is not on the Federal Government's Excluded Parties List System (www.epls.gov), which details a listing of suspended, ineligible, or debarred contractors. In the event of placement on the list between the time of bid/proposal submission and time of award, the bidder/respondent will notify the Hays County Purchasing Manager. Failure to do so may result in terminating this Contract for default.

28. CONTRACTOR LIABILITY, INDEMNIFICATION AND CLAIMS NOTIFICATION: Contractor shall indemnify County, its officers, agents, and employees, from and against any and all third party claims, losses, damages, causes of action, suits, and liability of every kind whether meritorious or not and, including all expenses of litigation, court costs, and reasonable attorney's fees, arising in connection with the services provided by Contractor under this Contract. It is the expressed intention of the Parties to this Contract, both Contractor and County, that the indemnity provided for in this paragraph is indemnity by Contractor to indemnify and protect County from the consequences of Contractor's actions.

29. CONSTRUCTION OF CONTRACT:

- a. This Contract is governed by the laws of the United States of America and the State of Texas and all obligations under this Contract are performable in Hays County, Texas. Venue for any dispute arising out of this Contract will lie in the appropriate court of Hays County, Texas.

- b. If any portion of this Contract is ruled invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the remainder of it shall remain valid and binding.
- c. Headings and titles at the beginning of the various provisions of this Contract have been included only to make it easier to locate the subject matter covered by that part, section or subsection and are not to be used in construing this Contract.
- d. When any period of time is stated in this Contract, the time shall be computed to exclude the first day and include the last day of period. If the last day of any period falls on a Saturday, Sunday, or a day that Hays County has declared a holiday for its employees, these days shall be omitted from the computation. All hours in this Contract are stated in Central Standard Time from 2:00 o'clock a.m. on the first Sunday of November until 2:00 o'clock a.m. on the second Sunday of March and in Central Daylight Saving Time from 2:00 o'clock a.m. on the second Sunday of March until 2:00 o'clock a.m. on the first Sunday of November or such other dates as may be adopted for the activation of Daylight Savings Time in the United States in future years.
- e. Words of any gender in this Contract shall be construed to include any other gender and words in either number shall be construed to include the other unless the context clearly requires otherwise.
- f. Provisions, Words, Phrases, and Statutes, whether incorporated by actual use or by reference, shall be applied to this Contract in accordance with Texas Government Code, §§ 312.002 and 312.003.

30. ADDITIONAL GENERAL PROVISIONS:

- a. Contractor must comply with all Federal and State laws and regulations, City and County ordinances, orders, and regulations, relating in any way to this Contract.
- b. Contractor must secure all permits and licenses, pay all charges and fees, and give all notices necessary for lawful operations.
- c. Contractor must pay all taxes and license fees imposed by the Federal and the State Governments and their agencies and political subdivisions upon the property and business of Contractor.
- d. Despite anything to the contrary in this Contract, if the Contractor is delinquent in payment of property taxes at the time of providing services, Contractor assigns the amount of any payment to be made for services provided under this Contract equal to the amount Contractor is delinquent in property tax payments to the Hays County Tax Assessor-Collector for the payment of the delinquent taxes.
- e. In this subsection, "County Building" means any County-owned buildings and does not include buildings leased by County. Contractor must not execute any mortgage, or issue any bonds, shares of stock, or other evidence of interest in County Buildings.

31. INTERPRETATION OF CONTRACT:

- a. This document contains the entire agreement between the parties relating to the rights granted and the obligations assumed. Any prior agreements or representations not expressly set forth in this agreement are of no force. Any oral representations or modifications concerning this agreement shall be of no force except a subsequent modification in writing signed by the Purchasing Manager. No official, representative, employee, or agent of the County has any authority to modify or amend this contract except pursuant to specific authority to do so granted by the Commissioners Court.
- b. If inconsistency exists between provisions of this solicitation, the inconsistency shall be resolved by giving precedence in the following ascending order of precedence:
 - i. The Schedule of Items/Services
 - ii. Terms and Conditions of Request for Proposals;
 - iii. General Provisions;
 - iv. Other provisions, whether incorporated by reference or otherwise; and
 - v. The specifications.
- c. If any contract provision shall for any reason be held invalid, illegal, or unenforceable in any respect, invalidity, illegality, or unenforceability shall not affect any other provision, and this contract shall be construed as if invalid, illegal or unenforceable provision had never been contained.
- d. This contract shall be governed by the laws of Texas and all obligations are performable in Hays County, Texas.

- e. If a word is used with reference to a particular trade or subject matter or is used as a word of art, the word shall have the meaning given by experts in that particular field.
- f. Words in the present or past tense include the future tense. The singular includes the plural and the plural includes the singular. The masculine gender includes the feminine and neuter genders.
- g. The headings in this contract have been included only to make it easier to locate the subject covered by each provision and are not to be used in construing this contract.
- h. Provisions, words, phrases, and statutes, whether incorporated by actual use or by reference, shall be applied to this contract in accordance with TEX. GOV'T CODE ANN., SEC 312.002, 312.003 (Vernon 1991).

32. MODIFICATIONS:

- a. The County Purchasing Manager may at any time, by written order, and without notice to the sureties, if any, make changes within the general scope of this contract in any one of the following:
 - i. Drawings, designs or specifications when the supplies to be furnished are to be specifically manufactured for the County in accordance with the drawings, designs, or specifications.
 - ii. Method of shipment or packing.
 - iii. Place of deliveries.
 - iv. Correction of errors of a general administrative nature or other mistakes, the correction of which does not affect the scope of the contract, or does not result in expense to the Contractor.
 - v. Description of items to be provided.
 - vi. Time of performance (i.e. hours of day, days of week, etc)
- b. If any such change causes an increase or decrease in the cost of, or time required for, performance of any part of the work under this contract whether, or not changed by the order, the Commissioners Court shall make an equitable adjustment in the contract price, the delivery schedule, or both, and shall modify the contract. The Contractor must submit any "proposal for adjustment" under this clause within thirty (30) calendar days from the date of receipt of the written order. However, if the County Purchasing Manager decides that the facts justify it, the County Purchasing Manager may receive and act upon a proposal submitted before final payment of the contract. If the Contractor's proposal includes the cost of property made obsolete or excess by the change, the County shall have the right to prescribe the manner of disposition of the property. Failure to agree to any adjustment shall be a dispute under the Disputes and Appeals clause. However, nothing in this clause shall excuse the Contractor from proceeding with the contract as changed.

33. PRICE CHANGES: The prices offered shall remain firm for the period of the contract. The prices offered shall also remain firm for the option years should the County choose to exercise the option to renew, except for changes that are industry wide and beyond the control of the contractor. If such changes do occur, it will be the responsibility of the contractor to provide documentation to Hays County substantiating the changes to the bid prices. Any price changes must be approved by Hays County.

- 34. INSURANCE AND LIABILITY:** During the period of this contract, contractor shall maintain at his expense, insurance with limits not less than those prescribed below. With respect to required insurance, Contractor shall;
- a. Name County as additional insured as its interests may appear.
 - b. Provide County a waiver of subrogation.
 - c. Provide County with a thirty (30) calendar day advance written notice of cancellation or material change to said insurance.
 - d. Provide the County Purchasing Manager at the address shown on Page 1 of this contract, a Certificate of Insurance evidencing required coverage within ten (10) calendar days after receipt of Notice of Award. Also, please assure your certificate contains the contract number as indicated on the Contract Award form when issued by Hays County.
 - e. Submit an original certificate of insurance reflecting coverage as follows:

Business Automobile Liability:	
Bodily Injury (Each person)	\$250,000.00

Bodily Injury (Each accident)	\$500,000.00
Property Damage	\$1,000,000.00
Commercial General Liability (Including Contractual Liability):	
Bodily Injury (Each accident)	\$1,000,000.00
Property Damage	\$ 100,000.00
Medical Expenses	\$ 10,000.00
Personal & Advertising Injury	\$1,000,000.00
General Aggregate	\$2,000,000.00
Products – Completed Operations Aggregate	\$2,000,000.00
Excess Liability:	
Umbrella Form	Not Required
Labor Liability:	
Worker's Compensation	Meeting Statutory Requirements, and the following
Employers Liability – Each Accident	\$1,000,000.00
Employers Liability – Each Employee	\$1,000,000.00
Employers Liability – Policy Limit	\$1,000,000.00

V. Vendor Reference Form

Please list three (3) references of current customers who can verify the quality of service your company provides. The County prefers customers of similar size and scope of work to this proposal/bid. **This form must be returned with your bid/proposal.**

REFERENCE ONE

Company Name: _____

Address: _____

Contact Person and Title: _____

Phone Number: _____

Scope & Duration of Contract: _____

Email: _____

REFERENCE TWO

Company Name: _____

Address: _____

Contact Person and Title: _____

Phone Number: _____

Scope & Duration of Contract: _____

Email: _____

REFERENCE THREE

Company Name: _____

Address: _____

Contact Person and Title: _____

Phone Number: _____

Scope & Duration of Contract: _____

Email: _____

VI. Certificate of Interested Parties

In 2015, the Texas Legislature adopted House Bill 1295, which added 2252.908 to the Texas Government Code and applies to all contracts entered into on or after January 1, 2016. Section 2252.908 (b)(1)(2) applies only to a contract of a governmental entity or state agency that requires an action or vote by the governing body of the entity or agency before the contract may be signed or that has a value of at least \$1 million. In addition, pursuant to Section 2252.908 (d), a governmental entity or state agency may not enter into a contract described by Subsection (b) with a business entity unless the business entity, in accordance with this section and rules adopted under this section, submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency.

With regard to Hays County purchases, a vendor or other person who is awarded a contract or purchase approved by Hays County Commissioners Court is required to electronically complete a Form 1295 through the Texas Ethics Commission website at https://ethics.state.tx.us/whatsnew/elf_info_form1295.htm and submit a signed copy of the form to the Hays County Purchasing office. A contract, including County issued purchase order (if applicable), will not be enforceable or legally binding until the County received and acknowledges receipt of the properly completed Form 1295 from the awarded vendor.

If you do not have access to the link provided above or have any questions, please contact Purchasing at 512-393-2283.

CONFLICT OF INTEREST QUESTIONNAIRE For vendor doing business with local governmental entity		FORM CIQ
<p>This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.</p> <p>A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.</p>	OFFICE USE ONLY	
<p>1 Name of vendor who has a business relationship with local governmental entity.</p>	<p>Date Received</p>	
<p>2 <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)</p>		
<p>3 Name of local government officer about whom the information is being disclosed.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Name of Officer</p>		
<p>4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.</p> <div style="margin-top: 20px;"> <p>A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p> </div> <div style="margin-top: 20px;"> <p>B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p> </div>		
<p>5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.</p>		
<p>6 <input type="checkbox"/> Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).</p>		
<p>7</p>		
<p>_____ Signature of vendor doing business with the governmental entity</p>		<p>_____ Date</p>

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.

VIII. CODE OF ETHICS FOR HAYS COUNTY

Public employment is a public trust. It is the policy of Hays County to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by Hays County. Such a policy implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public services.

Public servants must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Hays County procurement organization.

To achieve the purpose of this article, it is essential that those doing business with Hays County also observe the ethical standards prescribed here.

It shall be a breach of ethics to attempt to influence any public employee, elected official or department head to breach the standards of ethical conduct set forth in this code.

It shall be a breach of ethics for any employee of Hays County or a vendor doing business with the county to participate directly or indirectly in a procurement when the employee or vendor knows that:

The employee or any member of the employee's immediate family, or household has a substantial financial interest pertaining to the procurement. This means ownership of 10% or more of the company involved and/or ownership of stock or other interest or such valued at \$2500.00 or more.

A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement.

Gratuities: It shall be a breach of ethics to offer, give or agree to give any employee of Hays County or for any employee to solicit, demand, accept or agree to accept from a vendor, a gratuity of consequence or any offer of employment in connection with any decision approval, disapproval, recommendation, preparation or any part of a program requirement or purchase request influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or controversy, any particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government.

Kickbacks: It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for Hays County as an inducement for the award of a contract or order.

Contract Clause: The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation, therefore.

Any effort to influence any employee, elected official, or department head to violate the standards of the code is grounds to void the contract. Please certify, by your signature below, that you understand the ethics policy of Hays County and in no way will attempt to violate the code.

SIGNATURE: _____

PRINT NAME & TITLE: _____

COMPANY NAME: _____

IX. Hays County Practices Related to Historically Underutilized Businesses

1. STATEMENT OF PRACTICES

Hays County will strive to ensure that all businesses, regardless of size, economic, social or ethnic status have an equal opportunity to participate in the County's procurement processes. The County is committed to promote full and equal business opportunity for all businesses to supply the goods and services needed to support the mission and operations of county government, and seeks to encourage the use of certified historically underutilized businesses (HUB's) through the use of race, ethnic and gender neutral means. It is the practice of Hays County to involve certified HUBs to the greatest extent feasible in the County's procurement of goods, equipment, services and construction projects while maintaining competition and quality of work standards. The County affirms the good faith efforts who recognize and practice similar business standards.

2. DEFINITIONS

Historically underutilized businesses (HUBs), also known as a disadvantaged business enterprise (DBE), are generally business enterprises at least 51% of which is owned and the management and daily business operations are controlled by one or more persons who is/are socially and economically disadvantaged because of his/her identification as a member of certain groups, including women, Black Americans, Mexican Americans, and other Americans of Hispanic origin, Asian Americans and American Indians.

Businesses include firms, corporations, sole proprietorships, vendors, suppliers, contractors, subcontractors, professionals and other similar references when referring to a business that provides goods and/or services regardless of the commodity category.

Certified HUB's include business enterprises that meet the definition of a HUB and who meet the certification requirements of certification agencies recognized by Hays County, as expressed below.

Statutory bid limit refers to the Texas Local Government Code provision that requires competitive bidding for many items valued at greater than \$50,000.

3. GUIDELINES

- a. Hays County, its contractors, their subcontractors and suppliers, as well as all vendors of goods, equipment and services, shall not discriminate on the basis of race, color, creed, gender, age, religion, national origin, citizenship, mental or physical disability, veteran's status or political affiliation in the award and/or performance of contracts. All entities doing business or anticipating doing business with the County shall support, encourage and implement affirmative steps toward a common goal of establishing equal opportunity for all citizens and businesses of the County.
- b. Vendors and/or contractors desiring to participate in the HUB program must successfully complete the certification process with the State of Texas or Texas Unified Certification Program. The vendor or contractor is also required to hold a current valid certification (title) from either of these entities.
- c. Vendors and/or contractors must be registered with the State Comptroller's web-based HUB directory and with the Comptroller's Centralized Master Bidder's List (CMBL). Hays County will solicit bids from certified HUB's for state purchasing and public works contracts.

4. Hays County will actively seek and encourage HUBs to participate in all facets of the procurement process by:

- a. Continuing to increase and monitor a database of certified HUB vendors, professionals and contractors. The database will be expanded to include products, areas of expertise and capabilities of each HUB firm.
 - b. Continuing to seek new communication links with HUB vendors, professionals and contractors to involve them in the procurement process.
 - c. Continuing to advertise bids on the County's website and in the newspapers including newspapers that target socially and economically disadvantaged communities.
5. As prescribed by law, the purchase of one or more items costing in excess of the statutory bid limit must comply with the competitive bid process. Where possible, those bids will be structured to include and encourage the participation of HUB firms in the procurement process by:
 - a. Division of proposed requisitions into reasonable lots in keeping with industry standards and competitive bid requirements.
 - b. Where feasible, assessment of bond and insurance requirements and the designing of such requirements to reasonably permit more than one business to perform the work.
 - c. Specifications of reasonable, realistic delivery schedules consistent with the County's actual requirements.
 - d. Specifications, terms and conditions reflecting the County's actual requirements are clearly stated, and do not impose unreasonable or unnecessary contract requirements.
6. A HUB practice statement shall be included in all specifications. The County will consider the bidder's responsiveness to the HUB Practices in the evaluation of bids and proposals. Failure to demonstrate a good faith effort to comply with the County's HUB practices may result in a bid or proposal being considered non-responsive to specifications.
7. Nothing in this practice statement shall be construed to require the County to award a contract other than to the lowest responsive bidder as required by law. This practice is narrowly tailored in accordance with applicable law.

Please sign for acknowledgement of the Hays County HUB Practices:

Signature

Date

X. Hays County House Bill 89 Verification

I, _____ (Person name), the undersigned representative of
_____(Company or Business name, hereafter referred to as Company) being an adult
over the age of eighteen (18) years of age, after being duly sworn by the undersigned notary, do hereby depose and
verify under oath that the company named above, under the provisions of Subtitle F, Title 10, Government Code Chapter
2270:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract.

Pursuant to Section 2270.001, Texas Government Code:

1. *"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and*
2. *"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.*

Signature of Company Representative

Date

On this ____ day of _____, 20____, personally appeared _____, the
above-named person, who after by me being duly sworn, did swear and confirm that the above is true and correct.

NOTARY SEAL

Notary Public in and for the State of Texas

(if other than Texas, Write state in here _____)

Date

XI. Hays County Purchasing Department Senate Bill 252 Certification

Pursuant to Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153, certify that the company named below is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153. I further certify that should the above-named company enter into a contract that is on said listing of companies on the website of the Comptroller of the State of Texas which do business with Iran, Sudan or any Foreign Terrorist Organization, I will immediately notify the Hays County Purchasing Department.

Company Name

Print Name of Company Representative

Signature of Company Representative

Date

CERTIFICATION CHECK PERFORMED BY HAYS COUNTY PURCHASING:

On this day; the Purchasing Representative for Hays County in San Marcos, Texas, pursuant to Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153, certify that I did review the website of the Comptroller of the State of Texas concerning the listing of companies that is identified under Section 806.051, Section 807.051 or Section 2253.253 and I have ascertained that the above-named company is not contained on said listing of companies which do business with Iran, Sudan or any Foreign Terrorist Organization.

Print Name of Hays County Purchasing Representative

Signature of Hays County Purchasing Representative

Date

IFB/RFP/RFQ Number

XII. Debarment and Licensing Certification

STATE OF TEXAS §
 §
COUNTY OF HAYS §

I, the undersigned, being duly sworn or under penalty of perjury under the laws of the United States and the State of Texas, certifies that Firm named herein below and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a federal, state or local governmental entity with commission of any of the offenses enumerated in paragraph (1)(b) of this certification;
- d. Have not within a three-year period preceding this application/proposal had one or more public (federal, state or local) transactions terminated for cause or default;
- e. Are registered and licensed in the State of Texas to perform the professional services which are necessary for the project; and
- f. Have not been disciplined or issued a formal reprimand by any State agency for professional accreditation within the past three years.

Name of Firm

Signature of Certifying Official

Title of Certifying Official

Printed Name of Certifying Official

Date

Where the Firm is unable to certify to any of the statements in this certification, such Firm shall attach an explanation to this certification.

SUBSCRIBED and sworn to before me the undersigned authority by _____ on this the day of _____, 20____, on behalf of said Firm.

Notary Public in and for the State of Texas
(if other than Texas, Write state in here _____)

My commission expires: _____

XIII. Vendor/Bidder's Affirmation

- Vendor/Bidder affirms that they are duly authorized to execute this Contract, that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other bidder, and that the contents of this bid as to price, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engages in this type of business prior to the official opening of this bid.
- Vendor/Bidder hereby assigns to Purchaser any and all claims for overcharges associated with this Contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.
- Pursuant to 262.0276 (a) of the Texas Local Government Code, Vendor/Bidder, hereby affirms that Vendor/Bidder:

_____ Does not own taxable property in Hays County, or;

_____ Does not owe any ad valorem taxes to Hays County or is not otherwise indebted to Hays County

Name of Contracting Company

If taxable property is owned in Hays County, list property ID numbers:

Signature of Company Official Authorizing Bid/Offer

Printed Name

Title

Email Address

Phone

XIV. FEDERAL AFFIRMATIONS AND SOLICITATION ACCEPTANCE

In the event federal funds are used for payment of part or all of the consideration due under any contract resulting from this Solicitation Response, Respondent must execute this **Federal Affirmation and Solicitation Acceptance**, which shall constitute an agreement, without exception, to the following affirmations:

1. Debarment and Suspension (2 CFR 180.220)

Respondent certifies, by signing this Attachment, that neither it nor any of its principals or subcontractors are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency. This certification is made pursuant to the OMB guidelines at 2 CFR 180 that implement Executive Order 12549 (3 C.F.R. Part 1986 Comp., p. 189) and 12689 (3 C.F.R. Part 1989 Comp., p. 235), Debarment and Suspension, 28 C.F.R. pt. 67, § 67.510, as published as pt. VII of the May 26, 1988, Federal Register (pp. 19160-19211), and any relevant program-specific regulations. This provision shall be required of every subcontractor receiving any payment in whole or in part from federal funds.

2. Americans with Disabilities Act

Respondent and any potential subcontractors shall comply with all terms, conditions, and requirements of the Americans with Disabilities Act of 1990 (P.L. 101-136), 42 U.S.C. 12101, as amended, and regulations adopted thereunder contained in 28 C.F.R. 26.101-36.999, inclusive, and any relevant program-specific regulations.

3. Discrimination

Respondent and any potential subcontractors shall comply with all Federal statutes relating to nondiscrimination. These include, but are not limited to:

- a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color, or national origin;
- b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex;
- c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps;
- d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101- 6107), which prohibits discrimination on the basis of age;
- e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
- f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
- g. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
- h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
- i. Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and
- j. The requirements of any other nondiscrimination statute(s) that may apply to the application.

4. Equal Employment Opportunity

Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246

Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

5. Wages

Under the Davis Bacon Act, 40 U.S.C. 276a – 276a-5 (40 U.S.C. 3141-3148), as amended, and the regulations adopted thereunder contained in 29 C.F.R. pt. 1 and 5. When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”).

Respondent and any potential subcontractors have a duty to and shall pay the prevailing wage rate specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

6. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708)

Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

7. Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

8. All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement.

9. Lobbying

If Respondent, in connection with any resulting contract from this Solicitation, is a recipient of a Federal contract, grant, or cooperative agreement exceeding \$100,000 or a Federal loan or loan guarantee exceeding \$150,000, the Contractor shall comply with the requirements of the new restrictions on lobbying contained in Section 1352, Title 31 of the U.S. Code, which are implemented in 15 CFR Part 28. Respondent shall require that the certification language of Section 1352, Title 31 of the U.S. Code be included in the award documents for all subcontracts and require that all subcontractors submit certification and disclosure forms accordingly. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

10. Rights to Inventions Made Under a Contract or Agreement

If the Federal award meets the definition of “funding agreement” under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

11. Minority and Women’s Businesses

Respondent and any potential subcontractors shall take affirmative steps to assure that minority and women's businesses are utilized when possible as sources of supplies, equipment, construction, and services, as detailed in the federal requirements relating to minority and women’s business enterprises: Executive Order 11625 of October 13, 1971, 36 Fed. Reg. 19967, as amended by Executive Order No. 12007 of August 22, 1977, 42 Fed. Reg. 42839; Executive Order No. 12432 of July 14, 1983, 48 Fed. Reg., 32551; and Executive Order No. 12138 of May 18, 1979, 44 Fed. Reg. 29637.

12. Environmental Standards

Respondent and any potential subcontractors shall comply with environmental standards that may be prescribed pursuant to the following:

- a. Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
- b. Notification of violating facilities pursuant to EO 11738;
- c. Protection of wetlands pursuant to EO 11990;
- d. Evaluation of flood hazards in floodplains in accordance with EO 11988;
- e. Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
- f. Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.);
- g. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- h. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
- i. Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
- j. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201).
- k. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded
 - \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

13. Historic Properties

Respondent and any potential subcontractors shall assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. All Other Federal Laws

Respondent and any potential subcontractors shall comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the Solicitation.

I have read, understand, and agree to comply with the Federal Affirmations specified above. Checking "YES" indicates acceptance, while checking "NO" denotes non-acceptance.

YES _____ NO _____

Authorized Signature: _____

Printed Name & Title: _____

Respondent's Tax ID: _____ Telephone: _____

If Respondent is a Corporation or other legal entity, please attach a corporate resolution or other appropriate official documentation that states that the person signing this Solicitation Response is an authorized person to sign for and legally bind the corporation or entity.

XV. Related Party Disclosure Form

Hays County strives to provide financial transparency to its taxpayers. Completion of this form will allow for added transparency into the procurement process by disclosing Vendor relationships with current or former Hays County employees. The existence of a relationship may not present a legal or ethical conflict for a Vendor. However, disclosure will allow for consideration of potential conflicts and/or ways to eliminate conflicts.

A Vendor who Employs any of the following is required to disclose the relationship on this form:

- Current Hays County employee (including elected or appointed official) (Complete Section A)
- Former Hays County employee who has been separated from Hays County for no less than four (4) years (including elected or appointed official) (Complete Section B)
- Person related within the 2nd degree of consanguinity or affinity to either of the above⁽¹⁾ (Complete Section C)

If no known relationships exist, complete Section D.

This form is required to be completed in full and submitted with the proposal package. A submitted proposal package that does not include this completed form will be considered non-responsive and will not be eligible for an award.

Section A: Current Hays County Employee

Employee Name	Title
---------------	-------

Section B: Former Hays County Employee

Employee Name	Title	Date of Separation from County
---------------	-------	--------------------------------

Section C: Person Related to Current or Former Hays County Employee

Hays Employee/Former Hays Employee Name	Title
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Name of Person Related	Title	Relationship
------------------------	-------	--------------

Section D: No Known Relationships

If no relationships in accordance with the above exist or are known to exist, you may provide a written explanation below:

Attach additional pages if necessary.

I, the undersigned, hereby certify that the information provided is true and complete to the best of my knowledge.

Name of Vendor

Signature of Certifying Official

Title of Certifying Official

Printed Name of Certifying Official

Date

⁽¹⁾A degree of relationship is determined under Texas Government Code Chapter 573. (as outlined below)

Relationship of Consanguinity				
	1st Degree	2nd Degree	3rd Degree*	4th Degree*
Person	child or parent	grandchild, sister, brother or grandparent	great-grandchild, niece, nephew, aunt,* uncle* or great-grandparent	great-great-grandchild, grandniece, grandnephew, first cousin, great aunt,* great uncle* or great-great-grandparent
* An aunt, uncle, great aunt or great uncle is related to a person by consanguinity only if he or she is the sibling of the person's parent or grandparent.				

Relationship of Affinity		
	1st Degree	2nd Degree
Person	spouse, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, stepmother or stepfather	brother-in-law, sister-in-law, spouse's grandparent, spouse's grandchild, grandchild's spouse or spouse of grandparent

“Vendor” shall mean any individuals or entity that seeks to enter into a contract with Hays County.

“Employs” shall mean any relationship wherein Vendor has made arrangements to compensate an individual, directly or by way of a business organization in which the individual has a share hold or ownership interest, even if that arrangement is contractual and/or on an hourly-charge basis.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Stephanie Hunt/Jerry Borcharding

Sponsor:

Commissioner Smith

Agenda Item

Accept the company name change for WSB & Associates Inc. dba WSB Engineers and Surveyors Inc. to WSB LLC.
SMITH/HUNT/BORCHERDING

Summary

WSB & Associates Inc. dba WSB Engineers and Surveyors Inc. has recently changed their company name to WSB LLC.

The current contracts include:

US 290 West at Trautwein Road
Winters Mill Parkway Illumination
East Side Corridor
Traffic Impact Analysis Review

Attachments

WSB LLC. - Name Change Letter



February 19, 2024

Mr. Jerry Borcharding, P.E.
Hays County Transportation
2171 Yarrington Road
Kyle, TX 78640

Re: Company name change for WSB & Associates Inc dba WSB Engineers and Surveyors Inc

Dear Mr. Borcharding:

I am writing to inform you about a recent company name change. Our legal name has recently changed from WSB & Associates Inc dba WSB Engineers and Surveyors Inc to WSB LLC. Please let us know if this name change will require contract amendments for our active contracts. Our active contracts include:

1. US 290 West at Trautwein Road
2. Winters Mill Parkway Illumination
3. East Side Corridor
4. Traffic Impact Analysis Review

Your assistance is appreciated.

A handwritten signature in black ink, appearing to read "Dan Rogers".

Dan Rogers

Cc: Hays County Road Bond Program



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Elaine H. Cardenas

Sponsor:

Judge Becerra

Agenda Item:

Authorize the Bail Bond Board to utilize budgeted funds to pay for Bail 101 Training and consumable items and amend the budget accordingly. **BECERRA/CARDENAS**

Summary:

Bail 101 Training by Roger Moore \$1,500

Working lunch provided \$780 (60 attendees at \$13)

Fiscal Impact:

Amount Requested: \$2,280

Line Item Number: 051-618-00.5301 (consumables \$780)

051-618-00.5448 (consultant fee \$1,500)

Budget Office:

Source of Funds: Sheriff Bail Bond Fund

Budget Amendment Required Y/N?: Yes

Comments: Move funds to record consultant fee properly.

\$1,500 - Increase Contract Services 051-618-00.5448

(\$1,500) - Decrease Operating Expenses 051-618-00.5301

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

Bail 101 Training

Roger Moore, Attorney at Law
PO Box 90664
Austin, TX 78709 US
rmoore5203@gmail.com

Invoice

BILL TO
Hays County Bail Bond Board

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1304	02/22/2024	\$1,500.00	03/23/2024	Net 30	

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
03/15/2024	Consulting	Conduct bail workshop for bail bond board members and county employees	1	1,500.00	1,500.00

BALANCE DUE

\$1,500.00



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Marcus Pacheco

Sponsor:

Commissioner Shell

Agenda Item:

Approve payment in the amount of \$593.37 to AMG Printing & Mailing related to inspection forms for the Development Services Department where no purchase order was obtained per the Hays County Purchasing Policy. **SHELL/PACHECO**

Summary:

Approve the payment of two invoices from AMG Printing & Mailing totaling \$593.37. Invoice # 1 in the amount of \$263.73 & invoice # 2 in the amount of \$329.64 for health inspection forms used by the Development Services staff. Funds will be pulled from the department's "Printing Services" GL.

Fiscal Impact:

Amount Requested: \$593.37

Line Item Number: 001-657-00-5461

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 work authorization

Auditor's Office

G/L Account Validated Y/N?: Yes, Printing Services Expense

New Revenue Y/N?: N/A

Comments:

Attachments

AMG Invoice 1

AMG Invoice 2



4606 N Stahl Park, Suite 106
San Antonio, TX 78217

Invoice

Date	Invoice #
1/28/2024	118693

Bill To
Hays County Auditors Office 712 S. Stagecoach Trail Suite 1071 San Marcos, TX 78666

Ship To

P.O. Number	Terms	Rep	Ship
Child Care Insp Form	Net 30		1/28/2024

Quantity	Item Code	Description	Price Each	Amount
250	printing	Child Care Insp Form 2 part NCR 8.5x11 Sales Tax	1.05492 0.00%	263.73T 0.00

Thank you for your business.	Total	\$263.73
------------------------------	-------	----------



4606 N Stahl Park, Suite 106
San Antonio, TX 78217

Invoice

Date	Invoice #
1/28/2024	118695

Bill To
Hays County Auditors Office 712 S. Stagecoach Trail Suite 1071 San Marcos, TX 78666

Ship To

P.O. Number	Terms	Rep	Ship
Temp Farmer Yard	Net 30		1/28/2024

Quantity	Item Code	Description	Price Each	Amount
500	printing	Temp Farmer Yard Egg Insp 8.5x11	0.65928	329.64T
		Sales Tax	0.00%	0.00

Thank you for your business.	Total	\$329.64
------------------------------	-------	----------



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Constable Michael Torres

Sponsor:

Commissioner Cohen

Agenda Item:

Authorize payment to Truck City Ford in the amount of \$2,470.41 for the Constable Pct. 2 Office related to needed repairs on the 2018 Ford Explorer in which no purchase order was issued as required per the Hays County Purchasing Policy. **COHEN/TORRES**

Summary:

The Constable's Office had to utilize the dealer for needed repairs to a patrol Explorer that could not be performed at the county maintenance barn. Their office was not made aware of additional parts needed that would require a purchase order to be issued prior to the work being completed. Funds are available within their operating budget for this expense.

Fiscal Impact:

Amount Requested: \$2,470.41

Line Item Number: 001-636-00.5413

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 work authorization

Auditor's Office

G/L Account Validated Y/N?: Yes, Vehicle Maintenance and Repair Expense

New Revenue Y/N?: N/A

Comments:

Attachments

Truck City Ford Invoice

TRUCK CITY

YOU JUST CANT BEAT A TRUCK CITY DEAL

CUSTOMER #: 3639

828567

INVOICE

HAYS COUNTY ROAD & BRIDGE
712 S STAGECOACH TRAIL
SAN MARCOS TX 78666

DUPLICATE 1
PAGE 1

HOME: CONT:830-386-8242
BUS: 512-738-0751 CELL:512-677-3819

SERVICE ADVISOR: 9173 MARIO FUENTES

P.O. Box 4648
Austin, TX 78765
Main: (512) 312-0800
Toll Free: (800) 313-0055
Wrecker: (512) 454-0042
www.truckcityford.com

COLOR	YEAR	MAKE/MODEL		VIN	LICENSE	MILEAGE IN / OUT		TAG
	18	FORD EXPLORER		1FM5K8AR4JGB00117	1385915	129877/129889		T3785
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE	
01JAN18 IS								
13JAN18 DD			19:00 14NOV23	NEEDPO		CASH	20NOV23	
R.O. OPENED		READY		OPTIONS: W-COMP:G ENG:3.7_Liter_Ti-VCT				
16:41 14NOV23		10:03 20NOV23						

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A C/S CHECK ENGINE LIGHT ON CHECK AND ADVISE**02 GAS DRIVEABILITY**

9412 CPL		1430.00	1430.00✓
✓1 FR3Z*14F642*A MODULE - SMART DATA LINK	201.35	201.35	201.35✓
✓1 FB5Z*5G232*B CONVERTER ASY	609.60	609.60	609.60✓
✓1 DG1Z*9448*A GASKET	58.76	58.76	58.76✓
✓6 *W712244*S300 STUD	2.63	2.63	15.78✓
✓6 *W716011*S430 NUT	5.78	5.78	34.68✓
✓2 *W714265*S441 NUT	5.78	5.78	11.56✓
✓4 *W711918*S439 BOLT	2.12	2.12	8.48✓
✓1 7T4Z*9450*AA GASKET	25.20	25.20	25.20✓

PARTS: 965.41 LABOR: 1430.00 OTHER: 0.00 TOTAL LINE A: 2395.41

129889 UNABLE TO CONNECT IDS DUE TO THE DEVICE THAT THEY CONNECTED TO GATEWAY MODULE HAS SPREAD THE PINS ON DCL PART OF GWM AND I CAN'T GET IDS TO CONNECT. REPLACED AND PROGRAM GWM, RETEST CODE P0420, TESTED AND FOUND RH CATALYST BELOW THRESHOLD. REPLACE RH CATALYST AND 1 TIME USE PARTS. RETEST NO DTC. ROAD TESTED- OK. NOTE: ADVISE CUSTOMER NOT TO CONNECT DEVICE TO DCL TO PREVENT DAMAGE TO NEW GWM.

B MULTI-POINT INSPECTION

CAUSE: COMPLIMENTARY MULTI-POINT VEHICLE INSPECTION

99P MULTI-POINT INSPECTION

9412 CPL		0.00	0.00
GTIRE TIRES ARE IN CONDITION			
9412 CPL		0.00	0.00
GBATT BATTERY IS IN CONDITION			
9412 CPL		0.00	0.00
GBK BRAKES ARE IN CONDITION			
9412 CPL		0.00	0.00

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

129877 DONE

You may receive a survey from Ford Motor, If
for any reason you cannot answer "Excellent"

STATEMENT OF DISCLAIMER	TERMS: STRICTLY CASH	NOTICE PURSUANT TO PROPERTY CODE, §70.001	DESCRIPTION	TOTALS
The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.	I hereby authorize the repair work hereinafter set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount or repairs thereto.	I AM THE PERSON OR AGENT ACTING ON BEHALF OF THE PERSON WHO IS OBLIGATED TO PAY FOR THE REPAIR OF THE MOTOR VEHICLE SUBJECT TO THE REPAIR AGREEMENT. I UNDERSTAND THAT THE VEHICLE IS SUBJECT TO REPOSSESSION IN ACCORDANCE WITH BUSINESS AND COMMERCE CODE, §9.609, IF PAYMENT FOR THE REPAIR OF THE MOTOR VEHICLE BY A CHECK, MONEY ORDER, OR A CREDIT CARD TRANSACTION IS STOPPED, DISHONORED BECAUSE OF INSUFFICIENT FUNDS, NO FUNDS, OR BECAUSE THE MAKE OR DRAWER OF THE ORDER OR THE CREDIT CARD HOLDER HAS NO ACCOUNT OF THE ACCOUNT UPON WHICH IT IS DRAWN OR THE CREDIT CARD ACCOUNT HAS BEEN CLOSED.	LABOR AMOUNT	
			PARTS AMOUNT	
			GAS, OIL, LUBE	
			SUBLET AMOUNT	
			MISC. CHARGES	
			TOTAL CHARGES	
			LESS INSURANCE	
			SALES TAX	
			PLEASE PAY THIS AMOUNT	

CUSTOMER COPY

TRUCK CITY

YOU JUST CANT BEAT A TRUCK CITY DEAL

CUSTOMER #: 3639

828567

INVOICE

HAYS COUNTY ROAD & BRIDGE
712 S STAGECOACH TRAIL
SAN MARCOS TX 78666

DUPLICATE 1

PAGE 2

HOME: CONT:830-386-8242

BUS: 512-738-0751 CELL:512-677-3819

SERVICE ADVISOR: 9173 MARIO FUENTES

P.O. Box 4648

Austin, TX 78765

Main: (512) 312-0800

Toll Free: (800) 313-0055

Wrecker: (512) 454-0042

www.truckcityford.com

COLOR	YEAR	MAKE/MODEL		VIN	LICENSE	MILEAGE IN / OUT		TAG
	18	FORD EXPLORER		1FM5K8AR4JGB00117	1385915	129877/129889		T3785
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED		PO NO.	RATE	PAYMENT	INV. DATE
01JAN18 IS			19:00 14NOV23		NEEDPO		CASH	20NOV23
13JAN18 DD								
R.O. OPENED		READY		OPTIONS: W-COMP:G ENG:3.7_Liter_Ti-VCT				
16:41 14NOV23		10:03 20NOV23						
LINE OPCODE TECH TYPE HOURS					LIST	NET	TOTAL	

Please call the Service Manager, 512-312-0104

Complimentary Vehicle Pick-Up and Delivery
is now offered locally. Call 512-312-0100
to schedule your next service.

STATEMENT OF DISCLAIMER	TERMS: STRICTLY CASH	NOTICE PURSUANT TO PROPERTY CODE, §70.001	DESCRIPTION	TOTALS
The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.	I hereby authorize the repair work hereinafter set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount or repairs thereto.	I AM THE PERSON OR AGENT ACTING ON BEHALF OF THE PERSON WHO IS OBLIGATED TO PAY FOR THE REPAIR OF THE MOTOR VEHICLE SUBJECT TO THE REPAIR AGREEMENT. I UNDERSTAND THAT THE VEHICLE IS SUBJECT TO REPOSSESSION IN ACCORDANCE WITH BUSINESS AND COMMERCE CODE, §9.609, IF PAYMENT FOR THE REPAIR OF THE MOTOR VEHICLE BY A CHECK, MONEY ORDER, OR A CREDIT CARD TRANSACTION IS STOPPED, DISHONORED BECAUSE OF INSUFFICIENT FUNDS, NO FUNDS, OR BECAUSE THE MAKER OR DRAWER OF THE ORDER OR THE CREDIT CARD HOLDER HAS NO ACCOUNT OF THE ACCOUNT UPON WHICH IT IS DRAWN OR THE CREDIT CARD ACCOUNT HAS BEEN CLOSED.	LABOR AMOUNT	1430.00
			PARTS AMOUNT	965.41
			GAS, OIL, LUBE	0.00
			SUBLET AMOUNT	0.00
			MISC. CHARGES	75.00
			TOTAL CHARGES	2470.41
			LESS INSURANCE	0.00
			SALES TAX	0.00
			PLEASE PAY THIS AMOUNT	2470.41

CUSTOMER COPY



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

John Ellen, Constable Pct 5

Sponsor:

Commissioner Cohen

Agenda Item:

Authorize the Constable Pct. 5 Office to utilize \$14,886.53 in insurance proceeds to replace a totaled 2016 Ford Explorer with a leased vehicle and amend the budget accordingly. **COHEN/ELLEN**

Summary:

The Constable Pct. 5 Office received insurance proceeds for a totaled patrol vehicle where the other driver was at fault. Request to utilize those funds to replace it with a leased vehicle as well as any equipment upfit needed as a result of the newer model vehicle.

Fiscal Impact:

Amount Requested: None

Line Item Number: 001-639-00]

Budget Office:

Source of Funds: Insurance Proceeds

Budget Amendment Required Y/N?: Yes

Comments: Budget insurance proceeds to replace damaged patrol vehicle.

(\$14,887) - Increase Compensation for Loss 001-639-00.4680

\$6,500 - Increase Vehicle Lease 001-639-00.5475

\$8,387 - Increase Vehicle_Capital (replace equipment) 001-639-00.5713_700

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$14,887 in Compensation for Loss

Comments:

Attachments

Insurance Settlement

Progressive Group of Insurance Companies

Settlement Summary

Claim Information

Claim Number: 23-9633826-02

Coverage Type of Loss: Liability

Policy Number:

Loss Date: 09/28/2023

Insured : . . .

Reported Date: 09/28/2023

Valuation Report ID: 1018248690

Vehicle Information

Loss Vehicle: 2016 Ford Explorer

Location: TX 78666

VIN: 1FM5K8AR4GGB43803

Exterior Color:

Mileage: 0 miles

License Plate: 1281336

Loan Information

Payment Information

Lien Holder Payoff:

\$0.00

Lien Holder Payment(s):

\$0.00

Loan/Lease Payoff Coverage:

\$0.00

Net to Owner:

\$14,886.53

Settlement

Stated Amount:	\$0.00
Actual Cash Value:	\$13,931.36
Base Value:	\$14,187.75
Title History Adjustment:	-\$0.00
Refurbishment Adjustments:	\$0.00
After Market Parts Adjustment:	\$0.00
Condition Adjustment:	\$0.00
Prior Damage Adjustment:	-\$0.00
Market Value:	\$ 14,187.75
Settlement Adjustment(Pre-Tax):	-\$256.39
Fees:	\$68.44
Taxes:	\$ 886.73
Company Obtains:	\$0.00
Net Settlement:	\$14,886.53
Settlement Adjustment(Post-Tax):	\$0.00
Deductible:	-\$0.00
Other Adjustments:	\$ 0.00
Total Settlement:	\$14,886.53

Adjuster License #:

Comments:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Villarreal-Alonzo

Sponsor:

Commissioner Shell

Agenda Item

Accept the Fiscal Year 2022 Hays County Emergency Services District #7 Internal Examination Report per Texas Health and Safety Code 775.082 (e). **SHELL/VILLARREAL-ALONZO**

Summary

Texas Health and Safety Code 775.082 requires that the District prepare and file with the Commissioners Court by June 1 of each year an audit report of the district's fiscal accounts and records. On August 22, 2023, the Commissioners Court authorized the County Auditor to perform an audit and issue a report of the fiscal accounts and records for ESD #7. The County Auditor performed an internal examination of the district's fiscal accounts and financial records. The report is attached.

Attachments

ESD #7 Internal Examination Report and Financial Statements



OFFICE OF THE COUNTY AUDITOR

712 South Stagecoach Trail, Ste. 1071

San Marcos, Texas 78666

512-393-2283

Fax: 512-393-2265

www.hayscountytexas.com

Marisol Villarreal-Alonzo, CPA

County Auditor

marisol.alonzo@co.hays.tx.us

Scot Woodland

Assistant County Auditor

scot.woodland@co.hays.tx.us

February 20, 2024

Board of Commissioners

Hays County Emergency Services District #7

220 Twilight Trail

Wimberley, Texas 78676

We performed an internal examination of the Hays County Emergency Services District #7 financial statements for the period of October 1, 2021 through September 30, 2022. Additionally, we evaluated the organization's system of internal accounting control to the extent we considered necessary to evaluate the financial statements. Recognizing the limited size of the administrative staff, the procedures being followed are adequate to achieve general control. However, the Board of Directors should continue to be diligent in the performance of its overview function, including preparation of annual budgets, monitoring of expenditures, and the review of monthly financial reports.

During our examination, the following matters were noted and discussed with Mr. Scott Brown, Treasurer:

- It was noted that the financial statements are prepared using a system of accounting that differs from Generally Accepted Accounting Principles (GAAP). The other comprehensive basis of accounting utilized was cash basis accounting. Adjusting entries could be made to bring the accounting records to GAAP accrual basis. However, the net effect of such adjustments are immaterial to the financial statements.
- An internal control weakness with regard to segregation of duties was noted. The check book is held by an authorized signer and disbursements can be made without a counter signature. Though we recognize staffing limitations exist, as aforementioned, the Board of Commissioners should continue to be diligent in the performance of its overview function.

We appreciate the cooperation and assistance provided to our staff during the internal examination. If there are any questions or comments please call the Auditor's Office at 512-393-2255.

Sincerely,

Marisol Villarreal-Alonzo, CPA, MPA

Hays County Auditor

lp

HAYS COUNTY EMERGENCY SERVICES DISTRICT #7
STATEMENT OF ASSETS, LIABILITIES, AND NET ASSETS-CASH BASIS
SEPTEMBER 30, 2022

ASSETS

ASSETS

Cash and cash equivalents	818,195
Investments	<u>2,495,438</u>
TOTAL ASSETS	<u><u>3,313,633</u></u>

LIABILITIES AND NET ASSETS

NET ASSETS

Net assets-unassigned	<u>3,313,633</u>
TOTAL NET ASSETS	<u>3,313,633</u>
TOTAL LIABILITIES AND NET ASSETS	<u><u>3,313,633</u></u>

The accompanying notes are an integral part of the financial statements

HAYS COUNTY EMERGENCY SERVICES DISTRICT #7
STATEMENT OF SUPPORT, REVENUE, AND EXPENDITURES-CASH BASIS
YEAR ENDED SEPTEMBER 30, 2022

	<u>Unassigned</u>
SUPPORT AND REVENUE	
Tax revenue	\$ 2,554,744
Investment/interest income	1,046
Realized Gain on Investments	2,463
Unrealized Gain/(Loss) on Investments	<u>(5,448)</u>
TOTAL SUPPORT AND REVENUE	<u>2,552,805</u>
EXPENSES	
Program	
WEMS contract payments	1,800,000
WEMS vehicle	100,000
Administrative	
Hays Tax Assessor/collector	4,386
Appraisal District	17,104
Audit	3,000
Insurance	1,566
Public notices	266
Postage/mailbox	130
Investment fees	<u>12</u>
TOTAL EXPENSES	<u>1,926,464</u>
CHANGE IN NET ASSETS	626,341
NET ASSETS, BEGINNING OF YEAR	<u>2,687,292</u>
NET ASSETS, END OF YEAR	<u><u>3,313,633</u></u>

The accompanying notes are an integral part of the financial statements

HAYS COUNTY EMERGENCY SERVICES DISTRICT #7
STATEMENT OF CASH FLOWS-CASH BASIS
YEAR ENDED SEPTEMBER 30, 2022

Cash Flows from Operating Activities	\$ 626,341
Change in net assets	
Adjustments to reconcile change in net assets to net cash provided (used) by operating activities:	
Unrealized loss	<u>5,448</u>
Net Cash Provided from Operating Activities	<u>631,789</u>
 Cash Flows from Investing Activities	
Transfer from savings to investments	(1,200,000.00)
Reinvestment of investment income	<u>(2,559.00)</u>
Net Cash Provided from Investing Activities	<u>(1,202,559.00)</u>
 Net Decrease in Cash and Cash Equivalents	(570,770.00)
Cash and Cash Equivalents at Beginning of Year	<u>1,388,965.00</u>
Cash and Cash Equivalents at End of Year	<u><u>818,195.00</u></u>

The accompanying notes are an integral part of the financial statements

HAYS COUNTY EMERGENCY SERVICES DISTRICT #7
NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED SEPTEMBER 30, 2022

NOTE 1 – A SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity: Hays County Emergency Services District #7 (the District), is a political subdivision established under the laws of the State of Texas by local voters for the purpose of raising money through ad valorem taxes on all real property located within the District. The District receives tax revenue to provide the direction and financial resources for protection of the lives and property of the people living or traveling within the District against medical emergencies.

Basis of Accounting: The District prepares its financial statements on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles. Consequently, revenue is recognized when received rather than when earned and expenses are recognized when paid rather than when the obligation is incurred.

NOTE 2 – CASH DEPOSITS

The District's cash deposits include checking and savings accounts. The District's deposits are held in one major financial institution and are exposed to concentration of credit risk. The District has pledged securities for amounts in excess of FDIC coverage. As of September 30, 2022, the District's cash deposits totaled \$818,195.

NOTE 3 – INVESTMENTS

Investments held by the District are measured and recorded at fair value based on quoted prices in active markets on a trade-date basis. Investments held by the District as of September 30, 2022, are as follows:

Fixed Income-Gov't Bonds	\$ 1,034,960
Certificates of Deposits	959,625
Cash	500,853
Total Investments	<u>\$ 2,495,438</u>

Net investment gains consisted of the following for the year ended September 30, 2022:

Dividend Interest/Capital Gains	\$ 3,509
Unrealized Gain/(Loss)	<u>(5,448)</u>
Total investment gains	<u>\$ (1,939)</u>

Investment Policies

The District has adopted a written policy investment policy, a required by the Public Funds Investment Act, Chapter 2256, and Texas Government Code. The investments of the District are in compliance with their investment policies.

NOTE 4 – PROPERTY TAXES

The methods of property assessments and tax collections are determined by Texas statutes. The appraisal of property within the District is the responsibility of the Hays Central Appraisal District. Property taxes are levied by October 1 on the assessed value listed as of the prior January 1 for all real and business personal property located within the District in conformity with Texas Property Tax Code. Taxes are due on receipt of the tax bill and become delinquent if not paid before February 1st of the year in which imposed. The District's tax rate is set each September by the District's Board of Commissioners. The tax rate was \$0.0730 over \$100 of value.



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Avrey Anderson, District Clerk

Sponsor:

Judge Becerra

Agenda Item

Adopt the attached Jury Selection Plan as recommended by the Hays County District Judges pursuant to Texas Government Code, Section 62.011. **BECERRA/ANDERSON**

Summary

Per Govt. Code 62.011, on the recommendation of a majority of the district and criminal district judges of a county, the commissioners court, by order entered in its minutes, may adopt a plan for the selection of names of persons for jury service with the aid of electronic or mechanical equipment instead of drawing the names from a jury wheel.

Attachments

Signed Jury Selection Plan

TO: Honorable Commissioners' Court of Hays County, Texas

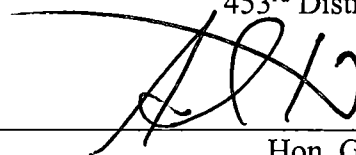
FROM: District Judges of Hays County, Texas

RE: Plan for procedures for selection of persons for jury service, pursuant to Government Code, Section 62.011

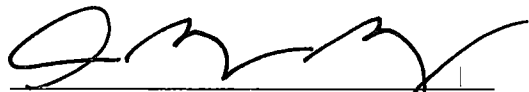
The undersigned majority of the District Judges of this County recommend to the County Commissioners' Court that the plan set forth and attached hereto be adopted by you as the plan for procedures for selection of persons for jury service, pursuant to Government Code, Section 62.011



Hon. Sherri Tibbe
453rd District Court



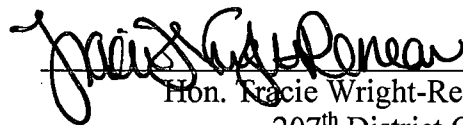
Hon. Gary Steel
274th District Court



Hon. Bruce Boyer
22nd District Court



Hon. Joe Pool
428th District Court



Hon. Fracie Wright-Reneau
207th District Court



Hon. Tanner Neidhardt
483rd District Court

JURY SELECTION PLAN HAYS COUNTY

STATUTORY AUTHORITY

This plan shall be in compliance with all portions of Chapter 62 of the Government Code, Vernon's Texas Code Annotated.

SOURCE OF NAMES

As stated in Section 62.001 of the Government Code, the source from which the jury wheel shall be constituted, is the names of all persons on the current voter registration lists from all the precincts in Hays County, Texas and the names of all citizens of the County who hold a valid Texas driver's license, and the citizens who hold valid person identification card or certificate issued by the Texas Department of Public Safety, as soon as such information is available from the Secretary of State; provided, however, that the names of persons listed on a register of persons exempt from jury service may not be placed in the jury wheel as provided in the Government code 62.108 and 62.109.

METHOD

Persons called for jury service shall be selected at random with the aid of electronic equipment in a fair, impartial and objective manner from the source of names required by Section 62.001 of the Government Code, taking into consideration those persons exempt from jury service as provided by Section 62.108 and 62.109 of the Government Code.

OFFICIAL IN CHARGE

The Clerk of the District Courts in Hays County, Texas is designated as the official to be in charge of the selection process and shall have the duties and authority set forth herein.

DATE OF RECONSTITUTION OF JURY SERVICE

At a time each year, on or before February 1st, the jury source shall be reconstituted from the certified list provided by the Secretary of State under the provisions of Section 62.001 of the Government Code.

NOTICE OF JURY SERVICE

The Judges of the District, County and Justice Courts shall provide in a timely manner to the District Clerk information regarding the required jury panels for the respective courts.

A true and complete written list showing the names and addresses of the persons summoned to begin jury service on a particular date shall be kept by the District Clerk until said list has been used.

A true and complete written list of the names and addresses of persons summoned to begin jury service on a particular date shall be filed with the County Clerk at least thirty (30) days before that date.

The District Clerk shall summons by first class mail all persons so listed to be called for jury service on such date at least thirty (30) days prior to the date such persons are to begin jury service. The Clerk shall supply the computerized summon forms which shall be addressed to all persons selected.

Any authority or duty assigned to the District Clerk herein may be delegated to a deputy or other designee of such Clerk, including the County Clerk and Deputy Clerks, the Justices of the Peace and Deputy Clerks.

GENERAL JURY PANEL

A District Judge, County Court at Law Judge or Justice of the Peace may determine the number of prospective jurors that are reasonably necessary for the cases to be tried in their courts. Any District or County Court at Law Judge may act as a Presiding Judge for the jury qualifications and assign such jurors as may be needed into panels for the different courts.

ADDITIONAL JURORS

If the presiding judge determines that the number of jurors previously selected for any designated date is insufficient, he shall direct the District Clerk to prepare a supplemental list and summon such additional persons to those already summoned as may be necessary to meet the needs of the courts; provided that such supplemental summons shall be mailed at least ten (10) days prior to date of service.

AMENDMENTS

This plan may only be amended by the Commissioners' Court of Hays County, Texas upon recommendation of a majority of the District Judges of Hays County, Texas.

EFFECTIVE DATE

This plan shall become effective immediately upon its adoption and approval by the Commissioners' Court.



AGENDA ITEM REQUEST FORM: **G. 51.**

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Judge Becerra

Agenda Item

Approve the appointment of Jack Wylie to the board of the Hays County Child Protective Board, three-year term ending December 31, 2026. **BECERRA**

Summary

Attachments

Letter from HCCPB



Hays County Child Protective Board

November 28th, 2023

Dear County Commissioner's,

Please consider the following new Board member appointment:

Jack Wylie

2024, 2025, 2026 term

Sincerely,

A handwritten signature in blue ink that reads "Samantha Wylie". The signature is fluid and cursive, with the first name being more prominent.

Samantha Wylie

Vice President



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Constable John Ellen

Sponsor:

Commissioner Cohen

Agenda Item:

Authorize the execution of quotes with Axon Enterprise, Inc. related to the Fleet in-car camera system and Body Worn camera program for the Constable Pct. 5 Office and amend the budget accordingly. **COHEN/ELLEN**

Summary:

The Constable's Office was approved to purchase the Fleet & Body cameras with the Officer Safety Plan and Evidence.com during the annual budget process for the two new officers. Axon requires all quotes to be executed and termed with our master lease agreement. under Sourcwell Contract 010720-AXN.

Fiscal Impact:

Amount Requested: \$22,990.02 - total (fleet and body camera package)
\$8,470 - FY24

Line Item Number: 001-639-00.5429/.5717_400

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: Move funds within the operating budget to properly record equipment.

\$1,070 - Increase Law Enforcement Equipment_Ops 001-639-00.5717_400 (Body Camera x 2)

\$3,254 - Increase Law Enforcement Equipment_Ops 001-639-00.5717_400 (Fleet Cradlepoint x 2)

(\$4,324) - Decrease Software License 001-639-00.5429

Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Sourcwell Contract 010720-AXN

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

Axon Fleet Quote 1

Axon Fleet Quote 2

Axon Body Camera Quote 1

Axon Body Camera Quote 2



Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-546330-45338.965RS

Issued: 02/16/2024

Quote Expiration: 02/29/2024

Estimated Contract Start Date: 04/15/2024

Account Number: 459447

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Hays County Constable Pct. 5 500 Jack C Hays Trl Buda, TX 78610-3334 USA	Hays County Constable Pct. 5 712 S. Stagecoach Trail, Suite 1071 San Marcos TX 78666 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Ryan Sabo Phone: (480) 716-3516 Email: rsabo@axon.com Fax:	Cody Feagan Phone: 512-295-3030 Email: cody.feagan@co.hays.tx.us Fax:

Quote Summary

Program Length	19 Months
TOTAL COST	\$6,892.62
ESTIMATED TOTAL W/ TAX	\$6,892.62

Discount Summary

Average Savings Per Year	\$458.22
TOTAL SAVINGS	\$725.51

Payment Summary

Date	Subtotal	Tax	Total
Mar 2024	\$2,539.38	\$0.00	\$2,539.38
Oct 2024	\$4,353.24	\$0.00	\$4,353.24
Total	\$6,892.62	\$0.00	\$6,892.62

Quote Unbundled Price:	\$7,618.13
Quote List Price:	\$4,572.62
Quote Subtotal:	\$6,892.62

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
80179	TRUE UP - FLEET 2 TAP	1	1		\$58.00	\$2,378.00	\$2,378.00	\$0.00	\$2,378.00
Fleet2U	Fleet 2 Unlimited	1	19	\$312.27	\$151.98	\$151.98	\$2,887.62	\$0.00	\$2,887.62
A la Carte Hardware									
11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1			\$1,627.00	\$1,627.00	\$1,627.00	\$0.00	\$1,627.00
Total							\$6,892.62	\$0.00	\$6,892.62

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
Fleet 2 Unlimited	71088	AXON FLEET 2 - KIT	1	03/15/2024
A la Carte	11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1	03/15/2024
Fleet 2 Unlimited	72040	AXON FLEET - TAP REFRESH 1 - 2 CAMERA KIT	1	10/15/2025

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 2 Unlimited	80410	AXON EVIDENCE - STORAGE - FLEET 1 CAMERA UNLIMITED	2	04/15/2024	11/14/2025
Fleet 2 Unlimited	87050	AXON EVIDENCE - FLEET VIEW XL LICENSE	1	04/15/2024	11/14/2025

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 2 Unlimited	80397	AXON FLEET 2 - EXT WARRANTY - FLEET 2 KIT	1	03/15/2025	11/14/2025

Payment Details

Mar 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Coterm to Year 4	11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1	\$599.42	\$0.00	\$599.42
Coterm to Year 4	80179	TRUE UP - FLEET 2 TAP	1	\$876.10	\$0.00	\$876.10
Coterm to Year 4	Fleet2U	Fleet 2 Unlimited	1	\$1,063.86	\$0.00	\$1,063.86
Total				\$2,539.38	\$0.00	\$2,539.38

Oct 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1	\$1,027.58	\$0.00	\$1,027.58
Year 5	80179	TRUE UP - FLEET 2 TAP	1	\$1,501.90	\$0.00	\$1,501.90
Year 5	Fleet2U	Fleet 2 Unlimited	1	\$1,823.76	\$0.00	\$1,823.76
Total				\$4,353.24	\$0.00	\$4,353.24

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

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Signature

Date Signed

2/16/2024





Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-480307-45338.963RS

Issued: 02/16/2024

Quote Expiration: 02/29/2024

Estimated Contract Start Date: 04/15/2024

Account Number: 459447

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Hays County Constable Pct. 5 500 Jack C Hays Trl Buda, TX 78610-3334 USA	Hays County Constable Pct. 5 712 S. Stagecoach Trail, Suite 1071 San Marcos TX 78666 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Ryan Sabo Phone: (480) 716-3516 Email: rsabo@axon.com Fax:	Cody Feagan Phone: 512-295-3030 Email: cody.feagan@co.hays.tx.us Fax:

Quote Summary

Program Length	19 Months
TOTAL COST	\$6,892.62
ESTIMATED TOTAL W/ TAX	\$6,892.62

Discount Summary

Average Savings Per Year	\$458.22
TOTAL SAVINGS	\$725.51

Payment Summary

Date	Subtotal	Tax	Total
Mar 2024	\$2,602.61	\$0.00	\$2,602.61
Oct 2024	\$4,290.01	\$0.00	\$4,290.01
Total	\$6,892.62	\$0.00	\$6,892.62

Quote Unbundled Price:	\$7,618.13
Quote List Price:	\$4,572.62
Quote Subtotal:	\$6,892.62

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
80179	TRUE UP - FLEET 2 TAP	1	1		\$58.00	\$2,378.00	\$2,378.00	\$0.00	\$2,378.00
Fleet2U	Fleet 2 Unlimited	1	19	\$312.27	\$151.98	\$151.98	\$2,887.62	\$0.00	\$2,887.62
A la Carte Hardware									
11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1			\$1,627.00	\$1,627.00	\$1,627.00	\$0.00	\$1,627.00
Total							\$6,892.62	\$0.00	\$6,892.62

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
Fleet 2 Unlimited	71088	AXON FLEET 2 - KIT	1	03/15/2024
A la Carte	11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1	03/15/2024
Fleet 2 Unlimited	72040	AXON FLEET - TAP REFRESH 1 - 2 CAMERA KIT	1	10/15/2025

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 2 Unlimited	80410	AXON EVIDENCE - STORAGE - FLEET 1 CAMERA UNLIMITED	2	04/15/2024	11/14/2025
Fleet 2 Unlimited	87050	AXON EVIDENCE - FLEET VIEW XL LICENSE	1	04/15/2024	11/14/2025

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 2 Unlimited	80397	AXON FLEET 2 - EXT WARRANTY - FLEET 2 KIT	1	03/15/2025	11/14/2025

Payment Details

Mar 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Co-Term	11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1	\$614.34	\$0.00	\$614.34
Co-Term	80179	TRUE UP - FLEET 2 TAP	1	\$897.92	\$0.00	\$897.92
Co-Term	Fleet2U	Fleet 2 Unlimited	1	\$1,090.35	\$0.00	\$1,090.35
Total				\$2,602.61	\$0.00	\$2,602.61

Oct 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	11622	AXON FLEET - CRADLEPOINT IBR900-600M-NPS+5YR NETCLOUD	1	\$1,012.66	\$0.00	\$1,012.66
Year 5	80179	TRUE UP - FLEET 2 TAP	1	\$1,480.08	\$0.00	\$1,480.08
Year 5	Fleet2U	Fleet 2 Unlimited	1	\$1,797.27	\$0.00	\$1,797.27
Total				\$4,290.01	\$0.00	\$4,290.01

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

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Signature

Date Signed

2/16/2024





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SALES REPRESENTATIVE	PRIMARY CONTACT
Ryan Sabo Phone: (480) 716-3516 Email: rsabo@axon.com Fax:	Cody Feagan Phone: 512-295-3030 Email: cody.feagan@co.hays.tx.us Fax:

Quote Summary

Program Length	19 Months
TOTAL COST	\$4,602.39
ESTIMATED TOTAL W/ TAX	\$4,602.39

Discount Summary

Average Savings Per Year	\$4,808.52
TOTAL SAVINGS	\$7,613.49

Payment Summary

Date	Subtotal	Tax	Total
Mar 2024	\$1,695.62	\$0.00	\$1,695.62
Oct 2024	\$2,906.77	\$0.00	\$2,906.77
Total	\$4,602.39	\$0.00	\$4,602.39

Quote Unbundled Price:	\$12,215.88
Quote List Price:	\$6,356.85
Quote Subtotal:	\$4,602.39

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
73983	TRUE UP - OFFICER SAFETY PLAN 7 TRUE UP 1	1	11		\$26.25	\$26.25	\$288.75	\$0.00	\$288.75
M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	19	\$507.27	\$198.90	\$198.89	\$3,778.91	\$0.00	\$3,778.91
A la Carte Hardware									
AB3C	AB3 Camera Bundle	1			\$789.00	\$534.73	\$534.73	\$0.00	\$534.73
A la Carte Services									
100610	AXON SIGNAL - INSTALLATION SERVICE - VIRTUAL	1			\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00
Total							\$4,602.39	\$0.00	\$4,602.39

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
AB3 Camera Bundle	11534	AXON BODY - CABLE - USB-C TO USB-A (AB3 OR FLEX 2)	2	03/15/2024
AB3 Camera Bundle	73202	AXON BODY 3 - CAMERA - NA10 US BLK RAPIDLOCK	1	03/15/2024
AB3 Camera Bundle	74028	AXON BODY - MOUNT - WING CLIP RAPIDLOCK	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	100681	SIGNAL SIDEARM, SENSOR ONLY	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20008	AXON TASER 7 - HANDLE - HIGH VIS GRN LASER CLASS 3R YLW	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20018	AXON TASER - BATTERY PACK - TACTICAL	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20050	AXON TASER - HOOK-AND-LOOP TRAINING (HALT) SUIT	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20160	AXON TASER 7 - HOLSTER - SAFARILAND RH+CART CARRIER	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22175	AXON TASER 7 - CARTRIDGE - LIVE STANDOFF (3.5-DEGREE) NS	3	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22175	AXON TASER 7 - CARTRIDGE - LIVE STANDOFF (3.5-DEGREE) NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22176	AXON TASER 7 - CARTRIDGE - LIVE CLOSE QUART (12-DEGREE) NS	3	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22176	AXON TASER 7 - CARTRIDGE - LIVE CLOSE QUART (12-DEGREE) NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22177	AXON TASER 7 - CARTRIDGE - HALT STANDOFF NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22178	AXON TASER 7 - CARTRIDGE - HALT CLOSE QUART NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22179	AXON TASER 7 - CARTRIDGE - INERT STANDOFF (3.5-DEGREE) NS	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22181	AXON TASER 7 - CARTRIDGE - INERT CLOSE QUART (12-DEGREE) NS	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	70033	AXON - DOCK WALL MOUNT - BRACKET ASSY	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	71019	AXON BODY - DOCK POWERCORD - NORTH AMERICA	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	71044	AXON SIGNAL - BATTERY - CR2430 SINGLE PACK	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	74200	AXON TASER - DOCK - SIX BAY PLUS CORE	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	80087	AXON TASER - TARGET - CONDUCTIVE PROFESSIONAL RUGGEDIZED	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	80090	AXON TASER - TARGET FRAME - PROFESSIONAL 27.5 IN X 75 IN	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22175	AXON TASER 7 - CARTRIDGE - LIVE STANDOFF (3.5-DEGREE) NS	2	03/15/2025
BUNDLE - OFFICER SAFETY PLAN 7	22176	AXON TASER 7 - CARTRIDGE - LIVE CLOSE QUART (12-DEGREE) NS	2	03/15/2025
BUNDLE - OFFICER SAFETY PLAN 7	73309	AXON BODY - TAP REFRESH 1 - CAMERA	1	10/15/2025

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BUNDLE - OFFICER SAFETY PLAN 7	20248	AXON TASER - EVIDENCE.COM LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	20248	AXON TASER - EVIDENCE.COM LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73638	AXON STANDARDS - LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73680	AXON RESPOND PLUS - LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	10	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73746	AXON EVIDENCE - ECOM LICENSE - PRO	1	04/15/2024	11/14/2025

Services

Bundle	Item	Description	QTY
BUNDLE - OFFICER SAFETY PLAN 7	101193	AXON TASER - ON DEMAND CERTIFICATION	1
BUNDLE - OFFICER SAFETY PLAN 7	20246	AXON TASER 7 - REPLACEMENT ACCESS PROGRAM - DUTY CARTRIDGE	1
A la Carte	100610	AXON SIGNAL - INSTALLATION SERVICE - VIRTUAL	1

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BUNDLE - OFFICER SAFETY PLAN 7	80374	AXON TASER 7 - EXT WARRANTY - BATTERY PACK	1	03/15/2025	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	80395	AXON TASER 7 - EXT WARRANTY - HANDLE	1	03/15/2025	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	80396	AXON TASER 7 - EXT WARRANTY - DOCK SIX BAY	1	03/15/2025	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	80464	AXON BODY - TAP WARRANTY - CAMERA	1	03/15/2025	11/14/2025

Payment Details

Mar 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Coterm to Year 4	73983	TRUE UP - OFFICER SAFETY PLAN 7 TRUE UP 1	1	\$82.41	\$0.00	\$82.41
Coterm to Year 4	AB3C	AB3 Camera Bundle	1	\$534.73	\$0.00	\$534.73
Coterm to Year 4	M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	\$1,078.48	\$0.00	\$1,078.48
Total				\$1,695.62	\$0.00	\$1,695.62

Apr 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	100610	AXON SIGNAL - INSTALLATION SERVICE - VIRTUAL	1	\$0.00	\$0.00	\$0.00
Invoice Upon Fulfillment	M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	\$0.00	\$0.00	\$0.00
Total				\$0.00	\$0.00	\$0.00

Oct 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	73983	TRUE UP - OFFICER SAFETY PLAN 7 TRUE UP 1	1	\$206.34	\$0.00	\$206.34
Year 5	M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	\$2,700.43	\$0.00	\$2,700.43
Total				\$2,906.77	\$0.00	\$2,906.77

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Payment Terms: N30

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TOTAL COST	\$4,602.39
ESTIMATED TOTAL W/ TAX	\$4,602.39

Discount Summary

Average Savings Per Year	\$4,808.52
TOTAL SAVINGS	\$7,613.49

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Date	Subtotal	Tax	Total
Mar 2024	\$1,695.62	\$0.00	\$1,695.62
Oct 2024	\$2,906.77	\$0.00	\$2,906.77
Total	\$4,602.39	\$0.00	\$4,602.39

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Quote List Price:	\$6,356.85
Quote Subtotal:	\$4,602.39

Pricing

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Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
73983	TRUE UP - OFFICER SAFETY PLAN 7 TRUE UP 1	1	11		\$26.25	\$26.25	\$288.75	\$0.00	\$288.75
M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	19	\$507.27	\$198.90	\$198.89	\$3,778.91	\$0.00	\$3,778.91
A la Carte Hardware									
AB3C	AB3 Camera Bundle	1			\$789.00	\$534.73	\$534.73	\$0.00	\$534.73
A la Carte Services									
100610	AXON SIGNAL - INSTALLATION SERVICE - VIRTUAL	1			\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00
Total							\$4,602.39	\$0.00	\$4,602.39

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
AB3 Camera Bundle	11534	AXON BODY - CABLE - USB-C TO USB-A (AB3 OR FLEX 2)	2	03/15/2024
AB3 Camera Bundle	73202	AXON BODY 3 - CAMERA - NA10 US BLK RAPIDLOCK	1	03/15/2024
AB3 Camera Bundle	74028	AXON BODY - MOUNT - WING CLIP RAPIDLOCK	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	100681	SIGNAL SIDEARM, SENSOR ONLY	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20008	AXON TASER 7 - HANDLE - HIGH VIS GRN LASER CLASS 3R YLW	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20018	AXON TASER - BATTERY PACK - TACTICAL	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20050	AXON TASER - HOOK-AND-LOOP TRAINING (HALT) SUIT	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	20160	AXON TASER 7 - HOLSTER - SAFARILAND RH+CART CARRIER	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22175	AXON TASER 7 - CARTRIDGE - LIVE STANDOFF (3.5-DEGREE) NS	3	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22175	AXON TASER 7 - CARTRIDGE - LIVE STANDOFF (3.5-DEGREE) NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22176	AXON TASER 7 - CARTRIDGE - LIVE CLOSE QUART (12-DEGREE) NS	3	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22176	AXON TASER 7 - CARTRIDGE - LIVE CLOSE QUART (12-DEGREE) NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22177	AXON TASER 7 - CARTRIDGE - HALT STANDOFF NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22178	AXON TASER 7 - CARTRIDGE - HALT CLOSE QUART NS	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22179	AXON TASER 7 - CARTRIDGE - INERT STANDOFF (3.5-DEGREE) NS	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22181	AXON TASER 7 - CARTRIDGE - INERT CLOSE QUART (12-DEGREE) NS	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	70033	AXON - DOCK WALL MOUNT - BRACKET ASSY	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	71019	AXON BODY - DOCK POWERCORD - NORTH AMERICA	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	71044	AXON SIGNAL - BATTERY - CR2430 SINGLE PACK	2	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	74200	AXON TASER - DOCK - SIX BAY PLUS CORE	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	80087	AXON TASER - TARGET - CONDUCTIVE PROFESSIONAL RUGGEDIZED	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	80090	AXON TASER - TARGET FRAME - PROFESSIONAL 27.5 IN X 75 IN	1	03/15/2024
BUNDLE - OFFICER SAFETY PLAN 7	22175	AXON TASER 7 - CARTRIDGE - LIVE STANDOFF (3.5-DEGREE) NS	2	03/15/2025
BUNDLE - OFFICER SAFETY PLAN 7	22176	AXON TASER 7 - CARTRIDGE - LIVE CLOSE QUART (12-DEGREE) NS	2	03/15/2025
BUNDLE - OFFICER SAFETY PLAN 7	73309	AXON BODY - TAP REFRESH 1 - CAMERA	1	10/15/2025

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BUNDLE - OFFICER SAFETY PLAN 7	20248	AXON TASER - EVIDENCE.COM LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	20248	AXON TASER - EVIDENCE.COM LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73638	AXON STANDARDS - LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73680	AXON RESPOND PLUS - LICENSE	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	10	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	1	04/15/2024	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	73746	AXON EVIDENCE - ECOM LICENSE - PRO	1	04/15/2024	11/14/2025

Services

Bundle	Item	Description	QTY
BUNDLE - OFFICER SAFETY PLAN 7	101193	AXON TASER - ON DEMAND CERTIFICATION	1
BUNDLE - OFFICER SAFETY PLAN 7	20246	AXON TASER 7 - REPLACEMENT ACCESS PROGRAM - DUTY CARTRIDGE	1
A la Carte	100610	AXON SIGNAL - INSTALLATION SERVICE - VIRTUAL	1

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BUNDLE - OFFICER SAFETY PLAN 7	80374	AXON TASER 7 - EXT WARRANTY - BATTERY PACK	1	03/15/2025	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	80395	AXON TASER 7 - EXT WARRANTY - HANDLE	1	03/15/2025	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	80396	AXON TASER 7 - EXT WARRANTY - DOCK SIX BAY	1	03/15/2025	11/14/2025
BUNDLE - OFFICER SAFETY PLAN 7	80464	AXON BODY - TAP WARRANTY - CAMERA	1	03/15/2025	11/14/2025

Payment Details

Mar 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Coterm to Year 4	73983	TRUE UP - OFFICER SAFETY PLAN 7 TRUE UP 1	1	\$82.41	\$0.00	\$82.41
Coterm to Year 4	AB3C	AB3 Camera Bundle	1	\$534.73	\$0.00	\$534.73
Coterm to Year 4	M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	\$1,078.48	\$0.00	\$1,078.48
Total				\$1,695.62	\$0.00	\$1,695.62

Apr 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	100610	AXON SIGNAL - INSTALLATION SERVICE - VIRTUAL	1	\$0.00	\$0.00	\$0.00
Invoice Upon Fulfillment	M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	\$0.00	\$0.00	\$0.00
Total				\$0.00	\$0.00	\$0.00

Oct 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	73983	TRUE UP - OFFICER SAFETY PLAN 7 TRUE UP 1	1	\$206.34	\$0.00	\$206.34
Year 5	M00004	BUNDLE - OFFICER SAFETY PLAN 7	1	\$2,700.43	\$0.00	\$2,700.43
Total				\$2,906.77	\$0.00	\$2,906.77

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature

Date Signed

2/16/2024





Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding, P.E., Transportation Director

Sponsor:

Commissioner Smith

Agenda Item:

Discussion and possible action to authorize the execution of Contract Amendment No. 4 in the amount of \$40,000.00 to the Professional Services Agreement between Hays County and Doucet & Associates, Inc. for the Darden Hill Road at Sawyer Ranch Roundabout project in Precinct 4, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly. **SMITH/BORCHERDING**

Summary:

The requested Contract Amendment increases the contract compensation cap by \$40,000.00 from \$858,000.00 to \$898,000.00. This will allow for the execution of Supplemental No. 1 to Work Authorization No. 2 which authorizes modifying the plans to include a truck apron design and extends the termination date to March 31, 2024. This effort will be funded by the Road Bond Program project number 20-867-035.

Fiscal Impact:

Amount Requested: \$40,000.00

Line Item Number: 035-804-96-867.5621_700

Budget Office:

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

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$40,000 - Increase Engineering_Capital 035-804-96-867.5621_700

(\$40,000) - Decrease General Construction 035-800-96.5600_400

Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) professional services

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

DardenHillatSawyerRoundabout-DA-Amendment#4

CONTRACT AMENDMENT NO. 4
TO
HAYS COUNTY
CONTRACT FOR ENGINEERING SERVICES

HAYS COUNTY ROAD BOND PROJECT:

Darden Hill Road – widening & turn lanes (FM 1826 to Sawyer Rach Road) (“Project”)

THIS CONTRACT AMENDMENT NO. 4 to Hays County Contract for Engineering Services is by and between Hays County, Texas, a political subdivision of the State of Texas, (the "County") and Doucet & Associates, Inc. (the "Engineer") and becomes effective as of the date of the last party's execution below.

WHEREAS, the County and the Engineer executed the Hays County Contract for Engineering Services dated effective October 30, 2018 (the “Contract”);

WHEREAS, pursuant to Article 14 of the Contract, the terms of the Contract may be modified by a written fully executed Contract Amendment;

WHEREAS, the “Compensation Cap” under Article 5 of the Contract limits the maximum amount payable under the Contract to \$858,000.00; and,

WHEREAS, it has become necessary to amend the Contract.

AGREEMENT

NOW, THEREFORE, premises considered, the County and the Engineer agree that the Contract is amended as follows:

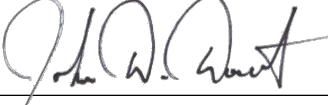
- I. The Compensation Cap under Article 5 of the Contract is hereby increased from \$858,000.00 to \$898,000.00.

All other terms of the Contract are unchanged and will remain in full force and effect.

IN WITNESS WHEREOF, the County and the Engineer have executed this Contract Amendment, to be effective as of the date of the last party's execution below.

ENGINEER:

COUNTY:

By: 
Signature

By: _____
Signature

John Doucet
Printed Name

Printed Name

Executive Vice President
Title

Title

12/7/2023
Date

Date



2/20/2024



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding, P.E., Transportation Director

Sponsor:

Commissioner Ingalsbe

Agenda Item:

Discussion and possible action to authorize the execution of Contract Amendment No. 7 in the amount of \$25,000.00 to the Professional Services Agreement between Hays County and LJA Engineering, Inc. for professional design services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). **INGALSBE/BORCHERDING**

Summary:

The Contract Amendment increases the contract cap by \$25,000.00 from \$3,500,000.00 to \$3,525,000.00. This will allow for the execution of Supplemental No. 12 to Work Authorization No. 2 which authorizes LJA to develop four (4) alternatives near culvert 17 outfall.

Fiscal Impact:

Amount Requested: \$25,000.00

Line Item Number: 027-801-96-513.5632_400

Budget Office:

Source of Funds: Voter Approved Priority Road Bond Fund

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$25,000 - Increase Right of Way 027-801-96-513.5632_400

(\$25,000) - Decrease General Contract Services 027-800-96.5448

Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) professional services

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

FM110North-LJA-PSAAmendment07

CONTRACT FOR ENGINEERING SERVICES
SUPPLEMENTAL AGREEMENT NO. 7

STATE OF TEXAS §
COUNTY OF HAYS §

THIS SUPPLEMENTAL AGREEMENT to contract for engineering services is by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and LJA Engineering, Inc. (*the "Engineer"*) and becomes effective when fully executed by both parties.

WHEREAS, the *County* and the *Engineer* executed a contract on March 26, 2013, and Supplemental No. 1 to the contract on November 16, 2016, and Supplemental No. 2 to the contract on September 11, 2018, and Supplemental No. 3 to the contract on November 24, 2020, and Supplemental No. 4 to the contract on March 23, 2021, and Supplemental No. 5 to the contract on July 19, 2022, and Supplemental No. 6 to the contract on September 13, 2022;

WHEREAS, the not-to-exceed fee in Exhibit 1, Section 1, Item the agreement to \$2,133,062.00 and \$2,320,000.00 (through Supplemental No. 1) and \$3,095,000.00 (through Supplemental No. 2) and \$3,200,000.00 (through Supplemental No. 3) and \$3,350,000.00 (through Supplemental No. 4) and \$3,400,000.00 (through Supplemental No. 5) and \$3,500,000.00 (through Supplemental No. 6); and,

WHEREAS, the “**Compensation Cap**” in Exhibit 1, Section 4, Item 4.3 limits the maximum amount payable under the agreement to \$2,133,062.00 and \$2,320,000.00 (through Supplemental No. 1) and \$3,095,000.00 (through Supplemental No. 2) and \$3,200,000.00 (through Supplemental No. 3) and \$3,350,000.00 (through Supplemental No. 4) and \$3,400,000.00 (through Supplemental No. 5) and \$3,500,000.00 (through Supplemental No. 6); and,

WHEREAS, the Hourly Rates in Exhibit II are limited to the rates noted; and,

WHEREAS, it has become necessary to amend the agreement.

AGREEMENT


NOW, THEREFORE, premises considered, the *County* and the *Engineer* agree that said contract is amended as follows:

- I. The not-to-exceed fee in Exhibit 1, Section 1, Item 1. I is hereby increased from \$3,500,000.00 to \$3,525,000.00.
- II. The Compensation Cap in Exhibit 1, Section 4, Item 4.3 is hereby increased from \$3,500,000.00 to \$3,525,000.00.
- III. The hourly Rates in the original Exhibit II are hereby amended as shown in the attached revised Exhibit II.

All other provisions are unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the *County* and the *Engineer* have executed this supplemental agreement,

ENGINEER:

By: _____
Signature

Zach Ryan

Printed Name

Vice President

Title

1/31/24

Date

COUNTY:

Hays County, Texas

By:_____
Signature

Printed Name

Title

Date



2/21/2024



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding

Sponsor:

Commissioner Smith

Agenda Item

Discussion and possible action to consider the release of the maintenance bond #800131704 in the amount of \$159,343.74 for Headwaters at Barton Creek Ph.4-Sec. 2, Ph.4-Sec. 4, and Ph.5-Sec. 1 and the acceptance of roads and surface drainage improvements into the County Road Maintenance System. **SMITH/BORCHERDING**

Summary

Staff recommends acceptance of these roads into the County Road Maintenance System. Roads include: a segment of Headwaters Boulevard (1,054 ft.), Hazy Hills Loop (1,320 ft.), Crecent Moon Court (150 ft.), Maeves Way (3,114 ft.), and Sage Thrasher Circle (2,667 ft.).



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding

Sponsor:

Commissioner Smith

Agenda Item

Discussion and possible action to consider the release of the maintenance bond #800131707 in the amount of \$21,617.40 for Headwaters at Barton Creek Ph.4-Sec. 6 and the acceptance of roads and surface drainage improvements into the County Road Maintenance System. **SMITH/BORCHERDING**

Summary

Staff recommends acceptance of these roads into the County Road Maintenance System. Roads include: Mira Vista Drive (1,252 ft.).



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding

Sponsor:

Commissioner Ingalsbe

Agenda Item

Discussion and possible action to call for a public hearing on March 12, 2024, to establish a 3-way stop at the intersection of Crosswinds Parkway and Backstays Loop. **INGALSBE/BORCHERDING**

Summary

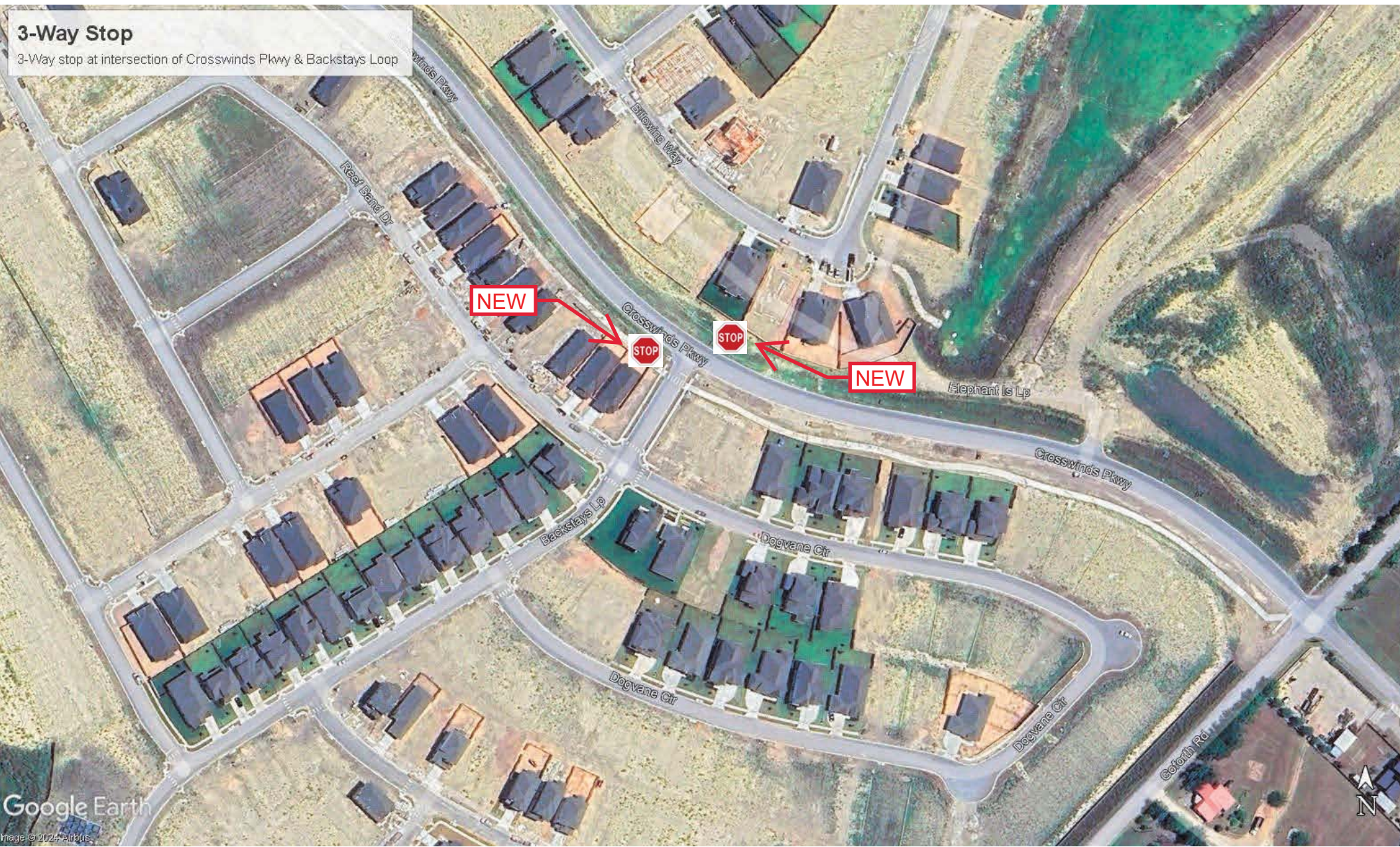
In response to a request from local residents, there is a need to establish a 3-way stop location at this intersection for ease of traffic flow and safety on Crosswinds Parkway.

Attachments

Crosswinds Pkwy Backup

3-Way Stop

3-Way stop at intersection of Crosswinds Pkwy & Backstays Loop





Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding

Sponsor:

Commissioner Ingalsbe

Agenda Item

Discussion and possible action to call for a public hearing on March 12, 2024, to establish a 4-way stop at the intersection of Crosswinds Parkway and Bay Breeze Drive. **INGALSBE/BORCHERDING**

Summary

In response to a request from local residents, there is a need to establish a 4-way stop location at this intersection for ease of traffic flow and safety on Crosswinds Parkway.

Attachments

Crosswinds Pkwy Backup

4-Way Stop

4-Way stop at intersection of Crosswinds Pkwy & Bay Breeze Dr





AGENDA ITEM REQUEST FORM: I. 7.

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jerry Borcharding

Sponsor:

Commissioner Cohen

Agenda Item

Discussion and possible action to call for a public hearing on March 12, 2024, to install 2 new stop signs on Dacy Lane at the intersection with McCormick Avenue. **COHEN/BORCHERDING**

Summary

In response to a request by local property-owners, there is a need to add 2 stop signs at this intersection for ease of traffic flow and safety on McCormick Avenue. (Please see attachment)

Attachments

Dacy Lane Backup

Dacy Lane
Stop signs request





Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Colby Machacek, County Planner

Sponsor:

Commissioner Shell

Agenda Item

PLN-2413-PC; Hold a Public Hearing, followed by discussion and possible action regarding The Cliffs of Onion Creek, Lot 1, Replat. SHELL/PACHECO

Summary

Cliffs of Onion Creek is a platted subdivision located off of Loop 165 within the subdivision in Dripping Springs and within Commissioner Precinct 3.

The Replat will establish two (2) lots across 22.49 acres. This consists of a portion of Lot 1 being replatted to Lot 1A to generate access for to-be-platted raw acreage to be known as Lot 1B.

Water utility is provided by individual private wells. Wastewater utility will be accomplished by individual on-site sewage facilities.

Attachments

Cover Letter

Plat

Location Map

Comment Letter 2-6-2024



Hays County Commissioners Court Agenda Request

Meeting Date: February 27th, 2024

Requested By: Colby Machacek, County Planner

Prepared By: Colby Machacek, County Planner

Department Director: Marcus Pacheco

Sponsoring Court Member: Commissioner Lon Shell, Precinct 3

AGENDA ITEM LANGUAGE:

PLN-2413-PC; Hold a Public Hearing, followed by discussion and possible action regarding the Cliffs of Onion Creek, Lot 1, Replat.

BACKGROUND/SUMMARY OF REQUEST:

- A) Cliffs of Onion Creek is a platted subdivision located off of Loop 165 within the subdivision in Dripping Springs and within Commissioner Precinct 3.
- B) The Replat will establish two (2) lots across 22.49 acres. This consists of a portion of Lot 1 being replatted to Lot 1A to generate access to to-be-platted raw acreage to be known as Lot 1B.
- C) Water utility is provided by individual private wells. Wastewater utility will be accomplished by individual on-site sewage facilities.

STAFF COMMENTS:

Staff has completed review pursuant to Texas Local Government Code Chapter 232 and the current Development Regulations of Hays County as set forth. At such time, the application has no variances requested.

The actions remaining are to hold the public hearing and seek Commissioners Court final determination based on staff recommendation.

Staff recommends Disapproval based on the deficiencies as provided in the back-up. Provided all deficiencies are cleared, project will be rescheduled for Approval ratification on the next available Commissioners Court date.

ATTACHMENTS/EXHIBITS:

Plat

Location Map

THE CLIFFS OF ONION CREEK
BEING ALL OF THAT CERTAIN 11.56 ACRE TRACT OF LAND SITUATED IN THE J. MASSEY SURVEY
NO. 11, ABSTRACT NO. 306, HAYS COUNTY, TEXAS AND RECORDED IN DOCUMENT NO. 23037885,
OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS AND ALL OF LOT 1, THE CLIFFS OF ONION CREEK
RECORDED IN VOLUME 6, PAGES 143-144, PLAT RECORDS, HAYS COUNTY, TEXAS
ESTABLISHING LOT 1A AND LOT 1B

I, THE UNDERSIGNED, DIRECTOR OF THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT,
HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS
AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY
OF WIMBERLEY FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE
CITY OF WIMBERLEY.

MARCUS PACHECO
DIRECTOR
HAYS COUNTY DEVELOPMENT SERVICES

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL
WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER
SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED
BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY, RAIN
WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE
WATER RESOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER
SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED
BY HAYS COUNTY DEVELOPMENT SERVICES.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL
HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

ERIC VAN GAASBEEK, R.S., C.F.M.
HAYS COUNTY FLOODPLAIN ADMINISTRATOR

DATE

MARCUS PACHECO,
DIRECTOR
HAYS COUNTY DEVELOPMENT SERVICES

DATE

STATE OF TEXAS
COUNTY OF HAYS

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT
THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED
FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 20____,
AT _____ O'CLOCK _____ M., AND DULY RECORDED ON THE _____ DAY
OF _____ A.D., 20____, AT _____ O'CLOCK _____ M., IN THE
OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, IN INSTRUMENT NO. _____.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____ A.D.,
20____.

ELAINE H. CARDENAS,
COUNTY CLERK
HAYS COUNTY, TEXAS

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS,
HEREBY STATE THAT TO THE BEST OF MY SKILL AND KNOWLEDGE THIS PLAT IS TRUE AND
CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER
MY SUPERVISION ON THE GROUND AND THE CORNER MONUMENTS WERE PROPERLY PLACED
UNDER MY SUPERVISION.

PRELIMINARY, NOT TO BE RECORDED OR ANY PURPOSE.

10/09/2023

REGISTERED PROFESSIONAL LAND SURVEYOR
CHRISTOPHER JURICA, R.P.L.S. NO. 6344

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, THAT I, ANN LIVINGSTON, OWNER OF LOT 1, THE CLIFFS OF
ONION CREEK RECORDED IN VOLUME 6, PAGES 143-144, PLAT RECORDS, HAYS COUNTY, TEXAS AS
CONVEYED TO ME BY DEED RECORDED IN VOLUME 1135, PAGE 201, OFFICIAL PUBLIC RECORDS, HAYS
COUNTY, TEXAS, DO HEREBY PLAT THIS PROPERTY TO BE KNOWN AS LOT 1A AND LOT 1B, THE
CLIFFS OF ONION CREEK, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND
ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC
THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

ANN LIVINGSTON
801 LOOP 160
DRIPPING SPRINGS, TEXAS 78620

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ANN LIVINGSTON,
KNOWN TO ME TO BE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND
ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS
THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE OF, THIS THE ____ DAY OF _____
A.D., 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



EXISTING CONFIGURATION
1" = 200'

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, THAT I, KELLI DE LA TORRE, OWNER OF THAT CERTAIN 11.56
ACRE TRACT OF LAND AS CONVEYED TO ME BY DEED RECORDED IN DOCUMENT NO. 23037885,
OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, DO HEREBY PLAT THIS PROPERTY TO BE KNOWN
AS LOT 1B, THE CLIFFS OF ONION CREEK, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT
TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE
TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

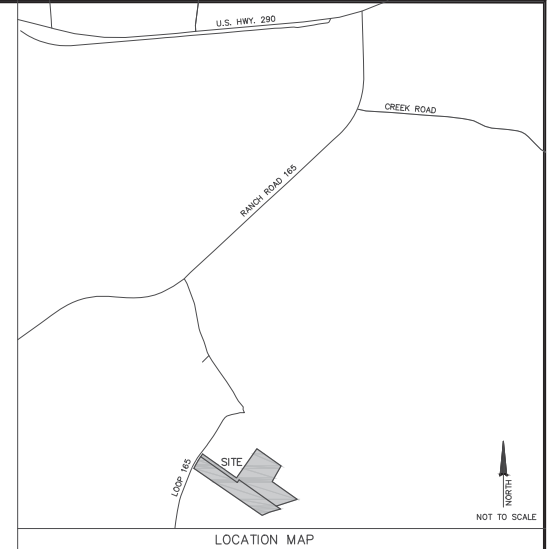
KELLI DE LA TORRE

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KELLI DE LA
TORRE, KNOWN TO ME TO BE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING
INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND
CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE OF, THIS THE ____ DAY OF _____
A.D., 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



UTILITY INFORMATION

WATER: ON-SITE INDIVIDUAL WELL
SEWER: INDIVIDUAL ON-SITE SEWAGE FACILITIES
ELECTRICITY: FEDERALES ELECTRIC COOPERATIVE, INC.

PLAT INFORMATION

TOTAL NUMBER OF LOTS:	2
AVERAGE SIZE OF LOTS:	11.24 ACRES
NUMBER OF LOTS OVER 10 ACRES:	1
NUMBER OF LOTS 5-10 ACRES:	1
NUMBER OF LOTS 2-5 ACRES:	0
NUMBER OF LOTS 1-2 ACRES:	0
NUMBER OF LOTS LESS THAN 1 ACRE:	0

DRIVEWAY PERMIT STATEMENT

"IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS,
NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED TO ACCESS
ONTO A PUBLIC ROADWAY UNLESS (A) A PERMIT FOR USE OF THE COUNTY ROADWAY RIGHT-OF-WAY HAS
BEEN ISSUED UNDER CHAPTER 751, AND, (B) THE DRIVEWAY SATISFIES THE MINIMUM SPACING
REQUIREMENT SET FORTH IN CHAPTER 751 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS."

GENERAL NOTES

- 1) MAILBOXES PLACED WITHIN THE ROW, SHALL BE AN APPROVED TxDOT OR FHWA DESIGN.
- 2) THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE CONTRIBUTING ZONE OF THE EDWARDS AQUIFER.
- 3) THIS SUBDIVISION DOES NOT LIE WITHIN THE BOUNDARIES OF THE RECHARGE ZONE OF THE EDWARDS AQUIFER.
- 4) A PORTION OF THIS SUBDIVISION LIES WITHIN A SPECIAL FLOOD HAZARD AREA (ZONE A), AS DELINEATED ON FLOOD INSURANCE RATE MAP, PANEL #4209C0100F, DATED SEPTEMBER 2, 2005. ANY DEPICTION OR NOTE ON THIS SURVEY OR ANY STATEMENT CONTAINED ON THIS SURVEY CONCERNING SPECIAL FLOOD HAZARD AREAS DOES NOT CONSTITUTE A REPRESENTATION OR WARRANTY BY THE SURVEYOR THAT THE PROPERTY AND/OR STRUCTURES LOCATED ABOVE SPECIAL FLOOD HAZARD AREAS WILL BE FREE FROM FLOODING OR FLOOD DAMAGE OR THAT FLOODING DOES NOT OCCUR ABOVE SPECIAL FLOOD HAZARD AREAS. THE SPECIAL FLOOD HAZARD AREA SHOWN HEREON WAS DIGITIZED (SCALED AND APPROXIMATE) FROM SAID NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP AND WAS NOT SURVEYED ON THE GROUND. SPECIAL FLOOD HAZARD AREAS ARE SUBJECT TO CHANGE AS DETAILED STUDIES OCCUR AND/OR WATERSHED OR CHANNEL CONDITIONS CHANGE. THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) IS FOR USE IN ADMINISTERING THE NFIP. IT DOES NOT NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE, OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS.
- 5) NO PORTION OF THIS TRACT LIES WITHIN THE BOUNDARIES OF ANY MUNICIPALITY'S CORPORATE CITY LIMITS OR AREA OF EXTRA TERRITORIAL JURISDICTION.
- 6) THIS SUBDIVISION LIES WITHIN THE JOHNSON CITY INDEPENDENT SCHOOL DISTRICT.
- 7) ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER 8.03.
- 8) THIS SUBDIVISION IS LOCATED WITHIN EMERGENCY SERVICE DISTRICT #1 AND #6.
- 9) BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83.
- 10) ADJOINERS ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY.
- 11) IMPROVEMENTS NOT SHOWN HEREON NOR LOCATED BY THIS SURVEY.
- 12) THIS SUBDIVISION LIES WITHIN THE HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT.
- 13) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ALL SETBACKS, EASEMENTS, COVENANTS, ENCUMBRANCES ZONING OR LAND USE REGULATIONS MAY NOT BE SHOWN HEREON. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.

WCR
LAND SURVEYING
P.O. BOX 481 BLANCO, TX 78606
830-833-3010 INFO@WCRLANDSURVEYING.COM
TOPICS: FIRM #1014135

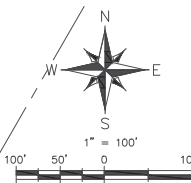
JOB NO.: 2078-23

DRAWN BY: CJJ

CHECKED BY: CJJ

SHEET: 1 OF 2

- LEGEND**
- () RECORD CALL PER PLAT
 - SET 1/2" IRON ROD W/ A YELLOW "WCR" PLASTIC CAP
 - ⊙ SET MAG NAIL W/ A YELLOW "WCR" PLASTIC WASHER
 - FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
 - ⊗ FOUND 5/8" IRON ROD
 - ⊗ FOUND MAG NAIL
 - ⊗ FOUND COTTON SPINDLE
 - ⊗ FOUND IRON ROD W/ A YELLOW "ALLSTAR 5729" PLASTIC CAP



HUDSON RANCH PARTNERS, LLC
CALLED 10.03 ACRES
VOL. 3407 PG. 342
OFFICIAL PUBLIC RECORDS
PROPERTY ID: 127742
H.C.C.A.D.

10' PUBLIC UTILITY EASEMENT
VOL. 1139 PG. 201
OFFICIAL PUBLIC RECORDS

DEDICATED PUBLIC
RIGHT-OF-WAY
VOL. 6, PG. 143-144
PLAT RECORDS

L=60.02' (305.33' R6)
R=1367.07' (1367.07' R6)
Δ=002°30'55" (1247°48' R6)
CB=N36°22'47"E (N31°25'06"E R6)
CD=60.01' (304.69' R6)

L=245.37' (305.33' R6)
R=1367.07' (1367.07' R6)
Δ=010°17'02" (1247°48' R6)
CB=N29°58'49"E (N31°25'06"E R6)
CD=245.04' (304.69' R6)

MATTHEW FORD AND TINA FORD
CALLED 11.57 ACRES
DOC. NO. 19037359
OFFICIAL PUBLIC RECORDS
(R9)
PROPERTY ID: 162592
H.C.C.A.D.

LINDA DAVENPORT BREWER
REMAINDER OF 26.44 ACRES
VOL. 3171 PG. 295
OFFICIAL PUBLIC RECORDS
PROPERTY ID: 127481
H.C.C.A.D.

LINDA DAVENPORT BREWER
REMAINDER OF CALLED 48.47 ACRES
VOL. 1682 PG. 469
OFFICIAL PUBLIC RECORDS
PROPERTY ID: 16405
H.C.C.A.D.

LOT 2
THE CLIFFS OF ONION CREEK
VOL. 6 PG. 143-144
PLAT RECORDS
PROPERTY ID: 60326
H.C.C.A.D.

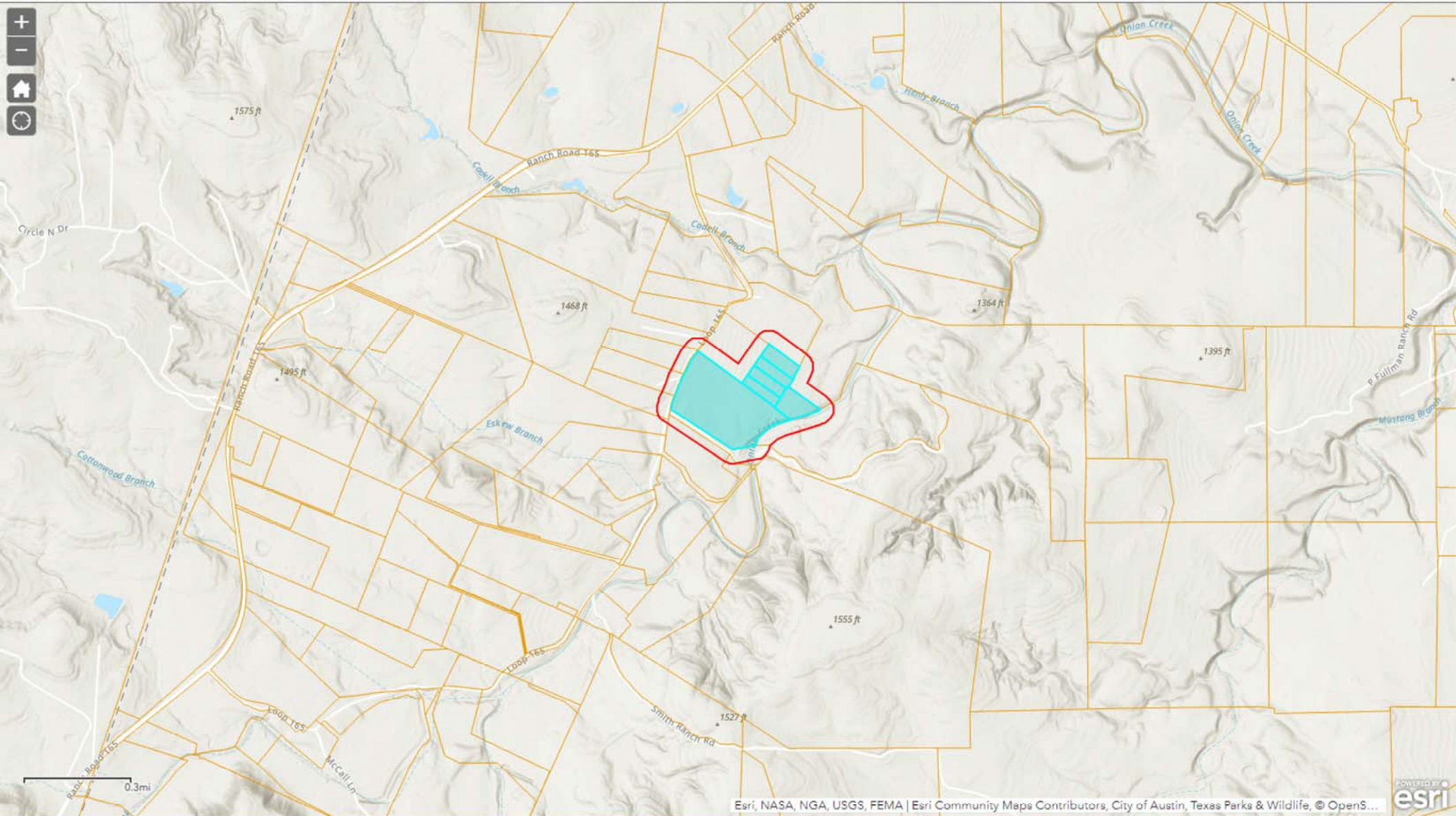
LOT 1B
12.68 ACRES
RELLI DE LA TORRE
1.56 ACRES
DOC. NO. 23037885
OFFICIAL PUBLIC RECORDS

LOT 1A
9.81 ACRES

LOT 2
SHEPLEY RANCH
VOL. 9 PGS. 181-182
PLAT RECORDS
HUDSON RANCH PARTNERS, LLC
PROPERTY ID: 96139
H.C.C.A.D.

WCR
LAND SURVEYING
P.O. BOX 481 BLANCO, TX 78606
830-633-3010 INFO@WCRLANDSURVEYING.COM
TIPPEL'S FIRM #10194135

JOB NO.: 2078-23
DRAWN BY: CJJ
CHECKED BY: CJJ
SHEET: 2 OF 2





Hays County Development Services

2171 Yarrington Rd, Suite 100, Kyle TX 78640

(P) 512-393-2150 (Web) www.hayscountytexas.com

Application Disapproved Letter

Owner Information:

Ann Livingston

801 Loop 165, Dripping Springs TX 78620

aclivingston@gmail.com

Date: 2/6/2024

Project ID: PLN-2413-PC

Project Name: THE CLIFFS OF ONION CREEK,
LOT 1, REPLAT

Application Status: Application Disapproved

To whom it may concern,

Hays County staff has completed a detailed review for the above Application. The Application has been disapproved. A list of comments / deficiencies is outlined below. A written response to each comment / deficiency is required. In addition to the written response, any updated documents, files, or other information must be uploaded to the [MGO Connect Customer Portal](#). Acceptance of any documents, files, or other information shall not be construed as approval.

9-1-1 Street Name Review

1. 911 Technical Street name review approved 1/17/2024

Digital Data Review

1. The digital data is denied due to the following:

The polyline representing the FEMA Effective Floodplain is shifted almost a foot to the right of where it should be. Please correct the FEMA Effective Floodplain location to ensure an accurate floodplain review. Per Section 2.3 of the Hays County Digital Data Submission Standards, the FEMA Effective Floodplain shall be represented in the digital data with closed polygons and/or polylines.

Per the Floodplain Review comment and Section 2.3 of the Hays County Digital Data Submission Standards, add a closed polygon and/or polyline representing the Hays County Best Available Floodplain. The Hays County Best Available Floodplain can be viewed and downloaded from the Hays County GIS Open Data Portal: <https://hays-county-haysgis.hub.arcgis.com/>. Identify the floodplain by using a relevant layer name and/or with annotation.

Per the Floodplain Review comment and Section 4.3 of the Hays County Digital Data Submission Standards, add a closed polygon feature and/or a polyline feature for the drainage easement. Use a layer name related to "easement". Identify easement with the same annotation shown on the plat.

The most up-to-date Hays County Digital Data Submission Standards can be found here: <https://hays-county-haysgis.hub.arcgis.com/pages/development-services>



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Floodplain Review

1. 725 3.07(A) Regulatory floodplains (identified as Areas of Special Flood Hazard) and Regulatory Floodways may be defined based on available mapping.
Because the floodplain is unstudied Zone A, Hays County Best Available which is also the FEMA Preliminary and will be adopted in the future, should be shown on the plat and all floodplain contained within a drainage easement.
2. 735 5.03 (D) All subdivision plats shall have the Floodplain and Floodway clearly delineated on the plat and, where appropriate, shall have the lowest floor elevations for all lots located within Flood Hazard Areas. Finish floor elevations and floodway will not be required if Floodplain is contained within a drainage easement prohibiting development.
735 5.03 (G) All subdivision Applications which include land which is encroached by areas of special flood hazard, must include the placement of a permanent benchmark indicating the elevation relative to mean sea level. The benchmark must be located within the platted property, and must be indicated on the subdivision plat. If all floodplain is contained within a drainage easement, a benchmark is not required.

On-Site Sewage Facility (OSSF) Review

1. Technical Review OSSF approved.

Planning Review

1. **Per Hays County Development Regulations Chapter 701 § 9.04 and 705 § 12.03** – Conduct and provide proof of Posted Notice.
2. **Per Hays County Development Regulations Chapter 701 § 9.09 and 705 § 12.05** – Conduct and provide proof of Published Notice.
3. **Per Hays County Development Regulations Chapter 705 § 5.01(A) General Information:**
Name of the proposed Subdivision, which shall not be the same or deceptively similar to any other subdivision within the County unless the subdivision is an extension of a pre-existing, contiguous subdivision. Applications for subdivisions which are an extension of a pre-existing, contiguous subdivision shall include a designation of the sequence order for each separate application (e.g. Phase II, Section 3, etc.)
Please revise the title of the plat to match the narrative, e.g. "The Cliffs of Onion Creek, Lot 1, Replat"
4. **Per Hays County Development Regulations Chapter 705 § 4.02 Fees:** Fees for Applications for Subdivisions shall be based on the number of lots and shall be as established by the Commissioners Court.
Pending receipt of fees for Replat and Public Hearing Notice fees. Invoice released on 1/25/2024 to the MGOConnect Customer Portal.
5. **Per Hays County Development Regulations 705 § 5.03 (A) Roadway and Right-of-Way Information:** Location, length and right-of-way widths of all proposed roadways and a depiction of how all proposed roadways shall connect with previously dedicated, platted or planned roadways within the vicinity of the Subdivision.
Demonstrate the full extent of the right-of-way width for Loop 165. Where width varies, demonstrate the widest and narrowest points.



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- 6. Per Hays County Development Regulations Chapter 705 § 5.03 (G) Roadway and Right-of-Way Information:** A designation of the classification of each roadway to be constructed or existing roadways abutting any Lot as determined in accordance with Chapter 721 below. Please include the roadway classification for Loop 165 as a County Maintained roadway.
- 7. Per Hays County Development Regulations Chapter 705 § 8.01 (F) General Information:** The building setback lines from Regulated Roadways identified in Chapter 721.
- 8. Per Hays County Development Regulations Chapter 705 § 11.03 Replats (D):** A statement giving the reason for the proposed revision. Please include as an additional General Note.
- 9. Per Hays County Development Regulations Chapter 715 § 3.01 (C) Applicability:** Please include the following water availability note: "Under department regulations, this subdivision is exempt from the requirements to demonstrate the availability of water service. Further subdivision is prohibited for a duration of five (5) years, following the filing of the plat."
- 10. Per Hays County Development Regulations Chapter 721 § 5.05 (B) Access to Regulated Roadways: Flag Lots.** Flag lots shall not be permitted, except if approved by the Commissioners Court as consistent with the intent and spirit of these Regulations. The Department shall advise the Commissioners Court if a proposed Lot constitutes a "flag lot" and the Commissioners Court shall, in reviewing all the circumstances, make the final determination. If the proposed configuration is perceived as a Flag Lot, a Variance Request will need to be completed and submitted along with applicable review fees for the Variance. If the proposed configuration is geared to establish a Shared Access Driveway, then please see comments pertaining to Chapter 721 § 5 below. If the proposal stands to establish a Private Roadway, an Engineering Report, Geotech Report, Construction Plans, and Cost Estimates may be required. Access Easements do not equate to Regulated Roadways.
- 11. Per Hays County Development Regulations Chapter 721 § 5.07 (A)(1)(2)) Shared Access Driveways:**
 - (A) A plat note must be conspicuously displayed on the plat stating:
 - (1) All lots served by a Shared Access Driveway are restricted to one single family residence per lot and if any other Development of a Dwelling Unit occurs on any of the Lots obtaining access through the Shared Access Driveway, then such new Dwelling Unit must be constructed on a separately platted lot with direct frontage onto and physical access to a Regulated Roadway prior to construction of the Dwelling Unit. A duplex will not be considered a single family residence for purposes of this subparagraph.
 - (2) The owners of the Single Family Residences obtaining access through the Shared Access Driveway shall be solely responsible for all maintenance of the driveway, including maintaining any drainage structures associated with the driveway. The driveway must be maintained at all times in a condition that will permit unencumbered vehicular access by emergency vehicles.
- 12. Per Hays County Development Regulations Chapter 721 § 5.07 (B) Shared Access Driveways:** Each of the Lots sharing the use of the Shared Access Driveway shall hold equal, indivisible, and unrestricted rights in the Shared Access Driveway, which rights shall be established by recorded easement and the easement shall run with the land of each of the benefited Lots. The easement instrument shall clearly state each Lot's pro rata responsibility with respect to future maintenance or repairs of the Shared Access Driveway.



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13. Per Hays County Development Regulations Chapter 721 § 5.07 (F) Shared Access Driveways:

Shared Access Driveways providing access to any lot greater than 5 acres in size shall have a minimum width of 60 feet unless the lots are prohibited from further subdivision.

14. Per Hays County Development Regulations Chapter 705 § 8.05 (B) Other Plat Notes and Certifications: Plats shall contain the notes and certifications required by the Hays County Plat Note and Certification Standards, as applicable.

Revise the Hays County Water/Wastewater Certification to Wit by converting the three (3) statements within to three (3) separate General Notes.

#) NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT AUTHORIZATION REQUIREMENTS HAVE BEEN SATISFIED.

#) NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SYSTEM OR STATE-APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLY, PROSPECTIVE OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUNDWATER AVAILABILITY. RAINWATER COLLECTION IS ENCOURAGED AND, IN SOME AREAS, MAY OFFER THE BEST RENEWABLE WATER SOURCE.

#) NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PERMITTED SEWER SYSTEM OR TO AN ON-SITE SEWAGE FACILITY THAT HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY.

15. Per Hays County Development Regulations Chapter 705 § 8.05 (B) Other Plat Notes and Certifications: Plats shall contain the notes and certifications required by the Hays County Plat Note and Certification Standards, as applicable.

Revise the Signature Block for the Hays County Development Services Director as follows:

I, THE UNDERSIGNED, DIRECTOR HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE HAYS COUNTY DEVELOPMENT REGULATIONS AND/OR HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES.

MARCUS PACHECO
DIRECTOR
HAYS COUNTY DEVELOPMENT SERVICES



Hays County Development Services

2171 Yarrington Rd, Suite 100, Kyle TX 78640

(P) 512-393-2150 (Web) www.hayscountytexas.com

- 16. Per Hays County Development Regulations Chapter 705 § 8.05 (B) Other Plat Notes and Certifications:** Plats shall contain the notes and certifications required by the Hays County Plat Note and Certification Standards, as applicable.

Revise the Signature Block for the Hays County Floodplain Administrator as follows:
I, THE UNDERSIGNED, FLOODPLAIN ADMINISTRATOR OF HAYS COUNTY,
HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS
COUNTY FLOODPLAIN REQUIREMENTS AS STATED IN THE HAYS COUNTY
DEVELOPMENT REGULATIONS.

ERIC VAN GAASBEEK, R.S., C.F.M.
FLOODPLAIN ADMINISTRATOR
HAYS COUNTY DEVELOPMENT SERVICES

- 17. Per Hays County Development Regulations Chapter 705 § 5.01 (I) General Information:**

Name and address of the Owner(s) of the Subject Property, and Applicant if not the Owner.
The Preamble for the owner of Lot 1B needs to include their address.

- 18. Per Hays County Development Regulations Chapter 705 § 8.05 (B) Other Plat Notes and Certifications:** Plats shall contain the notes and certifications required by the Hays County Plat Note and Certification Standards, as applicable.

Remove the 1445 Approval/Certification Block and replace with the following Hays County Commissioners Court Certification Block:

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY
CERTIFY THAT ON THE _____ DAY OF _____, A.D.20_____,
THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, PASSED AN ORDER
AUTHORIZING THE FILING FOR RECORD OF THIS PLAT, AND SAID ORDER HAS
BEEN DULY ENTERED IN THE MINUTES OF THE SAID COURT INSTRUMENT
NUMBER _____.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF
_____, A.D. 20_____.

RUBEN BECERRA
COUNTY JUDGE
HAYS COUNTY, TEXAS

ELAINE H. CARDENAS
COUNTY CLERK
HAYS COUNTY, TEXAS

Transportation Review

1. Technical review is complete.

If you have any questions, please contact the Hays County Planning Division at 512-393-2150 (ext. 4) or by emailing planning@co.hays.tx.us.

Thank you,



Hays County Development Services

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Colby Machacek

Planning Division

Hays County Development Services



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T. CRUMLEY

Sponsor:

Commissioner Shell

Agenda Item:

Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement between Hays County, Texas; City of Dripping Springs, Texas; City of Woodcreek, Texas; The Watershed Association, and The Meadows Center for Water and the Environment, for the implementation of the Blanco Cypress Watershed Protection Plan (BCWPP).

SHELL/T.CRUMLEY

Summary:

The Parties involved agree to establish a three (3) year pilot program to fund the continued Clean Rivers Program (CRP) water quality monitoring of Cypress Creek and the Blanco River upstream and downstream of the Wimberley Valley by The Meadows Center, the funding of a Watershed Coordinator position for continued implementation of the BCWPP, and special studies and planning initiatives to be identified by the Executive Committee and Management Team.

Fiscal Impact:

Amount Requested: N/A

Line Item Number: N/A

Budget Office:

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

Budget Amendment Required Y/N?: No

Comments: Agenda Item K.2 establishes position and funding related to the Hays County commitment.

Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Interlocal Agreement

Auditor's Office:

G/L Account Validated Y/N?: See Agenda Item for Watershed Coordinator position

New Revenue Y/N?: See Agenda Item for Watershed Coordinator position

Comments:

Attachments

ILA CCWPP

**INTERLOCAL AGREEMENT:
HAYS COUNTY, CITY OF WIMBERLEY, CITY OF WOODCREEK,
THE WATERSHED ASSOCIATION, AND THE MEADOWS CENTER FOR WATER
AND THE ENVIRONMENT REGARDING IMPLEMENTATION OF THE BLANCO
CYPRESS WATERSHED PROTECTION PLAN (BCWPP)**

This interlocal Agreement is made and entered into, effective the _____ day of _____, 2024 ("Effective Date") by and among Hays County, Texas ("Hays County"), City of Wimberley ("Wimberley"), City of Woodcreek ("Woodcreek"), and the Watershed Association, jointly known as the "Financing Parties" and the Meadows Center for Water and the Environment ("The Meadows Center"). This interlocal Agreement is entered into by the Financing Parties and the Meadows Center pursuant to the authority granted and in compliance with, the provisions of the "interlocal Cooperation Act," as amended, Texas Government Code, Chapter 791. This interlocal Agreement is intended to further the purpose of the interlocal Cooperation Act, which is to increase the efficiency and effectiveness of local governments.

WHEREAS, the economies of Hays County, Wimberley, and Woodcreek directly benefit from a clean and flowing Cypress Creek; and

WHEREAS in 2006, the Cypress Creek Project ("CCWPP") was established to restore and protect the water quality in Cypress Creek, a major tributary of the Blanco River in the Guadalupe River Basin of Texas, and each Party named above has representatives on the CCP Executive Committee that is described in and operates under the Cypress Creek Watershed Protection Plan; and

WHEREAS, since the establishment of the CCP, over four (4) million dollars have been dedicated to the development and implementation of the highly recognized CCWPP; and

WHEREAS, the CCWPP is a roadmap to restore water quality in Cypress Creek and includes data collection and water quality monitoring, implementation of best management practices to address nonpoint source pollution from agriculture and urban sources, adequate stream flows, and outreach and education; and

WHEREAS, the CCWPP satisfies the US Environmental Protection Agency's ("EPA") guidelines and expectations for a watershed protection plan; and

WHEREAS, the Cypress Creek Watershed Coordinator ("Watershed Coordinator"), through a grant from Texas Commission for Environmental Quality (TCEQ) and Environmental Protection Agency (EPA) payable and available to the CCP Coordinator, facilitated the CCWPP; secured funding through writing grants, tracks the progress of implementing the CCWPP; and reported water quality trends resulting from implementation of the CCWPP; and

WHEREAS, in September 2023, current federal funding for the CCWPP Coordinator ended; and

WHEREAS, the Financing Parties desire to insure continued implementation and expansion of the scope of the plan to include the Blanco River Basin through the Blanco Cypress Watershed Protection Plan (BCWPP);

NOW THEREFORE, the Parties have mutually agreed to enter into this interlocal Agreement regarding implementation of a Blanco Cypress Watershed Protection Plan (BCWPP) and to proceed as follows:

ARTICLE I

PILOT PROGRAM

The Financing Parties agree to establish a three (3) year pilot program to fund the continued Clean Rivers Program (CRP) water quality monitoring of Cypress Creek and the Blanco River upstream and downstream of the Wimberley Valley by the Meadows Center, funding of a Blanco Cypress Watershed Coordinator position for continued implementation of the BCWPP, and special studies and planning initiatives to be identified by the Executive Committee and Management Team. Such programs will be the responsibility of the BCWPP. A Management Team will manage a Watershed Coordinator. The coordinator will be an employee of the Hays County Parks and Natural Resources Department.

ARTICLE II

DEFINITIONS

The "Parties" means the entities that have executed this Interlocal Agreement in their separate capacities.

The "Executive Committee " is the group of individuals listed in this Interlocal Agreement that directs the actions of the "Blanco Cypress Watershed Protection Plan " and with the terms of this Interlocal Agreement.

The "Financing Parties" are the organizations that commit financially towards the project.

The "Management Team" are the person(s), organizations, or entities identified in this Interlocal Agreement, and operates as, the Management Team of the BCWPP and has the duties and responsibilities described in both the "BCWPP Ground Rules" and in this Interlocal Agreement and are responsible for managing and overseeing the Watershed Coordinator.

The "BCWPP Steering Committee" is the group of individuals to be determined by the Executive Committee that will assist the Executive Committee in guiding the BCWPP.

ARTICLE III

BCWPP MANAGEMENT & OVERSIGHT

Collaborative Governance and oversight are required for the implementation of the BCWPP and the management of the BCWPP Watershed Coordinator in order to create long term sustainability and replicability of the interlocal Watershed Protection Coalition/Organization. Collaborative Governance truly puts the seat of responsibility in the hands of the community and local governmental entities, and sustains, augment, and ultimately replicate the combined efforts of the Meadows Center for Water & the Environment and the Watershed Association over the last three decades to develop and implement the BCWPP. It is in the best interest for the Watershed Coordinator and ILA to be managed collaboratively and become community owned.

Benefits of Collaborative Governance and Management of the BCWPP:

- Brings a diversity of perspectives and expertise from different stakeholders to inform priorities and strategy;
- Promotes community buy-in, local investment, and shared ownership in the program from multiple partners;
- Allows pooling of resources, skills, and funding to accomplish more together.

- Fosters ongoing communication and alignment between entities involved in watershed management;
- Builds relationships and trust between partners through regular collaboration;
- Ensures no single entity dominates decision-making or agenda setting for the watershed;
- Enables broader community representation and advocacy through involvement of diverse partners;
- Likely results in balanced, comprehensive solutions that address the needs of a wide group of stakeholders;
- Establishes a replicable model for collaboration and watershed governance for other communities;
- Shared oversight and program administration;
- Establishes a long-term sustainable plan for significant investment in watershed protection to maintain clean water goals and standards and develop active partners who are invested in collaborative watershed governance in perpetuity.

Overall, collaborative management empowers the community to collectively support watershed efforts versus resting solely on one entity, resulting in shared benefits, investment, and replicable good governance.

The Executive Committee Structure & Governance

Current Executive Members: Hays County, Texas ("Hays County"), City of Wimberley ("Wimberley"), City of Woodcreek ("Woodcreek"), and the Watershed Association, and The Meadows Center for Water and the Environment, hereby known as the "**Executive Committee.**" Participation by the MCWE and WA on the Executive Committee are contingent upon adequate funding for the plan.

The Executive Committee will serve as the oversight committee with two representatives from each funding entity. This group will meet quarterly, with additional meetings as needed, and will provide guidance, evaluate performance, and set priorities and policy for governance of the BCWPP. The Watershed Coordinator, when hired, will report to the Management Team on a regular basis with ultimate responsibility for setting priorities and guiding the BCWPP led by the Executive Committee serving as the Board of the organization.

Executive Committee members:

- Hays County Precinct Three Commissioner
- City of Wimberley appointee
- City of Woodcreek appointee
- The Watershed Association appointee
- The Meadows Center for Water and the Environment appointee

Potential Advisory Committee members:

- Guadalupe Blanco River Authority
- Hays Trinity Groundwater Conservation District
- Wimberley Water Supply Corp
- Aqua Texas
- Natural Resource Representative, Soil/Ag

Stakeholder Committee will be established to also include local residents, landowners, business owners, and community organizations. Bylaws will be established by the Executive Committee to include parameters for expanding committee membership. See Attachment B, Table 2 for a description of stakeholder interests and benefits.

ARTICLE IV

Management Team

Personnel within the Hays County Parks and Natural Resources Department identified by the Hays County Director of Countywide Operations (“Hays County Manager”), The Watershed Association, and The Meadows Center for Water and the Environment serve as ***The Management Team*** and share the majority of oversight, advisory, and accountability for the Watershed Coordinator.

The Hays County Manager, The Watershed Association and The Meadows Center for Water and the Environment will share responsibilities of management, oversight, delegation, and are ultimately responsible for accountability of the Watershed Coordinator, as it relates to the job description, to the Watershed Protection Plan itself, and to the expectations of the Executive Committee. The descriptions below are meant to be a starting place and the Management Team acknowledges that duties may evolve to accommodate current conditions and the day-to-day collaborative management of the coordinator.

Upon approval of the Job Description by BCWPP Executive Committee members and the Hays County Director of Countywide Operations, the Hays County Director of Countywide Operations will begin the hiring process for the Watershed Coordinator with input from BCWPP Executive Committee and Management Team. Additionally, the Management Team will collaborate and share ongoing supervision of the coordinator. The coordinator will office at a location determined by the Management Team.

BCWPP Watershed Coordinator Management by the Management Team

Management Team Shared Responsibilities:

- Will collaborate to create a work plan for the new Watershed Coordinator
- Will serve as the primary contact to support and mentor the coordinator on an ongoing basis through resources, partnerships and training
- Will support the coordinator in community event planning and educational outreach
 - It is proposed that the Cypress Creek Project website be migrated to the Watershed Association domain where it can be curated and updated by Watershed staff.
- Collaborative Fundraising and Grant Writing with Executive Committee Partners
- Coordinate quarterly email and/or website post updates to document progress towards shared goals and highlight issues of interest for the partners

The Meadows Center for Water and the Environment Responsibilities:

- Will work collaboratively to complete the BCWPP Interlocal Agreement, BCWPP Watershed Coordinator job description and Work Plan for 2024-2026
- Will work collaboratively to draft all additional related MOUs and Working Agreements
- Will post job opening and work with partners to identify candidates within community
- Assist in the creation of organizational bylaws
- Water Quality Testing Program (via a professional services agreement with the Watershed Association)
 - Oversee and manage the water quality testing
 - QAPP updates, audits, monitoring, data management, instrument maintenance, and reporting
 - Support for analysis and interpretations, present data to local stakeholders (Biannually)
 - Participate in the CRP Annual Stakeholders Meeting (every Spring)

- Participate in the annual Coordinator Monitor's meeting
 - Update the Sustainability plan to include the Blanco Basin
- Will provide shared work space for the coordinator and conference room for meetings (\$3/day parking fees apply)

The Watershed Association Responsibilities:

- Will work collaboratively to complete the BCWPP Interlocal Agreement, Watershed Coordinator job description and Work Plan for 2024-2026
- Will work collaboratively to draft all additional related MOUs and Working Agreements
- Will work with partners to identify candidates within community
- Will serve as fiscal sponsor for the Pilot Program and establish a separate nonprofit entity and open a dedicated bank account for the Blanco Cypress Creek Watershed Protection Plan Project for any funds contributed to the program
- Assist in the creation of organizational Bylaws
- Will provide office space for the coordinator and conference room for meetings as needed

Hays County

- Will work collaboratively to complete the BCWPP Interlocal Agreement, Watershed Coordinator job description and Work Plan for 2024-2026
- Will work collaboratively to draft all additional related MOUs and Working Agreements
- Will create and fund the Watershed Coordinator position within the Hays County Parks and Natural Resources Department.
- Will post the job opening and work within the Management Team to select and hire a qualified candidate
- Will provide oversight and contribute to the management of the Watershed Coordinator
- Will provide job related resources for the Watershed Coordinator
- Will identify funds and seek grant opportunities to support the BCWPP.

ARTICLE V

WATERSHED COORDINATOR

The primary responsibilities of the Watershed Coordinator are stated and listed on Attachment A to this interlocal Agreement. Any changes to the job description will require approval of the Hays County Director of Countywide Operations. Notwithstanding any provisions of this Interlocal Agreement, the Watershed Coordinator is a Hays County employee and Hays County maintains the responsibility of the position as it would for any other position within Hays County. The Management Team agrees that Hays County's personnel policies will apply to the Watershed Coordinator.

ARTICLE VI

FUNDING

The BCWPP Executive Committee will develop the annual budget for operations of the BCWPP. A proposed sustainability plan, including a proposed draft budget, is set forth on Attachment B to this interlocal Agreement. Additionally, the BCWPP Executive Committee will submit this ILA to the TCEQ for a Clean Water Act §319(h) nonpoint source grant for the completion of the BCWPP grant. The Financing Parties agree to cooperate and coordinate together in determining the amount of funds that will be necessary to financially support the pilot program over the next three (3) years in accordance with the adopted Budget and make necessary adjustments to the budget as needed.

The City of Wimberley and Woodcreek will commit funds towards the pilot program on an annual basis for at least 3 years. Hays County will fund the watershed coordinator position salary and benefits and water quality monitoring efforts.

The Financing Parties understand and agree that any funding commitment by a particular Financing Party is subject to approval and appropriation by the governing body of such Financing Party. Any payments made by or financial obligations of any Financing Party shall be made from current revenues available to the Financing Party and shall be made to the Management Team.

In no event shall any payment made by Hays County, or any act or omission of Hays County constitute or be construed in any way to be a waiver by Hays County of any breach or default of this Agreement. Neither shall any payment, act or omission in any manner impair or prejudice any right, power, privilege or remedy available to Hays County to enforce its rights, as such rights, powers, privileges and remedies are specifically preserved. No employee or agent of Hays County may waive the effect of this provision.

The Management Team are authorized to deposit all funds received from Financing Partners pursuant to this interlocal Agreement in applicable bank accounts and is authorized to spend such funds to implement this interlocal Agreement in accordance with the approved budget, provided however, any proposed expenditure of funds herein in excess of \$5,000.00 shall be first approved by the BCWPP Executive Committee. The estimated minimal annual cost for the pilot program, as shown on Attachment B to this interlocal Agreement, will be approximately \$232,000 annually, not including items funded by Hays County.

The Financing Parties further agree that other opportunities for funding and grants shall be actively pursued by the BCWPP Executive Committee, the Management Team, and the Watershed Coordinator according to the terms of this interlocal Agreement. Other sources of funding which shall be pursued include, but are not limited to, federal, state, non-profit, non-government affiliated private or public grants and contributions, and various state and federal funding opportunities.

Payment for goods and services under this Agreement shall comply with Chapter 2251 of the Texas Government Code, the Texas Prompt Payment Act.

ARTICLE VII **STATISTICS AND DOCUMENTS**

The Management Team shall properly, accurately and completely maintain all documents, papers, records, and other evidence regarding implementation of this Interlocal Agreement. To further the purpose of cooperative administration of the activities described within this Interlocal Agreement, the Management Team agrees, if requested, to make documents and record materials associated with expenditures under this Interlocal Agreement available to each Financing Party, upon reasonable notice.

The Management Team shall maintain and retain a complete set of any and all documents, papers, records, and other evidence produced as a result of this Interlocal Agreement and to ensure that this Interlocal Agreement is publicly available shall post a PDF version of this Interlocal Agreement on the CCP website. If necessary, a reproduction of a document may be submitted, and it shall be so marked.

ARTICLE VIII **DISPUTES**

The Financing Parties, Management Team, and Executive Committee agree to use due diligence to cooperate and communicate with each other to resolve any and all disputes which may arise under this Interlocal Agreement. Details with regard to *standard conflict resolution practices and expectations will be included in the organizational Bylaws*. The Financing Parties, Management Team, and Executive Committee agree that before they will exercise the termination rights described in Article IX, they will attempt to resolve the dispute and will allow the non-disputing Financing Parties, Management Team, and Executive Committee members the opportunity to cure the alleged dispute. In accordance with Article XIV, this Agreement will be governed by and construed according to the laws of the State of Texas. Venue for any action or claim arising out of the Agreement shall be Hays County, Texas. Tex. Civ. Prac. & Remedies Code § 15.015.

ARTICLE IX **TERM**

This Interlocal Agreement shall be effective and in place on the date the last of the Financing Parties signs this Agreement (the "effective date") with the financing obligation described for the remainder of a period of the fiscal year which began on October 1, 2023. The term of this Interlocal Agreement shall be automatically renewed each fiscal year not to exceed three (3) fiscal years unless terminated earlier as provided in Article IX or amended as provided in Article X.

ARTICLE X **TERMINATION**

This Interlocal Agreement terminates on September 30, 2026. In the event a Financing Party to this Interlocal Agreement determines it is in the best interest of that Financing Party to withdraw from this Interlocal Agreement, the Financing Party making that determination may withdraw by giving written notice of such intent to the remaining Parties at the addresses provided in Section XII of this Interlocal Agreement no later than May 31 of a calendar year.

The withdrawing Financing Party shall cooperate with the remaining Financing Parties to achieve a proper transition time period to allow the remaining Financing Parties to restructure the contributions provided by the Financing Parties. The withdrawing Financing Party shall remain liable for such Financing Party's allocated share of the budget for and including the entire CCP fiscal year prior to such Financing Party's withdrawal.

ARTICLE XI **AMENDMENT**

No amendment, modification or alteration of the terms of this Interlocal Agreement shall be binding unless it is in writing, dated subsequent to the date hereof, and be agreed to and duly executed by each of the Financing Parties after official action by each of the respective governing bodies of the Financing Parties.

ARTICLE XII **NOTICES**

Notices to any Financing Party required or appropriate under this Interlocal Agreement shall be deemed sufficient if in writing and mailed USPS postage prepaid.

To Hays County. Notices to Hays County shall be addressed to:

Hays County Judge
Hays County
111 East San Antonio Street
San Marcos, TX 78666

and to such other addresses as may hereafter be designated in writing by the Hays County Judge.

To Wimberley. Notices to Wimberley shall be addressed to:

Mayor
City of Wimberley
221 Stillwater
Wimberley, TX 78676

and to other such addresses as may herein be designated in writing by the City Manager of Wimberley.

To Woodcreek. Notices to Woodcreek shall be addressed to:

Mayor
City of Woodcreek
41 Champions Circle
Woodcreek, TX 78676

and to other such addresses as may herein be designated in writing by the City Manager of Woodcreek.

To the Watershed Association. Notices to the Watershed Association shall be addressed to:

Executive Director
The Watershed Association
P. O. Box 2534
Wimberley, TX 78676

To the Meadows Center for Water and the Environment. Notices to the Meadows Center for Water and the Environment shall be addressed to:

Director of Watershed Services
The Meadows Center for Water and the Environment
601 University Drive
San Marcos, TX 78666

ARTICLE XIII
RELATIONSHIP OF FINANCING PARTIES

Nothing contained herein shall be deemed or construed by the Financing Parties, or by any third party, as creating the relationship of principal and agent, joint venture or any other similar relationship among the Financing Parties. It is understood and agreed that no provision contained herein, nor any acts of the Financing Parties hereto create a relationship among the Financing Parties other than that of independent contractor. In keeping with the provision of its services as an independent contractor, each Financing Party shall be responsible for its respective acts or omissions. No Financing Party has the authority to bind the other Financing Parties or to hold out to third parties that it has the authority to bind the other Financing Parties separately or collectively.

ARTICLE XIV
APPLICABLE LAW

This Interlocal Agreement shall be construed under and in accordance with the laws of the State of Texas and all obligations of the Financing Parties created hereunder are performable in Hays, County, Texas.

ARTICLE XV
LEGAL CONSTRUCTION

In case any one or more of the provisions contained in this Interlocal Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such shall not affect any other provisions hereof and this Interlocal Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE XVI
**COMPLIANCE WITH LAWS AND
ORDINANCES**

The Parties hereby agree to comply with all federal, state and local laws and ordinances applicable to the work or services to be performed under this Interlocal Agreement. The Parties acknowledge that they are each subject to the Texas Public Information Act and the exceptions stated in such Act.

ARTICLE XVII
PARTIES BOUND

This Interlocal Agreement shall be binding upon and inure only to the benefit of the Parties listed in this Interlocal Agreement. This Agreement is expressly subject to and contingent upon formal approval by the Hays County Commissioners Court.

Signature Page Follows

In Witness Whereof, the Executive Committee has executed multiple originals, each of which shall have the full force and effect of an original, this Interlocal Agreement.

Hays County

By: _____

Date: _____

City of Wimberley

By: _____

Date: _____

City of Woodcreek

By: _____

Date: _____

The Watershed Association

By: _____

Date: _____

The Meadows Center for Water and the Environment

By: _____

Date: _____

ATTACHMENT A
PRIMARY RESPONSIBILITIES BLANCO CYPRESS WATERSHED COORDINATOR

Full Time Position

Reports to the Blanco Cypress Watershed Protection Plan (BCWPP) “Management Team” The Management Team is comprised of personnel within the Hays County Parks and Natural Resources Department identified by the Hays County Director of Countywide Operations, (“Hays County Manager”), The Watershed Association and The Meadows Center for Water and the Environment). The Watershed Coordinator will be an employee of Hays County with oversight and management provided collectively by the Management Team. Any changes to the job description will require approval of the Hays County Director of Countywide Operations. The Watershed Coordinator is a Hays County employee and Hays County maintains the responsibility of the position as it would for any other position within Hays County. Hays County’s personnel policies will apply to the Watershed Coordinator.

The Watershed Coordinator serves as the coordinator of Watershed Protection Plan initiatives and acts as a facilitator of the Plan and related community activities to restore water quality and quantity in Cypress Creek and the Blanco River Basin. Responsibilities include: data collection and water quality monitoring, implementation of best management practices and protection of surface water and groundwater to address nonpoint source pollution from agriculture and urban sources, adequate spring and stream flows, and outreach and education. The Watershed Coordinator will develop a project work plan, manage costs, facilitate communications, and allow for prompt implementation and execution of the plan. The coordinator will provide leadership in implementing and adapting a watershed management plan through the collection and analysis of land use, water quality and groundwater data and resource information, identification and clarification of stakeholder concerns, establishment of goals, and supporting locally initiated strategies. Additionally, the Coordinator will ensure that the WPP plan and associated activities align with EPA’s nine elements for a Watershed Protection Plan.

The Watershed Coordinator is dedicated to advancing the goals of **The Blanco Cypress Watershed Protection Plan (BCWPP)** and works in partnership with the stakeholder entities which currently include Hays County, Texas (“Hays County”), City of Wimberley (“Wimberley”), City of Woodcreek (“Woodcreek”), and the Watershed Association, and The Meadows Center for Water and the Environment, hereby known as the “Executive Committee.” This role represents the shared interests of the five collaborating entities, the Executive Committee as a model for shared community ownership and a sustainable and replicable Watershed Protection Strategy for Southwestern Hays County.

Long Term Vision & Goals of Watershed Coordinator Position

- The Watershed Coordinator inspires the Community and local stakeholders to become lifelong stewards of their watershed.
- Educates and inspires stakeholders and community members about the science, water quality, quantity challenges and opportunities for the implementation of best management practices for watershed health and sustainability.
- Works to maintain appropriate relationships and serves as a liaison between professional entities, public and local governments, Groundwater Conservation Districts, and social service groups (i.e. Hill Country Conservation Network, Greater Edwards Aquifer Alliance, No Dumping Sewage Coalition) and other regional entities to advance public policies that advance groundwater and surface water protection. As well as for the purpose of educating and increasing awareness of Watershed Protection programs and local-regional water issues through science and engagement and collaborative interests.
- Advocates for and implements Best Management Practices (BMPs) including One Water implementation projects across the Texas Hill Country region.

- The Watershed Coordinator is responsible for overseeing and implementing watershed management programs and projects in the Blanco River and Cypress Creek watersheds. This position involves water quality monitoring support, data analysis, project management, education and outreach, partnership development, and reporting.

Essential Duties and Responsibilities:

- **LEAD THE IMPLEMENTATION OF THE WATERSHED PROTECTION PLAN**
 - Track progress, document implementation efforts, report and serve as the liaison between the Executive Committee and the general public.
 - Ensure watershed programs and projects comply with laws, regulations, and permit requirements
 - Maintain knowledge of current watershed management principles, techniques, programs, and regulations
 - Prepare annual work plans and reports on watershed program progress
 - Create a proposal to develop a comprehensive storm-water management plan
- **MONITORING, TESTING, DATA COLLECTION & ANALYSIS:** Data collection for this project will be used to track water quality, WPP progress, and to better understand current and trending nonpoint source contributions to Cypress Creek and the Blanco River Basin.
 - Train and participate to be certified in the QAPP in surface water quality monitoring program (Texas Clean Rivers Program (CRP)) in both Cypress Creek and Blanco River Basin
 - Potential recruiting and training of Texas Stream Team volunteers
 - Ensure monitoring follows quality assurance protocols
 - Collect, analyze, and report on water quality data. Identify pollution sources and trends
 - Coordinate and manage the Wimberley Water Advisory Group and local bacteria water sampling program for the Blanco River and Cypress Creek Watershed and other local watersheds as needed.
 - Present updates on CRP, Texas Stream Team and Water Advisory Group at stakeholder meetings and other relevant meetings as determined by the Executive Committee
- **EDUCATION AND PUBLIC OUTREACH:** A multifaceted approach to education and outreach will serve to engage the community and key stakeholders in both the implementation of WPP activities and the expansion of pollution reduction strategies across the basin.
 - Provide public educational opportunities or outreach opportunities (a minimum of 4 annually) through workshops, school programs, tours, publications and other creative means
 - Develop marketing materials and work with the Executive Committee to promote educational opportunities to the general public
 - As appropriate, recruit, train, manage, and oversee restoration projects and volunteers for cleanups, plantings, monitoring activities, and other stewardship events
 - Update and maintain WPP website content
 - Work closely with partner organizations, contractors, and volunteers
 - Collaborate on the development of educational materials and work closely with the marketing departments of partner organizations to advance and distribute information
 - Develop and disseminate outreach materials (newspaper, newsletter, factsheets) and website content to promote and communicate watershed efforts to stakeholders at venues such as community stakeholder meetings and networking among agencies, organizations and individuals

- Collaborate with the Communications Department of the Watershed Association to update the project's website, prepare press releases, and publish associated analysis of scientific data and relevant reports
- **PARTNERSHIP AND STAKEHOLDER DEVELOPMENT**
 - Maintain current partnerships with relevant partners and advance further partnerships with additional relevant government agencies, non-profits, landowners, and other watershed stakeholders
 - Conduct regular stakeholder meetings, including BCWPP Executive Committee, Steering Committee and Work Groups, throughout the watershed to gather and incorporate local input and encourage citizen participation
 - Serve as a technical resource for municipalities, conservation districts, and all other partners
 - Provide Counties, Cities, and other partners/stakeholders within the Cypress Creek and Blanco Watershed with regular updates on progress and seek their input and recommendations on needed activities
- **FUNDRAISING AND FINANCIAL ACCOUNTING**
 - Research and identify grants and other financial opportunities to increase resources for the BCWPP
 - Work with members of the Executive Committee, Management Team, and potential outside consultants to secure and manage grants, donations, and other funding to support watershed programs and projects
 - Ensure proper fiscal oversight and reporting
 - Responsibilities include but are not limited to:
 - Tracking cost share information, maintaining and reporting financial records necessary to manage grants and keep projects on time and on budget
 - Maintaining consistent communication and provide quarterly, project, and annual financial reports to the Fiscal Sponsor (Watershed Association financial officer), Executive Committee, partner agencies and financial partners and grant makers as required to administer grants, funds, and reports
- **ADVANCEMENT OF BEST MANAGEMENT PRACTICES (BMP)**
 - Participate in relevant training, conferences, and professional organizations to stay current on watershed management best practices
 - Advance Watershed Management Plans with input from partners
 - Represent the WPP at conferences, public meetings, and other engagements.
 - Provide comments on watershed policies and initiatives
 - Manage the Installation of site specific BMPs that will serve as demonstration projects on their effectiveness, including preventative, stormwater and low impact development (LID) measures (storm-water controls, rainwater capture, rain gardens, and bio-filtration systems)
 - Improve the reliability and enhancing the capability of the Blanco Cypress Decision Support System to calculate potential water quality impacts of site scale development
 - Review existing ordinances to assist the cities and county in quantifying their effectiveness on maintaining water quality
- **REPORTING**
 - Prepare reports, maps, presentations, and other materials to document watershed activities and communicate with stakeholders
 - Mapping watershed land use, stormwater structures, erosion sites, and other features using GIS
- **LEADERSHIP AND SUSTAINABILITY OF AN INTERLOCAL WPP**
 - Further develop the BCWPP to include a larger geographic area of the Blanco River Basin and create a replicatal model for implementing a WPP in more regions

- Utilize and enhance the Cypress Creek Decision Support System
- Coordinate with the Meadows Center and key stakeholders on development and application of BRATWURST Groundwater Model
- Represent the collaborative Interlocal coalition
 - Provide leadership to develop strong working relationships among steering committee members, stakeholders, and other federal, state, local governments and assist subcommittees as needed
 - Help advise the sustainable development of a Watershed Protection Coalition or the development of the WPP toward creating an independent entity
 - Advise and assist in the replication of this Interlocal WPP model and Implementation in other watersheds as the project progresses

QUALIFICATIONS:

Education/Experience:

- Bachelor's degree in natural resource management, environmental science, or related field.
- 3+ years of relevant work experience in watershed management, natural resource management, or water quality.

Knowledge/Skill:

- Knowledge of water quality issues, watershed processes, nonpoint source pollution
- Knowledge of hydrology, ecology, water quality monitoring principles, and watershed dynamics
- Experience with water quality monitoring (stream, groundwater) and data analysis
- Strong project management and organizational skills
- Experience overseeing and managing budgets, grants, and reporting
- Excellent communication skills for working with diverse partners, stakeholders, and volunteers
- Experience developing and implementing watershed plans
- Skilled at writing reports, developing presentations, and science communication
- Background in education/outreach program development and implementation
- Strong interpersonal, partnership-building, organizational, and communication skills
- Working proficiency with water quality data tools, Microsoft Office suite and Google suite. Additionally, proficiency with GIS is preferred.

Other Desired Qualities:

- Passionate about protecting water resources and watershed health
- Ability to operate in a highly independent manner, a self-starter and able to take initiative
- Excellent relationship building and collaboration skills
- Comfortable serving as a public representative of the WPP
- Willingness to work flexible hours including evenings/weekends

Reference the project tasks described in the Work Plan for the Cypress Creek WPP Clean Water Act Section 319(h) Nonpoint Source Program Grant, "Coordinating Implementation of the [Cypress Creek Watershed Protection Plan](#).

**ATTACHMENT B
CYPRESS CREEK WPP SUSTAINABILITY PLAN**

Cypress Creek Project Watershed Protection Plan Implementation Phase IV Final Sustainability Plan

Contract No. 582-20-10155

Report: 2023-06

Introduction

Cypress Creek watershed stakeholders seek the continuation of coordination efforts to ensure a clean, clear, and flowing future for Cypress Creek. With federal funding for the Cypress Creek Watershed Protection Plan (CCWPP), also known as the Cypress Creek Project, concluding in August 2023, local stakeholders will have the opportunity to build on a mature and multifaceted watershed protection program already established over more than a decade. For this effort to be successful, a sustainability plan is presented below to highlight the need for a locally-led program and to outline the path for its establishment.

Sustainability Plan Highlights

- **Watershed Association to serve as dedicated Watershed Coordinator**
- **Meadows Center to maintain Clean Rivers Program (CRP) monitoring**
- **Funding through Interlocal Agreement of local partners and key stakeholders**
- **Continuation of stakeholder-led process**

A recognition of the economic value of a clean, clear, and flowing Cypress Creek provides the basis for a locally funded approach to watershed protection and sustainability of the Wimberley Valley. To ensure transparency and adequate resources to continue the most important aspects of the CCWPP, an interlocal funding agreement among partners with a vested interest in the long-term health of the watershed is under development. The Interlocal Agreement will include specific requirements and recommendations for project partners including monitoring, reporting, communication, and other key deliverables. A budget will be established for each component of the plan with partner investments determined by a combination of geographic, population, and economic factors to ensure equitable levels of support.

It is recommended that primary fiscal contributors to the Interlocal Agreement would make up a Southwestern Hays County Watershed Task Force to oversee Cypress Creek Project operations. Each fiscal contributor would select a representative to the executive committee with a chair and vice-chair elected by members of the committee. Once membership has been established, by-laws for task force governance and participation could be adopted. It is anticipated that the planning, special studies and implementation of best management practices and infrastructure investment-construction will cost over \$10,000,000 or more over the next three to five years. The Watershed Association and Meadows Center for Water and the Environment in partnership with the executive committee and stakeholders will lead the fundraising and grant writing to secure a two to one match of the budget presented below over the next three to five years to achieve the priorities and aims of the Watershed Task Force.

Primary fiscal partners are anticipated to include:

- The Watershed Association
- Hays County
- City of Wimberley
- City of Woodcreek
- Guadalupe Blanco River Authority
- Hays Trinity Groundwater Conservation District
- Wimberley Water Supply Corp
- Aqua Texas

Note: Task Force members could choose to allow a number of “at-large” members of the public to serve on the committee. These members would be appointed or selected through an application process.

The budget projected for sustainable operations of the most critical BCWPP components is estimated at \$232,000 over a three-year period plus County contributions for the Watershed Coordinator and Water Quality Monitoring (Table 1).

Table 1. Cypress Creek Project Sustainable Operations Three Year Budget (DRAFT)

Item	Description	Total
Watershed Coordinator	Hays County funded Watershed Coordinator staff salary + fringe (base salary TBD based on experience- competitive salary contract) Watershed Management Team manages WC to oversee all BCWPP operations, serve as primary point of contact for Watershed Task Force responsible for project reporting/communications, lead special projects, and contracting as needed.	Funded and employed by Hays County
Watershed Association Senior Staff	WA Co-Management of Watershed Coordinator staff and contractors Coordinate on Grant Writing for WPP	\$170,000
Meadows Center Water Quality Monitoring, Reporting, and Advisory	Quarterly monitoring of Cypress Creek and Blanco River Clean River Protection sites, including Meadows Center staff time, travel, laboratory analysis, and equipment maintenance. Presentations of CRP data to Executive Committee and Stakeholders (Quarterly) and participation in CRP GBRA Annual Stakeholders Meeting and TCEQ Coordinated Monitoring Meeting. Co-Management of watershed coordinator staff and contractors. Collaborate on grant writing for WPP	Funded by Hays County through the Interlocal Master Agreement between and TXST
Project Communications and Events	Migrate and preserve project website, reports, advertising, public communications, and watershed events.	\$40,000
Special Studies	Aquifer Pump Test, Modeling, Planning, Aquifer Storage and Recovery, One Water Infrastructure Plan, Karst Habitat Protection	TBD
Watershed Task Force	Planning initiative for updating WPP goals including coordination for regional land/water/transportation master plan, policy recommendations and ordinance updates including land use and conservation investment planning, water, wastewater, stormwater infrastructure engineering and Task Force facilitation consulting services.	TBD

Reimbursements for interim program expenses	CRP Water Quality Monitoring	\$22,000
Year 3 Total		\$232,000

Project Purpose and Background

Recognizing a significant threat to the aquatic health of the watershed posed by future development, the BRCWPP received approval from the Texas Commission of Environmental Quality and the United States Environmental Protection Agency in 2010 as a first-of-its-kind, *preventative* watershed protection plan. In June 2011, The Meadows Center at Texas State University was awarded the first of three rounds of Clean Water Act Section 319(h) grant funds to begin implementation of the plan.

Together with local partners including the Wimberley Valley Watershed Association, City of Woodcreek, City of Wimberley, Hays County, Guadalupe-Blanco River Authority, Hill Country Alliance, and Hays Trinity Groundwater Conservation District, a non-regulatory, incentive-based program was established to preserve flow and prevent future degradation to Cypress Creek from water pollution. The next phase of grant funds and programming spanned August 2016 through February 2020. In December 2019, TCEQ awarded the Meadows Center a final round of funds for a final phase to be completed by August 2023.

The BCWPP established goals and milestones for policy improvements, structural best management practices, education, and local coordination. Education and outreach have been the cornerstone of the project to shine a spotlight on the importance of monitoring groundwater levels, preventing nonpoint source pollution, and demonstrating how residents can personally protect Cypress Creek.

Stakeholder meetings, annual newsletters, workshops, and speaker series within the watershed introduced ways that water quality is impacted by people and encouraged ongoing stewardship of the creek. As was hoped, an educated citizenry helped clear the way for policy improvements including water quality ordinances for Wimberley and Woodcreek limiting impervious cover in future development to 20 percent and ensuring riparian setbacks.

In 2020, the Jacob's Well Groundwater Management Zone was established through a stakeholder-led effort of the Hays-Trinity Groundwater Conservation District. Wimberley ISD's Blue Hole Primary School opened its doors as "the first One Water school in Texas" after an outpouring of public support for the effort led by The Meadows Center and Wimberley Valley Watershed Association.

Table 2 below outlines the current Cypress Creek Project executive committee members. Awarded 319 funds and concurrent matching funds gave the watershed team the launch pad needed to fulfill the watershed mission statement: "Cypress Creek: Let's keep it clean, clear, and flowing."

Study Area

The Cypress Creek watershed is home to a unique set of rural and urban communities, ecosystems, and has a long-standing reliance on groundwater for both drinking supply and recreational uses. The watershed is located in the Central Hays County Texas Hill Country, comprises the upper dry or intermittent and the lower wet or perennial streams, and collectively encompasses an area of 38 square miles or 98 square kilometers.

Local geology plays a significant role in the hydrology of the area and is characterized by cavernous limestone rock formations that comprise the underlying karst system. Perhaps the watershed's most iconic feature, Jacob's Well, is an expression of underground water stored in the Trinity Aquifer that discharges at the land surface. The artesian spring perennially feeds water to the lower third of the creek. Flow between land surface and the subsurface creates a complex interaction between groundwater and surface water in Cypress Creek.

Although water quality in Cypress Creek is primarily meeting water quality standards, data reveals both spatial and temporal trends that may be due to climate variability, nonpoint source pollution, and changes in land use and management in the watershed. Water quality parameters vary considerably from site to site throughout the perennial part of the stream.

In general, the water chemistry at the three uppermost water quality monitoring sites (Jacob's Well, RR12 north, and Blue Hole) tends to be highly influenced by inflow of groundwater, while the lower two sites (RR12 downtown and the Blanco confluence) tend to show the influence of local stream conditions and runoff from contributing watersheds. Issues of concern include excess sediment in the creek, high bacteria concentrations, and occasionally very high nutrient levels which are exacerbated by low flows. Figure 1 below shows a map of the project area.

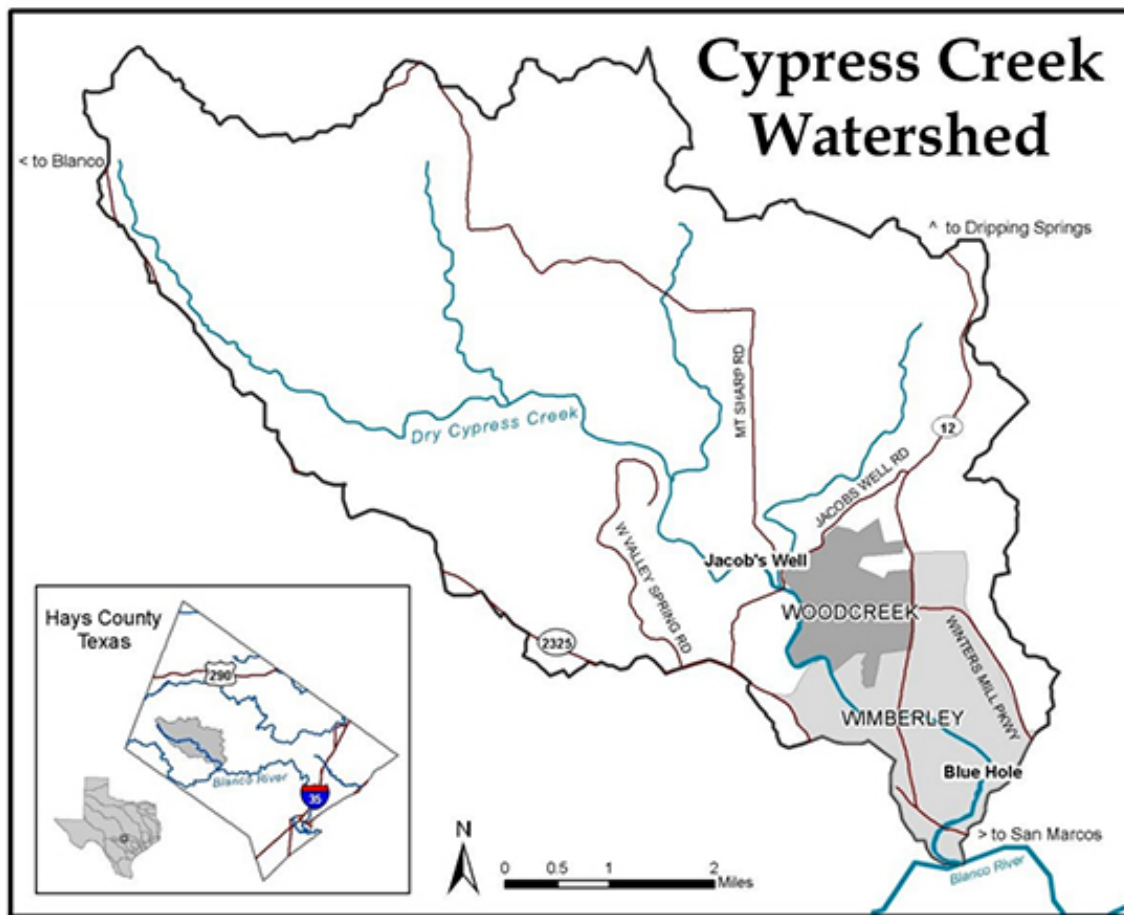


Figure 1. Cypress Creek Watershed

Historical Review

Since the formalization of the CCWPP in 2014, city, county, civic organizations, and citizens of the Wimberley Valley have actively collaborated towards conservation and preservation efforts for the Cypress Creek watershed. The community-led, EPA approved Watershed Protection Plan is a valuable tool used to help guide efforts to effectively manage the Cypress Creek Watershed by utilizing Best Management Practices (BMPs) designed to mitigate nonpoint source pollution, anticipate future water quality impairments, and protect groundwater resources. The partnership has celebrated significant improvements in incorporating stormwater controls into site planning, implementing numerous best management practices, and enthusiastic participation in workshops and meetings. To compile feedback from stakeholders for the sustainability plan, the core team developed an extensive survey soliciting input from each section of the CCWPP in June 2022. There were 36 participants from 10 participating organizations.

When polled, stakeholders identified CCWPP accomplishments as important in helping support the mission of their agency or organization (listed in ranked order):

- 1) Making Wimberley Independent School District's new school a One Water Campus
- 2) Green Infrastructure Projects (Pervious pavers, bioswales, rainwater harvesting, rain gardens, etc.)
- 3) Creation of the Jacob's Well Groundwater Management Zone (GMZ)
- 4) Water Quality Sampling and Reporting
- 5) Flow Measurements and Reporting
- 6) Transition of Downtown Businesses and Residents to Centralized Sewer
- 7) Updated Water Quality Ordinances
- 8) Technical Resource Guides (Green Infrastructure, Best Management Practices)
- 9) Educational Signage
- 10) Workshops

Increased public awareness, working relationships between CCWPP partners, and land conservation efforts were also identified as important accomplishments.

Collective Goals of Current Stakeholders

Despite significant accomplishments since the project's inception, many challenges remain ahead. Development pressures and persistent drought conditions warrant continued collaborative effort toward safeguarding water quality and water availability.

Regarding impacts to flow and groundwater availability, stakeholders identified drought and population increases, education of new residents, management of groundwater pumping, and unmanaged growth in sensitive areas as near-term challenges. Regarding impacts to managing water quality, stakeholders identified maintaining flow, managing growth and development while minimizing impervious cover and maximizing water reuse, managing and treating stormwater, and proper maintenance or upgrades to old septic systems as near-term challenges. Furthermore, stakeholders identified flow and groundwater availability as the highest priority parameter to address for future CCWPP projects. All stakeholders agreed that the CCWPP has helped them or their organization and that work on the Watershed Protection Plan should continue.

Participating stakeholders identified future project needs and ranked them by priority for the next phase of the Watershed Protection Plan are:

1. Source switch or alternate water supply feasibility for growing groundwater demand
2. Stormwater study, analysis, and/or engineering audit
3. Community-scale Type 1 reuse feasibility study (benefits & pitfalls)
4. Demonstration project or mitigation BMP for untreated downtown stormwater flows
5. Impact analysis of water quality ordinance changes
6. Web-based water quality data accessibility enhancements

Financial Considerations

The Watershed Protection Plan represents a coordinated effort, including significant collective investment toward the common goal. Local investments have been consistently leveraged with federal grant funds throughout the project thus far. During the project's first phase from 2008 to 2010, partners provided \$211,000 in waived indirect costs and in-kind match towards the total project sum of \$527,000. Phase 2, spanning 2011 to 2015, included \$154,000 in match towards the \$386,000 total. Phase 3, spanning 2016 to 2019, included \$536,562 in match towards the \$1,341,405 total. Partners have contributed \$122,000 in match towards a total of \$305,000 during Phase 4 of the project from 2020 through 2023. The tremendous dedication of partners over the past 15 years is evident in these match amounts.

Several foundations and nonprofits have donated significant funds towards additional initiatives that complement the Cypress Creek Project goals. For example, the Way Foundation has funded the Meadows Center to perform several supplemental water quality sampling studies over the life of the project that go above and beyond the scope to further identify pollutants and hindrances in the watershed. The Watershed Association raised \$250,000 to assist with the development of the Wimberley ISD Blue Hole One Water Primary School – the first One Water school in Texas designed to acknowledge the importance of protecting sensitive water resources.

Jacob's Well has stopped flowing six times in recent history—2000, 2009, 2011, 2013, 2022, and 2023. Zero and low flow conditions have major ramifications for Cypress Creek, aquatic habitat, tourism, and groundwater users. In 2022, Jacob's Well stopped flowing for the longest period on record—35 days with an average of zero flow, impacting park operations at both Jacob's Well Natural Area and Blue Hole Regional Park. Hays County suspended swimming at Jacob's Well on June 29, 2022, due to high bacteria counts brought about by heavy recreational use and low flow. The City of Wimberley suspended swimming at Blue Hole on August 1, 2022, for similar concerns. Hays County Parks and City of Wimberley Parks staff estimate a loss of \$150,000 at Jacob's Well Natural Area and a loss of \$250,000 at Blue Hole Regional Park in swim reservation revenue in 2022. Because of exceptionally low flow at the beginning of 2023, the County decided not to open swim reservations this year, which would be a projected loss of approximately \$200,000 this year.

The Wimberley Valley economy benefits substantially from the tourism industry, with 70 percent of sales tax revenue coming from tourism and hospitality (Assessment of the Economic Contribution of Cypress Creek to the Economy of Wimberley (2013)). Nature-based tourism activities attract thousands of visitors each month. Visitors come to visit area parks, swim at Jacob's Well and Blue Hole, and enjoy the beautiful Hill Country landscape in the Wimberley Valley and in turn, lodging, restaurants, and shops provide services. The City of Wimberley's approved FY2022 budget projected \$1,285,657 in sales tax revenue (City of Wimberley Website), which would indicate that nearly \$900,000 of the sales tax comes from the tourism industry.

Strategic Vision for Sustainability of the Cypress Creek Project

Groundwater and surface water resources of Jacob's Well and Cypress Creek are critically important to many governmental organizations, water providers, non-profit organizations, and research institutions. The CCWPP provides a shared vision for partners to collaborate to better protect these shared resources. Table 2 lists active partners, their interest in the CCWPP, and direct benefits from successful groundwater and surface water management.

Table 2. CCWPP Partners, Interests, and Benefits

Project Partners (Organizations)	Interest in WPP	Direct Economic Benefits of WPP
Governmental Organizations and Water Providers		
Aqua Texas Water Supply	Several water supply wells pump water from the Middle Trinity Aquifer with about 2,250 connections (residences and businesses) within the Cypress Creek Watershed. A Texas Land Application wastewater treatment facility serves residents and businesses downtown, Woodcreek 1, Woodcreek North, and along FM 2325. Treated wastewater is irrigated on the Woodcreek Golf Course.	Revenue from water and wastewater customers.
City of Wimberley	The City of Wimberley covers approximately 9 square miles and has about 2,800 residents. 1.4 miles of Cypress Creek pass through Wimberley, including its downtown area. Residents and visitors enjoy Wimberley's natural beauty, nature trails, and swimming opportunities. The City of Wimberley maintains Blue Hole Regional Park and the Cypress Creek Nature Preserve, which both have significant Cypress Creek frontage.	Revenue from Blue Hole Regional Park swim reservations and programs, sales tax, and hotel occupancy tax.
City of Woodcreek	The City of Woodcreek covers approximately 1 square mile and has about 1,850 residents (2022 Census Estimate). 1.3 miles of Cypress Creek pass through Woodcreek. Residents and visitors enjoy Woodcreek's natural beauty, nature trails, and swimming opportunities.	Revenue from sales tax and hotel occupancy tax.
Hays County	All 10.2 miles of Dry Cypress Creek and 5.5 miles of Cypress Creek are within Hays County. Residents and visitors enjoy Hays County's natural beauty, nature trails, and swimming opportunities. The Hays County Parks Department maintains	Revenue from property taxes and swim reservations.

	the Jacob's Well Natural Area, which hosts Jacob's Well Spring—the headwaters of Cypress Creek.	
Hays Trinity Groundwater Conservation District	The Hays Trinity Groundwater Conservation District (HTGCD) is the local governmental body working to conserve, preserve, recharge, and prevent waste of groundwater within western Hays County. The HTGCD has approximately 100 permitted wells and coordinated 7,840 acre-feet of groundwater use in 2021.	Management fees from service connections in public water systems with groundwater permits and well construction authorization transactions.
Guadalupe-Blanco River Authority	The Guadalupe-Blanco River Authority (GBRA) supports responsible watershed protection and stewardship, provides quality operational service, and promotes conservation and educational opportunities to enhance quality of life for those we serve. The GBRA is both a water utility and a wastewater service provider.	Revenue from water and wastewater customers.
Texas Commission on Environmental Quality (TCEQ) – NPS Program	The Texas Commission on Environmental Quality is the environmental agency for the state and strives to protect Texans' public health and natural resources consistent with sustainable economic development with the goal of clean air, clean water, and the safe management of waste. Impaired stream segments cause loss of property values, recreational opportunities, and can jeopardize water supplies.	Impaired water bodies require staff and materials to mitigate.
Wimberley Water Supply Corporation	Several water supply wells pump water from the Middle Trinity Aquifer with about 1,850 connections (residences and businesses) within the Cypress Creek Watershed and greater Wimberley Valley.	Revenue from water customers.
Woodcreek Property Owners Association	The pace of development within Woodcreek North has recently increased which impacts impervious cover, water supply, and potential sources of contaminants. Water supply for the neighborhood comes from Aqua Texas, whose wells directly impact spring flow at Jacob's Well.	Revenue from POA fees.
Academic and Non-profit Organizations		

Texas A&M AgriLife – Master Naturalist Program	The Master Naturalist Program provides well-informed volunteers to provide education, outreach, and service dedicated to the beneficial management of natural resources and natural areas within their communities for the State of Texas. Active programs include the Jacob's Well Guides, Restoration Rangers, and Habitat Enhanced Land Management (HELM) programs.	Volunteer group
Texas State University - The Meadows Center for Water and the Environment	The Meadows Center is a research institute located at Texas State University that inspires research, innovation, and leadership that ensures clean abundant water. Meadows Center staff perform CRP quarterly and monthly monitoring on Cypress Creek and the larger watershed which supports the Meadows Center mission and research endeavors.	Research institution
Friends of Wimberley Parks (formerly Friends of Blue Hole)	The Friends of Wimberley Parks is a non-profit that works to promote, protect, preserve, and support Blue Hole Regional Park, Patsy Glenn Refuge, Martha Knies Community Park, Old Baldy Park, Sunrise Park, Oak Park, and Cypress Creek Nature Trail and Preserve.	Non-profit organization
Texas Stream Team	Texas Stream Team, a program managed by the Meadows Center, is dedicated to understanding and protecting Texas waterways through education and volunteer monitoring activities. Texas Stream Team provides training and support of community science-based water quality and environmental monitoring and technical support and assistance with water quality analyses.	Research institution
Watershed Association	The Watershed Association is a non-profit organization working to protect water through land conservation and education across the Hill Country. Watershed Association staff were instrumental in building community support for and forming the CCWPP at its inception.	Non-profit organization

Technical and Administrative needs

Partners identified three key priorities for the next phase of the CCWPP: 1) Continued coordination and communication; 2) Continued water quality monitoring and data analysis; 3) Special projects.

It is proposed that Watershed Association staff take the lead in coordination and communications and host the Watershed Coordinator. Facilitating meetings, emails, and website updates to highlight topics relevant to water quality protection and water availability in the Cypress Creek Watershed benefits all partners such that each partner organization plays a different role in management, oversight, and education. It is proposed that the Cypress Creek Project website be migrated to the Watershed Association domain where staff can curate and update it. Quarterly email and/or website post updates are proposed to document progress towards shared goals and highlight issues of interest for the partners.

Water quality monitoring through the Clean Rivers Program of the six sites along Cypress Creek, seven sites along the Blanco River, and two groundwater monitoring sites within the Wimberley Valley documents conditions and serves as a first alert to water quality problems.

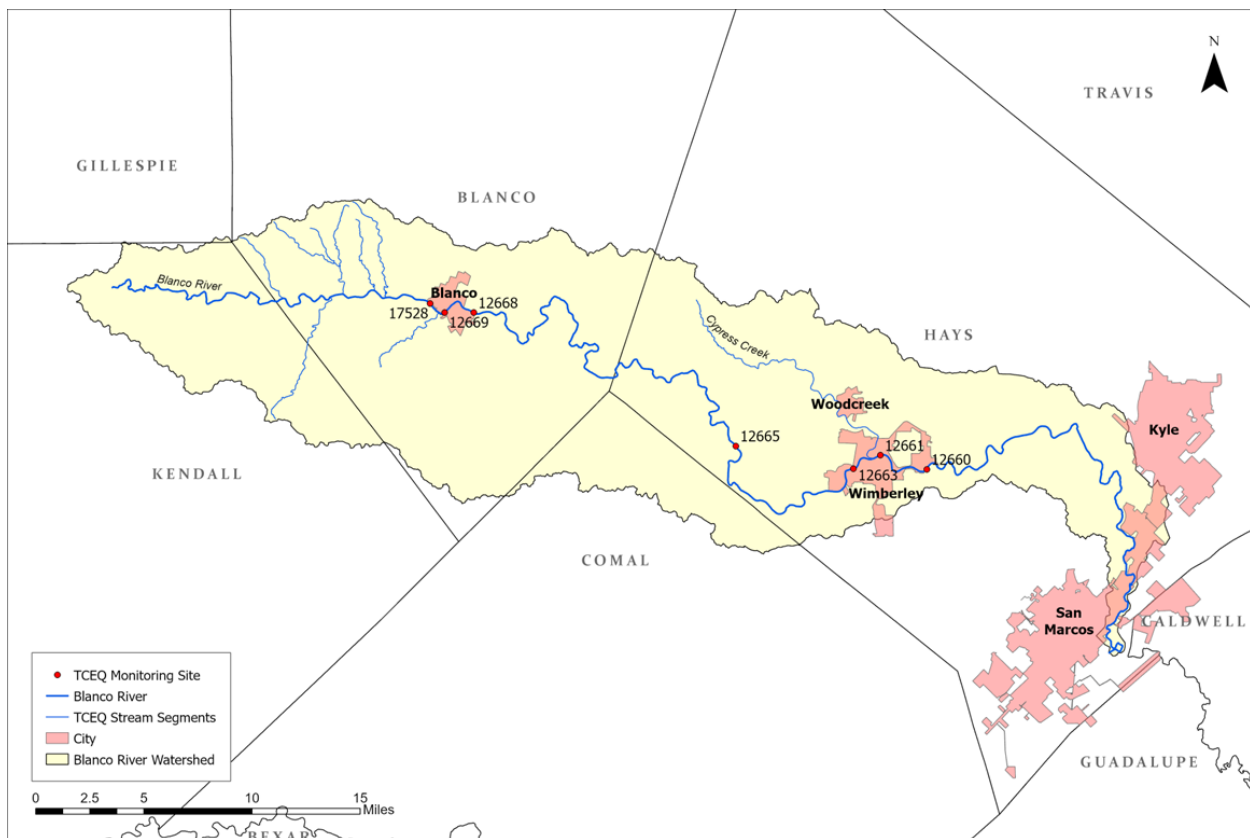


Figure 2. TCEQ/GBRA Clean River Program Sites on the Blanco River (Note: The three sites closest to the Blanco River headwaters are monitored on a monthly basis and the remaining four sites further downstream are monitored on a quarterly basis.)

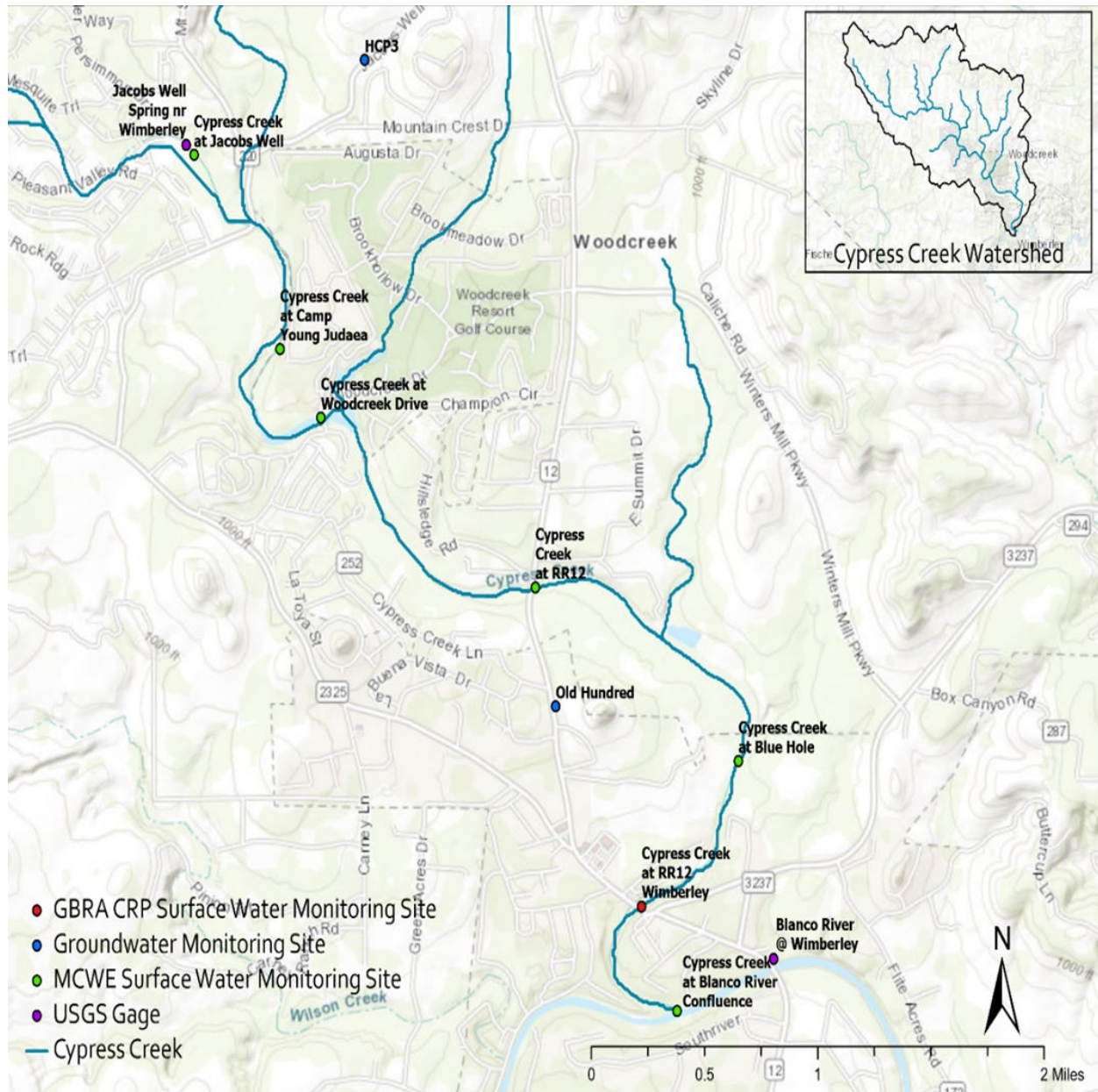


Figure 3. Cypress Creek Monitoring Sites

The Meadows Center has been leading data collection and reporting on behalf of the Watershed Association with support from several of the CCWPP partners since 2012. It is proposed that the Meadows Center report on water quality results in conjunction with quarterly newsletter or website post updates, so partners are aware of trends.

Special projects identified by the partner organizations vary substantially in required time, funding, and skill sets. It is proposed that the Watershed Coordinator and fiscal sponsors collaboratively develop a scope of work for the special project and solicit or contribute required funds for that project.

Next Steps

The sustainability plan offers a foundation for discussions moving forward. The plan and supporting Interlocal Agreement were a topic of discussion at the final Cypress Creek watershed speaker series that took place in mid-July 2023. Stakeholders and fiscal contributors will need to determine a budget mechanism to ensure equitable funding for continued sampling and coordination of watershed protection plan efforts. The Meadows Center and Watershed Association will engage in discussions with key partners throughout the summer of 2023 to confirm support and financial contributions to the Interlocal Agreement.

An initial primary goal of the BCWPP will be to release a request for proposals to identify professional consulting services for a comprehensive planning initiative to update WPP goals including coordination for a regional land/water/transportation master plan, including land use planning, infrastructure improvements, and ordinance enhancements.

The Task Force will also pursue special studies focused on Aquifer Pump Test, Modeling, Planning, Aquifer Storage and Recovery, One Water Infrastructure Plan, and Karst Habitat Protection.

**Hays County Commissioners Court**

Date: 02/27/2024

Requested By:

T. CRUMLEY

Sponsor:

Commissioner Shell

Agenda Item:

Discussion and possible action to establish one (1) new Watershed Coordinator position with equipment in the Hays County Parks Department effective April 1, 2024 and amend the budget accordingly. **SHELL/T.CRUMLEY**

Summary:

The Director of Countywide Operations is requesting a new Watershed Coordinator position at grade 121 and supporting equipment with a start date of April 1, 2024. As part of the Interlocal Agreement, Hays County will fund a full-time Watershed Coordinator position that will serve as the coordinator of the Watershed Protection Plan initiatives and act as a facilitator of the Plan and related community activities to restore water quality and quantity in Cypress Creek and the Blanco River Basin. This position will be part of the Hays County Parks Department and initially be funded with ARPA funds.

Fiscal Impact:

Amount Requested: \$43,225 (FY24)

Line Item Number: 011-763-99-210]

Budget Office:

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

Budget Amendment Required Y/N?: Yes

Comments: Funding for this position for a two-year period was identified during the annual budget process within the Commissioner Pct. 3 ARPA revenue loss allocation.

Watershed Coordinator				
Grade 121				
Request		Budget Amendment		
56,373	Base Salary	28,187	011-763-99-210.5021	Increase Staff Salaries
12,047	Fringe	1,747	011-763-99-210.5101_100	Increase FICA
12,230	Insurances	409	011-763-99-210.5101_200	Increase Medicare
80,650	Total Annualized	3,866	011-763-99-210.5101_300	Increase Retirement
40,325	FY24 (eff 4/1/24)	5,880	011-763-99-210.5160_400	Increase Medical
1,500	Laptop	203	011-763-99-210.5160_500	Increase Dental
750	Monitors	33	011-763-99-210.5160_600	Increase Life
200	Adobe	1,500	011-763-99-210.5712_400	Increase Computer Eqpt_Ops
450	Telephone	750	011-763-99-210.5202	Increase Data Supplies
43,225	Total Request	200	011-763-99-210.5429	Increase Software Licenses
		450	011-763-99-210.5489	Increase Telephone Exp
		(43,225)	011-763-99-210.4301	Increase Intergovernmental Revenue

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments: TBD for equipment purchases

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$43,225 in Intergovernmental Revenues from ARPA 2nd tranche

Comments:

Attachments

Watershed Coordinator Job Description

IT Equipment for Position

HAYS COUNTY JOB DESCRIPTION

Job Code: TBD
Grade: 121
FLSA: Non Exempt
Safety Sensitive
Phone Allocation

Prepared by: Countywide Operations and HR
Date Prepared: February 2024

Watershed Coordinator

Essential functions, as defined under the Americans with Disabilities Act, include the responsibilities, knowledge, skills, and other characteristics listed below. This list of responsibilities is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. Other duties may be assigned. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Summary

Under general supervision, the Watershed Coordinator serves as the coordinator of Watershed Protection Plan initiatives and acts as a facilitator of the Plan and related community activities to restore water quality and quantity in Cypress Creek and the Blanco River Basin. The work involves treating a variety of problems, questions, or situations in conformance with established criteria. This position represents the shared interests of five collaborating entities and is dedicated to advancing the goals of The Blanco Cypress Watershed Protection Plan (BCWPP).

Responsibilities

- Develops procedures that result in effective operations as it relates to the Watershed Protection Plan.
- Coordinates field inspections and interacts with citizens, property and business owners, and contractors to resolve questions and/or problems.
- Develops a project work plan, manages costs, facilitates communications, and allows for prompt implementation and execution of the plan.
- Performs data collection and water quality monitoring.
- Develops and implements best management practices and protection of surface water and groundwater to address nonpoint source pollution from agriculture and urban sources, adequate spring and stream flows, and outreach and education.
- Coordinates and communicates with landowners, business owners, and neighboring jurisdiction.
- Provides leadership in implementing and adapting a watershed management plan through the collection and analysis of land use, water quality and groundwater data and resource information, identification and clarification of stakeholder concerns, establishment of goals, and supporting locally initiated strategies.
- Ensures that the Watershed Protection Plan and associated activities align with the EPA's nine elements for a Watershed Protection Plan.
- Provides technical assistance and education to citizens, community and special interest groups, and developers on the Watershed Protection Plan.
- Inspires the community and local stakeholders to become lifelong stewards of their watershed.
- Communicates with state and county agencies in reference to regulatory matters.
- Educates and inspires stakeholders and community members about the science, water quality, quantity challenges and opportunities for the implementation of best management practices for watershed health and sustainability.
- Maintains appropriate relationships and serves as a liaison between professional entities, public and local governments, Groundwater Conservation Districts, and social service groups (i.e., Hill County Conservation Network, Greater Edwards Aquifer Alliance, No Dumping Sewage Coalition) and other regional entities to advance public policies that advance groundwater and surface water protection.
- Educates and increases awareness of Watershed Protection programs and local-regional water issues through science and engagement and collaborative interests.

- Establishes and maintains a positive working relationship with landowners and surrounding communities.
- Advocates for and implements Best Management Practices (BMPs) including One Water implementation projects across the Texas Hill Country region.
- Provides public educational opportunities or outreach opportunities (a minimum of 4 annually) through workshops, school programs, tours, publications, and other creative means.
- Develops marketing materials and works with the Executive Committee to promote educational opportunities to the general public.
- Recruits, trains, manages, and oversees restoration projects and volunteers for cleanups, planting, monitoring activities, and other stewardship events.
- Conducts regular stakeholder meeting, including BCWPP Executive Committee, Steering Committee and Work Groups, throughout the watershed to gather and incorporate local input and encourage citizen participation.
- Updates and maintains the Watershed Protection Plan website content.
- Develops and disseminates outreach materials, including newspapers, newsletters, factsheets and other related material and website content to promote and communicate watershed efforts to stakeholders at venues such as community stakeholder meetings and networking among agencies, organizations, and individuals.
- Collaborates with the Communications Department of the Watershed Association to update the project's website, prepare press releases, and publish associated analysis of scientific data and relevant reports.
- Works with county Grant Writers to research and identify grants and other financial opportunities to increase resources for the BCWPP.
- Tracks cost share information, maintaining and reporting financial records necessary to manage grants and keep projects on time and on budget.
- Provides counties, cities, and other partners and stakeholders within the Cypress Creek and Blanco Watershed with regular updates on progress and seek their input and recommendations on needed activities.
- Prepares reports, maps, presentations, and other materials to document watershed activities and communicate with stakeholders.
- Works to map watershed land use, stormwater structures, erosion sites, and other features using GIS.
- Participates in relevant training, conferences, and professional organizations to stay current on watershed management best practices.
- Manages the installation of site specific BMPs that will serve as demonstration projects on their effectiveness, including preventative, stormwater, and low impact development (LID) measures (stormwater controls, rainwater capture, rain gardens, and bio-filtration systems).
- Works to review existing ordinances to assist the cities and county in quantifying their effectiveness on maintaining water quality.
- Works to improve the reliability and enhance the capability of the Blanco Cypress Decision Support System to calculate potential water quality impacts of site scale development.
- Attends and/or conducts public meeting or hearings that require a high level of representation to address issues or to present sensitive material.
- Represents Hays County and the Commissioners Court when interacting with federal, state, and municipal officials regarding the Watershed Protection Plan.
- Performs all other duties as assigned.

Knowledge Required

- Professional knowledge of water quality issues, watershed processes, and nonpoint source pollution.
- Proficient knowledge of the principles of hydrology, ecology, water quality monitoring principles, and watershed dynamics.
- Experience with water quality monitoring (stream, groundwater) and data analysis.
- Knowledge of federal, state, and local environmental standards.
- Strong project management and organizational skills.
- Experience overseeing and managing budgets, grants, and reporting.
- Ability to formulate long ranges goals and develop organizational and operational plans for their accomplishment.
- Professional knowledge of developing and implementing watershed plans.

- Professional knowledge of working with water quality tools, Microsoft Office Suite, and Google Suite.
- Proficiency with GIS programs.

Required Skill

- Proficient skill in reading, interpreting and following related federal, state and local laws and regulations
- Skill in writing reports, developing presentations, and scientific communication.
- Skill in preparing technical, scientific, incident, and weekly activity and progress reports.
- Excellent communication skills for working with diverse partners, stakeholders, and volunteers.
- Exceptional skill in establishing and maintaining effective working relationships with supervisors, co-workers, contractors, other organizations and agencies, and the public.
- Professional skill in developing and implementing education and outreach programs.
- Exceptional skill in oral communications in both one-on-one and group situations.
- Professional skill in written communications for administrative and technical purposes.
- General skill in operating standard office equipment such as telephones, copiers, fax, personal computer, and calculator.
- Exceptional project and time management and organizational skills.
- Skill in independence, self-starting, and taking initiative.
- Skill in relationship building and collaborating with others.
- General skill in expressing oneself clearly and concisely, both orally and in writing.

Education and/or Experience

- Bachelor's Degree in Natural Resource Management, Environmental Science, or related field required.
- 3 years of experience in watershed management, natural resource management, or water quality management.
- Each additional year of required experience may substitute for one year of required education.

Other Qualifications, Certificates, Licenses, Registrations

- Valid Texas Class C Driver's License

Supervision

- The Watershed Coordinator is required to satisfactorily perform the above duties and will be evaluated from an overall standpoint in terms of feasibility, compatibility, and effectiveness.
- This position develops deadlines, project scopes and schedules.
- The Director of Countywide Operations is informed of progress, potentially controversial matters, and assists this position with unusual circumstances that do not have a clear precedence.

Guidelines

The Watershed Coordinator uses judgment in interpreting and adapting the guidelines to apply them to specific cases or problems. The employee may recommend changes or improvements in the guidelines. The employee may also determine which of several established alternatives to use. Situations to which the existing guidelines cannot be applied without significant deviations are referred to the Director of Countywide Operations. This position also participates in locating and selecting the appropriate guidelines such as Hays County policies, state, and federal regulations, established precedents, and work directions. This position must have a strong work ethic. The Watershed Coordinator must follow directions, meet deadlines, have good attendance, be punctual, keep promises, be reliable, and have a proper attitude. The work hours may include evenings and weekends. Employee must be available to always communicate with others.

Emotional Demands

This position must handle a stress level of planning, coordinating, and advising on work efforts trying to resolve operating problems by influencing or motivating individuals who are generally cooperative. The employee meets with contacts in a structured setting, on site or at other designated locations. The contacts are generally cooperative.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee is regularly required to:

- Use of his/her hands and fingers to handle or feel.
- Reach with hands and arms.
- Talk.
- Hear.
- Occasionally stand, walk, kneel or stoop.
- Occasionally lift and/or move up to 50 pounds.
- Specific vision abilities required by this job include close vision, depth perception, and the ability to adjust focus.

Work Environment

While performing the duties of this job, the employee sometimes works in an office setting. The employee frequently travels to various sites throughout the county. The work involves working in outside weather conditions and in all types of weather around disposed products and is occasionally exposed to airborne particles, living or dead animals, insects, and toxic or caustic chemicals. The employee may be required to wear protective gear.

Acknowledgement

I agree that I am able to satisfactorily perform the essential duties listed above with or without an accommodation. I understand the satisfactory performance of the essential duties in this job description is a condition of my employment. I agree to follow the instructions of my supervisor within the constraints of the law and will perform additional duties to the best of my ability when instructed to do so.

I acknowledge the receipt of the Hays County Personnel Policy Manual, which outlines my privileges and obligations as an employee. I acknowledge that the provisions of the Personnel Policy are terms and conditions of my employment and I agree to abide by them. I accept responsibility for reading and familiarizing myself with the information in the manual. It is understood that any changes to this policy will be communicated to me in writing. I agree to return the manual to my supervisor if I leave the employ of Hays County.

I further understand that my employment is terminable at will so that both Hays County and its employees remain free to choose to end the employment relationship at any time for any reason or no reason.

I fully understand that I may be granted compensation time in lieu of payment of overtime to the extent provided by law. I also understand that my supervisor can instruct me to take compensation time.

Employee Signature

Date

List any and all accommodations that are needed to satisfactorily perform the essential functions of this position:

IT Equipment – Watershed Coordinator position

\$1,500 – Laptop

\$300 - Docking

\$750 – Monitors

\$200 – Adobe

\$600 - Telephone



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Mike Jones

Sponsor:

Commissioner Cohen

Agenda Item:

Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related to the repair and reinstallation of the Windy Hill Master and Remote Flasher Pole; authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D) and amend the budget accordingly. **COHEN/MIKE JONES**

Summary:

The master pole at 50030 Windy Hill Rd at Andrews Branch was damaged during a vehicular accident on July 19, 2022. The vehicle broke the pole base, causing the pole to fall over. The entire pole needs to be replaced. The pole was not reinstalled due to construction and reconfiguration of the intersection of Windy Hill Road and Dacy Lane. Construction is now finished and the LWX equipment can be reinstalled. WET will fabricate and install a new master pole on the north side of the road near Andrews Branch. WET will also reinstall the remote flasher on the Southwest corner of the intersection.

Fiscal Impact:

Amount Requested: \$32,253.18

Line Item Number: 001-656-00.5719_700

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: Due to delayed construction, insurance proceeds received in the prior year rolled into fund balance.

Recommend funding with County-Wide Misc. Capital Improvements budget.

\$32,254 - Increase OES Misc. Equipment_Capital 001-656-00.5719_700

(\$32,254) - Decrease Co-Wide Misc. Capital Improvements 001-645-00.5741

Purchasing Office:

Purchasing Guidelines Followed Y/N?: Yes

Comments: Discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D) captive replacement parts or components for equipment.

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

Windy Hill
Exemption



1/5/2024

Quotation XPHC058

Prepared for:

Hays County - Office of Emergency Services
Attn: Mike Jones
810 South Stagecoach Trail
San Marcos, TX 78666

Federal Tax Identification No.

84-1440328

Quote Valid Thru

3/5/2024

Prepared by:

Water & Earth Technologies, Inc.

40504 Weld County Road 17
Severance, CO 80524
Phone (970) 225-6080
email: RNieden zu@wetec.us

Quote Title: Windy Hill Master and Remote Flasher Repair and Reinstall

Quote Information

The master pole at 50030 Windy Hill Rd at Andrews Branch was damaged during a vehicular accident on July 19, 2022. The vehicle broke the pole base, causing the pole to fall over. The entire pole needs to be replaced. The pole was not reinstalled due to construction and reconfiguration of the intersection of Windy Hill Road and Dacy Lane. Construction is now finished and the LWX equipment can be reinstalled. WET will fabricate and install a new master pole on the north side of the road near Andrews Branch. WET will also reinstall the remote flasher on the Southwest corner of the intersection.

Item No.	Item Description	Model No.	Unit Price	Qty	Amount
1	New Master Flasher Controller Pole	NA	\$ 21,453.18	1	\$ 21,453.18
2	Pressure Transducer	CS451	\$ 1,840.00	1	\$ 1,840.00
Items Total					\$ 23,293.18

Item No.	Labor Description	Hours		Amount
		Eng I \$130/hr	Eng II \$150/hr	
3	Construct new foundation for Master Pole	6.0	6.0	\$ 1,680.00
4	Fabricate and Install Master Pole	20.0	20.0	\$ 5,600.00
5	Install new Pressure Transducer	2.0	2.0	\$ 420.00
6	Reinstall Remote Flasher Pole	6.0	6.0	\$ 1,260.00
Labor Total				\$ 8,960.00

Total Cost \$ 32,253.18

Thank you for your consideration!

Hays County Commissioners Court

February 27, 2024

Water & Earth Technologies: Windy Hill Master Pole Replacement and Reinstallation

Attn: County Clerk

As per requirements to authorize a discretionary exemption per Texas Local Government Code 262.024(a)(7)(D), the Emergency Services Department recognizes Water Earth and Technologies as a sole source provider to provide replacement parts and accessories for the Hays County Early Flood Warning System (EFWS).

A handwritten signature in black ink, appearing to read 'Mike Jones', is written over a horizontal line.

Mike Jones, Director of Emergency Services

**Hays County Commissioners Court**

Date: 02/27/2024

Requested By:

Stephanie Hunt

Sponsor:

Commissioner Cohen

Co-Sponsor:

Commissioner Smith

Agenda Item:

Discussion and possible action to approve a new Purchasing Specialist II, grade 118 with equipment in the Hays County Purchasing Office effective April 1, 2024 and amend the budget accordingly. **COHEN/SMITH/HUNT**

Summary:

The Hays County Purchasing Agent is requesting a new Purchasing Specialist II position at grade 118 and supporting equipment with a start date of April 1, 2024. The position is being requested because per Texas Local Government Code 262.011 (i) the Purchasing Agent is required to provide the County Auditor with an inventory listing of all property on hand belonging to the County and each subdivision, office and employee of the County. This position will also handle the yearly County Auction, all county cell phones, countywide copiers, as well as serve as the backup for the Purchasing Specialist I position in reviewing and approving purchase orders.

The following equipment is needed:

1 Desk Phone & License

1 Laptop

2 Monitors

1 Adobe Pro License

Fiscal Impact:

Amount Requested: \$15,676 (FY24)

\$71,334 - annualized cost

Line Item Number: 001-622-00]

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: Yes

Comments: If approved, some salary savings are available due to attrition. Potential funding source for additional funding required, County-Wide contingencies.

Purchasing Specialist II				
Grade 118				
Request		Budget Amendment		
48,697	Base Salary	5,487	001-622-00.5021	Increase Staff Salaries
10,407	Fringe	340	001-622-00.5101_100	Increase FICA
12,230	Insurances	80	001-622-00.5101_200	Increase Medicare
71,334	Total Annualized	753	001-622-00.5101_300	Increase Retirement
35,667	FY24 (eff 4/1/24)	5,880	001-622-00.5160_400	Increase Medical
1,500	Laptop	203	001-622-00.5160_500	Increase Dental
750	Monitors	33	001-622-00.5160_600	Increase Life
200	Adobe	1,500	001-622-00.5712_400	Increase Computer Eqpt_Ops
450	Telephone	750	001-622-00.5202	Increase Data Supplies
38,567	Total Request	200	001-622-00.5429	Increase Software Licenses
		450	001-622-00.5489	Increase Telephone Exp
		(15,676)	001-645-00.5399	TBD-Decrease Co-Wide Contingencies

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD
Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes
New Revenue Y/N?: N/A
Comments:

Job Description	Attachments
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HAYS COUNTY JOB DESCRIPTION

Position Code: TBD
Grade: 118
FLSA: Nonexempt

Prepared by: Purchasing and Human Resources
Date Prepared: February 2024

Purchasing Specialist II

Essential functions, as defined under the Americans with Disabilities Act, include the responsibilities, knowledge, skills, and other characteristics listed below. This list of responsibilities is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. Other duties may be assigned. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Summary

Under general supervision, the Purchasing Specialist II performs advanced administrative work in support of the County's purchasing process. The work involves treating a variety of unusual conditions, problems, situations, or questions in conformance with established criteria. The Procurement Specialist assists County departments with purchases and ensures the requisition and purchase process complies with State law and County purchasing policies. This position performs technical support services for the Hays County Purchasing Department. This employee's work involves assessing effectiveness or investigating or analyzing a variety of unusual circumstances. This position affects the economic well being of Hays County.

Responsibilities

- Performs general office support and clerical work for the Purchasing Department such as answering, screening, and directing telephone calls.
- Types standard forms, letters, and other material from rough draft.
- Sorts and maintains files consisting of correspondence, reports, purchase orders, vendor files, quotes, and contracts.
- Delivers written materials and supplies to various locations and departments.
- Examines letters, forms, documents, or reports for accuracy and reports discrepancies to supervisor; maintains departmental accounts, records, and files.
- Receives and processes requisitions, ensures availability of funds and receipt of best price, ensure purchase is in accordance with County Purchasing Policy and Purchasing laws, and generates purchase orders.
- Assists with researching and writing specifications describing product requirements.
- Prepares purchase orders and all supporting documents for purchases less than \$50,000.
- Verifies receipt and documentation of items ordered, coordinates shipment and delivery schedules.
- Maintains awareness of budgetary guidelines to assure fund availability.
- Notifies department of insufficient budget funds during the requisition process.
- Makes recommendations to county departments regarding purchases; assists county employees by maintaining knowledge of a broad range of products, services, and vendors; and coordinates between users and suppliers on delivery, quality, pricing, and related issues.
- Composes and types of correspondence regarding vendor, pricing and purchasing issues.
- Orders office supplies and printed items for county departments on a weekly basis and coordinates delivery of supplies upon arrival.
- Solicits informal bids and quotes for goods and services less than \$50,000; coordinates with supervisor to determine best source and value for item requisitioned.
- Assists in the monitoring of current contracts to ensure terms, billing and service are in compliance with original agreements and corrects problems as needed.

- Assures the services delivered by the purchasing department are met in timely matter.
- Verifies and monitors compliance with county purchasing policy and purchasing laws and regulations.
- Enters data into Countywide financial and purchasing system.
- Operates standard office equipment.
- Runs monthly reports on open purchase orders; research outstanding purchase orders and checks with the department/Accounts Payable on the status of the purchase.
- Schedules appointments and keeps calendars.
- Maintains and assists in the managing of the county wide copier contracts.
- Maintains files and assists in the managing of the commercial and county wide credit cards and authorized users.
- Maintains files and records and assists in the managing of the county-wide cell phone contracts and upgrades. Assists the departments with cancellation and telephone work orders concerning any telephone service.
- Assists with the annual inventory of all the property on hand and belonging to the County and each subdivision, officer, and employee of the County. Schedules, plans, and conducts annual physical inventories of department's property.
- Tracks all new purchases, all inter-departmental transfers; prepares quarterly reports on fixed assets for department heads and elected officials and may prepare various individual reports at department request; conducts annual physical inventory of County assets; assists with preparation of assets and purchasing documentation required per Texas Local Government Code 262.011.
- Coordinates the annual auction and assists with identification and coordination of the disposition of surplus property.
- Maintains purchasing related records.
- Performs other related duties as may be necessary.

Knowledge Required

- Exceptional knowledge of basic practices of governmental accounting and of government purchasing and auction laws, local government, and Texas statutes.
- Proficient knowledge of Hays County regulations, policies, procedures, and forms.
- Proficient knowledge of principles, practices, terminology, and techniques of purchasing administration and office management.
- Proficient knowledge of word and data processing applications specifically Microsoft Word and Excel.
- Proficient knowledge of the fundamental principles and practices of purchase orders, bidding process, pricing, quotes, and contracts.
- Proficient knowledge of modern purchasing methods and procedures.
- Proficient knowledge of sources of supply, markets and price trends, and the various grades and qualities of a wide variety of materials, supplies and equipment.
- Proficient knowledge of basic arithmetic, algebra and statistics including add, subtract, multiply, divide, interest, decimals and percents.
- Proficient knowledge of the purchase order process.
- General knowledge of modern business office practices and procedures.
- General knowledge of the accounts payable process.
- General knowledge of basic word processing/personal computer software.
- General knowledge of grammar, punctuation, and spelling.
- General knowledge of basic record keeping procedures.
- General knowledge of assigned department forms, rules, procedures, and guidelines.
- General knowledge of assigned department codes.

Required Skill

- Exceptional skill in reading, understanding, interpreting, and following federal, state, and local laws and protocols related to purchasing issues.
- Exceptional computer skills.
- Exceptional skill in dissemination of information.

- Proficient skill in communicating with perspective contractors and obtaining relevant information.
- Proficient skill in establishing and maintaining effective working relationships with supervisors, co-workers, and the public.
- Proficient skill in reception, telephone etiquette and customer services.
- General skill in following written and oral instructions.
- General skill in operating standard office equipment.
- General skill in providing information and assistance to office staff, visitors, and callers.
- General skill in gathering/compiling/analyzing data and maintaining complex records.
- General skill in interviewing techniques.
- General skill in performing basic mathematical calculations.
- General skill in designing and implementing new forms and office procedures.
- General skill in establishing and maintaining effective working relationships with staff, other county departmental staff, and the public.

Education and/or Experience

- High School diploma or equivalent.
- Five years full time purchasing experience.
- Experience in government public purchasing preferred.

Guidelines

The Purchasing Specialist II must use judgment in selecting the appropriate guidelines and procedures for application to specific cases. This position must have a strong work ethic. The Purchasing Specialist II must follow directions, meet deadlines, have good attendance, be punctual, keep promises, demonstrate safety, be reliable, and have a proper attitude. The employee must make sound, accurate and timely decisions while taking appropriate risks. The employee must be an adaptable self-starter.

Emotional Demands

This position must handle a stress level of dealing with contacts within the general public and Hays County Departments. The Purchasing Specialist II meets with contacts in a structured setting at Hays County facilities. The contacts are generally cooperative; however, this position must obtain, clarify, or give facts to county employees and members of the outside public.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee is regularly required to:

- Use of his/her hands and fingers to handle or feel.
- Reach with hands and arms.
- Talk.
- Hear.
- Occasionally stand, walk, kneel, or stoop.
- Occasionally lift and/or move up to 25 pounds.
- Specific vision abilities required by this job include close vision, depth perception, and the ability to adjust focus.
- Sit.

Work Environment

While performing the duties of this job, the employee regularly works in a regular office setting. The work involves everyday risks or discomforts requiring normal safety precautions typical of offices, meeting rooms, or vehicles. The work area is adequately lighted, heated, and ventilated.

Acknowledgement

I agree that I am able to satisfactorily perform the essential duties listed above with or without an accommodation. I understand the satisfactory performance of the essential duties in this job description is

a condition of my employment. I agree to follow the instructions of my supervisor within the constraints of the law and will perform additional duties to the best of my ability when instructed to do so.

I acknowledge the receipt of the current Hays County Personnel Policy Manual, which outlines my privileges and obligations as an employee. I acknowledge that the provisions of the Personnel Policy are terms and conditions of my employment and I agree to abide by them. I accept responsibility for reading and familiarizing myself with the information in the manual. It is understood that any changes to this policy will be communicated to me in writing. I agree to return the manual to my supervisor if I leave the employ of Hays County.

I further understand that my employment is terminable at will so that both Hays County and its employees remain free to choose to end the employment relationship at any time for any reason or no reason.

I fully understand that I may be granted compensation time in lieu of payment of overtime to the extent provided by law. I also understand that my supervisor can instruct me to take compensation time.

Employee Signature

Date

List any and all accommodations that are needed to satisfactorily perform the essential functions of this position:

**Hays County Commissioners Court**

Date: 02/27/2024

Requested By:

Elaine Cardenas, County Clerk

Sponsor:

Judge Becerra

Agenda Item:

Discussion and possible action to authorize the County Clerk's Office to re-grade the Probate Auditor I, grade 120 to a Probate Auditor III, grade 124 effective March 1, 2024. **BECERRA/CARDENAS**

Summary:

The County Clerk's Office was approved a newly created Probate Auditor position during the FY24 budget process. After review of job duties and applications received, it has become apparent that the job was not graded properly for the level of expertise required. This position performs a variety of complex financial duties, including auditing probate records and accounts, conducting legal research, auditing financial documents, and ensuring compliance with court rulings and the Texas Estates Code. Additionally, the candidate should possess legal knowledge and the ability to communicate with Probate Judges and Attorneys Ad Litem.

Fiscal Impact:

Amount Requested: \$8,192 (FY24)

Line Item Number: 001-617-00]

Budget Office:

Source of Funds: General Fund

Budget Amendment Required Y/N?: No

Comments: If approved, funding is available within the budgeted position due to delayed hire date.

Probate Auditor I to III	
65,259	Grade 124
53,688	Grade 120
11,571	Difference
2,473	Fringe
14,044	Total Impact
8,192	FY24 Impact (7 mos)

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:



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Commissioner Ingalsbe

Agenda Item

Discussion regarding establishing an exemption from Hays County Ad Valorem taxation, for all or part of the appraised value of real property used to operate a qualifying and licensed Child-Care Facility, pursuant to Texas Senate Bill 1145. INGALSBE

Summary

Senate Bill 1145, which passed with strong bipartisan support during the 88th Legislative session, prompted the statewide ballot of Proposition 2, Property Tax Exemption for Child-Care Facilities. The measure was approved by the voters to amend the State Constitution to allow counties or municipalities to authorize a property tax exemption on all or part of the appraised value of real property operating as a qualifying child-care facility.

The property tax exemption will support and help reduce the financial burden for early education providers caring for our most vulnerable children.

Once adopted and in order to receive the child-care facility tax exemption, the person claiming the exemption must submit an application to the applicable appraisal district in which the property is located.

To qualify, a child-care facility must be licensed by the Health and Human Services Commission, the owner or operator must participate in the Texas Workforce Commission (TWC)'s Texas Rising Star Program, and at least 20 percent of the total number of children enrolled at the facility must be subsidized by TWC's child-care services program.

Attachments

sample
resolution
sb 1145

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

(A) Texas Tax Code Section 11.36, as added by S.B. 1145 of the 88th Texas Legislature regular session (2023), authorizes an exemption from ad valorem (property) taxes on all or part of the appraised value of real property, or a portion thereof, operating as a qualifying child-care facility; and

(B) An exemption, as described in section (A) above, of 100 percent of the appraised value of all or a portion of real property used to operate a qualifying child-care facility is in the public interest.

(A) the real property the person owns and operates as a qualifying child-care facility; or

(B) the portion of the real property that the person owns and leases to a person who uses the property to operate a qualifying child-care facility.

PART 4. The exemption adopted by this ordinance applies to the tax year beginning January 1, 2024.

RESOLUTION NO. 20231109-028

WHEREAS, during the 88th Regular Session, the Texas Legislature passed enabling legislation to place a constitutional amendment on the ballot for voters on November 7, 2023, which, if approved, would allow cities and counties to have the option to provide an exemption from ad valorem property taxation of between 50 to 100 percent of the appraised value of all or a part of real property used to operate a commercial child-care facility; and

WHEREAS, to be eligible, licensed child-care facilities must participate in the Texas Rising Star (TRS) Program of the Texas Workforce Commission and maintain a minimum 20 percent enrollment of children who receive subsidized child-care services provided through the child-care services program administered by the Texas Workforce Commission, among other criteria; and

WHEREAS, if a child-care facility is leasing the facility, the benefit must be passed down to the provider and not retained by the property owner; and

WHEREAS, current estimates show that under this eligibility criteria, up to 100 local providers would be eligible for this property tax relief; and

WHEREAS, the eligibility criteria does not allow licensed or registered home-based child-care centers to participate; and

WHEREAS, our community is approaching what many have described as a “child-care cliff” because the federal funding that has allowed many child-care providers to stay open and retain staff during the pandemic will soon expire, resulting in increased instability for working families and our community’s child-care providers, who already operate with incredibly thin profit margins; and

WHEREAS, as demonstrated in resolutions such as Resolution Nos. 20160211-018, 20170928-057, 20181004-036, 20190411-020, 20190620-089, 20200507-023, 20200729-089, 20200917-062, 20201015-073, 20201203-011, and 20230126-055, it is a long established goal of the City to advance policies, programs, and investments that support child-care providers and the families they serve; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council affirms its intent to advance a 100 percent exemption from the City's ad valorem property tax for eligible child-care facility operators to provide them relief should the constitutional amendment be approved by the voters in November of 2023 and the legislation authorizing the exemption take effect on January 1, 2024.

BE IT FURTHER RESOLVED:

If the amendment is approved by the voters, the City Manager is directed to compose and bring the necessary ordinance(s) and other necessary documents to Council for approval no later than the first Council meeting of 2024 for the purposes of adopting the child-care facility property tax exemption for the 2024 tax year.

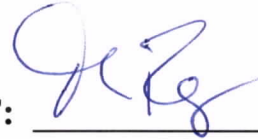
BE IT FURTHER RESOLVED:

The City Manager is further directed to explore a mechanism to provide licensed or registered home-based child-care providers similar property tax relief, be it through the creation of a fund to which home-based providers could apply for assistance, an amendment to an existing incentive program, such as the Chapter 380 program, or another recommended process, and is directed to report back to

Council with their findings, recommendations, and suggested eligibility criteria no later than May 9, 2024.

ADOPTED: November 9, 2023

ATTEST:

A handwritten signature in blue ink, appearing to read 'JR', is written over a horizontal line.

Myrna Rios
City Clerk

AN ACT

relating to a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 11, Tax Code, is amended by adding Section 11.36 to read as follows:

Sec. 11.36. CHILD-CARE FACILITIES. (a) In this section:

(1) "Child-care facility" means a facility licensed by the Health and Human Services Commission to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility, for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

(2) "Qualifying child-care facility" means a child-care facility:

(A) the owner or operator of which participates in the Texas Workforce Commission's Texas Rising Star Program as described by Section 2308.3155, Government Code, for that facility; and

(B) at which at least 20 percent of the total number of children enrolled at the facility receive subsidized child-care services provided through the child-care services

1 program administered by the Texas Workforce Commission.

2 (b) Subject to Subsection (d), if the governing body of a
3 county or municipality in the manner required by law for official
4 action by the governing body adopts the exemption, a person is
5 entitled to an exemption from taxation by the county or
6 municipality of all or part of the appraised value of:

7 (1) the real property the person owns and operates as a
8 qualifying child-care facility; or

9 (2) the portion of the real property that the person
10 owns and leases to a person who uses the property to operate a
11 qualifying child-care facility.

12 (c) The governing body of a county or municipality may adopt
13 the exemption authorized by this section as a percentage of the
14 appraised value of the property. The percentage specified by the
15 governing body may not be less than 50 percent.

16 (d) To qualify for the exemption authorized by this section,
17 the property must be:

18 (1) except as provided by Subsection (e), used
19 exclusively to provide developmental and educational services for
20 children attending the child-care facility; and

21 (2) reasonably necessary for the operation of the
22 child-care facility.

23 (e) The use of exempt property for functions other than
24 providing developmental and educational services for children
25 attending the child-care facility located on the property does not
26 result in the loss of an exemption authorized by this section if
27 those other functions are incidental to the use of the property for

1 providing those services to those children and benefit:

2 (1) those children; or

3 (2) the staff and faculty of the facility.

4 (f) A person who claims an exemption under Subsection (b)(2)
5 must include with the application for the exemption an affidavit
6 certifying to the chief appraiser for the appraisal district that
7 appraises the property that is the subject of the application that:

8 (1) the person has provided to the child-care facility
9 to which the property is leased a disclosure document stating the
10 amount by which the taxes on the property are reduced as a result of
11 the exemption and the method the person will implement to ensure
12 that the rent charged for the lease of the property fully reflects
13 that reduction;

14 (2) the rent charged for the lease of the property
15 reflects the reduction in the amount of taxes on the property
16 resulting from the exemption through a monthly or annual credit
17 against the rent; and

18 (3) the person does not charge rent for the lease of
19 the property in an amount that exceeds:

20 (A) for property that consists of space in a
21 commercial property, the rent charged by the person to other
22 tenants of the commercial property for similar space; or

23 (B) for property other than property described by
24 Paragraph (A), the average rent charged for comparable rental
25 property.

26 (g) Notwithstanding any other provision of this section, a
27 person may not claim an exemption under Subsection (b)(2) for

1 property:

2 (1) for which the person claims an exemption under
3 Section 11.13; or

4 (2) any part of which is leased by the person to
5 another person for use as a principal residence.

6 (h) Property is not ineligible for an exemption under this
7 section if a portion of the property is used for functions other
8 than those described by Subsections (d) and (e). However, the
9 exemption does not apply to the value of the portion of the property
10 that is used for those other functions.

11 (i) Section 25.07 does not apply to a leasehold interest in
12 property for which the owner receives an exemption under this
13 section.

14 (j) The comptroller may adopt rules and forms necessary for
15 the administration of this section.

16 SECTION 2. Section 11.43(c), Tax Code, is amended to read as
17 follows:

18 (c) An exemption provided by Section 11.13, 11.131, 11.132,
19 11.133, 11.134, 11.17, 11.18, 11.182, 11.1827, 11.183, 11.19,
20 11.20, 11.21, 11.22, 11.23(a), (h), (j), (j-1), or (m), 11.231,
21 11.254, 11.27, 11.271, 11.29, 11.30, 11.31, 11.315, ~~or~~ 11.35, or
22 11.36, once allowed, need not be claimed in subsequent years, and
23 except as otherwise provided by Subsection (e), the exemption
24 applies to the property until it changes ownership or the person's
25 qualification for the exemption changes. However, except as
26 provided by Subsection (r), the chief appraiser may require a
27 person allowed one of the exemptions in a prior year to file a new

1 application to confirm the person's current qualification for the
2 exemption by delivering a written notice that a new application is
3 required, accompanied by an appropriate application form, to the
4 person previously allowed the exemption. If the person previously
5 allowed the exemption is 65 years of age or older, the chief
6 appraiser may not cancel the exemption due to the person's failure
7 to file the new application unless the chief appraiser complies
8 with the requirements of Subsection (q), if applicable.

9 SECTION 3. This Act applies only to ad valorem taxes imposed
10 for a tax year beginning on or after the effective date of this Act.

11 SECTION 4. This Act takes effect January 1, 2024, but only
12 if the constitutional amendment proposed by the 88th Legislature,
13 Regular Session, 2023, authorizing a local option exemption from ad
14 valorem taxation by a county or municipality of all or part of the
15 appraised value of real property used to operate a child-care
16 facility is approved by the voters. If that amendment is not
17 approved by the voters, this Act has no effect.

S.B. No. 1145

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1145 passed the Senate on May 1, 2023, by the following vote: Yeas 25, Nays 6.

Secretary of the Senate

I hereby certify that S.B. No. 1145 passed the House on May 16, 2023, by the following vote: Yeas 109, Nays 33, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor



AGENDA ITEM REQUEST FORM: K. 7.

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Stephanie Hunt

Sponsor:

Commissioner Ingalsbe

Agenda Item

Discussion and possible action to execute a Participation Agreement between Hays County and Choice Partners Cooperative related to participating in Food/Cafeteria related contract with Choice Partners Cooperative for the 2024-20252 school year. **INGALSBE/HUNT**

Summary

On February 28, 2017, the Hays County Commissioners Court approved an Interlocal Agreement with the Harris County Department of Education to become a member with Choice Partner Cooperative. Each year Hays County must sign a Participating Agreement in order to utilize the Food/Cafeteria contracts procured by Choice Partners. The Jail and Juvenile Detention center both utilize the Food/Cafeteria contracts procured through Choice Partners.

Attachments

2024-2025 Participation Agreement



Choice Partners Cooperative 2024-2025 PARTICIPATION AGREEMENT

[School District Name/Entity], commits to participating in the below selected Food/Cafeteria-Related Contracts with Choice Partners Cooperative for the **2024-2025 school year**.

1. Choice Partners (CP) is a cooperative purchasing organization under Harris County Department of Education (HCDE), a governmental entity and county school district.
2. Choice Partners (CP) formally procures these RFPs on behalf of all participating Co-op members.
3. CP contracts may only be used by governmental entities and/or nonprofit organizations that are CP members.
4. CP may allow for the addition of new members depending upon if this addition would cause a material change (as the term is defined by TDA/USDA rules and regulations) to the original contract.
5. CP contracts are awarded by the HCDE (Harris County Dept of Ed) governing board of trustees.
6. All Procurement has been and will be conducted according to EDGAR/2 CFR 200/Uniform Guidance, TDA and USDA regulations.
7. All Co-op members have access to our website (www.choicepartners.org). The CP website contains all documentation demonstrating CP's compliance with applicable laws, rules, and regulations, including, but not limited to, pricing/order guides, child nutrition labels, and due diligence files for Procurement Reviews and/or Annual Reviews (which include copies of the RFP, vendors' proposals, CP's independent estimate and cost price analysis, EDGAR certifications, etc.) administered by TDA.
8. Finalized documents are posted to the CP website and are available to members upon login.
9. There is no charge to members to join CP and no charge to members to use CP contracts.
10. The total cost of the HCDE/CP cooperative program is funded through the HCDE/CP Administrative Fees paid to HCDE/CP by awarded Vendors. Each RFP states the following: the HCDE/CP Fee must not be charged to CP members; the HCDE/CP Administrative Fee is expressly separate from and is not a part of the pricing paid by CP members; the HCDE/CP Administrative Fee is paid exclusively by the awarded Vendors and must not be passed on or charged to CP members by the Vendor; all pricing from any contract awarded pursuant to the RFP is fixed pricing; no pricing structure that charges the cost of the product or service plus a percentage of cost is allowed; and all rebates, discounts, and other applicable credits from awarded Vendors shall accrue exclusively to CP members. The HCDE/CP Administrative Fees are collected monthly (and in some instances, quarterly) from awarded Vendors and are used to cover administrative costs of the HCDE/CP cooperative program, including, but not limited to, costs associated with purchasing on behalf of CP members, trainings, providing required documentation, legal fees, and the like. CP operates a rebate program, CHOICE CASH, that provides CP members the opportunity to receive rebates across all awarded CP contracts. HCDE/CP annually provides documentation to each entity of its rebate(s); applicable federal laws and regulations, including, without limitation, Texas Department of Agriculture rules, may require that your entity classify an appropriate portion of the rebate funds to the pertinent departments/budgets. HCDE/CP does not collect any HCDE/CP Administrative Fee for USDA Foods; CP does not collect any credits, rebates, or discounts of USDA Foods.
11. Each CP member is required to complete this **Participation Agreement** if they wish to purchase from any of these bids during the agreement timeline.

By committing to participate with Choice Partners Co-op, I understand and agree to the following:

(Please acknowledge by checking each box)

- ☐ My school/district/entity must have a signed Interlocal Agreement with HCDE/Choice Partners Cooperative.
- ☐ My school/district/entity's historical purchases and estimated quantities for the upcoming year will be used in CP's procurement and contract renewal process and my exit from this contract before the committed agreement time period (12 months) could result in a "material change" of the original bid.
- ☐ I am authorized to enter into this agreement on behalf of the above-listed school/district/entity.
- ☐ I have also read, understand, and agree to the roles and responsibilities detailed below:



Choice Partners Cooperative 2024-2025 PARTICIPATION AGREEMENT

Choice Partners Cooperative's Roles and Responsibilities:

- Provide for the organizational and administrative structure of the cooperative purchasing program.
- Provide training and ongoing technical assistance as needed for all CP members.
- Receive quantity estimates from CP members & current awarded vendors and prepare appropriate quantity totals by items.
- Conduct competitive procurements and administer contracts, including renewals, and implement procurement activities in compliance with applicable state and federal procurement guidelines, including, without limitation, conducting an independent estimate and cost/price analysis for each procurement/contract.
- Send RFP invitations to all vendors and/or brokers, when applicable.
- Negotiate pricing and award contracts to responsive vendors.
- Maintain CP website with up-to-date information and documentation for CP members' review.
- Collect HCDE/CP Administrative Fees from awarded Vendors and use the Fees to cover administrative costs of the HCDE/CP cooperative program,
- Operate a rebate program, CHOICE CASH, that provides CP members the opportunity to receive rebates across all awarded CP contracts and annually distribute rebates to participating CP members.
- Host an annual nutrition and product expo for members and select students to attend.
- Undertake applicable roles and responsibilities imposed on cooperatives as outlined by TDA.

School/District/Other Entity roles and responsibilities:

- Ensure they have a signed, valid Interlocal Agreement/Participation Agreement on file with HCDE/CP.
- Timely provide CP with forecasting for all CP purchases desired for SY23-24, as requested by assessing the following factors: past purchases, current prices and trends, student enrollment (current and projected), student average participation (current and projected), future campus realignment including new schools, available and future product storage, velocity reports, planned changes specific to products, and established schedule of purchasing.
- Maintain confidentiality of information discussed at bid evaluation/procurement meetings.
- Manage the contract(s) by ensuring that the awarded vendors perform in accordance with the terms and conditions, and specifications and/or technical requirements of their contracts and/or purchase orders.
- All members are responsible for ensuring the cooperative operates in accordance with USDA Procurement standards. Individual members will not use Child Nutrition Program funds to pay invoices for goods or services that were improperly procured.
- Accept shipments of products ordered from vendors in accordance with standard purchasing procedures.
- Communicate regularly with CP staff to submit requests, report discrepancies, and respond to all related email correspondences in a reasonable timeframe.
- Utilize purchased product in a timely manner; give plenty of notice to vendors when menu changes have been made.
- Submit the appropriate documentation to CP for approval when new items are being requested to be added to a particular bid.
- Pay vendor(s) within an acceptable time frame for all goods and services, in accordance with applicable law.

****PLEASE SELECT FROM THE FOLLOWING OPTIONS WHICH CONTRACTS YOU
PLAN ON UTILIZING FOR THE UPCOMING SCHOOL YEAR:**



Choice Partners Cooperative 2024-2025 PARTICIPATION AGREEMENT

RFP	CURRENT AWARDED VENDORS	PLEASE CHECK WHICH CP CONTRACTS YOU WILL BE UTILIZING FOR SY 24-25?
BOTTLED DRINKING WATER, COOLERS, & OTHER BEVERAGE RELATED PRODUCTS 21/0365TP	DS SERVICES (SPARKLETTS)	
	NESTLE WATERS	
	THE MASTERS DISTRIBUTION SYSTEMS	
DAIRY & OTHER RELATED PRODUCTS 21/036TP	HILAND/BORDEN DAIRY	
FOOD EQUIPMENT, SMALL WARES, PARTS, REPAIR,... 23/038TP	ACE MART RESTAURANT SUPPLY	
	AMERICAN VENDING SALES	
	BUDGET RESTAURANT SUPPLY	
	COMMERCIAL KITCHENS PARTS & SERVICE	
	COOLERS INC.	
	INNOSEAL SYSTEMS	
	TRI-MARK/ISI COMMERCIAL REFRIGERATION	
	JEAN'S RESTAURANT SUPPLY	
	LIBERTY OFFICE PRODUCTS	
	MISSION RESTAURANT SUPPLY	
	PARTS TOWN	
	PASCO BROKERAGE	
	SHEPHERD FOOD EQUIPMENT	
FROZEN & CHILLED BEVERAGES	TBD - WILL BE AWARDED AT JUNE BOARD MEETING	



Choice Partners Cooperative 2024-2025 PARTICIPATION AGREEMENT

COMMERCIAL FOOD DISTRIBUTOR	TBD - WILL BE AWARDED AT MAY BOARD MEETING	
TECHNOLOGY & OTHER RELATED SERVICES AND PRODUCTS 23/004LS	DESCON SIGNAGE SOLUTIONS	
	EMS LINQ (Meals Plus and ISite)	
	HARRIS SCHOOL SOLUTIONS	
	HEALTH-E MEAL PLANNER PRO	
	HEARTLAND SCHOOL	
	MENULOGIC K12	
	PCS REVENUE CONTROL SYSTEMS	
	PRIMEROEDGE	
	TABLETKIOSK	
	TEKVISIONS INC	
CAFETERIA TRADES 23/019TP	PALMER HAMILTON	
	RADIUS DESIGN WORKS	
	THE EDU-SOURCE CORP.	
CHEMICAL PRODUCTS & SERVICES 22/037TP	ARMSTRONG REPAIR CENTER	
	AUTO-CHLOR SERVICES, LLC	
	ECOLAB INC.	
	SEATEX LLC	
	SFSPAC FOOD SAFETY & SANITATION	



Choice Partners Cooperative 2024-2025 PARTICIPATION AGREEMENT

DIRECT DELIVERY OF SNACKS & BEVERAGES 22/040LS	MASTERS DISTRIBUTION	
RESTAURANT BRANDED FOOD DELIVERY 22/039LS	MAC PIZZA MGMT.	
	DOMINO'S INC.	
ICE CREAM PRODUCTS 21/041LS/ 23/037TP	BLUE BONNET	
	JP ICE CREAM DISTRIBUTORS	
	LA COSTENITA DISTRIBUTOR INC.	
	YUMI ICE CREAM CO.	
	SOUTHERN ICE CREAM	
SITE BASED PIZZA PROGRAM 21/046LS	SMART MOUTH FOODS	
PRODUCE & OTHER SPECIALTY PRODUCT 23/030TP	BROTHERS FOODSERVICES	
	BROTHERS PRODUCE	
	HARDIES FRESH FOODS	
SMALL WARES, PREVENTATIVE MAINTENANCE, & REPAIRS FOR FOOD SERVICE 24/027AK	TBD - WILL BE AWARDED AT APRIL BOARD MEETING	
DIRECT SHIP FOR CACFP AND SFSP PROGRAMS	TBD - HOPING TO HAVE THIS AWARDED AT APRIL BOARD MEETING	



Choice Partners Cooperative 2024-2025 PARTICIPATION AGREEMENT

This Participation Agreement and the School/District/Entity's Interlocal Agreement constitute the entire agreement of the parties regarding the subject matter hereof; notwithstanding any provision in the School/District/Entity's Interlocal Agreement to the contrary, in the event of a conflict between the terms of this Participation Agreement and the School/District/Entity's Interlocal Agreement, the terms of the School/District/Entity's Interlocal Agreement shall prevail.

Primary Contact's Name

Title

Email Address

Phone Number

Signature Authorized Representative

Today's Date

Secondary Contact's Name

Title

Email Address

Phone Number

County

*CE ID#
(if applicable)*

*ESC Region
(if applicable)*

*2022-2023 Enrollment
(if applicable)*

Mailing Address _____

City, State, Zip _____

****Return completed form to:**
Choice Partners - Trisha Prestigiacomo
Trisha@ChoicePartners.org



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Shari Miller

Sponsor:

Judge Becerra

Agenda Item

Discussion and possible action to award a contract for RFP 2024-P07 Employee Benefits Financial Consulting Services to NFP Corporate Services (TX), LLC and authorize staff and the District Attorney, Civil Division to negotiate a contract.
BECERRA/MILLER

Summary

On December 19, 2023, the Commissioners Court approved specifications and authorized Purchasing to solicit for RFP 2024-P07 Employee Benefits Financial Consulting Services. Purchasing received the following nine (9) proposals:

Alliant Insurance Services, Inc.
Gallagher Benefit Services, Inc.
Holmes Murphy & Associate
HUB International Texas, Inc.
Insgroup, LLC
Marsh and McLennan Agency, LLC - Southwest Region
McGriff Insurance Services, LLC
NFP Corporate Services (TX), LLC
Digital Insurance dba OneDigital

After evaluation of the proposals, the evaluation committee's recommendation is to pursue negotiations with NFP Corporate Services (TX), LLC. Upon successful negotiation, a contract will be brought back before court to approve and finalize the contract award.

Attachments

RFP 2024-P07 Final Tabulation

RFP 2024-P07 Employee Benefits Financial Consulting Services
Final Tabulation

Firm	Averages	
	Score	Rank
Alliant Insurance Services, Inc.	71	5
Gallagher Benefit Services, Inc.	64	8
Holmes Murphy & Associate	63	9
HUB International Texas, Inc.	72	4
Insgroup, LLC	83	2
Marsh & McLennan Agency LLC - Southwest Region	66	7
McGriff Insurance Services, LLC	81	3
NFP Corporate Services (TX), LLC	98	1
Digital Insurance dba OneDigital	70	6



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Marcus Pacheco, Director of Development Services

Sponsor:

Commissioner Ingalsbe

Agenda Item

Discussion and possible action to approve the 9-1-1 Addressing and Street Name Interlocal Agreement (ILA) between Hays County and the City of Niederwald. **INGALSBE/PACHECO**

Summary

Discussion and possible action to approve the 9-1-1 Addressing and Street Name Interlocal Agreement (ILA) between Hays County and the City of Niederwald. Hays County recently updated the 9-1-1 Addressing and Street Name Standards and has been working with the City to update our ILA. The current ILA was last updated in 2010.

Attachments

City of Niederwald ILA

INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY, TEXAS AND THE CITY OF NIEDERWALD, TEXAS REGARDING 9-1-1 ADDRESSING & STREET NAME SERVICES

This Interlocal Agreement (the "ILA") regarding 9-1-1 addressing & street name services is made on the last date entered below between the City of Niederwald, a Texas general law municipality (the "City"), and the County of Hays, a political subdivision of the State of Texas (the "County"), collectively referred to hereinafter as "the Parties." This ILA is for 9-1-1 addressing & street name services for the area within the boundary of the city, which are located within the boundary of Hays County.

WHEREAS, the Commissioners Court of the County (the "Court") and the City Council of the City (the "Council") have each found that contracting for and with respect to the governmental services hereinafter described will result in increased efficiency and economy to the citizens of each such governmental entity; and

WHEREAS, both the County and the City desire to enter into an Interlocal Agreement pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code, whereby the County will provide the City with 9-1-1 address assignments;

NOW, THEREFORE, the County and City mutually agree as follows:

I. PURPOSE

1.01 General. This Agreement will outline the services rendered by the County for assignment and review of Addressing & Street Name Standards adopted by the County. The City grants authority to the County to provide the application process, review, site visits, inspections, and enforcement of this Agreement under the Regulations adopted by the County.

II. CITY OBLIGATIONS

2.01 City Obligations. The City shall take any and all actions necessary to remain in compliance with Federal, State, and local Regulations during the entire term of this Agreement. With the assistance and cooperation of the County, the City shall perform and provide the following services: (1) Include in the necessary steps of subdivision review, a requirement that the County must review and approve all new street names and street configuration on behalf of the City for the purposes of Hays County 9-1-1 Addressing. (2) Provide the County two (2) copies of all newly accepted and approved subdivision plats in the City. (3) Provide the County with digital data of the plat in a format in compliance with the Hays County Digital Data Standards. (4) Provide notification to the County of all upcoming subdivisions. (5) Coordinate with the County regarding any street name or address changes. (6) Provide the County with copies of all signed annexations, dis-annexations, maps, and ordinances in accordance with the Texas Election Code, Chapter 42 and Local Government Code Chapters 41, 42, and 43D. (7) The City shall appoint an individual(s) to be the County's point-of-contact (POC).

III. COUNTY OBLIGATIONS

3.01 County Obligations. The parties agree the County may contract to perform services similar or identical to those specified in this Agreement for such additional governmental or public entities as the County in its discretion sees fit.

Any civil liability relating to the furnishing of services under this Agreement shall be the responsibility of the County, except as herein provided. The parties agree that the County shall be acting as an independent contractor for the City in performing services contemplated by this Agreement. The County shall hold the City free and harmless from any obligation, costs, claims, judgments, attorney's fees, attachments, and other such liabilities arising from or growing out of the services rendered to the City pursuant to the terms of this Agreement or in any way connected with the

rendering of said services, except when the same shall arise because of the willful misconduct or negligence of the City.

As long as there are sufficient funds available and following the "9-1-1 Addressing & Street Name Standards" as adopted by the Hays County Commissioners Court and the guidelines published by the Capital Area Council of Governments (CAPCOG) in 2009 and any subsequent updates. With the assistance and cooperation of the City, and coordinating with Caldwell County when applicable, the County shall perform and provide the following services within Hays County: (1) Assign an address for each addressable structure, whether vacant or not. (2) Review and approve street names in conjunction with street name configuration submitted for new subdivisions located within the corporate limits of the city. (3) Assign addresses to all newly-accepted-and-approved subdivisions in the city. (4) Provide copies of address plats to the Hays Central Appraisal District (Hays CAD), the United States Postal Service (U.S.P.S.), and the City (upon request). The County will accept application(s), supporting document(s) and collect all fees. The City, by and through its governing body, shall perform all duties required of the City and/or the governing body under the Regulations.

IV. DISPUTES

4.01 Material Breach; Notice and Opportunity to Cure.

(a) In the event that one Party believes another Party has materially breached one of the provisions of this Agreement, the non-defaulting Party will make written demand to cure and give the defaulting Party up to 30 days to cure such material breach, or, if the curative action cannot reasonably be completed within 30 days, the defaulting Party will commence the curative action within 30 days and thereafter diligently pursue the curative action to completion. Notwithstanding the foregoing, any matters specified in the default notice which may be cured solely by the payment of money must be cured within 10 days after receipt of the notice. This applicable time period must pass before the non-defaulting Party may initiate any remedies available to the non-defaulting Party due to such breach.

(b) Any non-defaulting Party will mitigate direct or consequential damage arising from any breach or default to the extent reasonably possible under the circumstances.

(c) The Parties agree that they will negotiate in good faith to resolve any disputes and may engage in non-binding mediation, arbitration, or other alternative dispute resolution methods as recommended by the laws of the State of Texas.

4.02 Equitable Relief. In recognition that failure in the performance of the Parties' respective obligations could not be adequately compensated in money damages alone, the Parties agree that after providing notice and an opportunity to cure in accordance with Section 4.01 above, the Parties shall have the right to request any court, agency, or other governmental authority of appropriate jurisdiction to grant any and all remedies which are appropriate to assure conformance to the provisions of this Agreement. The defaulting Party shall be liable to the other for all costs actually incurred in pursuing such remedies, including reasonable attorney's fees, and for any penalties or fines as a result of the failure to comply with the terms, including without limitation the right to obtain a writ of mandamus or an injunction requiring the governing body of the defaulting party to levy and collect rates and charges or other revenues sufficient to pay the amounts owed under this Agreement.

4.03 Agreement's Remedies Not Exclusive. The provisions of this Agreement providing remedies in the event of a Party's breach are not intended to be exclusive remedies. The Parties retain, except to the extent released or waived by the express terms of this Agreement, all rights at law and in equity to enforce the terms of this Agreement.

V. GENERAL PROVISIONS

5.01 Authority. This Agreement is made in part under the authority conferred in Chapter 791, Texas Government

Code.

5.02 Term. This Agreement shall commence upon execution of this Agreement. It is expressly understood and agreed that this Agreement may be terminated for any reason at any time by either party upon thirty (30) days written notice. The Agreement will have no force or effect until duly executed by all parties. This Agreement shall terminate after one (1) year from the effective date. A renewal of this Agreement or extension may be granted if notification is given in writing to both parties at a minimum of sixty (60) days prior to the expiration.

5.03 Severability. The provisions of this Agreement are severable and, if any provision of this Agreement is held to be invalid for any reason by a court or agency of competent jurisdiction, the remainder of this Agreement will not be affected, and this Agreement will be construed as if the invalid portion had never been contained herein.

5.04 Default and Remedies. If the City fails to make reimbursement payments under this Agreement and continues such failure for thirty (30) days after the County provides written notice to cure, the City shall be deemed to be in default under this Agreement. In the event that the County defaults under this Agreement, and such default is not cured, the City may, in addition to any other remedy at law or equity, immediately terminate this Agreement or seek specific performance of this Agreement.

5.05 Payments from Current Revenues. Any payments required to be made by a Party under this Agreement will be paid from current revenues or other funds lawfully available to the Party for such purpose.

5.06 Cooperation. The Parties agree to cooperate at all times in good faith to effectuate the purposes and intent of this Agreement.

5.07 Entire Agreement. This Agreement contains the entire agreement of the Parties regarding the subject matter hereof and supersedes all prior or contemporaneous understandings or representations, whether oral or written, regarding the subject matter.

5.08 Amendments. Any amendment of this Agreement must be in writing and will be effective if signed by the authorized representatives of the Parties.

5.09 Applicable Law; Venue. This Agreement will be construed in accordance with Texas law. Venue for any action arising hereunder will be in Hays County, Texas.

5.10 Notices. Any notices given under this Agreement will be effective if: (i) forwarded to a Party by hand-delivery; (ii) transmitted to a Party by confirmed telecopy; or (iii) deposited with the U.S. Postal Service, postage prepaid, certified, to the address of the Party indicated below:

CITY: City of Niederwald
8807 Niederwald Strasse
Niederwald, Texas 78640
512-398-6338

COUNTY: Hays County Department of Development Services
2171 Yarrington Road
Kyle, TX 78640
512-393-2150

WITH COPY TO: Hays County Criminal District Attorney's Office
Downtown Office
111 E. San Antonio St. #202
San Marcos, TX 78666

5.11 Counterparts; Effect of Partial Execution. This Agreement may be executed simultaneously in multiple counterparts, each of which will be deemed an original, but all of which will constitute the same instrument.

5.12 Authority. Each Party represents and warrants that it has the full right, power, and authority to execute this Agreement.

5.13 Effective Date. This Agreement is executed to be effective on the date the last Party signs this Agreement.

5.14 No Joint Venture. The Project is a sole project of the County and is not a joint venture or other partnership with the City.

IN WITNESS THEREOF, the Parties have each executed this Agreement, this the _____ day of _____, 2024 ("Effective Date").

HAYS COUNTY

BY: _____
Ruben Becerra, Hays County Judge

DATE: _____

ATTEST: _____
Elaine H. Cardenas, County Clerk

CITY OF NIEDERWALD

BY: _____
Charles Bisson, City of Niederwald Mayor

DATE: 2/12/2024

ATTEST: Reynell Smith
Reynell Smith, City Secretary





Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor: Commissioner Ingalsbe

Agenda Item:

Discussion and possible action to authorize the execution of the Hays County American Rescue Plan Recovery Donation Agreement between Hays County and San Marcos Youth Services Bureau and amend the budget accordingly. **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 Pct. 1 revenue loss allocation.

Fiscal Impact:

Amount Requested: \$50,000

Line Item Number: 011-763-99-159.5600_048

Budget Office:

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

Budget Amendment Required Y/N?: Yes

Comments: N/A

(\$50,000) - Increase Intergovernmental Revenue 011-763-99-159.4301

\$50,000 - Increase Project Contributions YSB 011-763-99-159.5600_048

Purchasing Office:

Purchasing Guidelines Followed Y/N?: N/A

Comments:

Auditor's Office

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: Yes, \$50,000 in Intergovernmental Revenues ARPA funds from 2nd tranche

Comments:

Attachments

YSB ARPA Agreement

YSB Funding Request



"To empower the youth of San Marcos and Hays County communities to become contributing members of society as adults."

2004-B MEDICAL PARKWAY, STE. 105, SAN MARCOS, TX. 78666

WWW.YSB.ORG

(512) 396-5437

February 12, 2024

Dear Commissioner, Ingallsbe,

The San Marcos Youth Service Bureau has been serving the youth of the community since 1975. YSB is requesting financial assistance for general operations due to newly acquired rent.

YSB is an afterschool and summer program that provides a safe place for at-risk youth ages 11-17, to spend their out-of-school time while parents are typically at work and must leave their children unattended. There is no charge for the program.

Our focus is to address the needs of youth in the years when they are finding their way into adulthood. The program consists of mentorship, education in making healthy choices and life skills training. Alongside staff and volunteer mentors, we travel to other sites such as parks, nature centers, and volunteer sites.

YSB tours businesses or hosts guest speakers who explain potential careers and the education needed to achieve a position in that area of that work.

YSB will continue outdoor recreation, swimming in a spring fed pool, hiking, going to art and science museums. We have also reconnected with our volunteering efforts with the Assisted Living Residents, the Discovery Center, and various projects such as Bell ringing for the Salvation Army, packing food for School Fuel, assisting Christmas benefits and more.

We appreciate the funding and support for last year. We regained our routine activities last summer before YSB was asked to relocate within a six-week window. With the help and support of the community and our newly established Board of Directors, we moved 20 years of our program to a new location. Our location now includes the cost of rent, but, I feel the location is much safer without the homeless population downstairs. Our rent is \$32,400 for the first year, increasing 15% each year. This is an expense we have not had in the past 20 years due to our previous location. As you might be aware, our budget is very limited.

The room is a bit tighter, but we now have a small area outdoors. We plan to build vegetable and native flower gardens this summer for our STEAM Programming. We are hopeful to obtain a rain barrel and experiment with vermiculture and toad hotels.

I believe the YSB program can increase support to Hays County families in our new location.

In the past year, with your support we restructured the 501c3, taking full control of the program. We have been able to separate ourselves from the previous organization, reengage the community with our Chili-cookoff fundraiser, and establish new relationships in the community, including some home-schooled youth!

Thank you for your time and consideration!

Regards,

Julie Hollar, Executive Director
San Marcos Youth Service Bureau, Inc.
julie@ysb.org
512.396.5437



**"To empower the youth of San Marcos and Hays County communities to
become contributing members of society as adults."**

2004-B MEDICAL PARKWAY, STE. 105, SAN MARCOS, TX. 78666

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Thank you for your time and consideration!

Regards,

Julie Hollar, Executive Director
San Marcos Youth Service Bureau, Inc.
julie@ysb.org
512.396.5437



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Avrey Anderson, District Clerk

Sponsor:

Judge Becerra

Agenda Item

Discussion and possible action to authorize the County Judge to execute a Participation Agreement and Resolution with TexPool Investment Pools designating the District Clerk as an Authorized Representative for related trust accounts as authorized pursuant to Texas Local Government Code, Section 117.053. **BECERRA/ANDERSON**

Summary

Pursuant to TLGC, Sec. 117.053. WITHDRAWAL OF FUNDS. (a) If a commissioners' court selects a new depository under Subchapter B, when the depository qualifies, the county clerk and the district clerk shall transfer the funds in a special account from the old depository to the new depository, and the clerks may draw checks on the accounts for this purpose. (b) Except as provided by Subsection (a), a clerk may not draw a check on special account funds held by a depository except to pay a person entitled to the funds. The payment must be made under an order of the court of proper jurisdiction in which the funds were deposited except that an appeal bond shall be paid without a written order of the court on receipt of mandate or dismissal and funds deposited under Chapter 1355, Estates Code, may be paid without a written order of the court. The clerk shall place on the check the style and number of the proceeding in which the money was deposited with the clerk.

(c) The clerk shall transfer any registry funds into a separate account when directed to by a written order of a court of proper jurisdiction or when the clerk is required to under Chapter 1355, Estates Code. The clerk shall transfer the funds into a separate account in:

- (1) interest-bearing deposits in a financial institution doing business in this state that is insured by the Federal Deposit Insurance Corporation;
- (2) United States treasury bills;
- (3) an eligible inter-local investment pool that meets the requirements of Sections 2256.016, 2256.017, and 2256.019, Government Code; or
- (4) a no-load money market mutual fund, if the fund:
 - (A) is regulated by the Securities and Exchange Commission;
 - (B) has a dollar weighted average stated maturity of 90 days or fewer; and
 - (C) includes in its investment objectives the maintenance of a stable net asset value of \$1 for each share.

Attached documents will be completed, signed by the District Clerk and brought to the Commissioners Court for final execution.

Attachments

TexPool Participation Agreement
TexPool Resolution



TexPool Investment Pools Participation Agreement

Preamble

This participation agreement (the "**Agreement**") is made and entered into by and between the Comptroller of Public Accounts (the "**Comptroller**"), acting through the Texas Treasury Safekeeping Trust Company (the "**Trust Company**"), Trustee of the Texas Local Government Investment Pool (TexPool) and TexPool Prime, (collectively the "**TexPool Investment Pools**"), and _____ (the "**Participant**").

WHEREAS, the Interlocal Cooperation Act, TEX GOV'T CODE ANN, ch. 791 and the Public Funds Investment Act, TEX. GOV'T CODE ANN. ch. 2256 (the "**Acts**") provide for the creation of a public funds investment pool to which any local government or state agency may delegate, by contract, the authority to hold legal title as custodian and to make investments purchased with local funds;

WHEREAS, the Trust Company is a special purpose trust company authorized pursuant to TEX. GOV'T CODE ANN. § 404.103 to receive, transfer and disburse money and securities belonging to state agencies and local political subdivisions of the state and for which the Comptroller is the sole officer, director and shareholder;

WHEREAS, TexPool and TexPool Prime are public funds investment pools, which funds are invested in certain eligible investments as more fully described hereafter;

WHEREAS, the Participant has determined that it is authorized to invest in a public funds investment pool created under the Acts and to enter into this Agreement;

WHEREAS, the Participant acknowledges that the Trust Company is not responsible for independently verifying the Participant's authority to invest under the Acts or to enter this Agreement;

WHEREAS, the Participant acknowledges that the performance of TexPool Investment Pools is not guaranteed by the State of Texas, the Comptroller, or the Trust Company and that there is no secondary source of payment for the TexPool Investment Pools; and

WHEREAS, in an effort to ensure the continued availability of an investment pool as a vehicle for investment of local government funds and simultaneously provide for enhancement in services and potential decreases in management and administrative fees, Participant and Trust Company desire to provide in this Agreement that the Trust Company may obtain private professional investment management and related services.

NOW THEREFORE, for and in consideration of the mutual promises, covenants and agreements herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree with each other as follows:

Article I: Definitions

"Account" shall mean any account or accounts, established by the Participant in TexPool Investment Pools in accordance with this Agreement and the Operating Procedures (as defined herein), which Account represents an undivided beneficial ownership in TexPool Investment Pools.

"Authorized Investments" shall mean those investments which are authorized by the Investment Act (as herein defined) for investment of public funds.

"Authorized Representative(s) of the Participant" shall mean any individual who is authorized to execute documents and take such other necessary actions under this Agreement as evidenced by the duly enacted Resolution of the Participant.

"Authorized Representative(s) of the Trust Company" shall mean any employee of the Comptroller or Trust Company who is designated in writing by the Comptroller or the Trust Company's Chief Executive Officer to act as the authorized Trust Company representative for purposes of this Agreement and shall include employees of any private entity performing the obligations of the Comptroller under this Agreement.

"Board" shall mean the advisory board provided for in the Investment Act (as defined below).

"Investment Act" shall mean the Public Funds Investment Act, TEX. GOV'T CODE ANN. ch. 2256, as amended from time to time.

"Investment Policy" shall mean the written TexPool Investment Pools Investment Policies, as amended from time to time, relating to the investment and management of funds in TexPool Investment Pools as established by the Trust Company consistent with the Investment Act.

"Letter of Instruction" shall mean a written authorization and direction to the Trust Company signed by an Authorized Representative of the Participant.

Article I: Definitions (continued)

"Operating Procedures" shall mean the written procedures established by the Trust Company describing the management and operation of TexPool Investment Pools, and providing for the establishment of, deposits to and withdrawals from the Accounts, as amended from time to time.

"Participant" shall mean any entity authorized by the Acts to participate in a public funds investment pool that has executed this Agreement pursuant to a Resolution.

"Resolution" shall mean the resolution adopted by the governing body of a local governmental entity authorizing the entity's participation in TexPool Investment Pools and designating persons to serve as Authorized Representatives of the Participant.

Article II: General Administration

Section 2.01. TexPool Investment Pools Defined.

- (a) TexPool Investment Pools are public funds investment pools created pursuant to the Acts.
- (b) Subject to Section 6.10, the Trust Company agrees to manage the Participant's Account(s) in accordance with the Investment Act and the Investment Policy.

Section 2.02. Board.

- (a) The Board is composed of members appointed pursuant to the requirements of the Investment Act.
- (b) The Board shall advise the Trust Company on the Investment Policy and on various other matters affecting TexPool Investment Pools, and shall approve fee increases.

Section 2.03. General Administration.

- (a) The Trust Company shall establish and maintain the Investment Policy specifically identifying the Authorized Investments consistent with the Investment Act and the general policy and investment goals for TexPool Investment Pools.
- (b) The Trust Company shall establish and maintain the Operating Procedures, describing the management and operation of TexPool Investment Pools and providing for procedures to be followed for the establishment of, deposits to, and withdrawals from the Accounts and such other matters as are necessary to carry out the intent of this Agreement.
- (c) The Trust Company shall have the power to take any action necessary to carry out the purposes of this Agreement, subject to applicable law and the terms of this Agreement.

Section 2.04. Ownership Interest. Each Participant shall own an undivided beneficial interest in the assets of TexPool Investment Pools in an amount proportional to the total amount of such Participant's Accounts relative to the total amount of all Participants' Accounts in TexPool Investment Pools, computed on a daily basis.

Section 2.05. Independent Audit. TexPool Investment Pools are subject to annual review by an independent auditor consistent with Ch. 2256, TEX GOV'T CODE ANN. In addition, reviews of TexPool Investment Pools may be conducted by the State Auditor's Office and the Comptroller's office. The Trust Company may obtain such legal, accounting, financial or other professional services as it deems necessary or appropriate to assist TexPool Investment Pools in meeting its goals and objectives.

Section 2.06. Liability. Any liability of the Comptroller, the Comptroller's office, the Trust Company, representatives or agents of the Trust Company, any Comptroller employee, Trust Company or any member of the Board for any loss, damage or claim, including losses from investments and transfers, to the Participant shall be limited to the full extent allowed by applicable laws. The Trust Company's responsibilities hereunder are limited to the management and investment of TexPool Investment Pools and the providing of reports and information herein required.

Article III: Participant Requirement

Section 3.01. The Participation Agreement. The Participant must execute this Agreement and provide a Resolution authorizing participation in TexPool Investment Pools and designating persons to serve as Authorized Representatives of the Participant and any other documents as are required under, and substantially in the form prescribed by, the Operating Procedures before depositing any funds into TexPool Investment Pools. The Participant must provide an updated Resolution designating Authorized Representatives within 5 business days of the departure of any Authorized Representative of the Participant.

Section 3.02. Operating Procedures.

- (a) The Participant acknowledges receipt of a copy of the Operating Procedures. The Operating Procedures describe in detail the procedures required for the establishment of accounts, deposits to and withdrawals from TexPool Investment Pools, and related information.
- (b) The Operating Procedures may be modified by the Trust Company as appropriate to remain consistent with established banking practices and capabilities and when such modification is deemed necessary to improve the operation of TexPool Investment Pools.
- (c) The Participant hereby concurs with and agrees to abide by the Operating Procedures.

Article IV: Investments

Section 4.01. Investments. All monies held in TexPool Investment Pools shall be invested and reinvested by the Trust Company or Authorized Representatives of the Trust Company only in Authorized Investments in accordance with the Agreement, the Investment Policy and the Investment Act. Participant hereby concurs with any such investment so made by the Trust Company. Available funds of TexPool Investment Pools that are uninvested may be held at the Trust Company's account at the Federal Reserve Bank of Dallas, or any designated custodian account, or with a custodian selected by the Trust Company. All investment assets and collateral will be in the possession of the Trust Company and held in its book-entry safekeeping account at the Federal Reserve Bank, any designated custodian account, or with a custodian selected by the Trust Company.

Section 4.02. Failed Investment Transaction. In the extraordinary event that a purchase of securities results in a failed settlement, any resulting uninvested funds shall remain in the Trust Company's Federal Bank of Dallas account, any designated custodian account or with a custodian selected by the Trust Company. If an alternative investment can be secured after the failure of the trade to settle, TexPool Investment Pools will receive all the income earnings, including but not limited to, any compensation from the purchaser failing in the trade and the interest income from the alternative investment.

Section 4.03. Investment Earnings and Losses Allocation. All interest earnings in TexPool Investment Pools will be valued daily and credited to the Participant's Accounts monthly, on a pro rata allocation basis. All losses, if any, resulting from the investment of monies in TexPool shall also be allocated on a pro rata allocation basis. All earnings and losses will be allocated to the Participant's Accounts in accordance with generally accepted accounting procedures.

Section 4.04. Commingling of Accounts. Participant agrees that monies deposited in TexPool and TexPool Prime, may be commingled with all other monies held in TexPool and TexPool Prime, respectively for purposes of common investment and operational efficiency. However, each Participant will have separate Accounts on the books and records of TexPool Investment Pools, as further provided for in the Operating Procedures.

Article V: Fees, Expenses and Reports

Section 5.01. Fees and Expenses. The Participant agrees to pay the amount set forth in the fee schedule. Participant agrees that all fees shall be directly and automatically assessed and charged against the Participant's Accounts. The basic service fee shall be calculated as a reduction in the daily income earned, thus only the net income shall be credited to the Participant's Account. Fees for special services shall be charged to each Participant's account as they are incurred or performed. A schedule of fees shall be provided to the Participant annually. Each Participant will be notified thirty (30) days prior to the effective date of any change in the fee schedule.

Section 5.02. Reports. A monthly statement will be mailed to the Participant within the first five (5) business days of the succeeding month. The monthly statement shall include a detailed listing of the balance in the Participant's Accounts as of the date of the statement; all account activity, including deposits and withdrawals; the daily and monthly yield information; and any special fees and expenses charged. Additionally, copies of the Participant's reports in physical or computer form will be maintained for a minimum of three prior fiscal years. All records shall be available for inspection at all reasonable hours of the business day and under reasonable conditions.

Section 5.03. Confidentiality. The Trust Company and any private entity acting on behalf of the Trust Company for purposes of this Agreement will maintain the confidentiality of the Participant's Accounts, subject to the Public Information Act, TEX GOV'T CODE ANN. ch. 552, as amended.

Article VI: Miscellaneous

Section 6.01. Notices. Any notices, Letters of Instructions or other information required or permitted to be given hereunder shall be submitted in writing and shall be deemed duly given when deposited in the U.S. mail postage prepaid or successfully transmitted via facsimile addressed to the parties as follows:

To the **Participant**:

Participant

Address

City

State

Zip

Telephone

Fax

Article VI: Miscellaneous (continued)

To **Trust Company** with respect to contractual matters or disputes under this Agreement:

Texas Treasury Safekeeping Trust Company
Attn: TexPool Investment Pools
Rusk State Office Building
208 East 10th Street
Austin, TX 78701
Telephone: (512) 463-4300
FAX No.: (512) 463-4368

To **TexPool Investment Pools** with respect to operational matters, including enrollment documents; changes to Authorized Representatives; Bank Information Sheets; initiation of deposits or withdrawals of funds; changes to addresses; audit confirmation requests; and account inquiry:

TexPool Participant Services
1001 Texas Ave., Suite 1150
Houston, TX 77002
Telephone: 1-866-839-7665 (1-866-TEX-POOL)
FAX No.: 1-866-839-3291 (1-866-TEX-FAX1)

The Participant and the Trust Company agree to notify the other of any change affecting this information and agree that unless and until so notified, the other party shall be entitled to rely on the last information provided.

Section 6.02. Taxpayer Identification Number. The Participant's taxpayer identification number assigned by the Internal Revenue Service is: . The Participant hereby agrees to notify the Trust Company of any change affecting this Taxpayer Identification number and agrees that unless and until so notified, the Trust Company shall be entitled to rely on same in providing any and all reports or other information necessary or required by the Federal tax laws as amended from time to time.

Section 6.03. Severability. If any provision of this Agreement shall be held or deemed to be in fact illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatsoever.

Section 6.04. Execution of Counterparts. This Agreement may be simultaneously executed in several separate counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 6.05. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any dispute under this Agreement shall be in Travis County, Texas.

Section 6.06. Captions. The captions or headings in this Agreement are for convenience only and in no way defined, limit or describe the scope or intent of any provisions, articles or sections of this Agreement.

Section 6.07. Amendments.

- (a) The Trust Company shall advise the Participant in writing of any amendments to this Agreement no less than 45 days prior to the effective date of such amendment. The Participant may ratify the proposed amendment of this Agreement by letter to the Trust Company. If the Participant elects not to ratify the amendment, the Participant may terminate this Agreement in accordance with Section 6.08. In the event the Participant fails to respond in writing to a notice of amendment prior to the effective date of such amendment, this Agreement shall be deemed amended.
- (b) The Trust Company may periodically revise the Operating Procedures from time to time as it deems necessary for the efficient operation of TexPool Investment Pools. The Participant will be bound by any amendment to the Operating Procedures with respect to any transaction occurring subsequent to the time such amendment takes effect, provided, however, that no such amendment shall affect the Participant's right to cease to be a Participant.

Section 6.08. Termination. This Agreement may be terminated by either party hereto, with or without cause, by tendering 30 days prior written notice in the manner set forth in Section 6.01 hereof.

Section 6.09. Term. Unless terminated in accordance with Section 6.08, this Agreement shall be automatically renewed on each anniversary date hereof.

Section 6.10. Assignment. The Trust Company may enter into an agreement with a third party investment manager to perform its obligations and service under this Agreement, provided that such third party investment manager shall manage TexPool Investment Pools according to the Investment Act, Investment Policy and in a manner consistent with that directed by the Trust Company. The Trust Company also shall have the right to assign its rights and obligations under the Agreement to a third party investment manager if the Trust Company determines that such assignment is in the best interest of the State and Participants. In the event a successor pool to TexPool or TexPool Prime is deemed by the Trust Company to be in the best interest of the State and the Participant, the Trust Company may take any action it deems necessary to assign its rights and benefits under any third party agreements and transfer the assets from TexPool Investment Pools to any successor pool.

Article VI: Miscellaneous (continued)

In **Witness Whereof**, the parties hereto have caused this Agreement to be executed as of the dates set forth below, and the Agreement shall be effective as of the latest such date.

Document is to be signed by a Board Officer, Mayor or County Judge, Certificate of Incumbency is to be signed by a Board Officer, City Secretary or County Clerk.

Name of Participant

SIGNED:

Signature

Printed Name

Title

Date

TEXAS TREASURY SAFEKEEPING TRUST COMPANY COMPTROLLER OF PUBLIC ACCOUNTS:

Signature

Printed Name

Title

Date

CERTIFICATE OF INCUMBENCY:

The preceding signatory is a duly appointed, acting, and qualified officer of the Participant, who, in the capacity set forth above is authorized to execute this Agreement.

IN WITNESS WHEREOF, I have duly executed this certificate as of the day of , 20.

Signature

Printed Name

Title

Delivery Instructions

Please return this document to **TexPool Participant Services:**

Email: texpool@dstsystems.com

Fax: 866-839-3291



Resolution Authorizing Participation in the TexPool Investment Pools and Designating Authorized Representatives

WHEREAS, _____
("Participant") is a local government or state agency of the State of Texas and is empowered to delegate to the public funds investment pools the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pools ("TexPool/TexPool Prime"), public funds investment pools, were created on behalf of entities whose investment objectives in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That Participant shall enter into a Participation Agreement to establish an account in its name in TexPool/TexPool Prime, for the purpose of transmitting local funds for investment in TexPool/TexPool Prime.
- B. That the individuals, whose signatures appear in this Resolution, are authorized representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool/TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

Authorized Representatives of the Participant

These individuals will be issued P.I.N. numbers to transact business via telephone with a Participant Service Representative.

1.	<input type="text"/>	<input type="text"/>
	Signature	Telephone Number
	<input type="text"/>	<input type="text"/>
	Printed Name	Fax Number
	<input type="text"/>	<input type="text"/>
	Title	Email
2.	<input type="text"/>	<input type="text"/>
	Signature	Telephone Number
	<input type="text"/>	<input type="text"/>
	Printed Name	Fax Number
	<input type="text"/>	<input type="text"/>
	Title	Email
3.	<input type="text"/>	<input type="text"/>
	Signature	Telephone Number
	<input type="text"/>	<input type="text"/>
	Printed Name	Fax Number
	<input type="text"/>	<input type="text"/>
	Title	Email
4.	<input type="text"/>	<input type="text"/>
	Signature	Telephone Number
	<input type="text"/>	<input type="text"/>
	Printed Name	Fax Number
	<input type="text"/>	<input type="text"/>
	Title	Email

Authorized Representatives of the Participant (continued)

5.	<input type="text"/>	<input type="text"/>
	Signature	Telephone Number
	<input type="text"/>	<input type="text"/>
	Printed Name	Fax Number
	<input type="text"/>	<input type="text"/>
	Title	Email
6.	<input type="text"/>	<input type="text"/>
	Signature	Telephone Number
	<input type="text"/>	<input type="text"/>
	Printed Name	Fax Number
	<input type="text"/>	<input type="text"/>
	Title	Email

List the name of the Authorized Representative provided above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Printed Name

In addition and at the option of the Participant, additional authorized representative(s) can be designated to perform inquiry only of selected information. This limited representative cannot make deposits or withdrawals. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

1.	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Printed Name	Title	
	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Telephone Number	Fax Number	Email
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Printed Name	Title	
	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Telephone Number	Fax Number	Email
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Printed Name	Title	
	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Telephone Number	Fax Number	Email
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Printed Name	Title	
	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Telephone Number	Fax Number	Email
5.	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Printed Name	Title	
	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Telephone Number	Fax Number	Email
6.	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Printed Name	Title	
	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Telephone Number	Fax Number	Email

Authorized Representatives of the Participant (continued)

- C. That this resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool/TexPool Prime receives a copy of any such amendment or revocation.

This resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the

day of , 2 0 .

Document is to be signed by a Board Officer, Mayor or County Judge and attested by a Board Officer, City Secretary or County Clerk.

Name of Participant

SIGNED:

Signature

Printed Name

Title

ATTEST:

Signature

Printed Name

Title

Delivery Instructions

Please return this document to **TexPool Participant Services:**

Email: texpool@dstsystems.com

Fax: 866-839-3291



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

T.Crumley

Sponsor:

Commissioner Shell

Agenda Item:

Discussion and possible action to authorize the County Judge to execute Task Order #5 to the Interlocal Master Agreement between Hays County and Texas State University executed on or about August 18, 2020 and amend the budget accordingly. **SHELL /T.CRUMLEY**

Summary:

The Interlocal Master Agreement between the County and Texas State University approved on or about August 18, 2020 formed a long-term partnership between the two entities to conduct various diverse projects and research to conserve, mitigate, restore, and protect the vast amount of natural resources within Hays County. This includes both groundwater and surface water resources, important landscapes that provide diverse ecosystems and biodiversity, sensitive habitat for threatened and endangered species, and sustainability of ecosystem services for the citizens of Hays County.

Attached: Task Order #5 - Blanco Cypress Watershed Protection Plan

Fiscal Impact:

Amount Requested: \$198,357.44

Line Item Number: 170-657-00.5448

Budget Office:

Source of Funds: Infrastructure Improvement Fee Fund

Budget Amendment Required Y/N?: Yes

Comments: N/A

\$198,358 - Increase Contract Services 170-657-00.5448

(\$198,358) - Decrease Misc. Capital Improvements 170-657-00.5741

Purchasing Office:

Purchasing Guidelines Followed Y/N?: TBD

Comments:

Auditor's Office:

G/L Account Validated Y/N?: Yes

New Revenue Y/N?: N/A

Comments:

Attachments

Task Order #5

Task Order #5

Blanco Cypress Watershed Protection Plan

Project Background: In 2006, the Cypress Creek Project ("CCP") was established to restore and protect the water quality in Cypress Creek, a major tributary of the Blanco River in the Guadalupe River Basin of Texas. Since the establishment of the CCP, over four (4) million dollars have been dedicated to the development and implementation of the highly recognized Cypress Creek Watershed Protection Plan (CCWPP). The CCWPP is a roadmap to restore water quality in Cypress Creek and includes data collection and water quality monitoring, implementation of best management practices to address nonpoint source pollution from agriculture and urban sources, adequate stream flows, and outreach and education. The CCWPP satisfied the US Environmental Protection Agency's ("EPA") guidelines and expectations for a watershed protection plan and the Cypress Creek Watershed Coordinator, through a grant from Texas Commission for Environmental Quality (TCEQ) and Environmental Protection Agency (EPA) payable and available to the CCP Coordinator, facilitated the CCWPP. The coordinator secured funding through writing grants, tracks the progress of implementing the CCWPP and reported water quality trends resulting from implementation of the CCWPP. In September 2023, current federal funding for the CCWPP Coordinator ended. The CCWPP executive leadership desire to insure continued implementation and expansion of the scope of the plan to include the Blanco River Basin through the Blanco Cypress Watershed Protection Plan (BCWPP).

Project Description:

Hays County agrees to establish a two and a half (2.5) year pilot program to fund the continued Clean Rivers Program (CRP) water quality monitoring of Cypress Creek and the Blanco River upstream and downstream of the Wimberley Valley by the Meadows Center, funding of a Blanco Cypress Watershed Coordinator position for continued implementation of the BCWPP, and special studies and planning initiatives to be identified by the BCWPP Executive Committee and Management Team. Such programs will be the responsibility of the BCWPP.

Hays County Responsibility:

- **Hays County Watershed Coordinator Management Team:** A Management Team consisting of personnel within the Hays County Parks and Natural Resources Department identified by the Hays County Director of Countywide Operations (Hays County Manager), the Watershed Association, and the Meadows Center will manage and oversee a Watershed Coordinator. The Watershed Coordinator, when hired, will report to the Management Team on a regular basis with ultimate responsibility for setting priorities and guiding the BCWPP led by the Executive Committee serving as the Board of the organization. The Coordinator will be an employee of the Hays County Parks and Natural Resources Department. The Hays County Manager, The Watershed Association, and The Meadows Center will share responsibilities of management, oversight, delegation, and are ultimately responsible for accountability of the Watershed Coordinator, as it relates to the job description, to the Watershed Protection Plan itself, and to the expectations of the Executive Committee.

Texas State Responsibility:

- **Cypress Creek and Blanco Clean Rivers Program Project Management:** Project oversight and coordination including progress reports and coordination among Meadows Center and Hays

County Watershed Coordinator for Cypress Creek and Blanco River Clean Rivers Program (CRP) water quality monitoring program deliverables;

- **Quality Assurance:** Texas State, through its Meadows Center, will serve as the Quality Assurance officer, and Field Technician and conduct Blanco River monthly and quarterly Cypress Creek water quality monitoring for the Clean Rivers Program per the Quality Assurance Project Plan for the Guadalupe-Blanco River Authority (GBRA).
- **Preliminary Data Analysis, Interpretation and Communication:** Texas State, through its Meadows Center, will host meetings and/or conference calls among Texas State staff, Hays County, and regional stakeholders at times and locations mutually agreed to by Texas State, Hays County. This includes the GBRA Basin Steering Committee Meeting and the Coordinated Monitoring Meeting to take place every year (around Mar/Apr). Note: We are asked to present findings at these meetings and provide input to the CRP monitoring schedule for the upcoming fiscal year. The CRP data we collect is submitted to GBRA then to Texas Commission for Environmental Quality (TCEQ) for public consumption on their website.
- **Cypress Creek Project Sustainability Plan:** Texas State, through its Meadows Center, will assist with the development and management of the regional BCWPP (based upon the former EPA-approved Cypress Creek Watershed Protection Plan) in accordance with a companion Interlocal Agreement with the City of Wimberley, City of Woodcreek, Hays County, Texas State University, and the Watershed Association.
- **Technical assistance:** Texas State, through its Meadows Center, will provide technical assistance and assist with identifying opportunities for sustainable water management solutions for the Texas Hill Country as mutually agreed to by Texas State and Hays County WA. We will coordinate directly with Hays County, and the Watershed Association to review planning, governing and permitting documents related to water and wastewater management as mutually agreed to by Texas State, Hays County and the Watershed Association.
- **BCWPP Executive Committee:** Texas State, through its Meadows Center, will serve on the Executive Committee of the BCWPP. This group will meet quarterly, with additional meetings as needed, and will provide guidance, evaluate performance, and set priorities and policy for governance of the BCWPP.
- **Hays County Watershed Coordinator Management Team:** A Management Team consisting of personnel within the Hays County Parks and Natural Resources Department identified by the Hays County Director of Countywide Operations (Hays County Manager), the Watershed Association, and the Meadows Center will manage and oversee a Watershed Coordinator. The Watershed Coordinator, when hired, will report to the Management Team on a regular basis with ultimate responsibility for setting priorities and guiding the BCWPP led by the Executive Committee serving as the Board of the organization. The Coordinator will be an employee of the Hays County Parks and Natural Resources Department. The Hays County Manager, The Watershed Association and The Meadows Center will share responsibilities of management, oversight, delegation, and are ultimately responsible for accountability of the Watershed Coordinator, as it relates to the job description, to the Watershed Protection Plan itself, and to the expectations of the Executive Committee.

Deliverables:

- Monthly and Quarterly Clean Rivers Program Water Quality Monitoring, Quality Assurance, Data Analysis, Interpretation, and Communication
- Blanco Cypress Watershed Protection Plan Executive Leadership and Technical Assistance

- Watershed Coordinator Management and Oversight

Project Schedule:

Project will start March 1, 2024 and be complete no later than August 31, 2026.

Project Budget: \$198,357.44

Hays County Contact:

Tucker Furlow

Assistant Criminal District Attorney—Civil Division

Hays County

Tucker.furlow@co.hays.tx.us (with copy to janice.jones@co.hays.tx.us)

(512) 393-2246

Texas State Contact:

Robert Mace, Ph.D.

Director, Meadows Center for Water and the Environment

Texas State University

REM142@txstate.edu

512-245-6021

Task Order #5, Blanco Cypress Watershed Protection Plan, is executed by:

Hays County

By _____

Name _____

Title _____

Date _____

Texas State University

By _____

Name _____

Title _____

Date _____



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Judge Becerra

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.



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Commissioner Shell

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 Journey. Possible discussion and/or action may follow in open court. **SHELL**

Summary



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Commissioner Smith

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 Forward Motion. Possible discussion and/or action may follow in open court. **SMITH**

Summary



Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Jenifer O'Kane, Tax Assessor Collector

Sponsor:

Commissioner Shell

Co-Sponsor:

Commissioner Cohen

Agenda Item

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding employment and duties of all individual positions within the Hays County Tax Assessor Collector's Office. Possible discussion and/or action may follow in open court. **SHELL/COHEN**

Summary



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sponsor:

Commissioner Cohen

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 located in Precinct 2. Possible discussion and/or action may follow in open court. **COHEN**

Summary



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

Hays County Commissioners Court

Date: 02/27/2024

Requested By:

Sheriff Gary Cutler

Sponsor:

Commissioner Ingalsbe

Agenda Item

Executive Session pursuant to Sections 551.071 and 551.076 of the Texas Government Code regarding the deployment of security devices located at the Hays County Jail Facility. Possible discussion and/or action may follow in open court. **INGALSBE**

Summary
