

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 12, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 12th DAY OF JANUARY A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, 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
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

**Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.**

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Javier Maldonado of the Christus Hospice Central Texas gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins made a public comment regarding Hays County debt. Rodrigo Amaya made public comments regarding law enforcement, open records requests, and historical representations of minorities in Hays County. Dan Lyon made public comments regarding the history of the confederate flag, Hays County Appraisal District, and the Greater San Marcos Partnership's (GSMP) 5-year plan.

35980 UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Alex Villalobos, Emergency Management Coordinator and Chief of Staff, spoke to the court regarding the regional distribution plan of the COVID-19 vaccines. He stated the county is eligible to apply for a grant through the Treasury Department for a rental assistance program for citizens. The court would need to approve the submission of the application. Vickie Dorsett, Auditors Office, stated Hays County meets the criteria for the funding, there are no matching funds with this grant, and the grant is due today. Tammy Crumley, Director of Countywide Operations, stated the application has been drafted and is ready to submit once approved by the court. Commissioner Smith requested additional information regarding the CARES funding spending plan. Vickie Dorsett, Auditor's office, stated the county plan and supporting documents were submitted on December 15, 2020. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to authorize the submission of the grant application for the rental assistance from the Treasury Department. All present voted "Aye." MOTION PASSED.**

35981 APPROVE PAYMENTS OF COUNTY INVOICES.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of County invoices. All present voted "Aye." MOTION PASSED.

35982 APPROVE PAYMENT OF JUROR CHECKS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payment of Juror checks. All present voted "Aye." MOTION PASSED.

35983 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of United Healthcare claims. All present voted "Aye." MOTION PASSED.



35984 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 5, 2020.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 5, 2020. All present voted "Aye." MOTION PASSED.

35985 APPROVE THE PAYMENT OF THE JANUARY 15, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,995,000.00 EFFECTIVE DECEMBER 31, 2020 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the January 15, 2021 payroll disbursements in an amount not to exceed \$2,995,000.00 effective December 31, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

35986 APPROVE OUT OF STATE TRAVEL, UTILIZING \$5,800.00 OF THE SHERIFF'S OFFICE CONTINUING EDUCATION FUNDS, FOR FLEET MAINTENANCE SUPERVISOR MARTIN GONZALES TO ATTEND THE HARLEY DAVIDSON MOTOR COMPANY'S POLICE TECHNICAL TRAINING IN MILWAUKEE, WISCONSIN ON APRIL 26-MAY 13, 2021.

Commissioner Ingalsbe stated the importance of having the most up to date training for the technicians who work on the motorcycles. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve out of state travel, utilizing \$5,800.00 of the Sheriff's Office Continuing Education Funds, for Fleet Maintenance Supervisor Martin Gonzales to attend the Harley Davidson Motor Company's Police Technical Training in Milwaukee, Wisconsin on April 26-May 13, 2021. All present voted "Aye." MOTION PASSED.

35987 APPROVE UTILITY PERMITS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Utility Permits. All present voted "Aye." MOTION PASSED.

35988 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE TWO (2) REPLACEMENT DELL LAPTOPS WITH ACCESSORIES VALUED AT \$2,358 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the District Attorney's Office to purchase two (2) replacement Dell Laptops with accessories valued at \$2,358 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35989 AUTHORIZE THE SUBMISSION OF A RENEWAL INTERLOCAL APPLICATION WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE IMMUNIZATION/LOCALS PROGRAM FY21 IN THE AMOUNT OF \$192,341.00.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the submission of a renewal Interlocal application with the Texas Department of State Health Services (DSHS) for the Immunization/Locals Program FY21 in the amount of \$192,341.00. All present voted "Aye." MOTION PASSED.

35990 AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND CAPITAL PROJECT BUDGETS IN PREPARATION THE COUNTY'S FY 2020 YEAR-END PROCESS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to amend various departmental operating, special revenue and capital project budgets in preparation the County's FY 2020 year-end process. All present voted "Aye." MOTION PASSED.



JANUARY 12, 2021

35991 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ANNUAL RENEWAL CONTRACT BETWEEN HAYS COUNTY AND AMERICAN AEROBIC MANAGEMENT SYSTEMS (AMMS) IN THE AMOUNT OF \$2,985 FOR THE ANNUAL MAINTENANCE AND INSPECTIONS OF ALL HAYS COUNTY SEPTIC SYSTEMS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an annual renewal contract between Hays County and American Aerobic Management Systems (AMMS) in the amount of \$2,985 for the annual maintenance and inspections of all Hays County septic systems. All present voted "Aye." MOTION PASSED.

35992 APPROVE SPECIFICATIONS FOR RFQ 2021-Q02 RIGHT OF WAY SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for RFQ 2021-Q02 Right of Way Services and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

35993 APPROVE RENEWAL OF IFB 2020-B04 CONCRETE WITH BRAUNTEX MATERIALS AND LAUREN CONCRETE.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve renewal of IFB 2020-B04 Concrete with Brauntex Materials and Lauren Concrete. All present voted "Aye." MOTION PASSED.

35994 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MODIFIED TASK ORDER NO.1 TO THE MASTER INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY, ORIGINALLY APPROVED ON NOVEMBER 17, 2020.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute a modified Task Order No.1 to the Master Interlocal Agreement between Hays County and Texas State University, originally approved on November 17, 2020. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #16 RE: APPROVE SPECIFICATIONS FOR IFB 2021-B07 SIGNAL POLES AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE. - WAS PULLED.

35995 APPROVE THE SELECTION OF COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR THE HILLSIDE TERRACE SAFETY IMPROVEMENTS (IH35 TO FM2001) PROJECT IN PRECINCT 2; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Jones stated the engineering design has already complete, and this item is to coordinate the utility services. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of Cobb, Fendley & Associates, Inc. to provide utility coordination services for the Hillside Terrace Safety Improvements (IH35 to FM2001) project in Precinct 2; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

35996 APPROVE THE SELECTION OF LJA, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE HILLSIDE TERRACE SAFETY IMPROVEMENTS (IH35 TO FM2001) PROJECT IN PRECINCT 2; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Jones stated this is the connecting road for Buda bypass from FM1626 to FM2001. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the selection of LJA, Inc. to provide right-of-way acquisition services for the Hillside Terrace Safety Improvements (IH35 to FM2001) project in Precinct 2; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.



35997 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL NO. 1 TO WORK AUTHORIZATION NO. 1 FOR BINKLEY & BARFIELD, INC UTILITY COORDINATION SERVICES ON THE OLD BASTROP (CR266) PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Ingalsbe stated additional utilities conflict with this project. This item will allow for coordinating meeting with the utility companies. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Supplemental No. 1 to Work Authorization No. 1 for Binkley & Barfield, Inc Utility Coordination Services on the Old Bastrop (CR266) project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

35998 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 1 WITH HNTB CORPORATION FOR \$12,000 TO PROVIDE ENVIRONMENTAL SERVICES RELATED TO THE FM 150 (CENTER ST) RELOCATION OF UP SWITCHING LINE (KYLE UPRR SIDING RELOCATION) PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Jones stated this amendment covers the moving of the switching station to a new location, and the environmental services that are needed. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 1 with HNTB Corporation for \$12,000 to provide environmental services related to the FM 150 (Center St) relocation of UP switching line (Kyle UPRR Siding Relocation) project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

35999 AUTHORIZE THE DEVELOPMENT SERVICES DEPARTMENT TO CONTINUE TO SERVE AS THE INTERIM FLOODPLAIN ADMINISTRATOR FOR THE CITY OF WIMBERLEY FOR A PERIOD NOT TO EXCEED 6 MONTHS; AUTHORIZE THE COUNTY JUDGE TO EXECUTE ANY REQUIRED AGREEMENT(S) AFTER REVIEW BY THE OFFICE OF GENERAL COUNSEL.

Commissioner Shell stated that previously the court authorized the Development Services staff to assist the City of Wimberley with floodplain administration. The city has now hired a planner. Commissioner Shell requested the court to allow Development Services to continue assisting the City of Wimberley until the City planner is floodplain certified. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Development Services Department to continue to serve as the Interim Floodplain Administrator for the City of Wimberley for a period not to exceed 6 months; authorize the County Judge to execute any required agreement(s) after review by the Office of General Counsel. All present voted "Aye." MOTION PASSED.

36000 AWARD RFP 2020-P15 TRAFFIC COUNTER INSPECTION AND MAINTENANCE TO JM ENGINEERING, LLC AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Development Services Department to continue to serve as the Interim Floodplain Administrator for the City of Wimberley for a period not to exceed 6 months; authorize the County Judge to execute any required agreement(s) after review by the Office of General Counsel. All present voted "Aye." MOTION PASSED.

36001 EXECUTE A COUNTYWIDE HVAC MAINTENANCE AND REPAIR SERVICES CONTRACT WITH JM ENGINEERING, LLC PURSUANT TO RFP 2020-P01.

Tammy Crumley, Director of Countywide Operations, stated her department is ready to start working with this company. The court thanked the staff and department heads that contributed to this contract. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to execute a Countywide HVAC Maintenance and Repair Services Contract with JM Engineering, LLC pursuant to RFP 2020-P01. All present voted "Aye." MOTION PASSED.

36002 AWARD A CONTRACT FOR IFB 2021-B03 HAYS COUNTY MULTILAYER WELL TO UNDERGROUND WATER RESOURCES, LLC.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 12, 2021

Commissioner Shell stated a low bid has been selected for this project. He requested the court approve the bid. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to award a contract for IFB 2021-B03 Hays County Multilayer Well to Underground Water Resources, LLC. All present voted "Aye." MOTION PASSED.**

36003 EXECUTE A MASTER SERVICE AGREEMENT AND LEASE PRODUCT SCHEDULE WITH RICOH USA, INC. FOR COUNTY WIDE COPIERS.

Mark Kennedy, General Counsel, stated the master service agreement was received late on Friday. There are a few items edits that were not included in back up. He stated the court could amend the motion to include edits for the agreement. Commissioner Ingalsbe stated that she would include edits into her motion. The court will bring back the item if Ricoh USA, Inc. has substantive edits to the agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Master Service Agreement and Lease Product Schedule with Ricoh USA, Inc. for County Wide Copiers including non-substantive edits to the agreement. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 11:14 a.m. and resumed back into open court at 12:03 p.m.

36004 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 DACY LANE IN PCT 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the purchase of 0.705 acres of land from Oscar Gonzalez for Right of Way along Dacy Lane in Precinct 1, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

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

Judge Becerra read Nathan Mendenhall, Fire Marshall, recommendation not to place a burn ban due to recent weather events. No action was taken.

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. The estimated cost for outsourcing was \$54,140.00 for the week of January 7, 2020 – January 9, 2021. The number of outsourced males was 144 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 2, Department of Public Safety – 1, Hays County Sheriff's Department – 43, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 31, San Marcos Police Department - 32, Texas State Police Department – 3. No action was 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 PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.

DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW.

Commissioner Shell gave an update to the court. He stated this process has been delayed for a while. The case has been remanded to the Barton Springs Conservation District. Commissioner Shell stated he does not believe this case is over, however the actions with the State Office of Administration seem to be over at this point. He thanked the court, General Counsel, and the Special Counsel for their support. He stated it was important for the future of the county to preserve our water resources. Mark Kennedy, General Counsel, noted the General Managers of the Barton Springs Conservation District modified the recommendations significantly from 2.5 million gallons per day to .5 million gallons per day. No action was taken.




ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 10:05 a.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 January 12, 2021.





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

