

HAYS COUNTY COMMISSIONERS' COURT MINUTES



FEBRUARY 9, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 9th DAY OF FEBRUARY 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:

Judge Becerra 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 county spending. Rodrigo Amaya made a public comment regarding the Office of General Counsel. Dan Lyon made a public comment regarding the Hays County Appraisal Review Board. Tim Bauerkemper, First Luther Church of San Marcos, made a public comment regarding the county utilizing different methods to register for COVID-19 vaccinations.

36052 ADOPT A PROCLAMATION DECLARING FEBRUARY AS SPAY/NEUTER AWARENESS MONTH IN HAYS COUNTY.

Lauren Loney, Texas State Director of The Humane Society of the United States, spoke to the court about raising awareness about spay and neutering in Hays County. Sharri Boyett, Animal Advocacy Advisor, spoke to the court regarding their efforts to save animals lives. She stated there is more work to do. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring February as Spay/Neuter Awareness Month in Hays County. All present voted "Aye." MOTION PASSED.**

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

Judge Becerra stated the county has a low number of vaccinations. He thanked everyone working to distribute the vaccination. Alex Villalobos, Emergency Management Coordinator and Chief of Staff also thanked everyone for helping to distribute vaccinations. He announced a new system will be put in place soon. Mike Jones, Emergency Services Director, stated corrections have been made for some of the appointment issues. Commissioner Smith stated that he has received negative feedback about the registration system. He did state that he received positive feedback from people who did receive the vaccination. He stated the County needs to do better. A discussion was had regarding the past two vaccination registration processes. No action was taken.

36053 APPROVE PAYMENTS OF COUNTY INVOICES.

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

36054 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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



36055 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 26, 2021.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve Commissioners Court Minutes of January 26, 2021. All present voted "Aye." MOTION PASSED.

36056 APPROVE THE PAYMENT OF THE FEBRUARY 15, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,155,000.00 EFFECTIVE FEBRUARY 12, 2021 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 Smith to approve the payment of the February 15, 2021 payroll disbursements in an amount not to exceed \$3,155,000.00 effective February 12, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

36057 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 - 4 BEDROOM LONG TERM RENTAL HOUSES LOCATED AT 5024 S OLD BASTROP HWY, SAN MARCOS, TEXAS 78666.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize On-Site Sewage Facility Permit for 3 - 4 bedroom long term rental houses located at 5024 S Old Bastrop Hwy, San Marcos, Texas 78666. All present voted "Aye." MOTION PASSED.

36058 ACCEPT AND APPROVE THE 2020 RACIAL PROFILING REPORT AND THE 2020 ANNUAL ACTIVITY REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 4.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to accept and approve the 2020 Racial Profiling Report and the 2020 Annual Activity Report from Hays County Constable Office, Pct. 4. All present voted "Aye." MOTION PASSED.

36059 AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO PURCHASE TWELVE (12) NEW 36-GALLON EXTERIOR TRASH CANS FOR THE HISTORICAL COURT HOUSE PROPERTY IN THE AMOUNT OF \$8,028 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the Building Maintenance Department to purchase twelve (12) new 36-gallon exterior trash cans for the Historical Court House property in the amount of \$8,028 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36060 AUTHORIZE THE EXECUTION OF RESOLUTION AND SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM FOR THE HAYS COUNTY VICTIM ASSISTANCE FOR THE FAMILY JUSTICE CENTER IN THE AMOUNT OF \$54,868.74.

Wes Mau, District Attorney, stated this item and the next item are of top priority. He stated these programs notify victims in Hays County of the information about their cases. These programs keep the lines of communication open between the court and the crime victims. Rodrigo Amaya made a public comment regarding the dollar amounts and additional information of available services. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Resolution and submission of a grant application to the Office of the Governor, Criminal Justice Division, General Victim Assistance program for the Hays County Victim Assistance for the Family Justice Center in the amount of \$54,868.74. All present voted "Aye." MOTION PASSED.

36061 AUTHORIZE THE EXECUTION OF RESOLUTION AND SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM FOR THE HAYS COUNTY VICTIM ASSISTANCE COORDINATOR IN THE AMOUNT OF \$54,868.74.

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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the execution of Resolution and submission of a grant application to the Office of the Governor, Criminal Justice Division, General Victim Assistance program for the Hays County Victim Assistance Coordinator in the amount of \$54,868.74. All present voted "Aye." MOTION PASSED.

36062 AUTHORIZE JM ENGINEERING, LLC TO REPLACE A 5-TON LENNOX HVAC UNIT WITH A 5-TON AMERICAN STANDARD UNIT LOCATED AT THE PCT 3 OFFICE IN THE AMOUNT OF \$10,356 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize JM Engineering, LLC to replace a 5-Ton Lennox HVAC unit with a 5-Ton American Standard unit located at the PCT 3 Office in the amount of \$10,356 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36063 APPROVE THE APPOINTMENT OF ASHLEY MARTINEZ TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/23.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the appointment of Ashley Martinez to the Hays County Child Protective Board, 3 year term ending 12/31/23. All present voted "Aye." MOTION PASSED.

36064 AUTHORIZE THE EXECUTION OF AMENDMENT NO. 3 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.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Amendment No. 3 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 voted "Aye." MOTION PASSED.

36065 APPROVE UTILITY PERMITS.

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

Clerk's Note Agenda Item #16 RE: APPROVE THE APPOINTMENT OF WALT SMITH AS AN ALTERNATE REPRESENTATIVE TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) TRANSPORTATION POLICY BOARD. - WAS PULLED.

36066 AUTHORIZE THE ENROLLMENT AND REQUIREMENT OF ALL HAYS COUNTY EMPLOYEES AND ELECTED OFFICIALS WHO HAVE ACCESS TO A LOCAL GOVERNMENT COMPUTER SYSTEM OR DATABASE TO COMPLETE A CYBERSECURITY TRAINING PROGRAM CERTIFIED BY THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) AT LEAST ANNUALLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the enrollment and requirement of all Hays County employees and elected officials who have access to a local government computer system or database to complete a cybersecurity training program certified by the Texas Department of Information Resources (DIR) at least annually. All present voted "Aye." MOTION PASSED.

36067 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR FIVE WAREHOUSE BUILDINGS LOCATED ON POSEY RD, SAN MARCOS TX, 78666.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for five warehouse buildings located on Posey Rd, San Marcos TX, 78666. All present voted "Aye." MOTION PASSED.



36068 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 Ingalsbe, 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.

36069 AUTHORIZE THE EXECUTION OF A RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR - CRIMINAL JUSTICE DIVISION FOR THE MENTAL HEALTH CRISIS INTERVENTION GRANT RENEWAL.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a resolution and submit a grant application to the Office of the Governor - Criminal Justice Division for the Mental Health Crisis Intervention grant renewal. All present voted "Aye." MOTION PASSED.

36070 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR SINGLE FAMILY RESIDENCE AND GUEST HOUSE LOCATED AT 8203 BEAR CREEK DRIVE, AUSTIN, TEXAS 78737.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for single family residence and guest house located at 8203 Bear Creek Drive, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

36071 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A RETAIL ART GALLERY LOCATED AT 246 AMERICAN WAY, DRIPPING SPRINGS TX 78620.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for a Retail Art Gallery Located at 246 American Way, Dripping Springs TX 78620. All present voted "Aye." MOTION PASSED.

36072 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 SHORT-TERM RENTAL CABINS AND TWO SINGLE FAMILY RESIDENCES LOCATED AT 3403 RR 2325, WIMBERLEY, TEXAS 78676.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for 3 short-term rental cabins and two Single Family Residences located at 3403 RR 2325, Wimberley, Texas 78676. All present voted "Aye." MOTION PASSED.

36073 APPROVE SPECIFICATIONS FOR IFB 2021-B07 SIGNAL POLES AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for IFB 2021-B07 Signal Poles and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

36074 AMEND THE OAG HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE GRANT BUDGET FOR CONTINUING EDUCATION RELATED TO AN ON-SITE TRAINING COURSE FOR HAZMAT EQUIPMENT USE AND MAINTENANCE, MATERIALS SAMPLING AND RADIOLOGICAL RESPONSE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the OAG Hays County HazMat Team Monitor Maintenance grant budget for continuing education related to an on-site training course for HazMat equipment use and maintenance, materials sampling and radiological response. All present voted "Aye." MOTION PASSED.



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36075 AUTHORIZE THE JUVENILE DETENTION CENTER TO PURCHASE A REPLACEMENT 125KW DIESEL GENERATOR AND EXECUTE AN ANNUAL MAINTENANCE AGREEMENT WITH HOLT POWER SYSTEMS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Juvenile Detention Center to purchase a replacement 125KW Diesel Generator and execute an annual maintenance agreement with Holt Power Systems and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36076 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL NO. 4 TO WORK AUTHORIZATION NO. 1 FOR AMERICAN STRUCTUREPOINT, INC ON THE RM 3237 SAFETY PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Shell stated this is an extension to the intersection for safety reasons. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute Supplemental No. 4 to Work Authorization No. 1 for American Structurepoint, Inc on the RM 3237 Safety project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

36077 APPROVE THE SELECTION OF PAVETEX TESTING TO PERFORM QUALITY CONTROL MATERIALS TESTING ON THE OLD POST ROAD RECONSTRUCTION PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Ingalsbe stated the cost will be reimbursed by the City of Kyle. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of PaveTex Testing to perform quality control materials testing on the Old Post Road Reconstruction Project and authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

36078 APPROVE THE SELECTION OF K FRIESE & ASSOCIATES, INC. TO PROVIDE POST CONSTRUCTION DRAINAGE REPORT & DOCUMENTS FOR LIME KILN ROAD PROJECT IN PRECINCT 4; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Smith stated this item will authorize K Friese to produce a report that is need by FEMA to indicate any changes due to the construction of the bridge to the floodplain. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the selection of K Friese & Associates, Inc. to provide post construction drainage report & documents for Lime Kiln Road project in Precinct 4; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

36079 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 4 FOR A TIME EXTENSION TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND WSB & ASSOCIATES, INC. FOR THE US 290 WEST SAFETY IMPROVEMENTS AT TRAUTWEIN ROAD INTERSECTION PROJECT.

Commissioner Smith stated there was no dollar change made for this project. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the County Judge to execute Change Order No. 4 for a time extension to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the US 290 West Safety Improvements at Trautwein Road Intersection project. All present voted "Aye." MOTION PASSED.

36080 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT BETWEEN HAYS COUNTY AND QUICKBASE INC. FOR SOFTWARE IN THE AMOUNT OF \$9,600 THAT WILL BE USED AS THE COVID-19 VACCINE PRE-REGISTRATION SYSTEM AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe thanked the county staff members for sharing information with her office regarding the registration system. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract between Hays County and QuickBase Inc. for software in the amount of \$9,600 that will be used as the COVID-19 vaccine pre-registration system and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



36081 AUTHORIZE GENERAL COUNSEL TO EXECUTE A JOINT ENGAGEMENT LETTER WITH LOCKE LORD, LLP RELATED TO LEGAL SERVICES ASSOCIATED WITH THE FM 110 TRZ; TO AUTHORIZE GENERAL COUNSEL TO COORDINATE WITH THE CITY OF SAN MARCOS FOR JOINT EXECUTION OF THE SAME; AND TO AUTHORIZE USE OF THE TRZ FUND FOR THE WORK ASSOCIATED WITH THIS ENGAGEMENT AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024(A)(4).

Commissioner Ingalsbe stated this item authorizes General Counsel to work with Locke Lord LLP for revisions needed for the FM 110 TRZ. Mark Kennedy, General Counsel, announced an Interlocal Agreement would be put in place, eventually. Commissioner Smith stated for the record, that he worked for Locke Lord LLP in a full-time capacity from 2010-2014. He would not be recusing himself as there is no gain from this item. Mark Kennedy, General Counsel, stated per the Auditor and at the request of Locke Lord, LLP a cap would be set not to exceed \$20,000, which will be intergraded in the engagement letter. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize General Counsel to execute a Joint Engagement Letter with Locke Lord, LLP related to legal services associated with the FM 110 TRZ; to authorize General Counsel to coordinate with the City of San Marcos for joint execution of the same; and to authorize use of the TRZ fund for the work associated with this engagement and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(4). All present voted "Aye." MOTION PASSED.**

36082 AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER WITH DAVIS KAUFMAN PLLC FOR \$69,996 RELATED TO THE 87TH LEGISLATIVE SESSION OF THE TEXAS LEGISLATURE AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024(A)(4).

Commissioner Shell stated this is the third session of the Legislature to use Davis Kaufman PLLC. He stated they have been very satisfied with their work. Mark Kennedy, General Counsel, stated this firm was utilized to help provide information that is important to the county. They were helpful during the sessions dealing with Electro Purification and other regulatory issues. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of an engagement letter with Davis Kaufman PLLC for \$69,996 related to the 87th legislative session of the Texas Legislature and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(4). All present voted "Aye." MOTION PASSED.**

36083 EXECUTE A \$194,300.78 PURCHASE FROM KOFILE TECHNOLOGIES RELATED TO THE PRESERVATION OF PROBATE CASE FILES AS BUDGETED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to execute a \$194,300.78 purchase from Kofile Technologies related to the preservation of probate case files as budgeted. All present voted "Aye." MOTION PASSED.

36084 APPROVE A RESOLUTION IN SUPPORT OF LEGISLATION TO AMEND THE HAYS TRINITY GROUNDWATER DISTRICT'S (HTGCD) ENABLING LEGISLATION.

Commissioner Shell stated this item included draft language at this point. He reviewed with the court the highlights of the resolution in support of legislation. Commissioner Smith stated the funds raised for this should be used for monitoring or research. He stated if at any time he has concerns that he would reconsider. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve a resolution in support of legislation to amend the Hays Trinity Groundwater District's (HTGCD) enabling legislation. All present voted "Aye." MOTION PASSED.**

36085 AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION CONTRACT WITH THE DEPARTMENT OF PUBLIC SAFETY (DPS) FOR ASSISTANCE IN TESTING AND ANALYSIS OF SEIZED DRUG EVIDENCE SUBMITTED BY HAYS COUNTY LAW ENFORCEMENT AGENCIES.

Rodrigo Amaya made a public comment regarding the dollar amount for this contract. Wes Mau, District Attorney, stated this contract assigns a DPS lab analyst to prioritize Hays County cases until we reach the number of the contract, which is 70 cases per month. This contract will expedite the wait time for lab results regarding drug cases.



A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorizing the County Judge to execute an Interlocal Cooperation Contract with the Department of Public Safety (DPS) for assistance in testing and analysis of seized drug evidence submitted by Hays County law enforcement agencies. All present voted "Aye." MOTION PASSED.

36086 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #1 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND LARRY J FOSTER, TEXAS PROFESSIONAL INSPECTOR #3 TO REFLECT AN UPDATED FEE SCHEDULE TO PROVIDE TEXAS REAL ESTATE COMMISSION (TREC) INSPECTIONS FOR THE HUD FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) HOUSING PROGRAM.

Rodrigo Amaya made a public comment regarding the change in dollar amount for this agenda item. Commissioner Jones stated these fees cover the inspections needed. Jessica Bickford, Langford Community Management Services, stated that the county worked on getting the inspections waived, however that did not happen. Judge Becerra clarified the grant will cover the increased amount. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment #1 to the Professional Services Agreement (PSA) between Hays County and Larry J Foster, Texas Professional Inspector #3 to reflect an updated fee schedule to provide Texas Real Estate Commission (TREC) Inspections for the HUD funded Community Development Block Grant Disaster Relief (CDBG-DR) Housing Program. All present voted "Aye." MOTION PASSED.**

36087 EXECUTE A STATEMENT OF WORK WITH WESTNET, INC. RELATED TO A FIRST-IN ALERTING PLATFORM SYSTEM FOR EMERGENCY RESPONDERS AS BUDGETED DURING THE FY21 BUDGET PROCESS.

Jeff McGill, Director of Information Technology, stated this system is designed to reduce the response time for emergency responders. Chief David Smith, EMT, stated the Westnet system will allow for the responders to automate their calls. The current system that is used was last updated in the 90's. The Westnet system will tie in the radio system and the CAD system together to relay information much faster. The court thanked the Chief and Jeff McGill for their work on this system. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe, to execute a Statement of Work with Westnet, Inc. related to a First-In Alerting Platform System for emergency responders as budgeted during the FY21 budget process. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Judge Becerra called for a break that began at 10:12 a.m. and resumed back into open court at 10:22 a.m.

36088 EXECUTE A CONSTRUCTION PROPOSAL WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) RELATED TO THE WESTNET FIRST-IN ALERTING PLATFORM SYSTEM AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024(A)(7)(D).

Jeff McGill, Director of Information Technology, stated this is the second part to the emergency response system. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute a Construction Proposal with the Lower Colorado River Authority (LCRA) related to the Westnet First-In Alerting Platform System and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(7)(D). All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 11:02 a.m. and resumed back into open court at 4:30 p.m.

36089 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.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize partial payment of an invoice for the Center for Public Policy - Dispute Resolution, the County's obligation being \$778.12 to be paid from the General Counsel legal fund and in relation to mediation services associated with the Dripping Springs town center project. All present voted "Aye." MOTION PASSED.



36090 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 TEXAS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize Amendment # 1 to the Chapter 381 Economic Development Incentive Agreement between Hays County and BestBuy.Com LLC as presented in the Executive Session. All present voted "Aye." MOTION PASSED.

Comment: This amendment will suspend the operation of the agreement between the parties, and if market place rules change to provide for tax collection at the call center here in San Marcos.

36091 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 HAYS COUNTY ELECTIONS OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to restructure the administrative assistant I slot 0273-005 within the election's office to an equipment data coordinator grade 110 effective March 1, 2021 as presented in Executive Session. All present voted "Aye." MOTION PASSED.

36092 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 HAYS COUNTY VETERAN SERVICES OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Veteran Office restructure as presented in Executive Session to establish a progressive pay plan for the Assistance Veteran Service Officers effective 2/9/2021. All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND THE AUDITOR'S OFFICE HAYS COUNTY USE U.S. DEPARTMENT OF TREASURY FUNDS PURSUANT TO SECTION 501(A) OF DIVISION N OF THE CONSOLIDATED APPROPRIATIONS ACT AND THE COVID-19 LOCAL DISASTER DECLARATION. POSSIBLE ACTION TO FOLLOW IN OPEN COURT.

No action was taken.

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 THAT REPORT DIRECTLY TO THE COMMISSIONERS COURT INCLUDING DEPARTMENT HEADS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

Clerk's Note Agenda Item #46 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - 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. The estimated cost for outsourcing was \$49,545.00 for the week of January 31 – February 6, 2020. The number of outsourced males was 133 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 3,

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Hays County Sheriff's Department – 49, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 20, San Marcos Police Department - 40, Texas State Police Department – 3. No action taken.

Clerk's Note Agenda Item #48 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 #49 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 Judge Becerra, seconded by Commissioner Jones to adjourn court at 5:09 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 9, 2021.



Elaine H. Cardenas

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

