

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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AUGUST 25, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 25<sup>th</sup> DAY OF AUGUST A.D., 2020, 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 Christa Santa Rosa, 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**

Terry Hielscher made public comment in support of law enforcement budget. Mark Key made public comment in support of law enforcement budget. Alexia Malcom made public comment in support of additional voting locations for the Texas State University campus. Kelly Puryear made public comment in support of law enforcement budget. Linda Freeman made public comment in support of law enforcement budget. Monty Parker made public comment in support of law enforcement budget. Kelly Stone made public comment regarding safety during COVID-19 for voting. Jeff Arnold made public comments regarding the 1033 program and in support of funding the jail. Vernon Ward made public comment in support of law enforcement budget. Rodrigo Amaya made public comments in support of additional voting locations for the Texas State University campus. Shelia Wray made public comments regarding budget cuts for law enforcement and jail facility. Alicia Blythe made public comment in support of funding the Sheriff's budget. Robert Keeton made public comments in support of funding the Sheriff's budget and jail facility personnel. Dan Lyon made public comment against previous fund requests made by the Sheriff's office for various items. Kent Lenertz made public comment in support of funding the law enforcement. Mary Kaye Lenertz made public comment in support of funding law enforcement budget. Brittany Castano made public comments in support of safety for victims and funding law enforcement budget. Joseph Hogge made public comments in support of funding law enforcement and jail facility budget. Glenda Jacobs made public comment in support of funding law enforcement. Tira Jones Holcomb made public comment in support of funding law enforcement. Kyle Schofield made public comment representing the veterans at Texas State University in support of additional voting locations for the Texas State University campus. Charley Richardson made public comment in support of funding law enforcement. Lauren Hubele made public comment in support of a Public Defender's office. Joy Montgomery made public comment in support of funding law enforcement. Claudia Perez made public comment regarding voting locations for Texas State University and Wimberley. Naomi Narvaiz made public comment in support of funding law enforcement. Christine Terrell made public comment in support of a Public Defender's office. Janice Englehart made public comment in support of funding law enforcement. Tara Racine made public comment in support of funding law enforcement. Zach Sambrano made public comment in support of additional voting locations for the Texas State University campus. Rob Limely made public comment in support of funding law enforcement. Bob Parks, Republican Party Chairman, made public comments regarding a tour of the Texas State University for additional voting locations and expressed his opposition for adding voting centers. Wayne Jacobs made public comment in support of law enforcement budget.

**Clerk's Note:** Judge Becerra called for a break that began at 10:32 a.m. and resumed back into open court at 10:37 a.m.

**35533 UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.**

Alex Villalobos, Chief of Staff and Emergency Management Coordinator, gave the Court updates regarding testing sites throughout the County. He presented plans in preparation to assist Brazoria County should there be an evacuation due to Hurricane Laura. He also addressed the plans for testing people for COVID-19 as they evacuate. Marisol Villarreal-Alonzo, Auditor, stated she needs direction from the Court before she can release funds. Mark Kennedy, General Counsel, made comments regarding memorandum of understanding agreements. Tammy Crumley noted there is testing at the Live Oak location. No action was taken.

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**Clerk's Note:** Judge Becerra reopened this item 12:38 p.m.

Alex Villalobos, Chief of Staff and Emergency Management Coordinator, requested funding of \$350,000.00 for the response of emergency evacuations and costs. Discussion was had among the Court and Mark Kennedy, General Counsel, regarding use of funds. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to execute memorandum of understanding from point to point shelter at the operation, noting that Hays County will amend the reimbursement section to include a third tier of Brazoria County reimbursing Hays County for expenses. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra reopened this item at 2:56 p.m.

Marisol Villarreal-Alonzo, Auditor, stated Mike Jones, Emergency Services Director, has not received his credit card. She requested his card limit be set at \$25,000.00 and increase the credit card that is used by the Auditor's office to \$40,000.00 until Mr. Jones' credit card is received. At that time the Auditor's credit card would revert to the previous set limit. No action was taken.

**PRESENTATION BY K FRIESE AND ASSOCIATES REGARDING THE HAYS COUNTY MASTER TRANSPORTATION PLAN.**

Commissioner Smith introduced the representative from K Friese. Joe Cantalupo, K Friese and Associates Vice President, presented to the Court using power point to provide an update of the transportation plan. The Court thanked Mr. Cantalupo and K Friese and Associates for their work with the county. No action was taken.

**35534 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

**35535 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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

**35536 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 11, 2020 AND AUGUST 18, 2020.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 11, 2020 and August 18, 2020. All present voted "Aye." MOTION PASSED.

**35537 APPROVE THE PAYMENT OF THE AUGUST 31, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,850,000.00 EFFECTIVE AUGUST 31, 2020 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the payment of the August 31, 2020 payroll disbursements in an amount not to exceed \$3,850,000.00 effective August 31, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**35538 APPROVE UTILITY PERMITS.**

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

**35539 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE EXISTING FUNDS TO PURCHASE A REFRIGERATOR FOR THE NEW ALLEN BRIDGES TRAINING CENTER AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize existing funds to purchase a refrigerator for the new Allen Bridges Training Center and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



**35540      AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS TO PURCHASE 13 REPLACEMENT SURFACE PRO LAPTOPS AND AXON IN-CAR CAMERA SYSTEMS VALUED AT \$68,408 AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Smith thanked the Sheriff's office. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize salary savings to purchase 13 replacement Surface Pro Laptops and Axon In-Car Camera Systems valued at \$68,408 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35541      AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS TO PURCHASE REPLACEMENT SWAT LAW ENFORCEMENT EQUIPMENT VALUED AT \$49,596.00 AND AMEND THE BUDGET ACCORDINGLY.**

Marisol Villarreal-Alonzo, Auditor, noted the amount for this item is in the back up listed as \$49,596.00. Commissioner Smith thanked the Sheriff's office. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize salary savings to purchase replacement SWAT law enforcement equipment valued at \$49,596.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35542      AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A 3-BEDROOM RESIDENCE AND A SMALL OFFICE AT 31620 RANCH ROAD 12, DRIPPING SPRINGS, TEXAS 78620.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for a 3-bedroom residence and a small office at 31620 Ranch Road 12, Dripping Springs, Texas 78620. All present voted "Aye." MOTION PASSED.

**35543      AUTHORIZE THE EXECUTION OF A GRANT CONTRACT AMENDMENT WITH UNITED WAY FOR GREATER AUSTIN (UNITED WAY ATX) TO EXTEND THE TERM OF THE CENSUS OUTREACH GRANT TO SEPTEMBER 30, 2020.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the execution of a grant contract amendment with United Way for Greater Austin (United Way ATX) to extend the term of the Census Outreach grant to September 30, 2020. All present voted "Aye." MOTION PASSED.

**35544      APPROVE SPECIFICATIONS FOR IFB 2020-B15 RM 150 CENTER TURN LANE GAP PROJECT AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2020-B15 RM 150 Center Turn Lane Gap Project and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

**35545      AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND CAPITAL PROJECT BUDGETS IN PREPARATION FOR FISCAL YEAR 2020 4TH QUARTER FINANCIAL REPORTING.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for fiscal year 2020 4th quarter financial reporting. All present voted "Aye." MOTION PASSED.

**35546      AUTHORIZE THE PURCHASE AND INSTALLATION OF MODULAR OFFICE FURNITURE FOR THE TRANSPORTATION DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the purchase and installation of modular office furniture for the transportation department and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



**35547 RATIFY THE SUBMISSION OF THE COUNTY FERAL HOG ABATEMENT GRANT SUBMISSION TO THE TEXAS A&M AGRILIFE EXTENSION SERVICES, WILDLIFE SERVICES PROGRAM.**

Dan Lyon made public comments in favor of restoring the program. Commissioner Jones stated they could look at adding the bounty program in the future. A motion was made by Commissioner Jones, seconded by Commissioner Shell to ratify the submission of the County Feral Hog Abatement Grant submission to the Texas A&M AgriLife Extension Services, Wildlife Services Program. All present voted "Aye." MOTION PASSED.

**35548 AUTHORIZE THE EXECUTION OF THE FY2020 STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICES (SAVNS) MAINTENANCE GRANT CONTRACT IN THE AMOUNT OF \$30,122.51.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the FY2020 statewide automated victim notification services (SAVNS) maintenance grant contract in the amount of \$30,122.51. All present voted "Aye." MOTION PASSED.

**35549 AUTHORIZE THE RECYCLING AND SOLID WASTE DEPARTMENT TO PURCHASE TWO NEW SELF- DUMPING FORKLIFT HOPPERS THAT WILL BE USED AT BOTH THE WIMBERLEY AND DRIFTWOOD LOCATIONS AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the recycling and solid waste department to purchase two new self- dumping forklift hoppers that will be used at both the Wimberley and driftwood locations and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35550 ACCEPT THE DELIVERY OF THE FISCAL YEAR 2019 INTERNAL EXAMINATION REPORT FOR THE HAYS COUNTY SHERIFF'S JAIL COMMISSARY ACCOUNT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the delivery of the fiscal year 2019 internal examination report for the Hay's County Sheriff's jail commissary account. All present voted "Aye." MOTION PASSED.

**35551 AUTHORIZE THE COUNTY JUDGE TO RATIFY AN EQUIPMENT TRANSFER MEMORANDUM OF AGREEMENT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) FOR PASS-THROUGH GRANT FUNDED EMERGENCY EQUIPMENT VALUED AT \$11,153.09 AND AMEND THE BUDGET ACCORDINGLY.**

Discussion was had among the Court regarding the type of equipment and the housing of the equipment. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to ratify an equipment transfer memorandum of agreement with the Capital Area Council Of Governments (CAPCOG) for pass-through grant funded emergency equipment valued at \$11,153.09 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35552 APPROVE AN ADDITIONAL CONTRACT EXTENSION OF IFB 2017-B06 AC & HEATING SERVICES WITH SI MECHANICAL FOR A PERIOD NOT TO EXCEED 30 DAYS (SEPTEMBER 30, 2020).**

Dan Lyon made public comments against SI Mechanical mark-up policy. Discussion was had among the Court and the Auditor regarding the circumstances regarding this contract extension and a new contract with a new company. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve an additional contract extension of IFB 2017-B06 AC & Heating Services with SI Mechanical for a period not to exceed 30 days (September 30, 2020). All present voted "Aye." MOTION PASSED.

**35553 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL CONTRACT FOR \$21,608.40 WITH WEST THOMPSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES IN THE HAYS COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE WITH FUNDS BUDGETED FOR FY2021.**



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a renewal contract for \$21,608.40 with West Thompson Reuters for online legal research services in the Hays County Criminal District Attorney's office with funds budgeted for FY2021. All present voted "Aye." MOTION PASSED.

**AUTHORIZE THE COUNTY JUDGE TO EXECUTE FIRST AMENDMENT TO CONSULTING SERVICES AGREEMENT TO AN AGREEMENT BETWEEN HAYS COUNTY AND WATER PR, LLC REGARDING AN INFORMATION PROGRAM RELATED TO THE UPCOMING NOVEMBER 3, 2020 PARKS AND OPEN SPACE BOND PROPOSITION, FINDING FOR AN EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024(A)(4).**

Elaine Cárdenas, County Clerk, read the following comments to the Court. Bill Davis made public comments regarding concerns for the bond proposal. Mark Key made public comments in person to the Court against this item. Discussion was had among the Court, Mark Kennedy, General Counsel, and Kim Hilsenbeck, Communications Director, regarding the options available to inform the public of the bond information. Commissioner Shell withdrew his motion. No action was taken.

**35554      AUTHORIZE THE COUNTY JUDGE TO SIGN A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND BGE, INC. FOR DESIGN SERVICES RELATED PS&E FOR THE HILLSIDE TERRACE BOND PROJECT.**

Commissioner Jones stated this agreement is for improvements of Hillside Terrace and includes a redesign to create a loop around a gas main. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to sign a Professional Services Agreement between Hays County and BGE, Inc. for design services related PS&E for the Hillside Terrace bond project. All present voted "Aye." MOTION PASSED.

**35555      AUTHORIZE THE COUNTY JUDGE TO SIGN A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND BOWMAN ENGINEERING, INC. FOR DESIGN SERVICES RELATED TO PS&E FOR RECONSTRUCTION OF COTTON GIN ROAD.**

Mark Kennedy, General Counsel, noted this is an amendment for professional services agreement under Local Government Code 262.024 (a)(4) exemption. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to sign a Professional Services Agreement between Hays County and Bowman Engineering, Inc. for design services related to PS&E for reconstruction of Cotton Gin Road under the Local Government Code for Professional Services Agreement under 262.024 (a)(4) exemption. All present voted "Aye." MOTION PASSED.

**35556      ACCEPT THE MAINTENANCE BOND RIDER EXTENSION #1060751 FOR TWO MONTHS FOR SUNFIELD SUBD., PHASE 2, SECTION 11.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the maintenance bond rider extension #1060751 for two months for Sunfield subd., Phase 2, Section 11. All present voted "Aye." MOTION PASSED.

**35557      EXECUTE AN ADVANCE FUNDING AGREEMENT FOR THE METROPOLITAN AREA CORRIDOR PROJECT ON-SYSTEM (RM 3237 INTERSECTION IMPROVEMENTS) AS PART OF THE 2016 ROAD BOND PROGRAM.**

Commissioner Shell explained the details of the project to the Court and announced this is part of the bond program. A motion was made by Commissioner Shell, seconded by Commissioner Smith to execute an Advance Funding Agreement for the Metropolitan Area Corridor Project On-System (RM 3237 Intersection Improvements) as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

**35558      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA)/CONTRACT BETWEEN HAYS COUNTY AND COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE ENGINEERING DESIGN AND ROW ACQUISITION SERVICES ON THE WINTERS MILL INTERSECTION IMPROVEMENTS AT RM 12 AND RM 3237 PROJECT IN PRECINCT 3 AS PART OF THE 2016 ROAD BOND PROJECT.**

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Mark Kennedy, General Counsel, noted this is an amendment for professional services agreement under Local Government Code 262.024 (a)(4) exemption. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement (PSA)/contract between Hays County and Cobb, Fendley & Associates, Inc. to provide engineering design and ROW acquisition services on the Winters Mill Intersection Improvements at RM 12 and RM 3237 project in Precinct 3 as part of the 2016 Road Bond Project under the Local Government Code for professional services agreement under 262.024 (a)(4) exemption. All present voted "Aye." MOTION PASSED.**

**35559 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND BINKLEY AND BARFIELD, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR DARDEN HILL (RM1826-SAWYER RANCH ROAD) PROJECT IN PRECINCT 4 AS PART OF THE ROAD BOND PROGRAM.**

Commissioner Smith noted there a new Elementary school and traffic circle will be added to this area. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement between Hays County and Binkley and Barfield, Inc. to provide Utility Coordination services for Darden Hill (RM1826-Sawyer Ranch Road) project in Precinct 4 as part of the Road Bond Program. All present voted "Aye." MOTION PASSED.**

**35560 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE ONE NEW 2020 CHEVROLET SILVERADO 1500 VALUED AT \$32,009 FOR THE INSPECTIONS AND ENGINEERING DIVISION.**

Commissioner Jones noted the need of addition transportation for the new employees to preform inspections. The Court noted Road and Bridge funding is different from other funding. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Transportation Department to purchase one new 2020 Chevrolet Silverado 1500 valued at \$32,009 for the Inspections and Engineering Division. All present voted "Aye." MOTION PASSED.**

**35561 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE ONE REPLACEMENT HC6 NEXSTAR III AUTO CRANE AND ONE EHP SYSTEM AUTOMATIC TIRE CHANGER VALUED AT \$32,279 AND AMEND THE BUDGET ACCORDINGLY.**

**A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Transportation Department to purchase one replacement HC6 Nexstar III Auto Crane and one EHP System Automatic Tire Changer valued at \$32,279 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra called for a break that began at 12:50 p.m. and resumed back into open court at 1:00 p.m.

**35562 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A COMMERCIAL LEASE AGREEMENT BETWEEN HAYS COUNTY AND SHOW PLACE COMMERCIAL PARK, LLC FOR APPROXIMATELY 3,853 SQUARE FEET OF COMMERCIAL SPACE.**

Mark Kennedy, General Counsel, noted this space is larger than the previous space that was considered. He reviewed some of the changes made to the lease agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Commercial Lease Agreement between Hays County and Show Place Commercial Park, LLC for approximately 3,853 square feet of commercial space and note changes made in Court. All present voted "Aye." MOTION PASSED.**

**35563 AWARD RFP 2020-P01 HVAC - MAINTENANCE & REPAIR SERVICES TO JM ENGINEERING, LLC AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award RFP 2020-P01 HVAC - Maintenance & Repair Services to JM Engineering, LLC and authorize staff and General Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.**



**35564 HOLD A PUBLIC HEARING ON THE PROPOSED LANTANA MULTI-FAMILY PROJECT 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 MISSION DEVELOPMENT GROUP, LTD. TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.**

Judge Becerra opened the public hearing. John Latham made comments as a general partner for the development project. Judge Becerra closed the public hearing. Commissioner Ingalsbe thanked John Latham for his work. **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 Mission Development Group, Ltd. to the Texas Department of Housing and Community Affairs. All present voted "Aye." MOTION PASSED.**

**DISCUSSION AND POSSIBLE ACTION TO RECONSIDER ELECTION DAY VOTE CENTER LOCATIONS FOR THE NOVEMBER 3, 2020 GENERAL ELECTION.**

Mary Ellen Frazier made public comment in support of additional voting locations at the Texas State University campus. Maia Napier made public comment in support of additional voting locations at the Texas State University campus. Evan Bookman made public comment in support of additional voting locations at the Texas State University campus. Brandon James made public comment in support of additional voting locations at the Texas State University campus. Jimmy Alan Hall made public comment in support of additional voting locations at the Texas State University campus. Catherine Wicker made public comments regarding the long wait times and safety concerns due to COVID-19. Tara Racine made public comments regarding voting locations. James Ortiz made public comment in support of voter's suppression at the Texas State University campus. Etta Moore made public comment in support of an additional voting location on the Texas State University campus. Tucker Blythe made public comment against an additional polling place at the Texas State university campus. He stated there are plenty of polling places throughout the community. Elaine Cárdenas, County Clerk, read the following comments to the Court. Anna Hargrove made public comment in support of additional voting locations at the Texas State University campus. Bobby Lane made public comment in support of additional voting locations at the Texas State University campus. Isabella Briceno made public comment in support of additional voting locations at the Texas State University campus. Millie Thompson made public comment in support of additional voting locations at the Texas State University campus. Rolando Saucedo made public comments. Jennifer Anderson, Elections Administrator, spoke to the Court regarding check in stations. Discussion was had between the Court, Jennifer Anderson, Elections Administrator, and Roland Saucedo, Chair of the Citizens Elections Advisory Committee regarding the processes for voting, restrictions for COVID-19, additional locations, the number of students on the campus and the voting center process. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to reconsider Election Day Vote Center locations for the November 3, 2020 General Election. Commissioner Ingalsbe and Judge Becerra voted "Aye." Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "No." MOTION FAILED.**

**35565 PURCHASE ADDITIONAL ELECTION EQUIPMENT.**

Discussion was had among the Court regarding the need for additional equipment. **A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to purchase additional election equipment. All present voted "Aye." MOTION PASSED.**

**35566 NAME A PRIVATE DRIVEWAY IN PRECINCT 4, HARMONY WOOD LANE.**

**A motion was made by Commissioner Smith, seconded by Commissioner Shell to name a private driveway in precinct 4, Harmony Wood Lane. All present voted "Aye." MOTION PASSED.**

**35567 CREATE THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE FOR THE REMAINDER OF THE FISCAL YEAR PURSUANT TO CHAPTER 152 OF THE LOCAL GOVERNMENT CODE.**

Discussion was had among the Court regarding the salary grievance committee. Mark Kennedy, General Counsel, advised the Court on the options available and best practices to form a committee. Incumbent Elected Official include the following; Sheriff, Tax Assessor/Collector, County Treasurer, County Clerk, District Clerk, Criminal District Attorney. Public Members selected include the following; Viviana Rodriguez, Juan Gomez, Nikki Rivers, Steve Caruana, Rose Castillo, Cierra Flores, Jared Rios, Joseph Papick, Monte Rowe, John Brunson, Kyle Hahn, Michele Mallen, Summer Norton, Kerissa Mitchell, Blake Braun, John McClaferty III, Lisa Shine, Joan Nagel, James Grace, Amy Walton, John Ohlinger, Amanda Ruiz, Kenneth Erickson, Larissa Johnson and Heidi Gomez. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to create the Hays County Salary Grievance Committee for the remainder of the fiscal year Pursuant to Chapter 152 of the Local Government Code. All present voted "Aye." MOTION PASSED.**



**35568 AWARD RFP 2020-P14 CDBG MITIGATION FUNDING TO LANGFORD COMMUNITY MANAGEMENT SERVICES, LLC AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.**

Commissioner Shell stated this firm scored the highest of the nine companies. The County can now negotiate with this company. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to award RFP 2020-P14 CDBG Mitigation Funding to Langford Community Management Services, LLC and authorize staff and General Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.**

**35569 APPROVE A FUNDING AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE REGARDING PAYMENT OF THE TYLER NEW WORLD MAINTENANCE AGREEMENT FOR THE COMPUTER AIDED DISPATCH (CAD) SYSTEM IN THE NEW 911 CO-LOCATED COMMUNICATIONS CENTER.**

Commissioner Shell stated this agreement is with the City of Kyle for this year to cover expenses of the Computer Aided Dispatch system. Commissioner Ingalsbe stated the calculation is provided by the number of emergency calls. Mark Kennedy, General Counsel, noted that the agreement has FY21 listed. That is a typo and it should have FY20. That will get corrected. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve a Funding Agreement between Hays County and the City of Kyle regarding payment of the Tyler New World Maintenance Agreement for the Computer Aided Dispatch (CAD) System in the new 911 co-located communications center. All present voted "Aye." MOTION PASSED.**

**35570 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A TERMINATION OF ACCESS RESTRICTION AGREEMENT RELATED TO FOUR PARCELS ALONG FM110 IN PRECINCT 1.**

Commissioner Ingalsbe explained this action will terminate the access restriction and would allow property owners to work with TX Dot on access to FM 110. Mark Kennedy, General Counsel, noted a spur was planned and is no longer needed. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Termination of Access Restriction Agreement related to four parcels along FM110 in Precinct 1. All present voted "Aye." MOTION PASSED.**

**35571 VOTE ON A PROPOSED BUDGET AND TAX RATE FOR FISCAL YEAR 2021 AND SCHEDULE PUBLIC HEARINGS.**

Discussion was held between the Court and Vickie Dorsett, Auditor's Office, regarding hearing dates for the following. The tax rate hearing is set for September 8, 2020 at 1p.m. The budget hearing to adopt the final budget is set on September 22, 2020 at 1 p.m. Public notices will be sent out. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt the fiscal year 2021 Commissioners' Court Proposed budget with the changes as presented by the Auditor's Office and to set the FY21 tax rate at \$0.42.12 cents as follows; \$0.26.78 General M & O, \$0.12.46 Debt, \$0.2.88 Road and Bridge General. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra called for a break that began at 1:40 p.m. and resumed back into open court at 1:45 p.m.

**1:00 P.M. - BUDGET WORKSHOP REGARDING THE FY 2021 HAYS COUNTY BUDGET. POSSIBLE ACTION MAY FOLLOW.**

Judge Tacie Zelhart, Judge Chris Johnson and Judge Robert Updegrave presented to the Court their request to include in the budget for increase for indigent funds, an increase for court appointed juvenile attorneys, miscellaneous budget for disinfecting expense and Zoom meeting expenses, and one new Lead Court Administrator. Tammy Crumley, Director of County Wide Operations, presented to the Court her request to include in the budget for two additional employees for the recycling and solid waste stations and equipment replacement. Michael Torres, Constable Precinct 2 presented to the Court his request to include in the budget two replacement vehicles. Shari Miller, Director of Human Resources, presented to the Court her request to include in the budget for a position regrade for the benefits administrator, intern funding for a communications manager. Dan Lyon made public comments in favor of budget cuts for the County. No action was taken.

**Clerk's Note:** Judge Becerra reopened this item at 4:01p.m.

Vickie Dorsett, Auditor's Office, presented the changes made to the budget to the Court. The Court members reviewed the budget making edits and discussing their decisions to add or remove items. No action was taken.





**Clerk's Note:** Executive Session began at 11:15 a.m. and resumed back into open court at 12:32 p.m.

**35572 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 PRECINCT 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the county Judge to execute a Right of Way Agreement between Hays County and the City of San Marcos related to the acquisition of property for FM 110 through the San Marcos Regional Airport as presented in Executive Session. All present voted "Aye." MOTION PASSED.

**35573 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG THE FORMER HAYS COUNTY CIVIC CENTER AND CONTIGUOUS PROPERTIES LOCATED ON CLOVIS BARKER IN PRECINCT 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to decline to accept an offer that Hays County donate drainage easements to benefit the property adjacent to the former Civic Center property on Clovis Baker in Precinct 1. – Not inclined to encumber the property at this time. All present voted "Aye." MOTION PASSED.

**35574 DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.**

Nathan Mendenhall, Fire Marshall, spoke to the Court regarding a new resolution for burn bans with exceptions made by the state statue. A motion was made by Judge Becerra, seconded by Commissioner Smith to adopt a new burn ban as stated for the next 90 days. All present voted "Aye." MOTION PASSED.

**Clerk's Note Agenda Item #47 RE: DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS. – WAS PULLED.**

**Clerk's Note Agenda Item #48 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY CENSUS PROGRAM INCLUDING UPDATES FROM JESSICA MEJIA. – WAS PULLED.**

**Clerk's Note Agenda Item #49 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 #50 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 6:35 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 August 25, 2020.



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

