

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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SEPTEMBER 8, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 8<sup>th</sup> DAY OF SEPTEMBER 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](https://www.google.com).

**THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Chaplain Javier Maldonado, of Christus Hospice of 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**

Dan Lyon, Hays County resident, made public comments against raising taxes and purchasing lobby furniture for the jail facility. Christine Terrell, San Marcos resident, made public comments, in favor of a Public defender's office. Bonny Krahn made public comments against voting rosters that list voter's addresses and the party of the voter.

**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 an update regarding equipment, recent evacuations, Texas State University crowd management, and reporting from hospitals. Tammy Crumley, Director of County Wide Operations, gave an update to the Court regarding hospital reporting and CDC guidelines. Mike Jones, Emergency Services Director, spoke to the Court regarding a weekly report of COVID-19 positive cases from Texas State University sent to Hays County. No action was taken.

**35575 ADOPT A PROCLAMATION DECLARING SEPTEMBER 2020 AS EMERGENCY PREPAREDNESS MONTH.**

Mike Jones, Emergency Services Director, presented to the Court a list of upcoming events such as the third Annual Preparedness Fair that will be held virtually. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation declaring September 2020 as Emergency Preparedness Month. All present voted "Aye." MOTION PASSED.

**35576 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.

**35577 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.

**35578 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 25, 2020.**

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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 25, 2020. All present voted "Aye." MOTION PASSED.

**35579 APPROVE THE PAYMENT OF THE SEPTEMBER 15, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,970,000.00 EFFECTIVE SEPTEMBER 15, 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 September 15, 2020 payroll disbursements in an amount not to exceed \$2,970,000.00 effective September 15, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**35580 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR TWO SINGLE FAMILY RESIDENCES LOCATED AT 1028 WINDMILL ROAD, DRIPPING SPRINGS, TEXAS 78620.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for two single family residences located at 1028 Windmill Road, Dripping Springs, Texas 78620. All present voted "Aye." MOTION PASSED.

**35581 APPROVE THE RE-APPOINTMENT OF COMMISSIONER LON SHELL AND COMMISSIONER DEBBIE INGALSBE, TO THE GREATER SAN MARCOS PARTNERSHIP (GSMP) BOARD OF DIRECTORS.**

Dan Lyon made public comments against any contract between Hays County and Greater San Marcos Partnership, as they are a private organization. Commissioner Smith thanked Commissioner Ingalsbe and Commissioner Shell for their service to the board of directors. A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the re-appointment of Commissioner Lon Shell and Commissioner Debbie Ingalsbe, to the Greater San Marcos Partnership (GSMP) Board of Directors. All present voted "Aye." MOTION PASSED.

**35582 AUTHORIZE THE COMMISSIONER PCT. 1 OFFICE TO SUPPORT THE KYLE PARKS AND RECREATION DEPARTMENT FOR CONTINUED DEVELOPMENT OF THE PLUM CREEK TRAIL RELATED TO INTERACTIVE AND INTERPRETIVE SIGNAGE VALUED AT \$3,500.**

Commissioner Ingalsbe stated she was happy to support the Plum Creek trail system. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Commissioner Pct. 1 Office to support the Kyle Parks and Recreation Department for continued development of the Plum Creek Trail related to interactive and interpretive signage valued at \$3,500. All present voted "Aye." MOTION PASSED.

**35583 AUTHORIZE THE BAIL BOND BOARD TO PURCHASE ONE (1) DELL LATITUDE 5400 LAPTOP WITH ACCESSORIES FOR THE BAIL BOND ASSISTANT VALUED AT \$1,232.11 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Bail Bond Board to purchase one (1) Dell Latitude 5400 Laptop with accessories for the Bail Bond Assistant valued at \$1,232.11 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35584 AUTHORIZE PAYMENT TO VERACITY AVIATION IN THE AMOUNT OF \$560.00 AND KING FEED & HARDWARE IN THE AMOUNT OF \$782.80 FOR THE FERAL HOG ABATEMENT GRANT PROGRAM IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY.**



Dan Lyon made public comments against the Hog Abatement Grant program. He requested the county have hunters turn in hog tails. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize payment to Veracity Aviation in the amount of \$560.00 and King Feed & Hardware in the amount of \$782.80 for the Feral Hog Abatement Grant Program in which no purchase order was issued as required per County Purchasing Policy. All present voted "Aye." MOTION PASSED.

**35585 AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE \$18,377 REPLACEMENT AND NEW COMPUTER EQUIPMENT FOR VARIOUS DEPARTMENTS AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Information Technology Department to purchase \$18,377 replacement and new computer equipment for various departments and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35586 APPROVE UTILITY PERMITS.**

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

**35587 AMEND THE SHERIFF'S OFFICE OPERATING BUDGET FOR NEEDED VEHICLE REPAIRS IN WHICH \$4,103.00 INSURANCE PROCEEDS WERE RECEIVED.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Sheriff's Office operating budget for needed vehicle repairs in which \$4,103.00 insurance proceeds were received. All present voted "Aye." MOTION PASSED.

**35588 AUTHORIZE PAYMENT FROM THE SHERIFF'S OFFICE TO WIMBERLEY TOWING CO. FOR THREE INVOICES TOTALING \$934.80 WHERE NO PURCHASE ORDER WAS IN PLACE AS PER THE COUNTY POLICY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize payment from the Sheriff's Office to Wimberley Towing Co. for three invoices totaling \$934.80 where no purchase order was in place as per the County Policy. All present voted "Aye." MOTION PASSED.

**35589 AUTHORIZE THE CONSTABLE PCT. 5 OFFICE TO PURCHASE TWO (2) NEW LIDAR-XLR-C STALKER RADARS VALUED AT \$4,990 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Constable Pct. 5 Office to purchase two (2) new Lidar-XLR-C Stalker Radars valued at \$4,990 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35590 APPROVE THE AMENDMENT OF THE HAYS COUNTY SHERIFF'S OFFICE WRECKER SERVICE AGREEMENT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the amendment of the Hays County Sheriff's office Wrecker Service Agreement. All present voted "Aye." MOTION PASSED.

**35591 AUTHORIZE ON-SITE SEWAGE FACILITY FOR A NEW AUTO/BODY SHOP LOCATED AT 1321 HIGH ROAD, KYLE TX 78640.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility for a new Auto/Body shop located at 1321 High Road, Kyle TX 78640. All present voted "Aye." MOTION PASSED.

**35592 AUTHORIZE THE CONSTABLE PCT. 1 OFFICE TO PURCHASE ONE (1) NEW SURFACE PRO LAPTOP AND ONE (1) NEW LCRA XG-25-P HANDHELD RADIO TOTAL VALUE AT \$4,262.00 AND AMEND THE BUDGET ACCORDINGLY.**



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Constable Pct. 1 Office to purchase one (1) new Surface Pro Laptop and one (1) new LCRA XG-25-P Handheld Radio total value at \$4,262.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35593 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A THIRD AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN MARCOS, HAYS COUNTY, AND LAZY OAKS RANCH, LP IN CONNECTION WITH THE LA CIMA DEVELOPMENT AND THE ADDITION OF APPROXIMATELY 130 ACRES INTO THE AREA COVERED BY THE AGREEMENT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Third Amended and Restated Development Agreement between the City of San Marcos, Hays County, and Lazy Oaks Ranch, LP in connection with the La Cima development and the addition of approximately 130 acres into the area covered by the Agreement. All present voted "Aye." MOTION PASSED.

**35594 APPROVE SPECIFICATIONS FOR RFP 2020-P15 TRAFFIC COUNTER INSPECTION AND MAINTENANCE AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.**

Commissioner Jones noted the traffic counters is how the county gets reimbursed from TXDot. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve specifications for RFP 2020-P15 Traffic Counter Inspection and Maintenance and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

**35595 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR OFFICE/WAREHOUSE BUILDING SUITE 200 LOCATED AT 14155 HWY 290 WEST, AUSTIN, TEXAS 78737.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for Office/warehouse building SUITE 200 located at 14155 Hwy 290 West, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

**35596 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR OFFICE/WAREHOUSE BUILDING SUITE 300 LOCATED AT 14155 HWY 290 WEST, AUSTIN, TEXAS 78737.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for Office/warehouse building SUITE 300 located at 14155 Hwy 290 West, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

**35597 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND BINKLEY AND BARFIELD, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR US 290 WEST AT TRAUTWEIN ROAD INTERSECTION PROJECT IN PRECINCT 4 AS PART OF THE ROAD BOND PROGRAM.**

Commissioner Smith stated this item will coordinate utilities for the overall structure of the intersection. 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 US 290 West at Trautwein Road Intersection project in Precinct 4 as part of the Road Bond Program. All present voted "Aye." MOTION PASSED.

**35598 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT NO. 1 TO A CONTRACT BETWEEN HAYS COUNTY AND FRANK SURVEYING COMPANY, INC., DBA FSC, INC. FOR THE US 290 WEST AT HENLY LOOP AND MARTIN ROAD PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.**





A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment No. 1 to a contract between Hays County and Frank Surveying Company, Inc., dba FSC, Inc. for the US 290 West at Henly Loop and Martin Road project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

**35599 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT/CONTRACT BETWEEN HAYS COUNTY AND COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR RM 967 SAFETY IMPROVEMENTS PROJECT IN PRECINCT 2 AS PART OF THE ROAD BOND PROGRAM.**

Commissioner Jones noted this project will cover safety improvements, as well as a delay of six to seven months due to environmental impact on the salamanders in the creek. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement/Contract between Hays County and Cobb, Fendley & Associates, Inc. to provide Right-of-Way Acquisition services for RM 967 Safety Improvements project in Precinct 2 as part of the Road Bond Program. All present voted "Aye." MOTION PASSED.

**35600 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL #5 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND JOHNSON, MIRMIRAN, AND THOMPSON, INC. (JMT) FOR FM 110 (SH80 TO FM621) MIDDLE AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM.**

Commissioner Ingalsbe noted this is the final step to address the mitigation requirements in the assessment due to mussels that were located. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Supplemental #5 to the Professional Services Agreement (PSA) between Hays County and Johnson, Mirmiran, and Thompson, Inc. (JMT) for FM 110 (SH80 to FM621) Middle as part of the Hays County/TxDOT Partnership Program. All present voted "Aye." MOTION PASSED.

**35601 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT/CONTRACT BETWEEN HAYS COUNTY AND BINKLEY AND BARFIELD, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR RM 12 AT RM 3237 INTERSECTION IMPROVEMENTS PROJECT IN PRECINCT 3 AS PART OF THE ROAD BOND PROGRAM.**

Commissioner Shell stated this company was selected through an RFQ process. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement/Contract between Hays County and Binkley and Barfield, Inc. to provide Utility Coordination services for RM 12 at RM 3237 Intersection Improvements project in Precinct 3 as part of the Road Bond Program. All present voted "Aye." MOTION PASSED.

**35602 CALL FOR A PUBLIC HEARING ON SEPTEMBER 22ND, 2020 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOTS 11 & 12, HURLBUT RANCH EAST SUBDIVISION; PLN-1466-PC.**

Caitlyn Strickland, Director of Development Services, stated there are no variances on this lot. A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on September 22nd, 2020 to discuss final plat approval of the Replat of Lots 11 & 12, Hurlbut Ranch East Subdivision; PLN-1466-PC. All present voted "Aye." MOTION PASSED.

**35603 ESTABLISH FIVE (5) TEMPORARY ELECTION WORKERS FOR A THREE-WEEK PERIOD EFFECTIVE SEPTEMBER 16, 2020 TO ASSIST WITH BALLOT BY MAIL REQUESTS UTILIZING THE CARES HAVA FUNDING.**

Jennifer Anderson, Elections Administrator, noted these positions are covered by the Help America Vote Act. The temporary positions will help fold ballots, and fill envelopes. Commissioner Ingalsbe asked Jennifer Anderson about her plan for a drop off point at the Hays County Government Center. Jennifer Anderson, stated her office is working with Tammy Crumley, Director of County Wide Operations, to have the doors open for the main polling location in the building, as well as designated parking spaces, so that people are able to drop off their ballots quickly and easily. A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to establish Five (5) Temporary Election Workers for a three-week period effective September 16, 2020 to assist with Ballot by Mail requests utilizing the CARES HAVA Funding. All present voted "Aye." MOTION PASSED.



**35604 ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF "HAYS COUNTY, TEXAS LIMITED TAX REFUNDING BONDS"; LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING AUTHORITY TO CERTAIN COUNTY OFFICIALS AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATED TO THE SALE OF THE BONDS; AND AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT.**

Dan White Miller, Specialized Public Financial Adviser for the County, presented to the Court regarding the process to obtain lowered interest rate bonds. A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt an order authorizing the issuance of one or more series of "Hays County, Texas Limited Tax Refunding Bonds"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the Bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Bonds; delegating authority to certain County officials and County staff to execute certain documents related to the sale of the Bonds; and authorizing the execution of an Escrow Agreement and a Paying Agent/Registrar Agreement. All present voted "Aye." MOTION PASSED.

**35605 AWARD RFP 2020-P08 ELECTION FORM PRINTING SERVICES TO AMG PRINTING AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to award RFP 2020-P08 Election Form Printing Services to AMG Printing and authorize staff and General Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

**35606 AWARD RFP 2020-P12 CUSTOMER MANAGEMENT QUEUING SYSTEM TO NEMO-Q AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.**

Britney Richey, County Treasurer, spoke to the court regarding the queuing system that would allow a text message to be sent to the person when their place in line is ready. This would help with social distancing. Commissioner Ingalsbe verified this item is funded by the Cares Act. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award RFP 2020-P12 Customer Management Queuing System to NEMO-Q and authorize staff and General Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

**35607 AUTHORIZE HUMAN RESOURCES TO PROCURE A CREDIT CARD IN AN AMOUNT NOT TO EXCEED \$3,500.00 FROM THE COUNTY DEPOSITORY BANK.**

Shari Miller, Human Resources Director, stated to the court that this credit card will allow her office to make purchases that do not fall under an emergency expense. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Human Resources to procure a credit card in an amount not to exceed \$3,500.00 from the County depository bank. All present voted "Aye." MOTION PASSED.

**35608 ADOPT THE FY 2021 COUNTY HOLIDAY CALENDAR.**

Commissioner Ingalsbe noted this calendar is always open for changes. She stated the dates are being released early, so that the Courts are able to schedule dockets with ample time. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt the FY 2021 County Holiday Calendar. All present voted "Aye." MOTION PASSED.

**35609 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND LARRY J FOSTER, TEXAS PROFESSIONAL INSPECTOR #3 TO PROVIDE TEXAS REAL ESTATE COMMISSION (TREC) INSPECTIONS FOR THE HUD FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) HOUSING PROGRAM.**

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Commissioner Jones stated this item is for the block grant to add oversight. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement (PSA) between Hays County and Larry J Foster, Texas Professional Inspector #3 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.**

**35610 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE CONTRACT BETWEEN HAYS COUNTY AND LANGFORD COMMUNITY MANAGEMENT SERVICES, LLC. FOR RFP 2020-P14 CDBG MITIGATION FUNDING.**

Commissioner Shell stated this company was selected two weeks ago. This is the contract for court approval. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute the contract between Hays County and Langford Community Management Services, LLC. for RFP 2020-P14 CDBG Mitigation Funding. All present voted "Aye." MOTION PASSED.**

**DISCUSSION AND POSSIBLE ACTION TO DISCUSS CONSTITUENTS' CONCERN ABOUT ELECTIONS REQUIREMENTS.**

Elaine H. Cárdenas, County Clerk, read aloud the following public comments that were emailed to the court. Jonathan Steinberg made public comments regarding discussion of constituent's concern about elections requirements. Sam Brannon made public comments regarding his election's complaint against the Hays County Elections office filed with the Elections Division at the Secretary of the State's office. Elaine H. Cárdenas, County Clerk spoke to the court regarding her discussion with Sam Brannon and her understanding of his concerns with the Elections office. Jennifer Anderson, Elections Administrator, stated she has previously given information to Sam Brannon as requested, and referred his Public Information request to the Office of General Counsel. Discussion was had among the Court and Jennifer Anderson, Elections Administrator, to incorporate more documentation and procedures for voting transparency. Elaine H. Cárdenas, County Clerk, read aloud the following public comments that were emailed to the court. Patricia Alba made public comments requesting drive thru areas for the delivery of mail-in ballots. Ann Jensen made public comments requesting mail-in ballot drop boxes for voters. Margo Case made public comment requesting a drive through drop off for mail-in ballots. Linda Nichols made a public comment requesting a drive through drop off for mail-in ballots. Jonathan Grant made a public comment requesting a drive through drop off for mail-in ballots. Eileen Sudela made a public comment requesting a drive through drop off for mail-in ballots. No action was taken.

**1:00p.m. - Hold a public hearing on the FY 2021 proposed tax increase.**

Judge Becerra opened the public hearing. Elaine H. Cárdenas, County Clerk, read aloud the following public comment that was emailed to the court. Victoria Chips made public comment against the proposed tax increase. Vickie Dorsett, Auditor's Office, presented to the Court a handout of the Itemized Tax Rate. Judge Becerra announced a budget hearing is set for September 22, 2020 at 1:00PM in the historic courthouse. Dean Blackmore made public comments regarding clarification on the tax increase. John Love made public comments regarding clarification on the tax increase.

**Clerk's Note:** Executive Session began at 11:19 a.m. and resumed back into open court at 1:05 p.m.

**35611 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNTY TREASURER REGARDING PAYROLL TAX DEFERRAL IRS NOTICE 2020-65 AS AMENDED UNDER SECTION 7508A OF THE INTERNAL REVENUE CODE AND CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE COUNTY. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe that Hays County not participate in the payroll reduction program. All present voted "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 RECOIL. POSSIBLE DISCUSSION AND/OR ACTION MAY 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 ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action was taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING THE PARKS AND OPEN SPACE BOND PROPOSITION ON THE NOVEMBER 3, 2020 BALLOT; AND CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY REGARDING PARKS AND OPEN SPACE WITHIN HAYS COUNTY. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action was taken.

**Clerk's Note Agenda Item #44 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 \$52,617.00 for the week of August 30 – September 5, 2020. The number of outsourced male inmates was 156 and female inmates were 4. The number of arrest made by agency are as follows; Buda Police Department - 8, Department of Public Safety – 4, 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 – 16, San Marcos Police Department - 25, Texas State Police Department – 2. No action taken.

**Clerk's Note Agenda Item #46 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY CENSUS PROGRAM INCLUDING UPDATES FROM JESSICA MEJIA. - WAS PULLED.**

**Clerk's Note Agenda Item #47 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 #48 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 1:25 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 September 8, 2020.**



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

