

**Commissioners Court March 2, 2021  
NOTICE OF A MEETING OF THE  
COMMISSIONERS COURT OF HAYS COUNTY, TEXAS**



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNON'S TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at **9:00 A.M.** on the **2<sup>nd</sup> day of March 2021**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE - Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag**

**ROLL CALL**

**PUBLIC COMMENTS**

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

**PRESENTATIONS & PROCLAMATIONS**

1	4	Update from the County Judge and staff regarding the Local Disaster Declaration and COVID-19. Possible discussion and action may follow. <b>BECERRA</b>
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**CONSENT ITEMS**

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

2	5	Approve payments of County invoices. <b>VILLARREAL-ALONZO</b>
3	6	Approve the payment of United Healthcare claims. <b>VILLARREAL-ALONZO</b>
4	7	Approve the payment of the February 28, 2021 payroll disbursements in an amount not to exceed \$3,800,000.00 effective February 26, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. <b>BECERRA/RICHEY</b>
5	8-30	Authorize the County Judge to execute an annual renewal agreement between the Hays County Building Maintenance Department and Johnson Controls in the amount of \$9,515.00. <b>BECERRA/T.CRUMLEY</b>
6	31	Authorize payment to Card Services in the amount of \$1,707.40 in which no purchase order was issued as required per the County Purchasing Policy and amend the budget accordingly. <b>JONES/T.CRUMLEY</b>
7	32	Authorize On-Site Sewage Facility Permit for an office building located at 102 Whitetail Dr, San Marcos, TX 78666. <b>SHELL/PACHECO</b>
8	33-39	Approve Utility Permits. <b>BECERRA/BORCHERDING</b>
9	40-50	Accept the 2020 Racial Profiling Report from Hays County Constable Office, Precinct 2. <b>JONES/TORRES</b>
10	51-60	Accept the 2020 Racial Profiling Report from Hays County Constable Office, Precinct 3. <b>SHELL/MONTAGUE</b>
11	61-77	Accept the 2020 Racial Profiling Report from Hays County Constable Office, Precinct 1. <b>INGALSBE/PETERSON</b>
12	78-93	Accept the 2020 Racial Profiling Report from the Hays County Sheriff's Office. <b>INGALSBE/CUTLER</b>
13	94	Accept \$15,500.00 in grant contributions and donations on behalf of the Hays County Child Protective Board and amend the budget accordingly. <b>INGALSBE</b>
14	95-98	Authorize Building Maintenance to utilize donated funds for the remodel of the Hays County Child Protective Board (HCCPB) Rainbow Room located on Broadway Street in San Marcos and amend the budget accordingly. <b>INGALSBE/T.CRUMLEY</b>
15	99-104	Authorize the submission of a preliminary application to the Texas Department of Transportation (TxDOT) for the Transportation Alternatives Set-Aside (TA) Program for the FM 2325 Pedestrian Safety Access Improvement Project (Project). <b>SHELL/T.CRUMLEY/BORCHERDING</b>

16	105-110	Authorize the Constable Precinct 5 Office to purchase one replacement OptiPlex 7080 Computer valued at \$651.59 for the Constable and amend the budget accordingly. <b>JONES/ELLEN</b>
17	111-112	Approve extension of RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 122 days (June 30, 2021) and amend the budget accordingly. <b>BECERRA/RICHEY</b>
18	113-114	Approve renewal of IFB 2017-B03 Cemetery Maintenance for one additional year as stated in the original bid. <b>BECERRA/BORCHERDING</b>
19	115-116	Authorize the County Judge to support the Indigenous Cultures Institute for programming that informs about the Native people and restores lost history using \$1,500.00 of the County Judge's available Community Program funds. <b>BECERRA</b>
20	117-118	Authorize payment to Waldrip Insurance Agency in the amount of \$875.00 in which no purchase order was issued as required per the County Purchasing Policy and amend the budget accordingly. <b>BECERRA</b>
21	119-164	Approve specifications for RFQ 2021-Q06 CDBG Engineering Services and authorize Purchasing to solicit for proposals and advertise. <b>SHELL/T.CRUMLEY</b>

## ACTION ITEMS

### ROADS

22	165-167	Discussion and possible action to authorize the execution of Contract Amendment No. 1 with BGE, Inc. to provide Construction Engineering, Inspection & Testing (CE&I) services as part of the On-Call CE&I contract related to the Dacy Lane 2016 Road Bond Program and authorize a discretionary exemption per Texas Local Government Code Ch. 262.024(a)(4). <b>INGALSBE/JONES/BORCHERDING</b>
23	168	Discussion and possible action to consider the release of the maintenance bond #EAIC088000002 in the amount of \$120,448.82 and the acceptance of roads into the county road maintenance system for Shadow Creek subdivision, Phase 5, Section 1. <b>JONES/BORCHERDING</b>
24	169	Discussion and possible action to consider the release of the maintenance bond #K09232928 in the amount of \$97,400.60 and the acceptance of roads into the county road maintenance system for Shadow Creek subdivision, Phase 6, Section 1. <b>JONES/BORCHERDING</b>
25	170	Discussion and possible action to consider the release of the maintenance bond #714904P in the amount of \$155,244.00 and the acceptance of roads into the county road maintenance system for Parten Ranch subdivision, Phase 1. <b>SMITH/BORCHERDING</b>
26	171-197	Discussion and possible action to authorize the County Judge to execute a Standard Utility Agreement (SUA) Supplemental No. 2 between Hays County and Maxwell SUD for utility relocations for the FM 110 North project in Precinct 1 as part of the Partnership Program. <b>INGALSBE/BORCHERDING</b>
27	198-200	Discussion and possible action to authorize the County Judge to execute Contract Amendment #3 to the time & materials contract with HNTB Corporation to continue providing General Engineering Consultant (GEC)/Program Management services for the Hays County 2016 Road Bond Program projects and authorize a discretionary exemption per Texas Local Government Code Ch. 262.024(a)(4). <b>JONES/BORCHERDING</b>
28	201-218	Discussion and possible action to execute an Advance Funding Agreement with the Texas Department of Transportation for Locally Funded Transportation Project Off System (Kohlers Crossing) as part of the 2016 Road Bond Program. <b>JONES/BORCHERDING</b>

### MISCELLANEOUS

29	219	Discussion and possible action to authorize the Office of Emergency Services to purchase one new Ford F250 4x4 vehicle and amend the budget accordingly. <b>BECERRA/MIKE JONES</b>
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### EXECUTIVE SESSIONS

The Commissioners Court will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The Commissioners Court may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

30	220	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. <b>SMITH</b>
31	221	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. <b>SHELL</b>

32	222	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 US 290 in Pct 4. Possible action may follow in open court. <b>SMITH</b>
33	223	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase and/or value of property (Right of Way) along Cotton Gin Road in Precinct 2. Possible action may follow, including but not limited to a resolution of the Commissioners Court declaring a public convenience and necessity and authorizing Eminent Domain proceedings. <b>JONES</b>

### STANDING AGENDA ITEMS

The Commissioners Court utilizes Standing Agenda Items to address issues that are frequently or periodically discussed in court. This section allows the Court to open the item when a need for discussion arises.

34	Discussion and possible action related to the burn ban and/or disaster declaration. <b>BECERRA</b>
35	Discussion related to the Hays County inmate population, to include current population counts and costs. <b>BECERRA</b>
36	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. <b>INGALSBE/CUTLER</b>
37	Discussion of issues related to Electro Purification including updates on the filed application. Possible action may follow. <b>SHELL</b>

### ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 26<sup>th</sup> day of February, 2021

**COMMISSIONERS COURT, HAYS COUNTY, TEXAS**

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**CLERK OF THE COURT**

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