

**Commissioners Court May 4, 2021
NOTICE OF A MEETING OF THE
COMMISSIONERS COURT OF HAYS COUNTY, TEXAS**



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNONS TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at **9:00 A.M.** on the **4th day of May 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	5-6	Adopt a Proclamation declaring May 9-15, 2021 as Police Week and May 15, 2021 as Peace Officers Memorial Day. SMITH
2	7-8	Adopt a Proclamation declaring May 5, 2021 as Cinco de Mayo. BECERRA
3	9	Adopt a Proclamation by the Council for the Indigenous and Tejano Community to recognize and celebrate the Contributions of the First Families of Hays County in the Spirit of Cinco de Mayo. BECERRA
4	10	Update from the County Judge and staff regarding the Local Disaster Declaration and COVID-19. Possible discussion and action may follow. BECERRA

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.

5	11	Approve payments of County invoices. VILLARREAL-ALONZO
6	12	Approve the payment of United Healthcare claims. VILLARREAL-ALONZO
7	13-21	Approve Commissioners Court Minutes of April 27, 2021. BECERRA/CARDENAS
8	22-23	Approve and confirm the appointment of Tate Puryear as a regular full-time Deputy Constable in the Hays County Constable Precinct 4 Office. SMITH/HOOD
9	24	Approve and confirm the appointment of James V. Mora as a regular full-time Deputy Constable and Gabriel D. Cunnion as a Reserve Deputy Constable in the Hays County Constable Precinct 2 Office. JONES/TORRES
10	25-31	Authorize the County Judge to execute liability coverage for storage tank systems with Commerce and Industry Insurance Company. BECERRA/MILLER
11	32-34	Authorize the execution of a resolution and the submission of a renewal grant application to the Texas Indigent Defense Commission for the Indigent Defense Coordinator grant project in the amount of \$77,292 where the County will provide a cash match of up to 60%. SHELL/INGALSBE/T.CRUMLEY
12	35-106	Authorize the County Judge to execute a Resolution and submit a grant application to the Texas Indigent Defense Commission, Improvement Grant Program for the Hays County Holistic Public Defense Office and Managed Assigned Counsel Program grant application in the amount of \$1,085,325.00. SHELL/T.CRUMLEY
13	107-111	Approve Utility Permits. SHELL/BORCHERDING
14	112-118	Authorize the Justice of the Peace Pct. 2 Office to purchase one replacement Dell Latitude 5420 with accessories valued at \$1,659.13 utilizing the Justice Court Technology Fund and amend the budget accordingly. JONES/B.SMITH
15	119-124	Authorize the Justice of the Peace Pct. 3 Office to purchase one replacement Dell Latitude 5520 valued at \$1,243.34 utilizing the Justice Court Technology Fund and amend the budget accordingly. SHELL/CABLE

ACTION ITEMS

ROADS

16	125-129	Discussion and possible action to authorize the County Judge to execute Change Order #1 to the Professional Services Agreement (PSA) between Hays County and LJA Engineering related to Right of Way (ROW) services on an as-needed basis and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024(a)(4). SHELL/BORCHERING
17	130-135	Discussion and possible action to authorize the execution of Change Order No. 1 in the amount of \$108,632.76 to the Construction Contract between Hays County and Jordan Foster Construction, LLC for the Dacy Lane (IFB-2021-B02) project as part of the Hays County Road Bond Program. JONES/INGALSBE/BORCHERDING
18	136-143	Discussion and possible action to consider the acceptance of road construction & drainage improvements, release the Letter of Credit #1041 in the amount of \$287,381.45, accept the 2-year maintenance bond #PB03016800710 in the amount of \$61,623.61, accept the 1-year revegetation bond #PB03016800710M in the amount of \$26,929.65, and accept the 5-year pavement maintenance bond #30114352 in the amount of \$14,659.30 for 6 Creeks subd., Phase 1, Section 5A. SMITH/BORCHERDING
19	144-153	Discussion and possible action to accept fiscal surety for the street and drainage improvements in the amount of \$372,201.25 for Trails at Windy Hill, Phase 4 Subdivision (Bond No. 7901063583). JONES/BORCHERDING
20	154-163	Discussion and possible action to accept fiscal surety for the street and drainage improvements in the amount of \$863,725.25 for Trails at Windy Hill, Phase 5 Subdivision (Bond No. 7901063582). JONES/BORCHERDING

SUBDIVISIONS

21	164-166	SUB-1239; Discussion and possible action to approve the final plat for the Delgado Subdivision. JONES/MACHECEK
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MISCELLANEOUS

22	167	Discussion and possible action to adopt and order authorizing the sale of fireworks beginning the Wednesday before the last Monday in May and ending at midnight on the last Monday in May, 2021. SHELL
23	168	Discussion and possible action to form a Citizens Advisory Commission on Redistricting. BECERRA
24	169	Discussion and possible action to accept a 1,080 square foot easement valued at \$1,000 from the Hays Consolidated Independent School District located off FM 967 as part of the 2016 Road Bond Safety Improvement Project. JONES
25	170-300	Discussion and possible action to execute a contract for RFQ 2021-Q06 CDBG Engineering Services between Hays County and TRC Engineers, Inc. for contracts procured by the Hays County Purchasing Department. SHELL/T.CRUMLEY
26	301-304	Discussion and possible action to adopt Hays County Employee Personnel Policy revisions. INGALSBE/MILLER
27	305-308	Discussion and possible action to authorize the execution of Amendment No. 3 to the Stop Loss Policy between Hays County and United Healthcare Insurance Company. SHELL/MILLER
28	309-341	Discussion and possible action to authorize the execution of the Financial Renewal and Terms Amendment between Hays County and United Healthcare Insurance Company. SHELL/MILLER

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.

29	342	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 2.791 acres in fee simple from property located at the Southeast Corner of RM150 and RM12, owned by Howard Land & Cattle, Ltd., a Texas limited partnership, and which is required for the construction of the proposed RM12 @ RM150 roadway improvements, and take other appropriate action (Parcel 1A). Possible action to follow in open court. SHELL
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30	343	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 0.201 acre in fee simple from property located at 1027 Twain Street, Driftwood, Texas, owned by Howard Ranch Gardens Association, Inc., and Howard Land & Cattle, Ltd., a Texas limited partnership, and which is required for the construction of the proposed RM12 @ RM150 roadway improvements, and take other appropriate action (Parcel 1B). Possible action to follow in open court. SHELL
31	344	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 0.721 acre in fee simple from property located at 23461 RM 150, Driftwood, Texas owned by Howard Integrity, Ltd., a Texas limited partnership, and which is required for the construction of the proposed RM12 @ RM150 roadway improvements, and take other appropriate action (Parcel 2). Possible action to follow in open court. SHELL
32	345	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 2.220 acres in fee simple from property located at the south line of Hwy 80 west of North Old Bastrop Hwy, owned by Tertia June Tucker Emerson, and which is required for the construction of the proposed Goforth SUD - Dacy Lane Project roadway improvements, and take other appropriate action (SH80, Parcel 1A). Possible action to follow in open court. INGALSBE
33	346	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 1.2596 acres in fee simple from property located at the west line of Old Bastrop Hwy (CR266) south of Rattler Road, owned SHC Holdings, LLC, and which is required for the construction of the proposed CR 266 roadway improvements, and take other appropriate action (CR266 Centerpoint to Rattler, Parcel20). Possible action to follow in open court. INGALSBE
34	347	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 0.215 acres in fee simple from property located at the west line of Dacy Lane (CR 205) north of Amberwood Loop, owned by Tony Blair and Jennifer M. Blair, and which is required for the construction of the proposed Dacy Lane Project roadway improvements, and take other appropriate action (Dacy Lane Phase II). Possible action to follow in open court. INGALSBE

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.

35	Discussion and possible action related to the burn ban and/or disaster declaration. BECERRA
36	Discussion related to the Hays County inmate population, to include current population counts and costs. BECERRA
37	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. INGALSBE/CUTLER
38	Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. SMITH

ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 30th day of April, 2021

COMMISSIONERS COURT, HAYS COUNTY, TEXAS

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.