

**Commissioners Court June 1, 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 **1st day of June 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

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| 1 | 5-6 | Adopt a Proclamation declaring the first Friday of June 2021 as Gun Violence Awareness Day. BECERRA |
| 2 | 7-13 | Adopt a proclamation declaring June 2021 as Hays County Month Long Celebration of Juneteenth. INGALSBE |
| 3 | 14 | Presentation on the Texas 4H accomplishments over the past year and highlights from 4H programs. BECERRA |
| 4 | 15 | 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.

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| 5 | 16 | Approve payments of County invoices. VILLARREAL-ALONZO |
| 6 | 17 | Approve the payment of United Healthcare claims. VILLARREAL-ALONZO |
| 7 | 18-23 | Approve Commissioners Court Minutes of May 18, 2021. BECERRA/CARDENAS |
| 8 | 24 | Approve the payment of the June 15, 2021 payroll disbursements in an amount not to exceed \$3,100,000.00 effective June 15, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. BECERRA/RICHEY |
| 9 | 25 | Authorize the Jail to utilize savings within the Office of the Governor Criminal Justice Division, Coronavirus Grant for a UVC Light and amend the budget accordingly. INGALSBE/CUTLER |
| 10 | 26-36 | Authorize the Hays County Criminal District Attorney to purchase one (1) replacement Dell Laptop with accessories valued at \$1,414.13 and four (4) OptiPlex computers valued at \$4,241.28 and amend the budget accordingly. INGALSBE/MAU |
| 11 | 37-39 | Authorize the submission of a grant application to the Department of Justice, Office of Justice Assistance, Patrick Leahy Bulletproof Vest Partnership (BVP) to purchase bulletproof vests for County law enforcement officers in the amount of \$28,655.64. BECERRA/T.CRUMLEY |
| 12 | 40 | Authorize the acceptance of a grant renewal award from the Texas Veterans Commission (TVC) for funding of the Hays County Veterans Services - Veterans Treatment Court in the amount of \$300,000. INGALSBE/T.CRUMLEY |
| 13 | 41 | Authorize the acceptance of the Hays County Assistance to Veterans grant renewal award in the amount of \$100,000 from the Texas Veterans Commission (TVC) for the Veterans County Service Officer (VCSO). INGALSBE/T.CRUMLEY |
| 14 | 42 | Approve the cancellation of the Hays County Commissioners Court on the following dates in 2021: June 8, July 6, July 20, August 3, August 31, September 14, September 28, October 26, November 16 and December 14. JONES |
| 15 | 43-47 | Approve Utility Permits. JONES/BORCHERDING |

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| 16 | 48-64 | Accept the Fiscal Year 2020 Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082. JONES/VILLARREAL-ALONZO |
| 17 | 65-77 | Authorize the execution of a Resolution and submission of a grant application to the Texas Department of Transportation (TxDOT) for the Transportation Alternative Set-Aside (TA) Program for the Hays County FM 2325 Sidewalk project. SHELL/T.CRUMLEY/BORCHERDING |
| 18 | 78 | Authorize On-Site Sewage Facility Permit for two baseball fields with a facility building at 1740 Sports Park Rd, Dripping Springs, Texas 78620. SMITH/PACHECO |
| 19 | 79-132 | Authorize the County Judge to accept the Annual 2020 Wildlife Management Activities Report for the Gay Ruby Dahlstrom Nature Preserve. JONES/T.CRUMLEY |
| 20 | 133-136 | Ratify the acceptance of law enforcement and janitorial supplies, valued at \$355.39 from Bob Barker and amend the budget accordingly. INGALSBE/CUTLER |
| 21 | 137 | Ratify the acceptance of a \$355.00 donation to the Sheriff's Office Crime Victim's Assistance program and amend the budget accordingly. INGALSBE/CUTLER |
| 22 | 138 | Authorize payment to Lower Colorado River Authority of \$572.00 for radio cables where no purchase order was in place as per the County Policy. INGALSBE/CUTLER |
| 23 | 139 | Authorize the selection of WSB and Associates to perform route studies in relation to various proposed Transportation Plan facilities and authorize staff to negotiate a contract. JONES/BORCHERDING |
| 24 | 140-141 | Authorize the Jail to add a telephone allowance for the Inmate Program Director, slot 0468-001 effective June 1, 2021. SHELL/CUTLER |
| 25 | 142 | Approve out of state travel, utilizing the Sheriff's Office Continuing Education Funds, for Criminal Investigations Division Lieutenant Michael Briggs to attend the National Homeland Security Conference on August 30-September 2, 2021 in Las Vegas, Nevada. SHELL/CUTLER |
| 26 | 143 | Approve out of state travel, utilizing the Sheriff's Office Continuing Education Funds, for Emergency Communications Officer Denise Lewis to attend the Navigator Conference on July 13-15, 2021 in Las Vegas, Nevada. SHELL/CUTLER |
| 27 | 144-160 | Authorize the Hays County Constable, Pct. 4 Office to enter into a State Plan of Operation Agreement with the State of Texas to receive certain excess Department of Defense (DOD) property under the Law Enforcement Support Office (1033/LESO) Program administered by the Defense Logistics Agency (DLA). SMITH/HOOD |
| 28 | 161 | Authorize On-Site Sewage Facility Permit for the relocation of a drain field for an office and self-storage units at 5500 W. US 290, Dripping Springs, Texas 78620. SMITH/PACHECO |
| 29 | 162-178 | Authorize the Hays County Sheriff's Office to enter into a State Plan of Operation Agreement with the State of Texas to receive certain excess Department of Defense (DOD) property under the Law Enforcement Support Office (1033/LESO) Program administered by the Defense Logistics Agency (DLA). SMITH/CUTLER |
| 30 | 179-184 | Authorize the Justice of the Peace Pct. 4 Office to purchase one replacement OptiPlex 7090 Desktop Computer valued at \$1,060.32 utilizing the Justice Court Technology Fund and amend the budget accordingly. SMITH/BURNS |
| 31 | 185-186 | Authorize the Office of Emergency Services to accept a Proposal from Water & Earth Technologies, Inc. (WET) related to Dam repairs at site SCSS in San Marcos and authorize a discretionary exemption per Local Government Code 262.024(a)(7). INGALSBE/MIKE JONES |
| 32 | 187 | Authorize the Local Health Department to utilize travel & training savings for additional office and data processing supplies and amend the budget accordingly. INGALSBE/T.CRUMLEY |
| 33 | 188-202 | Receive Annual Road Reports for each Precinct as required by the Texas Transportation Code Sect 251.005. INGALSBE/BORCHERDING |
| 34 | 203-204 | Authorize the acceptance of a Proposal from David Sullivan to install data drops within the Constable Precinct 4 Offices and amend the budget accordingly. SMITH/MCGILL/HOOD |
| 35 | 205 | Authorize the Information Technology Department to utilize continuing education funds for additional data supplies and amend the budget accordingly. INGALSBE/MCGILL |
| 36 | 206 | Accept grants & contributions totaling \$12,000 on behalf of the Hays County Child Protective Board and amend the budget accordingly. INGALSBE |

ACTION ITEMS

ROADS

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| 37 | 207-209 | Discussion and possible action to call for a public hearing on June 15, 2021 to establish a "No Parking" zone in front of the park gate & driveway on Edgewater Drive along the Blanco River. SHELL/BORCHERDING |
| 38 | 210-211 | Hold a public hearing with possible action to establish a "No Dumping" zone along both sides of Elm Grove Lane between FM 1626 and the cul-de-sac. JONES/BORCHERDING |

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| 39 | 212-222 | Discussion and possible action to consider the acceptance of road construction & drainage improvements, release of the construction bond #70NGP184872 in the amount of \$3,026,133.00, accept the 2-year maintenance bond #135515C in the amount of \$284,666.74, and accept the 5-year pavement maintenance bond #30114353 in the amount of \$23,492.81 for Hymeadow subd., Phase 1, Section 2. INGALSBE/BORCHERDING |
| 40 | 223-233 | Discussion and possible action to consider the acceptance of road construction & drainage improvements, release of the subdivision bond #7901052373 in the amount of \$724,309.50, accept the 2-year maintenance bond #135518C in the amount of \$89,741.66, and accept the 5-year pavement maintenance bond #30114350 in the amount of \$14,379.44 for Trails at Windy Hill subd., Phase 3. JONES/BORCHERDING |
| 41 | 234-236 | Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$32,000 to the Professional Services Agreement between Hays County and Doucet & Associates, Inc. for the Darden Hill Road (FM1826 to Sawyer Ranch Road) project as part of the Hays County Road Bond Program and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). SMITH/BORCHERDING |
| 42 | 237-245 | Discussion and possible action to authorize the County Judge to execute Change Order No. 2 in the amount of \$27,000 for the Professional Services Agreement between Hays County and Pape-Dawson Engineers, Inc. related to the Fischer Store Road Safety Improvements project as part of the Hays County Road Bond Program and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). SHELL/BORCHERDING |
| 43 | 246-288 | Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. to provide right-of-way acquisition services for the RM 3237 Safety Improvements project and authorize a discretionary exemption pursuant to Texas Local Government Code Section 262.024(a)(4) and amend the budget accordingly. SHELL/BORCHERDING |
| 44 | 289-291 | Discussion and possible action to call for a public hearing on June 15, 2021 to establish a "No Parking" zone on Sunrise Drive in the western ROW north of Sunrise Circle. INGALSBE/BORCHERDING |

SUBDIVISIONS

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| 45 | 292-321 | PLN-1649-NP; Sunfield Light Industrial, Preliminary Plan. Discussion and possible action to consider a variance from Chapter 721.5.05 (B) of the Hays County Development Regulations. JONES/MACHACEK |
| 46 | 322-324 | SUB-1219; Anthem, Phase 1B Subdivision (34 Lots). Discussion and possible action to approve final plat and accept fiscal surety for street and drainage improvements. JONES/PACHECO |
| 47 | 325-329 | PLN-1619-PN; Price Addition, Phase 2, Lots 1 and 2, Replat. Discussion and possible action to consider granting a variance request from our Hays County Rules for On-Site Sewage Facilities and approval of the final plat; Hold a Public Hearing. SHELL/MACHACEK |

MISCELLANEOUS

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| 48 | 330 | Discussion and possible action to reject all proposals related to RFP 2021-P02 Emergency Rental Assistance Program - Administrative Services. BECERRA/T.CRUMLEY |
| 49 | 331-334 | Discussion and possible action to accept the resignation of Javier Maldonado effective as of July 30th, 2021; and to discuss the process of choosing a new chaplain and the Policy and Procedures Regarding Invocations to be Held in the Hays County Commissioners Courtroom, adopted on or about October 16, 2012. BECERRA |
| 50 | 335-342 | Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement and Memorandum of Understanding between Hays County and the City of San Marcos related to the Cape's Dam Complex. INGALSBE |
| 51 | 343 | Discussion and possible action to convert ten (10) budgeted positions within the Sheriff's office to Civilian Cadet positions effective August 23, 2021 to March 24, 2022 for the upcoming Hays County Sheriff's Office Basic Peace Officer Training Academy. SHELL/CUTLER |
| 52 | 344 | Discussion and possible action to authorize additional hours for the Human Resources Part-time Communications Intern position effective June 1 through September 30, 2021 and amend the budget accordingly. SMITH/MILLER |
| 53 | 345-403 | Discussion and possible action to authorize the Human Resources Office to accept a proposal from SHI Government Solutions for the NeoGov Insight Enterprise Applicant Tracking platform and amend the budget accordingly. INGALSBE/SHELL/MILLER |
| 54 | 404 | Discussion and possible action to form a Citizens Advisory Commission on Redistricting. BECERRA |

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.

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| 55 | 405 | 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 at the intersection of US290 and Martin Road in Pct 4. Possible action may follow in open court. SMITH |
| 56 | 406 | 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 Dacy Lane in Pct 2. Possible action may follow in open court. JONES |
| 57 | 407 | 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 FM 621 in Pct 1. Possible action may follow in open court. INGALSBE |
| 58 | 408 | Executive Session pursuant to Section 551.074 of the Texas Government Code, deliberation regarding the appointment of a candidate to fill the vacancy of County Court at Law #3 Judge until the next general election. Further discussion and/or action may follow in Open Court. BECERRA |
| 59 | 409 | Executive Session pursuant to Section 551.071 of the Texas Government Code: consultation with counsel and the Auditor's Office related to the 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 discussion and/or action to follow in open court. BECERRA |
| 60 | 410 | Executive Session pursuant to Section 551.071 of the Texas Government Code, consultation with counsel regarding claims for work performed on county-owned facilities. 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.

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| 61 | Discussion and possible action related to the burn ban and/or disaster declaration. BECERRA |
| 62 | Discussion related to the Hays County inmate population, to include current population counts and costs. BECERRA |
| 63 | 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 |
| 64 | 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 28th day of May, 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.