

**Commissioners Court July 27, 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 **27<sup>th</sup> day of July 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 the month of August 2021 as National Immunization Awareness Month. <b>INGALSBE/T.CRUMLEY</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	7	Approve payments of County invoices. <b>VILLARREAL-ALONZO</b>
3	8	Approve payments of Juror checks. <b>VILLARREAL-ALONZO</b>
4	9	Approve the payment of United Healthcare claims. <b>VILLARREAL-ALONZO</b>
5	10	Approve Commissioners Court Minutes of July 13, 2021. <b>BECERRA/CARDENAS</b>
6	11	Approve the payment of the July 31, 2021 payroll disbursements in an amount not to exceed \$3,975,000.00 effective July 30, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. <b>BECERRA/RICHEY</b>
7	12-29	Authorize the submission of a grant application to the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY21 Local Solicitation in the amount of \$28,989. <b>BECERRA/T.CRUMLEY</b>
8	30-32	Approve the appointment of Theodore L. "Larry" Coker to the Emergency Services District (ESD) No. 4 Board of Emergency Services Commissioners, to fill the vacancy created by the resignation of Eddie Gumbert, for a term ending December 31, 2022. <b>SHELL</b>
9	33	Authorize a budget amendment between Countywide Operations and the Parks Department in the amount of \$20,000 to cover costs related to Contract Services for the remainder of the fiscal year. <b>BECERRA/T.CRUMLEY</b>
10	34	Authorize On-Site Sewage Facility permit for three 1-bedroom cottages located at Pioneer Trail, San Marcos, TX 78666. <b>SHELL/PACHECO</b>
11	35	Authorize a budget amendment for the transfer of \$10,000 in continuing education funds from the Sheriff's Office Jail budget to the Sheriff's Office Operating division continuing education budget. <b>INGALSBE/CUTLER</b>
12	36	Approve out of state travel for Records Program Administrator Stephanie Robinson to attend the Tyler New World Advisory Board Meeting on September 28-29, 2021 in Troy, Michigan. <b>INGALSBE/CUTLER</b>
13	37	Approve out of state travel for Sergeant Matt Wasko to attend the National Tactical Officers Association Conference on September 12-17, 2021 in Kansas City, Missouri. <b>INGALSBE/CUTLER</b>
14	38-87	Authorize the County Judge to execute the Fourth 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 to clarify the number of multi-family units authorized for construction within the first phase to be based on a number of units, rather than the number of acres. <b>SHELL</b>
15	88-100	Authorize the County Judge to execute a Texas Workforce Commission Information Release Contract Amendment for the Hays County Constable's Office, Precinct #1. <b>INGALSBE/PETERSON</b>

16	101	Authorize the Office of Emergency Services to utilize \$13,001 in training savings to purchase Hazmat training props and amend the budget accordingly. <b>BECERRA/JONES</b>
17	102-108	Approve Utility Permits <b>JONES/BORCHERDING</b>
18	109-119	Approve renewal of IFB 2018-B7 Regulatory Road Signs with Centerline Supply, PathMark Traffic Equipment, LLC. and Vulcan, Inc. for one (1) additional year with proposed price changes. The County will utilize the prices on the bid tabulation sheet and will order from the lowest bidder first; if materials are unavailable through the 1st lowest bidder, then the County may order from the 2nd lowest bidder. <b>BECERRA/BORCHERDING</b>
19	120-156	Authorize the submission of a renewal award for the Texas Department of State Health Services (DSHS), FY22 Tuberculous Federal (TB-FED) in the amount of \$22,297.00. <b>INGALSBE/T.CRUMLEY</b>
20	157-167	Authorize the Development Services Department to purchase one (1) Microsoft Surface Pro tablet with accessories valued at \$2,232.07 and amend the budget accordingly. <b>SHELL/PACHECO</b>
21	168-220	Approve specifications for IFB 2021-B12 Countywide Dumpsters and authorize Purchasing to solicit for proposals and advertise. <b>BECERRA/T.CRUMLEY</b>
22	221-232	Authorize the County Judge to execute a Contract Amendment with PBS of Texas related to Countywide Janitorial Services pursuant to RFP 2020-P02. <b>BECERRA/CUTLER</b>
23	233-237	Approve the Consent to Assignment of IFB 2019-B03 Road Building Materials - Hot Mix with Century Asphalt, Ltd. to Texas Materials Group, Inc. <b>BECERRA/BORCHERDING</b>

## ACTION ITEMS

### ROADS

24	238-239	Discussion and possible action to call for a public hearing on July 27, 2021 to establish a 4-way stop at the intersection of Centerpoint Road and CR 266. <b>INGALSBE/BORCHERDING</b>
25	240-243	Discussion and possible action to authorize the County Judge to execute Change Order No. 3 in the amount of \$16,650 to the Professional Services Agreement between Hays County and Pape Dawson Engineers, Inc. for the Centerpoint Road Improvements project and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). <b>INGALSBE/BORCHERDING</b>
26	244-249	Discussion and possible action to consider the acceptance of road construction & drainage improvements, release of the subdivision bond #0722785 in the amount of \$1,312,418.44, and accept the 2-year maintenance bond #EACX4002108 in the amount of \$240,001.76 for Sunset Oaks subd., Section 4, Phase 1A. <b>INGALSBE/BORCHERDING</b>
27	250	Discussion and possible action to consider the release of the maintenance bond #70180287 in the amount of \$49,078.96 and the acceptance of roads into the county road maintenance system for Shadow Creek subdivision, Phase 8, Section 2. <b>JONES/BORCHERDING</b>
28	251-252	Hold a public hearing with possible action to establish a No Parking zone along both sides of Bliss Spillar Road between September Song Drive and the Travis County line. <b>JONES/BORCHERDING</b>
29	253-254	Discussion and possible action to call for a public hearing on August 10, 2021 to establish a "No Thru Traffic" zone in the Meadow Woods subdivision with signage posted on Sunflower Drive (at FM 150) and Meadow Woods Drive (at FM 2770). <b>JONES/BORCHERDING</b>
30	255-256	Discussion and possible action to call for a public hearing on August 10, 2021 to establish a 4-way stop at the intersection of Crosswinds Parkway, Windswept Way and the Amenity Center entrance in Crosswinds subdivision. <b>INGALSBE/BORCHERDING</b>
31	257-278	Discussion and possible action to approve the Advance Funding Agreement for Surface Transportation Block Grant Program (STBG) Project Off-System (Center Street Rail Siding Project) and authorize the County Judge to execute the Advance Funding Agreement on behalf of Hays County. <b>JONES/BORCHERDING</b>
32	279-285	Discussion and possible action to accept the Performance Bond #CMS0344771 for street and drainage improvements in the amount of \$743,641.94 for 6 Creeks Phase 1 Section 8A Subdivision. <b>SMITH/BORCHERDING</b>
33	286	Discussion and possible action to pay HCISD for repairs to their irrigation system at Chapa Elementary School which was caused during the Dacy Reconstruction Project. <b>INGALSBE/BORCHERDING</b>
34	287-314	Discussion and possible action to award contract for IFB 2021-B11 Road Improvements: Remove & Replace Hot Mix to Asphalt Inc. dba Lone Star Paving. <b>SHELL/BORCHERDING</b>
35	315-321	Discussion and possible action to award the contract for IFB 2021-B06 RM 3237 Roundabout to Cox Commercial Construction. <b>SHELL/BORCHERDING</b>

SUBDIVISIONS		
36	322-324	PLN-1549-PC; Call for a Public Hearing on August 10th, 2021 to discuss approval of the final plat of the Pico Ranch 1, Tract 1R and Tract 3, Replat. <b>SHELL/MACHACEK</b>
37	325-326	PLN-1706-PC; Call for a Public Hearing on August 10th, 2021 to discuss possible action regarding the Douglas Estates Subdivision, Lot D-38, Replat. <b>SMITH/MACHACEK</b>

MISCELLANEOUS		
38	327-402	Discussion and possible action to adopt an Order of the Commissioners Court of Hays County, Texas Accepting and Approving the 2021 Annual Service Plan Update to the Service and Assessment Plan, Including an Updated Major Improvement Area Assessment Roll, Neighborhood Improvement Area #1 Assessment Roll and Neighborhood Improvement Area #2 Assessment Roll for the La Cima Public Improvement District; Making and Adopting Findings; and Providing a Cumulative Repealer Clause; and Providing an Effective Date. <b>SHELL</b>
39	403	Discussion and possible action to authorize the Treasurer's Office to double fill the Treasury Associate position, slot 0079-001, for a 2-month period effective 08/01/2021 and amend the budget accordingly. <b>BECERRA/RICHEY</b>
40	404	Discussion and possible action to authorize the Criminal District Attorney to re-grade the Attorney II, slot 0787-006 (grade 118) to an Attorney III (grade 119) effective 8/01/21 utilizing salary savings. <b>SHELL/MAU</b>
41	405-406	Discussion and possible action to review and approve a preliminary Hays County budget calendar for Fiscal Year 2022. <b>BECERRA</b>
42	407	Discussion and possible action regarding Hays County's multi-year Improvement Grant Program application to the Texas Indigent Defense Commission (TIDC) for Public Defender Services. <b>SHELL</b>
43	408	Discussion and possible action to authorize the Sheriff's Office to utilize salary savings to pay down compensation accruals for a Jail maintenance position. <b>INGALSBE/CUTLER</b>
44	409-416	Discussion and action to authorize the County Judge to execute an Interlocal Cooperation Agreement Between Hays County and Red River County for Jail Services related to the housing and care of Hays County inmates. <b>INGALSBE/CUTLER</b>
45	417-424	Discussion and action to authorize the County Judge to execute an Interlocal Cooperation Agreement Between Hays County and San Jacinto County for Jail Services related to the housing and care of Hays County inmates. <b>INGALSBE/CUTLER</b>
46	425	Discussion and possible action to create the Hays County Employee Grievance Committee Pursuant to the Hays County Personnel Policy Handbook. <b>BECERRA</b>
47	426-432	Discussion and possible action to authorize the execution of the Funding Agreement between Hays County and the Greater San Marcos Economic Development Council. <b>SHELL/INGALSBE</b>
48	433-434	Discussion and possible action to pre-qualify all respondents related to RFQ 2021-Q02 Right-of-Way Acquisition Services and develop a pool of qualified firms for the County to select from on an as-needed basis. <b>BECERRA</b>

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.		
49	435	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 Munch and Project Pacific Blue. Possible discussion and/or action may follow in open Court. <b>INGALSBE/JONES</b>
50	436	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of real property located at or near CR 266 (Old Bastrop Hwy), San Marcos in Pct. 1. Possible discussion and/or action may follow in open court. <b>INGALSBE</b>
51	437	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 40.15 acres in fee simple from property located between FM 1626 and Union Pacific Railroad, owned by Centex Materials LLC, and which is required for the construction of the proposed Robert S. Light Blvd. roadway improvements, and take other appropriate action (Parcels 1-3). Possible action to follow in open court. <b>JONES</b>

52	438	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 12.915 acres in fee simple from property located between Union Pacific Railroad and RM 967, owned by Texas Cement Company, and which is required for the construction of the proposed Robert S. Light Blvd. roadway improvements, and take other appropriate action (Parcel 5). Possible action to follow in open court. <b>JONES</b>
53	439	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the acquisition of flood plain property located on or near Sunrise Drive, Kyle in Pct 1. Possible action may follow in open court. <b>INGALSBE</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.

54	Discussion and possible action related to the burn ban and/or disaster declaration. <b>BECERRA</b>
55	Discussion related to the Hays County inmate population, to include current population counts and costs. <b>BECERRA</b>
56	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>
57	Update from the County Judge and staff regarding the Local Disaster Declaration and COVID-19. Possible discussion and action may follow. <b>BECERRA</b>

### ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 23<sup>rd</sup> day of July, 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.