

**Commissioners Court February 1, 2022  
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 **1<sup>st</sup> day of February 2022**, 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 Hays County a Purple Heart County. <b>SMITH</b>
2	7-8	Adopt a Proclamation recognizing February 2022 as Dating Violence Awareness and Prevention Month. <b>BECERRA</b>
3	9-10	Adopt a Proclamation recognizing February 2022 as Spay/Neuter Awareness Month. <b>BECERRA</b>
4	11-12	Adopt a Proclamation recognizing the month of February 2022 as Black History Month in Hays County. <b>INGALSBE</b>
5	13	Presentation by Toll Brothers representatives regarding the Savannah Estates Subdivision, which is the next planned phase of the WaterRidge Development near Stagecoach Road in Kyle, Texas (Precinct 3). <b>SHELL</b>

**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.

6	14	Approve payments of County invoices. <b>VILLARREAL-ALONZO</b>
7	15	Approve payments of Juror checks. <b>VILLARREAL-ALONZO</b>
8	16	Approve the payment of United Healthcare claims. <b>VILLARREAL-ALONZO</b>
9	17	Approve Commissioners Court Minutes of January 4, 2022. <b>BECERRA/CARDENAS</b>
10	18	Approve the payment of the February 15, 2022 payroll disbursements in an amount not to exceed \$3,155,000.00 effective February 15, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. <b>BECERRA/RICHEY</b>
11	19-21	Authorize the County Judge to execute the Texas Historical Commission Antiquities Permit Application for Historic Buildings and Structures as part of the camera/security upgrade being performed on the Hays County Historical Courthouse. <b>BECERRA/T.CRUMLEY</b>
12	22-23	Authorize payment to Waldrip Insurance Agency for \$875.00 related to Bond Renewal Fee for Elaine Cardenas, County Clerk, in which no purchase order was issued as required per County Purchasing Policy. <b>BECERRA/CARDENAS</b>
13	24-31	Authorize the acceptance of a no-cost time extension for the Department of State Health Services COVID-19 Cooperative Agreement Grant. <b>BECERRA/T.CRUMLEY</b>
14	32-33	Authorize payment to Waldrip Insurance Agency for \$875.00 related to the Bond Renewal Fee for the County Judge in which no purchase order was issued as required per County Purchasing Policy. <b>BECERRA</b>
15	34-38	Authorize the County Judge to execute the annual agreement between Plateau Land & Wildlife Management and Hays County in the amount of \$3,188.24 for annual wildlife management services for the Dahlstrom Public Access Area. <b>JONES/T.CRUMLEY</b>
16	39-44	Authorize the County Judge to execute a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Mission Trail at El Camino Real Apartments, San Marcos, Hays County, Texas. <b>INGALSBE</b>

17	45-50	Authorize the County Judge to execute a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Lakeline Apartments Project, located in Leander, Williamson County, Texas. <b>BECERRA</b>
18	51	Amend various departmental operating, special revenue and capital project budgets in preparation for the County's FY 2021 year-end process. <b>INGALSBE/VILLARREAL-ALONZO</b>
19	52-57	Authorize the Extension Office to purchase one (1) replacement OptiPlex 7090 Desktop Computer valued at \$1,022.00 and amend the budget accordingly. <b>INGALSBE/BLANKENSHIP</b>
20	58-60	Amend the Transportation Department's budget for road-building materials valued at \$33,544.00 to receive approximately 400 tons of Limestone Rock Asphalt, Type II, Grade DS material from the Texas Department of Transportation through their 2022 County Assist Surplus Program, and add to the department's inventory. <b>JONES/BORCHERDING</b>
21	61-70	Approve Utility Permits. <b>SMITH/JONES/BORCHERDING</b>
22	71	Authorize the Transportation Department to add a \$45.00 monthly telephone allowance for the Road Maintenance Lead, slot number 1055-007 effective February 1, 2022 and amend the budget accordingly. <b>SHELL/BORCHERDING</b>
23	72-73	Authorize the execution of a resolution for the Office of the Governor, State Criminal Justice Planning Funds - Specialty Courts Program. <b>SHELL/T.CRUMLEY</b>
24	74-82	Authorize the submission of a grant application to the Lower Colorado River Authority (LCRA) Community Development Partnership Program (CDPP) in the amount of \$4,526.00. <b>BECERRA/T.CRUMLEY</b>
25	83	Authorize payment for professional services provided by Dr. Anthony Tzoumas, Ph. D in the amount of \$545.00, where no purchase order was issued as required per the County Purchasing Policy. <b>INGALSBE/CUTLER</b>
26	84	Authorize the Sheriff's Office to use salary savings to order training ammunition and amend the budget accordingly. <b>SHELL/CUTLER</b>
27	85-95	Authorize the execution of a resolution and the submission of a grant application to the Office of the Governor, FY23 Victim Assistance, First Responder Mental Health Program in the amount of \$10,650.00. <b>INGALSBE/T.CRUMLEY</b>
28	96-97	Authorize payment to Tuff Mate Gloves in the amount of \$503.40 for the Transportation Department related to the purchase of work gloves where no purchase order was issued as required per the Hays County Purchasing Policy. <b>SHELL/BORCHERDING</b>
29	98-140	Approve specifications for IFB 2022-B04 Cemetery Maintenance and authorize Purchasing to solicit for bids and advertise. <b>BECERRA/BORCHERDING</b>
30	141-437	Authorize the County Judge to execute First Amendment to a Contract between Hays County and Lone Star Sitework, LLC. pursuant to IFB 2021-B09 US 290 W - Henly Loop. <b>SHELL/BORCHERDING</b>
31	438-470	Authorize the submission of a Renewal Interlocal Application to the Department of State Health Services (DSHS) for the Immunization/Locals Program for FY2023, in the amount of \$192,341.00. <b>INGALSBE/T.CRUMLEY</b>
32	471-472	Authorize payment to Water & Earth Technologies, Inc for \$1,610.00 for repairs made to the low water crossing at 50040 Creek Road at Onion Creek where no purchase order was issued as required per County Purchasing Policy, and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(7)(D). <b>BECERRA/MIKE JONES</b>
33	473	Authorize the Human Resources Office to re-grade all Associate Judge positions within the District Courts from grade 119 to 120 effective February 1, 2022. <b>SHELL/STEEL/MILLER</b>
34	474-475	Authorize the County Judge to execute the Second Amendment to the Development Agreement between Hays County and Gateway TX DS, LLC for subdivision and development of a parcel located off Hays Country Acres Road in Precinct 4, originally executed on or about November 22, 2016 and 1st amended on or about July 12, 2021. <b>SMITH</b>

### ACTION ITEMS

### ROADS

35	476-485	Discussion and possible action to authorize the county judge to execute two TIA Contribution Agreements with Lennar Homes Land & Construction for off-site road improvements related to Sunset Oaks Phase 1A (144 residential lots), and Sunset Oaks Phase 1B (123 residential lots) in Precinct 1. <b>INGALSBE/BORCHERDING</b>
36	486-491	Discussion and possible action to authorize the county judge to execute a TIA Contribution Agreement with Arroyo Cap11-1, LLC for off-site road improvements related to Hymeadow Section 2 Phase 1 (81 residential lots), and Hymeadow Section 2 Phase 2 (87 residential lots) in Precinct 1. <b>INGALSBE/BORCHERDING</b>

37	492-507	Discussion and possible action to authorize the County Judge to sign a Professional Services Agreement between Hays County and WSB and Associates for engineering services related to the Highway Safety Improvement (HSIP) Grant for Winters Mill Parkway (illumination and pavement markings) in Precinct 3. <b>SHELL/BORCHERDING</b>
38	508	Discussion and possible action to consider the release of the maintenance bond #050104Y in the amount of \$28,303.26, release of the revegetation bond #064816P in the amount of \$14,571.85, and the acceptance of roads into the county road maintenance system for Reunion Ranch subdivision, Phase 3, Section 3. <b>SMITH/BORCHERDING</b>
39	509-510	Discussion and possible action to call for a public hearing on February 15, 2022 to establish a 3-way stop location on Purgatory Road at the intersection with Hugo Road. <b>SHELL/BORCHERDING</b>
40	511-520	Discussion and possible action to accept fiscal surety for the street and drainage improvements in the amount of \$1,973,434.14 for Sunset Oaks, Section 4, Phase 2B Subdivision (Bond No. 30142525). <b>INGALSBE/BORCHERDING</b>

### SUBDIVISIONS

41	521-522	PLN-1658-PC; Call for a Public Hearing on February 15, 2022 to discuss final action regarding the Booky T Subdivision, Lot 1, Replat. <b>SHELL/MACHACEK</b>
42	523-532	Discussion and possible action to accept fiscal surety for the construction of street and drainage improvements in the amount of \$3,506,205.95 for Crosswinds, Phase 3-A Subdivision (Bond # 800132235). <b>INGALSBE/BORCHERDING</b>
43	533-534	PLN-1787-PC; Call for a Public Hearing on February 15, 2022 to discuss approval of the final plat of the Rolling Oaks, Section 4, Lot 55, Replat. <b>SHELL/MACHACEK</b>

### MISCELLANEOUS

44	535	Discussion and possible action to execute a Master Service Agreement and Lease Product Schedule with Ricoh USA, Inc. for County Wide Copiers. <b>BECERRA</b>
45	536-541	Discussion and possible action to approve the Collection Agreement with the City of San Marcos, acting as Board of Directors for the Whisper South Public Improvement District. <b>INGALSBE/O'KANE</b>
46	542-545	Discussion and possible action to authorize the County Judge to execute a Funding Agreement Between Hays County and the City of Kyle for the purposes of a Hays County Citizen Reporting System and amend the budget accordingly. <b>INGALSBE/T.CRUMLEY/CUTLER</b>
47	546-553	Discussion and possible action to authorize the County Judge to execute a Traffic Signal Funding Agreement between Hays County and HEB, LP regarding the installation of a traffic control device to enhance safety and mobility where the northernmost HEB driveway intersects Nutty Brown Road (near US 290 and Nutty Brown Road). <b>SMITH</b>
48	554-556	Discussion and possible action to authorize the County Judge to execute a Memorandum of Understanding between Hays County and Caldwell County for the 2022-2023 Solid Waste Program Grant application through the Capital Area Council of Governments (CAPCOG). <b>INGALSBE/T.CRUMLEY/PACHECO</b>
49	557-558	Discussion and possible action to adopt a Resolution related to Hays County's use of American Rescue Plan Act (ARPA) funding. <b>SMITH</b>
50	559-573	Discussion and possible action to authorize the County Judge to execute an Interlocal Funding Agreement for Testing of Seized Drug Evidence between Hays County, the City of San Marcos, the City of Kyle, and the City of Buda regarding a reimbursement of funds paid to the Department of Public Safety for testing of seized drug evidence. <b>SHELL/MAU</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.

51	574	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 associated with the POSAC-recommended 2020 Parks and Open Space Bond Projects. Possible discussion and/or action may follow in open court. <b>BECERRA</b>
52	575	Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and the Auditor's Office regarding the Emergency Rental Assistance Program and the employment and individual duties of all positions created in relation to the Program. Possible discussion and/or 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.

53	Discussion and possible action related to the burn ban and/or disaster declaration. <b>BECERRA</b>
54	Discussion related to the Hays County inmate population, to include current population counts and costs. <b>BECERRA</b>
55	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>
56	Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). <b>BECERRA</b>

## ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 28<sup>th</sup> day of January, 2022

**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.

