

**Commissioners Court December 21, 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 **21<sup>st</sup> day of December 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	6-7	Adopt a Proclamation to recognize the contributions of the Lipan Apache Tribe to Hays County. <b>JONES/INGALSB</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.

2	8	Approve payments of County invoices. <b>VILLARREAL-ALONZO</b>
3	9	Approve payments of Juror checks. <b>VILLARREAL-ALONZO</b>
4	10-51	Approve Commissioners Court Minutes of September 21, 2021, October 5, 2021 and October 12, 2021, October 15, 2021, October 19, 2021 and November 2, 2021. <b>BECERRA/CARDENAS</b>
5	52	Approve the payment of the December 31, 2021 payroll disbursements in an amount not to exceed \$4,000,000.00 effective December 31, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. <b>BECERRA/RICHEY</b>
6	53-63	Authorize Countywide Operations   Personal Health to purchase two (2) Dell Latitude 5520 with docking, two (2) monitors, and two (2) Adobe licenses for the two newly hired positions working under the Public Health Workforce grant. <b>INGALSB/T.CRUMLEY</b>
7	64-66	Approve and confirm the appointment of Leia Boggs as Deputy Constable Bailiff in the Hays County Constable Precinct 1 Office, effective date December 21, 2021. <b>INGALSB/PETERSON</b>
8	67-68	Authorize the submission of a commitment of funds letter to the Texas Department of Emergency Management, Hazard Mitigation Grant Program, for the Hays County Hazard Mitigation Plan Update Project. <b>BECERRA/T.CRUMLEY/MIKE JONES</b>
9	69-80	Authorize the execution of the FY 2022 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF), Operation Carrera de Tortugas, and amend the budget accordingly. <b>INGALSB/CUTLER</b>
10	81-92	Authorize the execution of the FY 2022 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF), Operation Catracho Pijin, and amend the budget accordingly. <b>INGALSB/CUTLER</b>
11	93	Authorize the Sheriff's Office to use salary savings for professional wellness services with Tania Glenn & Associates, PA and amend the budget accordingly. <b>INGALSB/CUTLER</b>
12	94	Amend the Jail's Operating budget for HVAC repairs in which insurance proceeds were received. <b>INGALSB/CUTLER</b>
13	95-96	Approve extension of RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 90 days (March 31, 2022) and amend the budget accordingly. <b>BECERRA/RICHEY</b>
14	97	Approve the reappointment of Chris Baker to the board of Emergency Services District (ESD) #9, two year term ending December 31, 2023. <b>SMITH</b>
15	98	Approve the reappointment of Beth Smith to the board of Emergency Services District (ESD) #5, two year term ending December 31, 2023. <b>SMITH</b>

16	99-106	Approve Utility Permits. <b>SMITH/INGALSBE/BORCHERDING</b>
17	107-113	Authorize the County Judge to execute a First Amended and Restated Interlocal Cooperative Agreement between Hays County, the Wimberley Independent School District, and the Hays County Constable, Precinct 3 related to traffic-related law enforcement services. <b>SHELL/MONTAGUE</b>
18	114-115	Authorize a budget amendment to the St. David's COVID-19 Vaccine Distribution and Administration Support Grant. <b>SHELL/T.CRUMLEY</b>
19	116-117	Approve the appointments of Betty Brittain Clem Cantu, Alexandra Mylius and Moneta Rios to the Hays County Child Protective Board, 3 year terms ending 12/31/24. <b>BECERRA</b>
20	118-119	Approve the reappointments of Lee Ikels, June Hankins, Mary Cauble and Esperanza Orosco to the Hays County Child Protective Board, 3 year terms ending 12/31/24. <b>BECERRA</b>
21	120-121	Authorize the County Judge to execute Amendment No. 1 to the Funding Agreement with the Hays-Caldwell Women's Center (HCWC) related to transitional housing. <b>INGALSBE/SHELL</b>
22	122-127	Authorize payment to Applied Concepts, Inc. in the amount of \$781.06 for the Department of Public Safety Hays County Division related to increased contract costs for the trooper's radar systems. <b>INGALSBE</b>
23	128-129	Authorize the Hays County Criminal District Attorney to purchase 50 Net Motion software licenses utilizing salary savings and amend the budget accordingly. <b>INGALSBE/MAU</b>
24	130-131	Authorize the County Judge to execute an Amendment to the License and Services Agreement with Tyler Technologies, Inc. for the Jury Manager Software. <b>INGALSBE/MCGILL</b>
25	132-133	Finalize vehicle leases for various departments with Enterprise Fleet Management as outlined in the FY 2022 budget process and amend the budget accordingly. <b>SMITH/SHELL</b>
26	134-142	Authorize the County Judge to execute Change Order #4 between Hays County and Turner Construction for work related to the Hays County Public Safety Bond Project. <b>INGALSBE/SHELL</b>
27	143	Approve specifications for IFB 2022-B08 Darden Hill at Sawyer Ranch Roundabout and authorize Purchasing to solicit for bids and advertise. <b>SMITH/BORCHERDING</b>

## ACTION ITEMS

### ROADS

28	144-147	Discussion and possible action to authorize the County Judge to execute Amendment #3 to the Advance Funding Agreement between Hays County and the Texas Department of Transportation (TxDOT) for the RM 12 and RM 3237 Intersection Improvement project. <b>SHELL/BORCHERDING</b>
29	148-149	Discussion and possible action to consider the release of the Letter of Credit #20214330 in the amount of \$362,008.18 for 6 Creeks subd., Phase 1, Section 4A. <b>SMITH/BORCHERDING</b>
30	150-151	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 end of Bliss Spillar Road. <b>JONES/SMITH/BORCHERDING</b>
31	152-155	Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$8,370.00 to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the RM 967 (West of Oak Forest Drive) Safety Improvements project as part of the Hays County Road Bond Program. <b>SMITH/JONES/BORCHERDING</b>
32	156-158	Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and BGE, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract and related to the 2016 Road Bond Program US 290 West at Henly Loop project. <b>SHELL/SHELL/BORCHERDING</b>
33	159-164	Discussion and possible action to consider the acceptance of road construction & surface drainage improvements and acceptance of the 2-year maintenance bond #800131704 in the amount of \$159,343.74 for Headwaters at Barton Creek subd., Phase 4-Section 2, Phase 4-Section 4, and Phase 5-Section 1. <b>SMITH/BORCHERDING</b>
34	165-170	Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the construction bond #PH3010406555 in the amount of \$843,062.00, and acceptance of the 2-year maintenance bond #800131703 in the amount of \$75,763.60 for Headwaters at Barton Creek subd., Phase 4-Section 5. <b>SMITH/BORCHERDING</b>
35	171-176	Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the construction bond #PB3010406556 in the amount of \$1,175,523.65, and acceptance of the 5-year maintenance bond #800131707 in the amount of \$21,617.40 for Headwaters at Barton Creek subd., Phase 4-Section 6. <b>SMITH/BORCHERDING</b>
36	177-179	Discussion and possible action authorize the County Judge to execute Amendment #1 to an Agreement between Hays County and the Texas Department of Transportation for a Local On-System Improvement Project on FM 2770, executed on September 6, 2019. <b>JONES/BORCHERDING</b>

37	180-187	Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$2,150,000.00 to the Professional Services Agreement between Hays County and American Structurepoint, Inc for the RM 3237 Safety Improvements from RM 150 to RM 12 project in Precinct 3, as part of the 2016 Road Bond Program utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). <b>SHELL/BORCHERDING</b>
38	188	Discussion and possible action to approve the selection of LJA Engineering, Inc. to provide right-of-way acquisition services for the RM 150 West Alignment in Precinct 3; and to authorize staff and counsel to negotiate a contract. <b>SHELL/SMITH/BORCHERDING</b>
39	189-191	Discussion and possible action to authorize the County Judge to execute Change Order No. 2, time extension, to the Professional Services Agreement between Hays County and RPS Infrastructure, Inc. for design services on the RM 12 at RM 3237 Intersection Improvements project in Precinct 3 as part of the Road Bond Program. <b>SHELL/BORCHERDING</b>
40	192-198	Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$25,000.00 and to add new rate categories to the Professional Services Agreement between RPS Infrastructure, Inc. for the RM 12 at RM 3237 intersection project in Precinct 3, as part of the 2016 Road Bond Program. <b>SHELL/BORCHERDING</b>
41	199-204	Discussion and possible action to approve License Agreement between Hays County, the City of San Marcos and the Texas Department of Transportation (TxDOT), by and through Hays County, for the FM 110 North project and authorize the County Judge to execute License Agreement on behalf of Hays County. <b>INGALSBE/BORCHERDING</b>
42	205-225	Discussion and possible action to authorize the County Judge to execute a Quit Claim deed for property located along Fitzhugh Road in Precinct 4, the status of which as County Right of Way has been called to question. <b>SMITH</b>

### SUBDIVISIONS

43	226-229	PLN-1816-NP; Discussion and possible action to approve the final plat for the Strauss Subdivision. <b>SMITH/MACHACEK</b>
44	230-234	PLN-1846; Hold a public hearing with possible action to approve the cancellation of Lot 2-A in the Henderson Subdivision. <b>SMITH/MACHACEK</b>
45	235-236	PLN-1739-NP; Bluff Springs Estates, Preliminary Plan. Discussion and possible action to approve the preliminary plan. <b>SHELL/MACHACEK</b>
46	237-240	PLN-1820-NP; Discussion and possible action to approve the final plat for Rainbow Ranch, Lots 77B and 78B. <b>SHELL/MACHACEK</b>
47	241-248	PLN-1836-NP; Hawk Ridge, Phase 1 Subdivision (30 Lots). Discussion and possible action to accept the Performance Bond No. 4448662 in the amount of \$424,061.00 for street, erosion, and drainage improvements and grant approval of the final plat. <b>SMITH/MACHACEK</b>

### MISCELLANEOUS

48	249-258	Discussion and possible action to authorize the execution of the FY22 Texas Indigent Defense Commission (TIDC) grant award for the Hays County Indigent Defense Coordinator Program in the amount of \$79,804. <b>BECERRA/CRUMLEY/CUTLER</b>
49	259-266	Discussion and possible action to award the contract for IFB 2021-B09 US 290 W - Henly Loop to Lone Star Sitework, LLC. <b>SHELL/BORCHERDING</b>
50	267-328	Discussion and possible action to authorize the execution of an Interlocal Cooperation Agreement between Hays County and Texas State University to be performed by the Meadows Center for Water and the Environment related to the FY22 Hays County Feral Hog Abatement Program. <b>JONES/T.CRUMLEY</b>
51	329	Discussion and possible action to approve Texas A&M AgriLife Extension Service's hiring of Aaron McCoy as the Agriculture and Natural Resources (ANR) Extension Agent for Hays County. <b>BECERRA</b>
52	330-332	Discussion and possible action to authorize the County Judge to execute an Eighth Amendment to the Health Care Services Agreement with Wellpath, LLC for the Jail Division at the Sheriff's Office and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch 262.024(a)(4). <b>BECERRA/CUTLER</b>
53	333-335	Discussion and possible action to authorize the County Judge to execute a Third Amendment to the Health Care Services Agreement with Wellpath, LLC for the Juvenile Detention Facility and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch 262.024(a)(4). <b>BECERRA/LITTLEJOHN</b>
54	336-344	Discussion and possible action to grant a variance from the Hays County Development Regulations Chapter 705 § 3.01(C). <b>SHELL/MACHACEK</b>
55	345-347	Discussion and possible action to approve Amendment #1 to the Texas General Land Office (GLO) CDBG-MIT Grant Administration Contract with Langford Community Management Services, Inc. related to updating the County's Hazard Mitigation Plan. <b>BECERRA/T.CRUMLEY</b>

56	348	Hold a public hearing in accordance with section 293.101 of the Texas Health and Safety Code to hear public comments and consider action concerning the amount of the mandatory payments required of all local hospitals in fiscal year (FY) 2022 pursuant to the County Health Care Provider Participation Program and how the revenue derived from those payments is to be spent. <b>SHELL</b>
57	349-351	Discussion and possible action to accept a Proposal from Beckwith Electronic Systems, LLC to replace the Epson Projector and Control System for County Court at Law Courtroom #2; allow a discretionary exemption pursuant to Texas Local Government Code 262.024A (7)(D) and amend the budget accordingly. <b>INGALSBE/CHRIS JOHNSON</b>
58	352	Discussion and possible action to direct the Information Technology Department to identify and explore solutions to technological issues associated with the Commissioners Court audio visuals provided by SWAGIT and Visionality. <b>SMITH</b>
59	353-355	Discussion and possible action to authorize release of Payment Bond #929637539, in the amount of seven hundred and fifteen thousand dollars (\$715,000.00 USD), related to the purchase of habitat mitigation credits by Carma Paso Robles, LLC for the Kissing Tree development. <b>SHELL</b>
60	356-384	Discussion and possible action to award a contract for IFB 2022-B03 Cotton Gin Road - Low Water Crossing with SB Contractors, LLC in the amount of \$838,515.87. <b>INGALSBE/JONES/BORCHERDING</b>
61	385-388	Discussion and possible action to authorize the County Judge to execute a Contract Amendment with Tyler Technologies, Inc. for the Socrata SaaS Platform related to the Hays County CAD/RMS Dashboards. <b>BECERRA/MCGILL</b>
62	389-400	Discussion and possible action to authorize addition of two DJI Mavic 2 Enterprise Advanced unmanned aircraft to the Hays County General and Law Enforcement liability coverage with an annual premium of \$2,494.00. <b>BECERRA</b>
63	401-482	Discussion and possible action to award a contract for IFB 2022-B01 Duty & Training Ammunition with Parabellum Research and BION SOL LLC. <b>BECERRA/CUTLER</b>
64	483-498	Discussion and possible action to authorize the County Judge to execute a Law Enforcement Agreement and Order Number 1 with Lexis Nexis Coplogic Solutions, Inc. related to the Desk Office Reporting System (DORS) for the Sheriff's Office. <b>INGALSBE/CUTLER</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.

65	499	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 Right of Way located at or near FM 621 in Pct. 1. Possible discussion and/or action may follow in open court. <b>INGALSBE</b>
66	500	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 Wild Strawberry. Possible discussion and/or action may follow in open Court. <b>JONES</b>
67	501	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>
68	502	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 on or near Stagecoach Trail in San Marcos, Texas and within Precinct 3. Possible discussion and/or action may follow in open court. <b>SHELL</b>
69	503	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>BECERRA</b>
70	504	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>
71	505	Executive session pursuant to Section 551.071 and 551.076 of the Texas Government Code: deliberation regarding security devices associated with the Hays County Public Safety Building located at 810 S. Stagecoach Trail in San Marcos, Texas. Possible discussion and/or action may follow in open court. <b>INGALSBE/SHELL</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.

72	Discussion and possible action related to the burn ban and/or disaster declaration. <b>BECERRA</b>
73	Discussion related to the Hays County inmate population, to include current population counts and costs. <b>BECERRA</b>
74	Discussion and possible action related to proposed bills in the 87th Special 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. <b>SMITH</b>
75	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>
76	Discussion and possible action regarding funding received or to be received by Hays County under the American Rescue Plan Act (ARPA). <b>BECERRA</b>

## ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 17<sup>th</sup> day of December, 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.