

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JULY 19, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19th DAY OF JULY A.D., 2022, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA
DEBBIE GONZALES INGALSBE
MARK JONES
LON A. SHELL
WALT SMITH
ELAINE H. CÁRDENAS

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Darius Todd gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

PUBLIC COMMENTS

Dan Lyon made a public comment concerning a local FBI raid and its cost to taxpayers.

37787 Adopt a Proclamation declaring July 2022 as Parks and Recreation Month in Hays County.

Katherine Sturdivant, Education and Outreach Coordinator for the Hays County Parks Department, spoke about the importance of public parks, shared facts about the Hays County Parks Department, and asked for consideration of those that maintain the parks. The court thanked Katherine and the rest of the Parks Department staff for all their hard work. Tammy Crumley, Director of Countywide Operations, thanked the staff and spoke about their efforts to educate the public. Judge Becerra reminded the public that Sentinel Peak will be opening soon, as well as new projects funded through the Parks and Open Spaces bond.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Proclamation declaring July 2022 as Parks and Recreation Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #F-2 RE: Adopt a Proclamation declaring August 14, 2022 Jimmy and Linda Parker Day. - WAS PULLED.

37788 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37789 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37790 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37791 Approve Commissioners Court Minutes of April 12, 2022, April 26, 2022, May 10, 2022, May 17, 2022 and May 24, 2022.

Commissioner Smith asked for minutes to be submitted within a month of the meeting date. Elaine Cardenas, Hays County Clerk, stated the delay is due to the office being short-staffed.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Commissioners Court Minutes of April 12, 2022, April 26, 2022, May 10, 2022, May 17, 2022 and May 24, 2022.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37792 Approve the payment of the July 31, 2022 payroll disbursements in an amount not to exceed \$4,586,000.00 effective July 31, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of the July 31, 2022 payroll disbursements in an amount not to exceed \$4,586,000.00 effective July 31, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37793 Approve the renewal of IFB 2018-B07 Regulatory Road Signs with PathMark Traffic Equipment, LLC. and Vulcan, Inc. for one (1) additional year as stated in original bid.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the renewal of IFB 2018-B07 Regulatory Road Signs with PathMark Traffic Equipment, LLC. and Vulcan, Inc. for one (1) additional year as stated in original bid.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37794 Authorize Building Maintenance to enter into a Service Agreement with Conference Technologies, Inc. (CTI) for the service, maintenance, and repairs of the Audio/Visual system for Public Safety Building in the amount of \$29,323 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Building Maintenance to enter into a Service Agreement with Conference Technologies, Inc. (CTI) for the service, maintenance, and repairs of the Audio/Visual system for Public Safety Building in the amount of \$29,323 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37795 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37796 Authorize the acceptance of a grant award from the Texas Veterans Commission - Veterans County Service Office Program in the amount of \$150,000 and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Texas Veterans Commission - Veterans County Service Office Program in the amount of \$150,000 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37797 Authorize the acceptance of a grant award from the Texas Veterans Commission - Veterans Treatment Court program in the amount of \$300,000.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Texas Veterans Commission - Veterans Treatment Court program in the amount of \$300,000.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37798 Authorize the Office of Emergency Services Hazmat Division to purchase 4 Skull Microphones with Body PTT valued at \$2,359.50 for the XL-200 P radios; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Office of Emergency Services Hazmat Division to purchase 4 Skull Microphones with Body PTT valued at \$2,359.50 for the XL-200 P radios; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37799 Approve specifications for RFP 2022-P10 County Clerk Record Indexing and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve specifications for RFP 2022-P10 County Clerk Record Indexing and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37800 Approve renewal of RFP 2019-P05 Employee Assistance Program with Deer Oaks EAP Services, LLC. for one (1) additional year as stated in the original contract.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve renewal of RFP 2019-P05 Employee Assistance Program with Deer Oaks EAP Services, LLC. for one (1) additional year as stated in the original contract.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37801 Authorize the submission of a renewal award for the Texas Department of State Health Services (DSHS), FY23 Tuberculous Federal (TB-FED) in the amount of \$22,300.00.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the submission of a renewal award for the Texas Department of State Health Services (DSHS), FY23 Tuberculous Federal (TB-FED) in the amount of \$22,300.00.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37802 Authorize the Human Resources Office to regrade the Combined Emergency Communication (CECC) Director position to a grade 120 effective immediately.

Commissioner Shell stated this position is funded jointly by the partners of CECC and the grade was raised to 120 to attract a better pool of applicants.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Human Resources Office to regrade the Combined Emergency Communication (CECC) Director position to a grade 120 effective immediately.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37803 Approve specifications for RFP 2022-P11 Community Health Assessment and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for RFP 2022-P11 Community Health Assessment and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37804 Authorize the County Judge to execute a service agreement program with Southwest Solutions Group totaling \$3,063 per year for evidence storage lockers located at the Public Safety Building.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a service agreement program with Southwest Solutions Group totaling \$3,063 per year for evidence storage lockers located at the Public Safety Building.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37805 Establish an operating budget within the American Rescue Plan Act (ARPA) Funds for the Pre-trial Diversion Office and amend the budget accordingly.

Commissioner Shell stated this will finalize the use of ARPA funds for the Pre-trial Diversion Office, and they aim to hire a director for the department in the next few months so the office can start running by October.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to establish an operating budget within the American Rescue Plan Act (ARPA) Funds for the Pre-trial Diversion Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37806 Approve specifications for IFB 2022-B18 Culverts and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for IFB 2022-B18 Culverts and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37807 Approve specifications for IFB 2022-B19 Metal Beam Guard Fence (MBGF) Materials and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for IFB 2022-B19 Metal Beam Guard Fence (MBGF) Materials and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37808 Discussion and possible action to call for a public hearing on August 2, 2022 to establish 3-way stop locations on Flaming Cliff Road: at the intersection with Whisper Valley Drive (west end); at the intersection with Round Bluff Circle (private road); at the intersection with Whisper Valley Drive (east end).

A motion was made by Commissioner Shell, seconded by Commissioner Jones to call for a public hearing on August 2, 2022 to establish 3-way stop locations on Flaming Cliff Road: at the intersection with Whisper Valley Drive (west end); at the intersection with Round Bluff Circle (private road); at the intersection with Whisper Valley Drive (east end).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37809 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the performance bond #SUR0070209 in the amount of \$1,111,890.25 for Trails at Windy Hill subd., Phase 6, release of the performance bond #SUR0070208 in the amount of \$572,129.75 for Trails at Windy Hill subd., Phase 7, and acceptance of the 2-year maintenance bond #204920Y in the amount of \$186,217.91 for both Trails at Windy Hill subd., Phase 6 & Phase 7.

A motion was made by Judge Becerra, seconded by Commissioner Jones to accept road construction & surface drainage improvements, release the performance bond #SUR0070209 in the amount of \$1,111,890.25 for Trails at Windy Hill subd., Phase 6, release the performance bond #SUR0070208 in the amount of \$572,129.75 for Trails at Windy Hill subd., Phase 7, and accept the 2-year maintenance bond #204920Y in the amount of \$186,217.91 for both Trails at Windy Hill subd., Phase 6 & Phase 7.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37810 Discussion and possible action to accept the Irrevocable Letter of Credit No. 20224128 for street and drainage improvements in the amount of \$576,000.49 for 6 Creeks Phase 1 Section 5B Subdivision.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the Irrevocable Letter of Credit No. 20224128 for street and drainage improvements in the amount of \$576,000.49 for 6 Creeks Phase 1 Section 5B Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37811 Discussion and possible action to accept Subdivision Bond No. 30166330 for street and drainage improvements in the amount of \$1,035,391.42 for 6 Creeks Phase 1 Section 13B Subdivision.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept Subdivision Bond No. 30166330 for street and drainage improvements in the amount of \$1,035,391.42 for 6 Creeks Phase 1 Section 13B Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37812 Discussion and possible action to accept Subdivision Bond #SU1180136 for street and drainage improvements in the amount of \$646,815.41 for 6 Creeks Phase 1 Section 13A Subdivision.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept Subdivision Bond #SU1180136 for street and drainage improvements in the amount of \$646,815.41 for 6 Creeks Phase 1 Section 13A Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37813 Discussion and possible action to accept the Performance Bond #CMS0348837 for street and drainage improvements in the amount of \$609,482.61 for 6 Creeks Phase 1 Section 8B Subdivision.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the Performance Bond #CMS0348837 for street and drainage improvements in the amount of \$609,482.61 for 6 Creeks Phase 1 Section 8B Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37814 Discussion and possible action to accept the Irrevocable Letter of Credit No. 20224122 for street and drainage improvements in the amount of \$424,008.25 for 6 Creeks Phase 1 Section 6A Subdivision.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the Irrevocable Letter of Credit No. 20224122 for street and drainage improvements in the amount of \$424,008.25 for 6 Creeks Phase 1 Section 6A Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37815 Discussion and possible action to award a contract for IFB 2022-B13 Elder Hill Road - Remove and Replace Hot Mix with Clark Construction of Texas, Inc. in the amount of \$2,142,200.00.

Judge Becerra asked about the timeline of the project. Jerry Borcharding, Hays County Transportation Director, responded 6 months. Commissioner Shell stated Elder Hill has become a significant cut through across the County and traffic has increased. Commissioner Smith stated the road was never meant to handle as much traffic as it does and this will help those issues.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award a contract for IFB 2022-B13 Elder Hill Road - Remove and Replace Hot Mix with Clark Construction of Texas, Inc. in the amount of \$2,142,200.00.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37816 Discussion and possible action to award a contract for IFB 2022-B12 Belterra Drive - Remove & Replace Hot Mix with Asphalt Inc. LLC, dba Lone Star Paving Company in the amount of \$346,750.00.

Commissioner Smith asked that this does not occur on the first day of school.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award a contract for IFB 2022-B12 Belterra Drive - Remove & Replace Hot Mix with Asphalt Inc. LLC, dba Lone Star Paving Company in the amount of \$346,750.00.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37817 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$20,000.00 to the Professional Services Agreement between Hays County and Binkley & Barfield, Inc. for utility coordination services on the FM 621 Safety Improvements project in Precinct 1, as part of the Hays County Road Bond Program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$20,000.00 to the Professional Services Agreement between Hays County and Binkley & Barfield, Inc. for utility coordination services on the FM 621 Safety Improvements project in Precinct 1, as part of the Hays County Road Bond Program.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37818 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 5 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and LJA Engineering, Inc. for professional design services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program; and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 5 in the amount of \$50,000.00 to the Professional Services Agreement between Hays County and LJA Engineering, Inc. for professional design services on the FM 110 North project in Precinct 1, as part of the TxDOT/Hays County Partnership Program; and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37819 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and K Friese & Associates, Inc. to provide professional design services for the FM 110 South Grading project in Precinct 1, and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement between Hays County and K Friese & Associates, Inc. to provide professional design services for the FM 110 South Grading project in Precinct 1, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37820 PLN-1726-NP; Gragg Subdivision. Discussion and possible action to consider a variance from section 721.5.05 (B) of the Hays County Development Regulations and approval of final plat.

Marcus Pacheco, Director of Hays County Development Services, stated the flag lot configuration is required by the City of Austin and Travis County for drainage requirements and water quality standards and will not be used as means for access. Commissioner Smith stated the variances are due to regulations from the City of Austin and Travis County.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance from section 721.5.05 (B) of the Hays County Development Regulations and approve the final plat of Gragg Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37821 PLN-1946-NP - Flat Creek Reserve, Final Plat (8 Lots). Discussion and possible action to approve the final plat; accept Performance Bond No. EACX4024679 for street and drainage improvements in the amount of \$226,186.00.

Marcus Pacheco, Director of Hays County Development Services, gave background on the item and stated all lots are restricted to 1 single-family residence per lot.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat of Flat Creek Reserve; accept Performance Bond No. EACX4024679 for street and drainage improvements in the amount of \$226,186.00.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37822 Discussion and possible action to approve Early Voting schedule and locations for the November 2022 General Election.

Jennifer Doinoff, Hays County Elections Administrator, outlined the early voting schedule and locations for the November 2022 election. Judge Becerra asked about the possibility of adding a Uhland voting location, and Doinoff responded that it would be up to the Court to decide. Commissioner Smith noted the correct voting location in Dripping Springs is the Precinct 4 Office. Shannon Fitzpatrick made a public comment regarding the population growth in the east portion of Hays County and the need for a voting location in Uhland. Mark Trahan made a public comment emphasizing the importance of access to voting locations for citizens in Uhland and Niederwald. Nicholas Hoover made a public comment in favor of a new voting location on the east side of the County. Austin Kessler made a public comment asking for consistent voting locations in the east side of the County. Mary Frazier made a public comment in support of a voting location in Uhland. Bob Parks made a public comment in favor of more voting locations in the west portion of Hays County. William Burns made a public comment regarding confusion from residents of east Hays County about where to vote and in favor of keeping Simon Middle School a location. Mary Earls made a public comment about the importance of the right to vote and against creating polling place confusion. Richard Valdez made a public comment about the importance of the right to vote. Robert Rizzo made a public comment in favor of more voting locations in Kyle due to the large population growth. Linda Calvert made a public comment regarding the need for voting locations along and east of I-35. Commissioner Jones clarified that there are 2 early and 4 regular voting locations in Wimberley. Larry Calvert made a public comment concerning voter suppression in Texas and the need for consistent voting locations. Elaine Cardenas, Hays County Clerk, read emailed public comments: Dan Dellemonache emailed a public comment against removing Simon Middle School as an early voting location. Heiko Stang emailed a public comment in favor of determining voting locations by population density. Renee Mauzy emailed a public comment asking for an early voting location east of I-35. Nancy Stevens emailed a public comment in favor of more early voting locations in Kyle. Lee Martin emailed a public comment in favor of more voting locations east of I-35. Melissa Huckabay emailed a public comment asking to keep early voting locations the same. Andrea Levine emailed a public comment against removing early voting locations. Moira Zinn emailed a public comment in favor of adding the HCISD Transportation Building as an early voting location. Susan Metcalfe emailed a public comment in favor of early voting locations east of I-35. Lucinda Kapral emailed a public comment in favor of easier access to voting locations for the residents of northeast Hays County. Mandy Wright emailed a public comment in favor of adding more voting locations. Diann McCabe emailed a public comment in favor of adding the HCISD Transportation Building as an early voting location. Jeff Kaufmann emailed a public comment in favor of consistent voting locations. Commissioner Ingalsbe asked if Simon Middle School is willing to be used as an early voting site. Doinoff responded they are only being used for Election Day. Commissioner Smith asked if adding a location to Precinct 1 will impact locations in Precincts 3 or 4. Doinoff answered that there is room to add to Precinct 1 without having to change other locations.

Commissioner Shell clarified the number of early voting locations each city has, stated locations should not be removed, and clarified with Doinoff that the number of voting locations have increased over the last few years. He spoke about the transportation office being a better location than a school due to schools not being able to accommodate voting during every election. Doinoff thanked HCISD for providing polling places. Commissioner Jones thanked HCISD for helping with elections when their first priority is their students. He spoke about the Court's effort to secure more locations east of I-35.

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to include the HCISD Transportation Department building in Uhland as an Early Voting and Election Day site.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Smith spoke about the low voter turnout at Simon Middle School and suggested having a location that is more accessible and well-known. He clarified that there are 4 locations in Kyle, Hays County provides more voting locations than required by law, and that staff is working very hard to identify voting locations. He spoke about the distance residents of west Hays County have to travel to get to voting locations. Commissioner Jones stated the Elections Office has to balance the amount of equipment and number of employees between locations, and opening a new location could lead to longer wait times at other locations. Judge Becerra spoke about supporting more access to voting locations and thanked the public for taking action. He stated most of the growth in the County is occurring along the I-35 corridor and the County does have access to more voting equipment. Commissioner Smith responded that Dripping Springs voting locations are often changed and denied that political parties affected the choosing of locations. Doinoff stated she is always concerned with the consistency and longevity of locations and the Transportation Department is more likely to be a long-term choice.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Early Voting schedule and locations for the November 2022 General Election.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37823 Discussion and possible action to order an election to be held on November 8, 2022.

Jennifer Doinoff, Hays County Elections Administrator, listed the positions that will be up for election on November 8, 2022 and stated the Early Voting locations will need to be amended to include the HCISD Transportation building.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to order an election to be held on November 8, 2022, and to include the HCISD Transportation building as an Early Voting location.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37824 Discussion and possible action to approve the appointment of Judges, Alternate Judges and Central Count Tabulation Supervisor and Manager (Secs. 32.002, 127.002, and 127.003) from the list presented by the Party Chairs and approved by the Hays County Election Board to a term of two years beginning on August 1, 2022 through July 31, 2024.

Judge Becerra stated he was present at the meeting and both parties agree to the list. Commissioner Smith stated there are open positions that the party chairs will be able to fill in the future and that the judges appointed cannot be connected to any campaigns for election.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the appointment of Judges, Alternate Judges and Central Count Tabulation Supervisor and Manager (Secs. 32.002, 127.002, and 127.003) from the list presented by the Party Chairs and approved by the Hays County Election Board to a term of two years beginning on August 1, 2022 through July 31, 2024.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37825 Discuss and possible action to authorize the submission of a Community Development Block Grant - Local Hazard Mitigation Plans Program Application to the General Land Office; and authorizing the County Judge to act as the County's Executive Officer and Authorized representative in all manners pertaining to the County's participation in the Community Development Block Grant-Mitigation Program.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the submission of a Community Development Block Grant - Local Hazard Mitigation Plans Program Application to the General Land Office; and authorizing the County Judge to act as the County's Executive Officer and Authorized representative in all manners pertaining to the County's participation in the Community Development Block Grant -Mitigation Program.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37826 Discussion and possible action authorizing the County Judge to execute two Texas Workforce Commission Information Release Contracts for the Hays County Criminal District Attorney's Office and the Hays County Sheriff's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute two Texas Workforce Commission Information Release Contracts for the Hays County Criminal District Attorney's Office and the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #K-6 RE: *Discussion and possible action to authorize salary increases for the Chief Deputy Clerk slot 0405-002 to the 75th percentile, and Deputy Clerk II slot 0454-019 to the 50th percentile effective August 1, 2022. - WAS PULLED.*

37827 Discussion and possible action to authorize the execution of an agreement with HDR Architecture, Inc. related to a long-term master plan for the Hays County Government Center located at 712 S. Stagecoach Trail and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Shell stated the Government Center is reaching capacity and planning for the use of its space is needed. Mark Kennedy, General Counsel, noted that the agreement is not in the back-up but was emailed to the court.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of an agreement with HDR Architecture, Inc. related to a long-term master plan for the Hays County Government Center located at 712 S. Stagecoach Trail and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37828 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Vista Planning and Design, related to landscape design and planning, on an as-needed basis and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

Commissioner Shell stated Vista Planning and Design has done work for the County in the past and can assist with landscape planning in Precinct 3 and on the Courthouse grounds. Mark Kennedy, General Counsel, noted that drainage and irrigation was added to the company's scope and that they can help with permitting. Judge Becerra suggested that landscaping be compatible with the environment and require little maintenance.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement between Hays County and Vista Planning and Design, related to landscape design and planning, on an as-needed basis and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37829 Discussion and possible action to authorize the execution of an Interior Design Proposal with Hellmuth, Obata & Kassabaum, Inc. (HOK) related to the interior design of the new Elections and Information Technology Building located at 120 Stagecoach Trail; authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a) (4) and amend the budget accordingly.

Commissioner Shell stated this is a new County facility that should be designed for efficient use of space. Judge Becerra stated the November election will not be moved to the new facility in order to avoid any disruptions.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of an Interior Design Proposal with Hellmuth, Obata & Kassabaum, Inc. (HOK) related to the interior design of the new Elections and Information Technology Building located at 120 Stagecoach Trail; authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a) (4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37830 Discussion and possible action to authorize the County Judge to execute a Participating Addendum with Cradlepoint, Inc. utilizing the National Association of State Procurement Officials (NASPO) ValuePoint Master Agreement and authorize the renewal of Hays County's Cradlepoint licenses.

Jeff McGill, Hays County Information Technology Director, gave background on the item and stated this gives IT the ability to manage and update the devices. Judge Becerra asked if the County is paying for devices not in use, and McGill responded they are not. Judge Becerra thanked McGill for his work on this item.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute a Participating Addendum with Cradlepoint, Inc. utilizing the National Association of State Procurement Officials (NASPO) ValuePoint Master Agreement and authorize the renewal of Hays County's Cradlepoint licenses.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Discussion and possible action regarding additional School Resource Officers (SRO) at various campuses in Hays County.

Commissioner Smith stated there have been meetings with the school districts in Hays County about their SRO needs and how they would be paid for. Commissioner Jones added that HCISD came up with the plan, and it will help the County be a leader in school safety. Commissioner Shell stated WISD has requested more SROs and suggested the County help fund those officers since the school districts have a more limited budget. Commissioner Smith stated there should be resources for mental health measures as well. He explained that for every 4-6 SROs a Corporal position will need to be hired as well, which will affect the already short-staffed Sheriff's Office. Commissioner Jones thanked the ISDs for working together on this issue. Judge Becerra clarified that SMCISD uses San Marcos Police Department for SROs. Chief Deputy Mike Davenport, Hays County Sheriff's Office, stated 23 SROs will be stationed throughout the school districts. He spoke about the need to hire more deputies and the 6-month training process. Commissioner Shell asked how this would affect the Sheriff's Office budget. The court discussed the hiring timeline and budget process with Vickie Dorsett, First Assistant Auditor. Judge Becerra thanked the Sheriff's Office for helping the ISDs despite staffing issues. Commissioner Shell spoke about schools' efforts to address safety in a wholistic way. Commissioner Smith spoke about safety efforts in the Precinct offices. No action taken.

Clerk's Note: Judge Becerra called for a recess that began at 10:57 a.m. and resumed back into open court at 11:10 a.m.

37831 Discussion and possible action to authorize the County Judge to execute an Agreement for HVAC - Maintenance and Repair Services related to RFP 2022-P08 HVAC - Maintenance & Repair Services, Jail between Hays County and SI Mechanical, LLC.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute an Agreement for HVAC - Maintenance and Repair Services related to RFP 2022-P08 HVAC - Maintenance & Repair Services, Jail between Hays County and SI Mechanical, LLC.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37832 Discussion and possible action to approve the naming of a private driveway in Precinct 3, Rustic Ridge Trl.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the naming of a private driveway in Precinct 3, Rustic Ridge Trl.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37833 Discussion and possible action to authorize the Parks Department to issue refunds to reservations holders due to Jacob's Well closures and authorize the Director of Countywide Operations to approve all refunds for the Parks Department moving forward.

Commissioner Shell stated Jacob's Well is closed for swimming due to low water levels and the ability to approve refunds should be given to Countywide Operations. Tammy Crumley, Director of Countywide Operations, provided the flow rate and stated the water is not safe for swimming. Commissioner Jones asked if first responders are using the low water levels to do any mapping. Crumley responded there have been people doing work that can only be done when the well is dry.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Parks Department to issue refunds to reservations holders due to Jacob's Well closures and authorize the Director of Countywide Operations to approve all refunds for the Parks Department moving forward.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37834 Discussion and possible action to authorize the County Judge to execute an LCRA Transmission Services Corporation Hays County Conservation Provider Agreement, which identifies Hays County as LCRA's Conservation Provider to implement mitigation of endangered species on designated projects within Hays County and amend the budget accordingly.

Commissioner Shell and Mark Kennedy, General Counsel, provided background on the item. Commissioner Shell thanked LCRA for their contribution to the program.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an LCRA Transmission Services Corporation Hays County Conservation Provider Agreement, which identifies Hays County as LCRA's Conservation Provider to implement mitigation of endangered species on designated projects within Hays County and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: *Executive Session began at 11:54 a.m. and resumed back into open court at 1:18 p.m.*

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 Shamrock. Possible action may follow in open court.

No action taken.

Executive Session pursuant to Section 551.071 of the Texas Government Code: consultation with counsel related to public financing of the La Cima subdivision(s). Possible action may follow in open court.

No action taken.

37835 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.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an interlocal agreement between Hays County and the City of San Marcos, related to the acquisition of approximately 130 acres of property near State Highway 21, in Precinct 1, to be utilized for parkland purposes, as discussed and presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Commissioner Ingalsbe commented this is the former Quail Creek Golf Course, the plan is for San Marcos to operate the project, the City's matching funds will be made over time, as the project improvements are made, and the City begins operation of the project.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an interlocal agreement between Hays County and the City of Kyle, related to the funding of 3 Kyle-area park projects, as discussed and presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Commissioner Jones commented the projects are Sportsplex Park near 1626 and Jack C. Hays Trail, Plum Creek Trail improvements on the east side of Kyle near FM 150, and Gregg-Clarke Park near Veterans' Drive. The plan is for Kyle to operate these projects, and the City's matching funds are issued from its own bond, also authorized in the 2020 election.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize General Counsel to execute a co-holder agreement with the Natural Resources Conservation Service as a possible recipient of funds under the NRCS' ACEP-ALE Program, for the John Knox Ranch and Old Glory Ranch conservation projects.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Commissioner Shell commented that these were round 1 projects considered and recommended for funding by the Parks and Open Spaces Advisory Commission (POSAC). Hill Country Conservancy would co-hold these easements with Hays County and NRCS. These are 2 water-oriented projects that will supplement the work Hays County is doing on the former Scout Ranch (now called Sentinel Peak Preserve and surrounding properties), and one of them, Old Glory, also features a significant amount of Warbler habitat.

Discussion and possible action related to the burn ban.

Mike Jones, Hays County Emergency Services Director, recommended keeping the burn ban in place due to extreme heat, high KBDI and expected windy conditions. Mark Kennedy, General Counsel, stated the burn ban stays in effect for 90 days and expires in September. No action taken.

Discussion related to the Hays County inmate population, to include current population counts and costs.

Judge Becerra read the Sheriff's update of the inmate population. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 681 inmates for the week of July 10, 2022, with a peak of 692 inmates on July 13, 2022. The estimated cost for outsourcing inmates this week was \$111,277. The average number of outsourced males is 177 and females is 46. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Grimes, Lee, Maverick and Red River. There is no current contract to outsource inmates out of state. No action taken.

Clerk's Note Agenda Item #M-3 RE: *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. - WAS PULLED.*

Clerk's Note Agenda Item #M-4 RE: *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). - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 1:22 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on July 19, 2022.



Elaine H. Cardenas
ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

