THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 19th day of December, 2023, at 9:00 o'clock p.m., a special meeting of the Commissioners Court of Kenedy County, Texas, was held in the Kenedy County Courthouse.

**Commissioners present:**

Charles E. Burns, County Judge

Joe Recio, Commissioner, Precinct No. 1

Israel Vela, Jr., Commissioner, Precinct No. 2

Jose Salazar, Commissioner, Precinct No. 4

**Also present:**

Grace Salinas, Administrative Secretary

Cynthia Salinas, County Treasurer

Irma Longoria, County Tax Assessor/Collector

Leo Villarreal, Administrative Assistant

Caleb Maltby, Maltby Builders, Inc.

JP Patricia Fain

JP Jana Norrell

JP Cecilia Schulz

Daniel Almeida, Sarita Sewer and Water

Jose E. Mendietta, Fire Chief

Stephanie Garza, Elections Administrator

Andy Garza, Kenedy County Groundwater Conservation District

Seferino Gutierrez, Maintenance Supervisor

Sandra Guzman, Sheriff’s Department

Capt. Edward Cruz

Deputy Cameron Kirk

Deputy Adam Rodriguez

Sandra Guzman, Sheriff’s Office

Javier Zambrano, Grantworks

Tom Denney, Appraisal District

Anita Garza, Appraisal District

Frank Escobedo, County Agent

Nedee Garcia

**Absent**:

Sarita Armstrong-Hixon, Commissioner, Precinct No. 3

Allison Strauss, County Attorney

Sheriff Ramon Salinas

Veronica Vela, County & District Clerk

JP Jerry Miller

1. **Judge Burns Calls the Meeting to Order**

Judge Charles E. Burns called the meeting to order at 1:30 p.m.

1. **Pledge of Allegiance**.

Judge Charles E. Burns led the audience in the Pledge of Allegiance.

1. **Receive Public Comments**.

No public comments were made.

1. **Discuss & Act on Nedee Garcia’s Proposed Mobile Food Pantry**.

Judge Charles E. Burns introduced Nedee Garcia to the Commissioners Court. Nedee Garcia presented the proposed Mobile Food Pantry to the Commissioners.

Nedee Garcia informed the Commissioners Court that she was here regarding the Corpus Christi Food Bank and asking the Commissioners Court to help turn the non-profit Food Bank into a profit Food Bank. She stated that vegetables, dry boxes and a bigger variety of meats and more vegetables would be available. However, that there would be a fee of $150.00 per month which would cover the cost of gasoline and delivery and would be one day a month deliver and the county would not be storing any of food items. She also stated that the one-day deliveries would last as long as they county would like. Judge Burns requested that a written contract would be needed with guidelines to follow, the costs and what the county will need to provide. Nedee Garcia stated that this program is not under COVID rules; however, a class will need to be taken by her and she will have the paperwork ready by the end of next week to give it and Grace Salinas. Judge Burns stated this item will be placed on the January 8, 2024 agenda.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on Treasurer’s Monthly Report and Transfers**.

Cynthia Salinas, County Treasurer, presented the Treasurer's Monthly Report and Transfers for the month ending November 30, 2023 and stated that she had transferred $2 million to Texas Class for a total of $10 million in Texas Class. She further stated that she will be meeting with Kleberg Bank regarding interest rates for investments with Kleberg Bank.

Irma Longoria, County Tax Collector/Assessor informed the Commissioners Court that 93.34% of taxes had been collected including $210,000 and some in delinquent taxes; that the majority of the county taxes had been collected and over 80% for the school district had also been collected.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Treasurer's Monthly Report and Transfers ending November 30, 2023, be accepted as presented and Irma Longoria’s tax collection report.

1. **Discuss & Act on the Sheriff’s Monthly Report**.

Deputy Adam Rodriguez presented the Sheriff’s monthly report to the Commissioners Court for the month ending November 30, 2023 and stated that 17 total arrests were made, 13 human smuggling cases were detained.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Sheriff’s monthly report be accepted as presented.

1. **Discuss & Act on Fire Chief’s Monthly Report**.

Jose E. Mendietta, Fire Chief, presented the Commissioners Court with the Fire District report. He reported that the Red Cross will begin installing the smoke detectors on January 27, 2024 and would be delivering letters to the residents prior to January 27, 2024 to inform the residents of the smoke detectors to be installed on January 27, 2024; that repairs (lights and air conditioning) had been scheduled to be made at the fire station and that the electrical box will be fixed; that there had been 2 fire calls and 13 EMS calls in the county and 8 in Sarita. Leo Villarreal informed the Commissioners Court that the Fire District is considering commencing a retirement program for the volunteers which may encourage residents to become volunteer firefighters.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Fire Chief’s report be accepted as presented.

1. **Discuss & Act on the Maintenance Department Monthly Report**.

Seferino Gutierrez, Maintenance Supervisor, presented the Maintenance Department’s monthly report to the Commissioners Court for the month ending November 30, 2023. He reported that the Norias Substation slabs have been completed; that the generator will arrive soon and will contact Capital Towing or TJ Electric for assistance; that the gas pump is at 12%, a lock has been placed on it and that the 12% of gas will be used for the mowers. He further stated that he will be moving the portable building to the tower; that some of the JP Building furniture has been moved to the old JP building and some to the maintenance shop; and that he had met with the insurance adjuster regarding recovering the damages caused by the electrical and lighting issues together with the Ag Barn issues and that the adjuster stated that it appears that the damages will be covered by the insurance.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Seferino Gutierrez’s monthly report be accepted as presented.

1. **Receive Daniel Almeida and Act on the Sewer & Water System Monthly Report**.

Daniel Almeida presented the Commissioners Court with the Sewer & Water System monthly report.

He reported that the treat chlorine bottles were changed; that he had placed an order and adjustments were made to the regulator and had repaired a water leak in back of the pond system; that he replaced the faucet and the alarm on the lift station that has been going off. Further, that he had received the annual water report and that the old liners at the ponds are not usable. The Judge stated that the area needed to be cleaned by moving items to the dump and that the ponds, which are not being used, needed to be maintained so that, if in the future they were needed, they would be in a satisfactory condition. Mr. Almeida also stated that the evaporation pond is empty and lined and that the Cuevas need to be cleaned. The administrative fees have increased due to increase in prices.

Almeida made comments regarding his contract with the County and wanted to know if he should resign. The Judge said that the contract needs to be worked on because without it, the County is not in compliance. Further, the cleanouts needed to be in compliance. Leo Villarreal asked Almeida when the TCEQ reports are due and Almeida stated TCEQ checks them every two to three years.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Daniel Almeida’s report be accepted as presented.

1. **Receive Nelda Barrera of GrantWorks to Discuss & Act on Authorizing Procurement for Administrative and Management Firm for the Home Program**.

Nelda Barrera with GrantWorks addressed the Commissioners Court regarding the need to authorize the procurement of an Administrative and Management Firm for the Home Program.

She stated that she is the Client Service Manager of the Administrative and Management Firm; that three homes have recently been completed; that she had reached out to Judge Burns to see if the county would like to have this program continued; that the program is through the Texas Dept. of Housing and Community Affairs and is designed to rebuild new owner-occupied homes on the same site the houses are situated; that homeowners must make less than 80% of the median household income; that the county must pass a resolution in order for the residents to be able to apply; that the homeowner must maintain a homeowner insurance and that the house must be 1100 square feet and have a one-year warranty. The Judge asked how long the home and land have to be titled in the owners’ name. Ms. Barrera stated before they apply; however, the family needs to stay in the home for 5-15 years and they cannot sell it within that time.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the procurement for an Administrative and Management Firm for the Home Program is accepted and that Kenedy County is authorized to participate in the Home Program.

1. **Discuss & Act on a Resolution to Apply for a TDHCA HOME Program Reservation Agreement**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider adopting the below Resolution for a TDHCA HOME Program Reservation Agreement.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Resolution to Apply for a TDHCA Home Program Reservation Agreement be adopted as follows:

**RESOLUTION TO APPLY FOR A TDHCA HOME PROGRAM RESERVATION AGREEMENT**

WHEREAS, the Texas Department of Housing and Community Affairs (TDHCA) has notified the public of a funding availability to benefit low-income residents of the State of Texas communities through the Texas HOME Investment Partnerships Program; and

WHEREAS, Kenedy County has identified significant housing needs, particularly for the reconstruction of owner-occupied housing; and

WHEREAS, Kenedy County wishes to assist low-income homeowners with safe, decent, sanitary and affordable housing, and at the same time enhance the health, economic, and aesthetic quality of the community.

NOW, THEREFORE, BE IT RESOLVED THAT:

ONE: Kenedy County acknowledges and approves that an application be completed and submitted to the TDHCA to participate in the HOME Investment Partnerships Program, Homeowner Reconstruction assistance Program.

TWO: Kendy County will utilize general funds up to the amount of $40,000 as cash reserve to utilize during the agreement term for eligible program costs before reimbursements are received from the State of Texas HIME Program.

THREE: In accordance with 10 TAC 23, the HOME Program Match contribution requirement for Kenedy County is zero percent (0%).

FOUR: Kenedy County designates County Judge Charles Burns as the person authorized to represent Kenedy County in all matters related to the HOME Program and also with signature authority to sign all forms and documents related to the administration of the HOME Program, including loan documents, grant agreements and the Reservation System Participation Agreement and/or Contract.

ADOPTED this 19th day of December, 2023.

1. **Receive Report on the Construction Progress of the Justice of the Peace Building/Hurricane Shelter & Court House Repairs**.

Caleb Maltby with Maltby Builders, Inc. informed the Commissioners Court as follows:

JP Courthouse:

1. The caps for the retaining wall should be on site tomorrow;
2. The cracked window is warranted and it is a stress crack window;
3. The hot water heater and circulation pump had been turned on and the leak was repaired; and the plumbers will order a new gasket and install it upon delivery;
4. That he will bypass the timer on the water heater to eliminate the noise in the front reception area;
5. A copper down spout will be installed at the rear of the building to divert water and prevent molding; thereafter, the back of the building will be power-washed; and
6. The handicapped railing has been installed, will be welded and painted.

Courthouse:

1. A 6-in drain will be installed to be in compliance and that the present location of the downspouts do not need to be changed because it can handle the water load;
2. The roof is in good shape;
3. Upon receiving the engineers’ report, they will get access to the drains.

This being a report only, no vote was needed and none was taken.

1. **Consent Agenda:**

**(A) Approve Travel Expenses for Charles Burns to attend the South Texas Community Summit on January 18, 2024 in Austin, Texas. (within budget)**

**(B) Approve Travel Expenses for Joe Recio to Attend the South Texas Community Summit on January 18, 2024 in Austin, Texas. (within budget)**

Judge Charles E. Burns informed the Commissioners Court that the following employees and public officials needed to attend the below seminars/conferences and be advance/reimbursed their expenses provided that proper receipts are given:

Name: Charles E. Burns

Seminar: South Texas Community Summit

Place: Austin, Texas

Date: January 18, 2024

Amount: with budget

Name: Joe Recio

Seminar: South Texas Community Summit

Place: Austin, Texas

Date: January 18, 2024

Amount: with budget

Commissioner Israel Vela, Jr. moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the following employees/public officials attend the below seminars/conferences and be advance/reimbursed the costs thereof provided proper receipts are given:

Name: Charles E. Burns

Seminar: South Texas Community Summit

Place: Austin, Texas

Date: January 18, 2024

Amount: with budget

Name: Joe Recio

Seminar: South Texas Community Summit

Place: Austin, Texas

Date: January 18, 2024

Amount: with budget

1. **Report on the Reimbursement of Funds in the Amount of $63,700.82 for the Advancement Paid to Donald Hubert Construction**.

Judge Charles E. Burns informed the Commissioners Court that the County had received Grantworks’ refund of the $63,700.82 for the advancement paid to Donald Hubert Construction.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on Amending the Minutes of June 14, 2021, Agenda Item Number 9, Regarding GrantWorks Monthly Report Colonia Grant #7219220 and #71219075 Grant**.

Judge Charles E. Burns informed the Commissioners Court of the need to amend the June 14, 2021 Minutes, Agenda Item #9, regarding GrantWorks monthly report on the Colonia Grant #7219220 and #7121905 grants because on June 16, 2021, Grantworks representatives had provided the wrong bid amounts to the Commissioners Court.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that as per Robert Davila, Grantworks Senior Project Manager, the June 14, 2021 Minutes, Agenda Item #9, regarding Grantworks Colonia Grant No. 7219075 be amended as follows:

That there were two bids received regarding Colonia Grant No. 7219220 and one bid was from Donald Hubert Construction in the amount of $230,050.00 and the second bid was from Southern Trenchless Solutions in the amount of $216,750.00 and that Southern Trenchless Solutions, being the lowest bid, is award the Colonia Grant No. 7219220 contract.

That there were two bids received regarding Colonia Grant No. 7219075 and one bid was from Donald Hubert Construction in the amount of $334,233.00 and the second bid was from Southern Trenchless Solutions in the amount of $372,350.00 and that Donald Hubert Construction, being the lowest bid, is award the Colonia Grant No. 7219075 contract.

1. **Discuss & Act on Approving the Election Bond for Estefana G. Garza, Effective January 1, 2024**.

Judge Charles E. Burns informed the Commissioners Court of the need to approve the Election Bond for Estefana G. Garza, Elections Administrator, effective January 1, 2024.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Estefana G. Garza’s Election Bond be approved effective January 1, 2024.

1. **Discuss & Act on the Publication of Bids Regarding the JP Building/Hurricane Shelter Furniture**.

Judge Charles E. Burns informed the Commissioners Court that publication of bids regarding furniture for the Justice Court Building/Hurricane Shelter were being published for two weeks in the Kingsville Record.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on Hiring a Cleaning Crew for a Thorough Post Construction Cleaning of the JP Building/Hurricane Shelter**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider hiring a cleaning crew for a thorough post-construction cleaning of the JP Building/Hurricane Shelter. Commissioner Joe Recio stated that only one bid had been received and that was from Camilles Cleaning Angels.

Commissioner Israel Vela, Jr. moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Camilles Cleaning Angels be hired to clean the JP Courthouse after the construction was completed.

1. **Discuss & Act on Purchasing External Surge Protectors for all Kenedy County Buildings**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing external surge protectors for all of the Kenedy County buildings at the cost of $1,300 per unit and that seven external surge protectors were needed.

Commissioner Israel Vela, Jr. moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that surge protectors for all seven County buildings be purchased and that bids be obtained for the installation thereof.

1. **Discuss & Act on Interlocal Agreement with Lubbock County and the Regional Public Defender for Capital Cases in the Amount of $1,000.00**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider entering into an Interlocal Agreement with Lubbock County and the Regional Public Defender for capital cases in the amount of $1000.

Commissioner Israel Vela, Jr. moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the County enter into the Interlocal Agreement with Lubbock County and the Regional Public Defender in the amount of $1000.00 for capital cases.

1. **Discuss & Act on Reappointing William Dieterle and Daniel Alaniz as Fire Commissioners to the Kenedy County Fire & Emergency Services District #1 Effective January 1, 2024**.

Judge Charles E. Burns informed the Commissioners of the need to reappoint William Dieterle and Daniel Alaniz as Fire Commissioners to the Kenedy County Fire & Emergency Services District #1 effective January 1, 2024 for they had agreed to be reappointed.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that William Dieterle and Daniel Alaniz are reappointed as Fire Commissioners to the Kenedy County Fire & Emergency Services District #1 effective January 1, 2024 and ending December 31, 2025.

1. **Discuss & Act on Womack’s Engagement Letter Regarding the Pre and Post Financial Audit for the December 31, 2023 Year End**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider accepting Womack’s engagement letter regarding the pre- and post-financial audit for the December 31, 2023 year end.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Womack’s engagement letter regarding the pre- and post-financial audit for the December 31, 2023 year end be accepted and that Judge Burns is authorized to sign it.

1. **Discuss & Act on the 2023 Budget Amendments**.

Judge Charles E. Burns informed the Commissioners Court of the need to amend the 2023 Budget as shown on the attached Exhibit A.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the 2023 Budget be amended per the attached Exhibit A attached to these minutes.

1. **Discuss & Act on 2023 Budget Amendments for the County Attorney’s Office**.

Judge Charles E. Burns recommended that this item be tabled in view that Allison Strass, County Attorney, was not present to address amending the County Attorney’s 2023 Budget.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that this item be tabled.

1. **Discuss & Act on Purchasing a Laptop for the County Attorney’s Office, within budget**.

Judge Charles E. Burns informed the Commissioners Court of the need to purchase a laptop for the County Attorney’s office, within budget.

Commissioner Israel Vela, Jr. moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Allison Strauss, County Attorney, is authorize to purchase a laptop for the County Attorney’s office, within budget.

1. **Discuss & Act on Approving the Purchase of a Computer Printer for the Tax Office From the 2023 Budget Line Item 1000.0499.4116 in the Amount of $999.00, within budget**.

Judge Charles E. Burns informed the Commissioners Court of the need to purchase a computer printer for the tax office per the 2023 Budget line item 1000.0499.4116 in the amount of $999.00, within budget.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that a computer printer be purchased for the Tax Office from the 2023 Budget line item 1000.0499.4116 in the amount of $999.00, within budget.

1. **Discuss & Act on Approving the Proposed 2024 Holidays & Changing the Commissioners Court dates for Monday, October 14, 2024 to Tuesday, October 15, 2024 and Monday, December 9 to Friday, December 13, 2024**.

Judge Charles E. Burns informed the Commissioners Court of the need to approve the proposed 2024 Holidays and changing the Commissioners Court dates for Monday, October 14, 2024 to Tuesday, October 15, 2024 and Monday, December 9, 2024 to Friday, December 13, 2024.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Commissioners Court dates for Monday, October 14, 2024 be changed to Tuesday, October 15, 2024 and Monday, December 9, 2024 be changed to Friday, December 13, 2024 and the 2024 Holidays be approved as follows:

New Year’s Day Monday, January 1, 2024

Martin Luther King Day Monday, January 15, 2024

President’s Day Monday, February 19, 2024

Good Friday Friday, March 29, 2024

Easter Monday Monday, April 1, 2024

Memorial Day Monday, May 27, 2024

Juneteenth Wednesday, June 19, 2024

Independence Day Thursday, July 4, 2024

Labor Day Monday, September 2, 2024

Columbus Day Monday, October 14, 2024

Veterans Day Monday, November 11, 2024

Thanksgiving Day Thursday, November 28, 2024

Day after Thanksgiving Friday, November 29, 2024

Christmas Eve Tuesday, December 24, 2024

Christmas Day Wednesday, December 25, 2024

Day After Christmas Thursday, December 26, 2024

1. **EXECUTIVE SESSION: TEXAS GOVERNMENT CODE, § 551.071, § 551.072, § 551.073, § 551.074**.

An Executive Session was not held.

1. **Open Session: Discuss & Act on Items Addressed in Executive Session**.

No Executive Session having been held, an open session was not called.

1. **Adjournment**.

There being no further business at this time to come before the Commissioners Court, Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Commissioners Court be adjourned at 3:13 p.m.

/s/ Charles E. Burns\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Charles E. Burns, County Judge

ATTESTED BY:

/s/ Veronica Vela\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Veronica Vela, Clerk of Commissioners Court