THE STATE OF TEXAS \* COMMISSIONERS’ COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 12th day of April, 2021, at 9:00 o'clock a.m., a regular meeting of the Commissioners’ Court of Kenedy County, Texas, was held in the Kenedy County Courthouse.

**Commissioners present:**

Joe Recio, Commissioner, Precinct No. 1

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

Sarita Armstrong-Hixon, Commissioner, Precinct No. 3

Gumecinda "Cindy" Gonzales, Commissioner, Precinct No. 4

**Also present:**

Veronica Vela, County & District Clerk

Leo Villarreal, Administrative Assistant

Cynthia Salinas, County Treasurer

Ramon Salinas, III, County Sheriff

Ruben Hernandez, Maintenance Supervisor

Irma Longoria, County Tax Assessor/Collector

Allison Strauss, County Attorney

Jose E. Mendietta, Fire Chief

Thomas Denney, Chief Appraiser

JP Patti Fain

JP Cecilia Schulz

Andy Garza, Kenedy County GCD

Eddie Cruz, Sheriff’s Dept.

Fidel Gonzalez, Sheriffs Dept.

Daniel Almeida

Roberto Salazar

Peggy Wardlaw

Frank Escobedo

**Absent**:

Louis E. Turcotte, III County Judge

Petra Hernandez, Administrative Secretary

Jennifer Cuellar, County Treasurer’s Office

**CALL TO ORDER**

Judge Louis E. Turcotte, III called the meeting to order.

1. **Receive Public Comments**.

Roberto Salazar addressed the Commissioners’ Court regarding the vehicles in the easement by his yard; he stated that the cars are not junk cars; and that the cars are insured with current stickers and were operable. He would leave his documents at Judge Turcotte’s office for verification.

Frank Escobedo with Texas A&M Agrilife Extension informed the Commissioners’ Court that nine students had participated in the 2021 Kleberg-Kenedy County Youth Nutrition Education In-Dept Program from February thru April 2021 and some of the teachers and students addressed the Commissioners’ Court.

1. **Discuss & Act on the Regular Minutes for March 8, 2021, Special Minutes for March 15, 2021 and April 6, 2021**.

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, presented the Commissioners’ Court Minutes of the regular March 8, 2021 meeting, the special March 15, 2021 meeting and the special April 6, 2021 meeting.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the minutes of the regular March 8, 2021 meeting, the special March 15, 2021 meeting and the special April 6, 2021 meeting be accepted as presented.

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 March 31, 2021.

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 March 31, 2021, and investments be accepted as presented.

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

Daniel Almeida presented the Commissioners’ Court with his monthly report for the month ending March 31, 2021.

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

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

Deputy Fidel Gonzales presented the Sheriff’s monthly report to the Commissioners’ Court for the month ending March 31, 2021.

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

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

Fire Chief Jose E. Mendietta presented the Fire District’s monthly report to the Commissioners’ Court for the month ending March 31, 2021.

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

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

Ruben Hernandez, Maintenance Supervisor, presented the Maintenance Department’s monthly report to the Commissioners’ Court for the month ending March 31, 2021.

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

1. **Receive Mary Mora and Act on the Grant Monthly Report**.

Mary Mora presented the Commissioners’ Court with her monthly Grant report. She reported as follows:

**Housing Grant: Texas Department of Housing and Community Affairs (TDHCA)** - This is the “Homeowner Rehabilitation Assistance”. It is a “no match” for the County with a maximum of $400,000.00, enough to reconstruct four homes. The target households are for those living in the worst conditions, often the elderly and disabled. The homes must be owned and occupied and must agree to live in the house for a certain period of time.

Looks like things have changed a bit as far as the starting construction date. I was informed by Terry Ross from GrantWorks that she would begin asking those applicants who have cleared the title phase for updated financial documents sometime in July or August. Once those applications advance to the construction stage, the start date will be sometime in 2022. The builder’s schedule determines the exact month construction will begin. She went on to say that the qualified applicants will be given a move-out date of at least six weeks in advance.

**Community Development Grant 2019-2020, $300,000.00; Grant #7219220** - Activities: This Grant is for the piping/valve replacement at the WWTP Lift Station, Pumps, and Controls for the WWTP Pond Pumps, replacing pond piping, relining one of the ponds and first-time water & sewer service.

We are trying to get the plans correct and ready to be approved by the County. Daniel Almeida is going over the plans making sure they are correct. Once he gives us the okay, Judge Turcotte has to acknowledge the plans and send back to GrantWorks where they will submit to TDA.

Robert from GrantWorks will be advertising for contractors on April 15 and 22. We have to give contractors 15 days to submit proposals. We will have a pre-bid meeting April 27 at 9:00 a.m. to 9:30 a.m. and the bid opening will be on May 5 at 2:00 p.m. to 2:30 p.m.

On May 12, at the Commissioners’ Court, there will be an agenda item to discuss and act to award the contract to a contractor.

**Colonia Grant; Grant for $500,000.00; Grant #7219075; February 1, 2020 to January 31, 2022** - Activities: This Grant is for a generator at the WWTP, the Lift Station will have improvements rehabbing the wetwell, replacing the pond pumps, relining another pond, and new water & sewer services.

The above process is exactly as stated above for this grant also except for the pre-bid meeting which will take place on April 27 from 9:30 a.m. to 10:00 a.m.

**CTIF (Road Grant); Grant for $295,360.00** – The Administration for this grant is Langford Community Management Services.

The application along with all the Road Reports were submitted to TxDot on May 27, 2020. We received the “award letter” on June 23, 2020.

The County was awarded $295,360.00 with a match from the county of 73,840.00 for a total project cost of $369,200.00.

I have emailed Jill from Langford Community Management Services and she has copied me on three separate emails she sent to TxDot requesting status regarding this grant and has not received a response.

As soon as we get a response from TxDot, we will email you the status and information received.

**Hazard Mitigation Project Plan** – The “Hazard Mitigation Project Plan” was developed for Kleberg County, the City of Kingsville, and Kenedy County. This plan was needed so Kenedy County would be able to apply for HMA (Hazard Mitigation Assistance) Grants.

We advertised on March 4 and March 11 with proposals to be received by March 18.

We have received two proposals. There are agenda items today regarding the proposals, the scoring, and the awarding.

Once this is done, the Admin will help in preparing the selection of an engineer.

Having an administrator and engineer, projects that the County may be interested in can be done quickly since announcement of these grants will probably be in October, with application being due in December. Important facts to know is that there are costs for the application submission. If we get funded, this cost will be reimbursed. If we do not get funded, it will be a County cost.

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

1. **Discuss & Act on Zone Distances where a Truck Stop or Major Commercial Enterprise may be Located in Kenedy County**.

Leo Villarreal and Homero Vera informed the Commissioners’ Court that there was a rumor that a large truck station was contemplated to open in Kenedy County.

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, informed the Commissioners’ Court that no action was needed on this item.

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

1. **Receive Report on the Sheriff Spending Chapter 59 Funds Prior to Submitting his Chapter 59 Budget to the Commissioners’ Court and Whether Chapter 59 Projects are Subject to the Bidding Law of the State of Texas**.

Leo Villarreal reported to the Commissioners’ Court regarding construction that was going up by the Sheriff’s Office building; that Chapter 59 Funds were spent prior to the Sheriff submitting his Chapter 59 Budget to the Commissioners’ Court; and that Chapter 59 projects are subject to the bidding law of the State of Texas; however, no bid is necessary if the item is purchased from a sole vendor; and that the Commissioners’ Court only gets involved if Chapter 59 funds are used for salaries.

Commissioner Sarita Armstrong-Hixon stated that the Attorney General needs to be contacted and that Allison Strauss, County Attorney, should contact the Attorney General for an opinion and that Leo Villarreal, Allison Strauss and the Sheriff should work together and look into the boat barn project.

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

1. **Receive Report on the Kenedy County Census Manual**.

Leo Villarreal informed the Commissioners’ Court that Bill Lothrop was working on the new legal descriptions of the new Commissioners’ precinct boundary lines and that the map of the South end of the Court was being prepared.

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

1. **Discuss & Act on, Pursuant to the Texas Local Government Code, Section 262.001, et seq., to Designate Gumecinda “Cindy” Gonzales, Judge Pro-Tem, and His Successor as the County Agent Regarding the Signing of the Justice of the Peace Building Contracts and Documents**.

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, and Leo Villarreal informed the Commissioners’ Court that is was necessary to designate Judge Louis E. Turcotte, III, and his successor in office as the County Agent regarding the signing of the Justice of the Peace Building contracts and documents.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Kenedy County Judge Louis E. Turcotte, III, and his successor in office be designated as the County Agent regarding the signing of the Justice of the Peace Building contracts and documents.

1. **Receive Report on the Removal of Uninhabited Homes for Human Use**.

Leo Villarreal informed the Commissioners’ Court that letters had been sent to six homeowners and the San Pedro Kenedy Ranch regarding six of their houses that were considered as uninhabitable in Sarita; that they had been given until May 30, 2021, to demolish and remove the debris, or to notify the County if they wanted the County to proceed with demolition and removal of the debris and to place a lien on the property. They were also given the option to request an investigation pursuant to the Commissioners’ Court November 9, 2020, Order of the house to determine whether or not the house was habitable and proceed accordingly.

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

1. **Discuss & Act of Approving Telecommunications Antenna/Tower Permit Application from U. S. Border Patrol and U. S. Customs and Border Protection (Beck Uebele/Laura Gabrielle Duvall).**

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, and Leo Villarreal informed the Commissioners’ Court there was a need to approve the U. S. Border Patrol and U. S. Customs and Border Protection permit application for a Telecommunications Antenna/Tower at the Juanita Gate, and that the Applicant had complied with the permit terms.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the U. S. Border Patrol and U. S. Customs and Border Protection permit application be approved for a Telecommunications Antenna/Tower at the Juanita Gate subject to the payment of the $1,500.00 fee.

1. **Consent Agenda.**
2. **Approve Travel for Allison Strauss to Attend the Elected Prosecutor Conference on June 9-11, 2021. ($1,205.18 within budget)**
3. **Approve Travel Expenses for Irma Longoria to Attend the TACA PTEC 8 Training (Property Tax Assessment & Collections) in Conroe, Texas on May 16th – 20th, 2021. ($1,211.28 within budget)**
4. **Approve Travel for Cynthia Salinas to Attend County Treasurer’s Seminar in San Marcos, Texas on April 19th – 22nd, 2021. (lodging only)**

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, informed the Commissioners’ Court that the following persons needed to attend the following seminars/conferences and that the County needed to advance the costs thereof, as follows:

Allison Strauss to attend the Elected Prosecutor Conference on June 9-11, 2021 and the County advance $1,205.18, provided proper receipts are presented to the County Treasurer;

Irma Longoria to attend the TACA PTEC 8 Training (Property Tax Assessment & Collections) in Conroe, Texas, on May 16-20, 2021, and the County advance $1,211.28, within budget, provided proper receipts are presented to the County Treasurer; and

Cynthia Salinas to attend the County Treasurer’s Seminar in San Marcos, Texas, on April 19-22, 2021 and the County advance costs of lodging only, provided proper receipts are presented to the County Treasurer.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the below persons attend the below seminars and conferences and that the County advance the requested costs provided that property receipts are presented to the County Treasurer:

Allison Strauss attend the Elected Prosecutor Conference on June 9-11, 2021 and the County advance $1,205.18;

Irma Longoria attend the TACA PTEC 8 Training (Property Tax Assessment & Collections) in Conroe, Texas, on May 16-20, 2021, and the County advance $1,211.28, within budget; and

Cynthia Salinas attend the County Treasurer’s Seminar in San Marcos, Texas, on April 19-22, 2021 and the County advance costs of lodging only.

1. **Receive Report from Groundwater Conservation District**.

Andy Garza, General Manager of the Kenedy County Groundwater Conservation District presented the Kenedy County Groundwater Conservation District 2020 Report to the Commissioners’ Court.

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

1. **Discuss & Act on Proclamation for Public Safety Telecommunicators Week April 11th – 17th, 2021**.

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, informed the Commissioners’ Court of the need to approve Governor Greg Abbot’s Proclamation regarding Public Safety Telecommunications Week being April 11-17, 2021:

STATE OF TEXAS

OFFICE OF THE GOVERNOR

Across the state, public safety telecommunicators act as our “unseen first responders”, but these men and women continually serve our communities and help save lives every day. These professionals, which include 9-1-1 operators, dispatchers, and other communications specialists, answer calls for help and use their high-quality communication and decision-making skills to address the needs of the caller according to the specific challenges raised by their emergency. No only do they maintain the calm, professional, and disciplined demeanor that handling a 9-1-1 call requires, but these first responders also think and respond rapidly to crisis situations, and often lend a supporting voice to reassure frightened, upset, and confused callers.

As we have faced the unprecedented challenges of the oval coronavirus (COVID-19) pandemic, public safety telecommunicators have remained unwavering in their dedication to providing essential services to Texans in need during these difficult and distressing times. To address these needs, Texas has almost 600 public safety answering points where over 4000 telecommunicators answer 9-1-1 calls, with a large percentage of those calls coming from wireless phones. The Commission on State Emergency Communications works with telecommunicators and local and state governments to ensure Texans have reliable access to emergency telecommunications services. Every year, the commission designates a week in April for an awareness campaign to highlight the many contributions and achievements of public safety telecommunicators and their importance in the public safety framework of the Lone Star State.

At this time, I encourage all Texans to learn more about the vital role these professionals play in our everyday lives, and to extend their appreciation to public safety telecommunicators. Their strength and expertise in times of crisis ensures Texans receive the help they need when they need it most.

Therefore, I Greg Abbot, Governor of Texas, do hereby proclaim April 11-17, 2021, to be

**Public Safety Telecommunicators Week**

in Texas, and urge the appropriate recognition whereof.

In official recognition whereof, I hereby affix my signature this the 5th day of March, 2021.

Greg Abbot, Governor of Texas

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Governor Greg Abbot’s Proclamation that April 11-17, 2021 be Public Safety Telecommunicators Week in Texas is approved.

1. **Discuss & Act on Purchasing a One Ton Truck for the Maintenance Department**.

Ruben Hernandez informed the Commissioners’ Court that the Maintenance Department was in need of purchasing a one-ton truck for the price of $48,535.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Maintenance Department is authorized to purchase a one-ton truck from Boswell Elliff in the amount of $48,535.00.

1. **Discuss & Act on Purchasing a New Riding Mower for the Maintenance Department**.

Ruben Hernandez informed the Commissioners’ Court the Maintenance Department was in need of purchasing a new riding lawnmower for the price of $13,750.00 from AC Lawn & Garden Services.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Maintenance Department is authorized to purchase a new riding lawnmower from AC Lawn & Garden Services for the amount of $13,750.00, within budget.

1. **Discuss & Act on Opening and Accepting Proposals for Administration Services Regarding the Hazard Mitigation Plan**.

Mary Mora informed the Commissioners’ Court of the need to open and accept proposals for Administration Services regarding the Hazard Mitigation Plan and presented proposals from Grantworks and APSI to the Commissioners’ Court.

Commissioner Joe Recio moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that GrantWorks proposal and APSI’s proposal for Administration Services regarding the Hazard Mitigation Plan be opened and accepted.

1. **Discuss & Act on Scoring the Proposals for the Hazard Mitigation Plan**.

Mary Mora informed the Commissioners’ Court that the proposals for the Hazard Mitigation Plan need to be scored; the Commissioners’ Court proceeded to score the proposals for the Hazard Mitigation Plan; and requested Mary Mora to tabulate them. GrantWorks received a score of 380 and APSI received a score of 271.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the proposals from GrantWorks and APSI be scored and tabulated. GrantWorks, having received the score of 380, was designated as the Administration Service Provider for the Hazard Mitigation Plan.

1. **Discuss & Act on Adopting Resolution Designating Administration Service Providers for the Hazard Mitigation Plan**.

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, informed the Commissioners’ Court the below Resolution needed to be adopted as follows:

A RESOLUTION OF KENEDY COUNTY, TEXAS, AUTHORIZING THE AWARD OF SERVICE PROVIDERS FOR THE TEXAS HAZARD MITIGATION ASSISTANCE PROJECT FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) AND/OR TEXAS WATER DEVELOPMENT BOARD (TWDB).

WHEREAS, Kenedy County seeks assistance in the preparation of an application and, if awarded the grant, the subsequent implementation of an HMA Hazard Mitigation Grant;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RDP) process for management services has been completed in accordance with Texas HMA providers.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That GrantWorks be selected to provide Texas HMA application and project-related management services for the Hazard Mitigation Assistance Grant project.

Section 2. That any and all contracts or commitments made with the above-named services providers are dependent on the successful negotiation of a contract with the service provider.

PASSED AND APPROVED ON APRIL 12, 2021.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the below Resolution be adopted as follows:

A RESOLUTION OF KENEDY COUNTY, TEXAS, AUTHORIZING THE AWARD OF SERVICE PROVIDERS FOR THE TEXAS HAZARD MITIGATION ASSISTANCE PROJECT FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) AND/OR TEXAS WATER DEVELOPMENT BOARD (TWDB).

WHEREAS, Kenedy County seeks assistance in the preparation of an application and, if awarded the grant, the subsequent implementation of an HMA Hazard Mitigation Grant;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RDP) process for management services has been completed in accordance with Texas HMA providers.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That GrantWorks be selected to provide Texas HMA application and project-related management services for the Hazard Mitigation Assistance Grant project.

Section 2. That any and all contracts or commitments made with the above-named services providers are dependent on the successful negotiation of a contract with the service provider.

PASSED AND APPROVED ON APRIL 12, 2021.

1. **Discuss & Act on Proposal from Cloudbase Financial Software for Time Sheets**.

Cynthia Salinas, County Treasurer, informed the Commissioners’ Court that Cloudbase Financial Software for Time Sheets had replaced the Hill Country Software Services; that the cost of this software would be between $1,400.00 - $1,650.00 per month; that the Time Sheets seemed to be acceptable but needed more information to present a complete report.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled.

1. **Receive Amended 2021 State Forfeiture Account Budget**.

Sheriff Ray Salinas presented the Commissioners’ Court with the Amended 2021 State Forfeiture Account Budget.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Sheriff’s Amended 2021 State Forfeiture Account Budget be accepted as presented effective April 12, 2021.

1. **Discuss & Act on Approving Purchase of Adobe Acrobat Standard 2020 Licenses (14) for Departmental Use for Sheriff’s Department. ($3,785.00 within budget)**

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, informed the Commissioners’ Court there was a need to approve the purchase of Adobe Acrobat Standard 2020 Licenses (14) for departmental use by the Sheriff’s Department ($3,875.00 within budget).

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the purchase of Adobe Acrobat Standard 2020 Licenses (14) be approved for the Sheriff’s Department’s use in the amount of $3,875.00, within budget.

1. **Discuss & Act on Approving Purchase of Two (2) 5-Tier Box Lockers for Evidence Storage. ($925.00 within budget)**

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, informed the Commissioners’ Court there was a need to purchase two (2) 5-tier box lockers for evidence storage for the cost of $925.00 (within budget).

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that two (2) 5-tier box lockers for evidence storage be purchased for the cost of $925.00 (within budget).

1. **Receive Report on Wind Farm Abatements and 2021 Preliminary Anticipated Mineral and Business Personal Property Valuations from the Chief Appraiser and Wardlaw and Associates**.

Peggy Wardlaw presented the Commissioners’ Court with the report on the Windfarm Tax valuations; that Windfarm Tax Abatement funds are scheduled to be received in October 2021; and that the 2021 Preliminary Anticipated Mineral and Business Personal Property Valuation would be prepared by the Chief Appraiser and Wardlaw and Associates.

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

1. **Discuss & Act on Payment of Bills**.

Gumecinda “Cindy” Gonzales, Judge Pro-Tem, informed the Commissioners’ Court of the need to pay the bills for the month ending March 31, 2021.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the bills be paid as presented.

1. **Adjournment**

There being no further business to come before the Commissioners’ Court, Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Kenedy County Commissioners’ Court be adjourned at 12:10 o'clock p.m.

/s/ Louis E. Turcotte, III

Louis E. Turcotte, III County Judge

/s/Veronica Vela

Veronica Vela, County Clerk