THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 6th day of July, 2021, at 9:00 o'clock a.m., a special meeting of the Commissioners Court of Kenedy County, Texas, was held in the Kenedy County Courthouse.

**Commissioners present:**

Charles E. Burns, III County Judge

Joe Recio, Commissioner, Precinct No. 1

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

**Also present:**

Veronica Vela, County & District Clerk

Leo Villarreal, Administrative Assistant

Allison Strauss, County Attorney

Irma Longoria, County Tax Assessor/Collector

JP Cecilia Schulz

**Absent**:

Sarita Armstrong-Hixon, Commissioner, Precinct No. 3

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

Cynthia Salinas, County Treasurer

Jose E. Mendietta, Fire Chief

Ramon Salinas, County Sheriff

JP Patti Fain

Gilbert San Miguel, Sheriff’s Dept.

Thomas Denney, Chief Appraiser

Ruben Hernandez, Maintenance Supervisor

1. **Pledge of Allegiance**.

Judge Charles E. Burns led the Commissioners’ Court in the Pledge of Allegiance and called the meeting to order.

1. **Receive Public Comments**.

No public comments were made.

1. **Discuss & Act on Declaration of Local State Disaster**.

Judge Charles E. Burns read the Kenedy County Declaration of Local State Disaster as follows:

**KENEDY COUNTY LOCAL DISASTER DECLARATION**

**WHEREAS**, Kenedy County has suffered widespread or severe damage, injury, or loss of life or property for there is imminent threat resulting from illegal immigrants using Kenedy County as a corridor for the transport of weapons, drugs and human trafficking; and

**WHEREAS**, the health, life, and property of the residents of Kenedy County is under an imminent threat of disaster from the human trafficking occurring on our border with Mexico. The ongoing border crisis has resulted in a significant increase of illegal aliens entering Kenedy County an overwhelming our local, state, and federal law enforcement. This continual violation of our sovereignty and territorial integrity has increased the risk of residents of Kenedy County being assaulted, threatened with violence, and robbed, while also sustaining vast amounts of property damage; and

**WHEREAS,** the public health and safety of the residents of Kenedy County is under an imminent threat of disaster from an elevated risk of exposure to unknown variants of COVID=19 resulting from the human trafficking occurring on our border with Mexico. The limited resources of Kenedy County cannot adequately furnish the necessary procedures and facilities set forth by the Centers for Disease Control and Prevention for the testing and quarantining of thousands of illegal aliens who may be infected with unknown variants of COVID-19, or other infectious diseases that residents have not been vaccinated for; and

**WHEREAS**, the County Judge of Kenedy County, Texas, has determined that extraordinary measures must be taken to ensure the protection of the health, safety, and welfare of county residents.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF KENEDY COUNTY, TEXAS**:

1. That a local state of disaster is hereby declared for Kenedy County, Texas, pursuant to Section 418.108(a) of the Texas Government Code.
2. Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless renewed by the County Judge of continued by the Commissioners’ Court of Kenedy County, Texas.
3. Pursuant to Section 418.108(c) of the Texas Government Code, this declaration of local state of disaster be given prompt and general publicity and shall be filed promptly with the County Clerk of Kenedy County, Texas.
4. Pursuant to Section 418.108(d) of the Texas Government Code, this declaration of local state of disaster activates the Kenedy County emergency management plan.
5. Pursuant to Section 362.002(a) of the Texas Local Government Code, this local state of disaster is intended to authorize, and does hereby declare, that a state of civil emergency exists in Kenedy County, Texas, and requests the assistance of additional law enforcement to uphold the sovereignty and territorial integrity of the county.
6. Pursuant to Section 433.005(a) of the Texas Government Code, this local state of disaster is intended to request, and does hereby request, that the Governor of Texas provide state military forces to aid in controlling conditions in the county by assisting the County Sheriff in the enforcement of law and the preservation of the sovereignty and territorial integrity of the county.
7. That this declaration hereby authorizes the use of all lawfully available resources and authority granted under both the Constitution of Texas and the Constitution of the United States.
8. That this declaration shall take effect immediately from and after its issuance and, upon approval by the Kenedy County Commissioners’ Court, shall continue in effect until terminated by the County Judge. Pursuant to this declaration, additional directives may be issued by the County Judge at any time deemed necessary.

**DECLARED** this \_\_\_\_\_\_\_ day of July, 2021.

Leo Villarreal informed the Commissioners Court that Gary Barney, Regional Coordinator of the Emergency Management Programs, had provided the wrong Declaration of Local State Disaster; that by the next Commissioners Court meeting, he would provide the correct Declaration of Local State Disaster and recommended that this agenda item not be approved.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the present Declaration of Local State Disaster is not approved as presented.

1. **Report on Status of Resources Requested for Possible Allocation of Money Regarding the Governor’s Disaster Declaration**.

Judge Charles E. Burns informed the Commissioners Court regarding the status of resources requested for possible allocation of money regarding the Governor’s Disaster Declaration; that he was preparing a list of items to submit regarding the Governor’s Disaster Declaration; that to date the list for possible allocation of money items included, but was not limited to 2 Ford F-150 trucks, 4 ATVs, burial and autopsy costs, criminal housing costs and activities causing public danger by non-U.S. citizens; and that he will continue to work on additional items that may be considered and accepted by the Governor.

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

1. **Report on $72,000 Outstanding Electric Bill, Legislature Passed HB4492 Addressing this Situation**.

Judge Charles E. Burns informed the Commissioners Court that House Bill 4492 merely provided a 30-year term to pay the $72,000.00 electric bill; that interest would be charged; that a payment application was required to be submitted and approved; if an appeal was to be filed it would be in a District Court in Austin.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that this item be placed on the agenda at the next Commissioners’ Court meeting.

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

Judge Charles E. Burns informed the Commissioners’ Court of the need to pay the bills presented.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. 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 Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Kenedy County Commissioners Court be adjourned at 9:45 o'clock a.m.

/s/ Charles E. Burns

Charles E. Burns, County Judge

/s/ Veronica Vela

Veronica Vela, County Clerk