

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **22nd day of February A.D., 2021**, the Commissioners Court convened in **Special Session** at the Victoria County Courthouse in the City of Victoria, Victoria County, Texas, with His Honor, Ben Zeller, County Judge, presiding and the following Commissioners attending:

Danny Garcia,	Commissioner Precinct No. 1
Kevin M. Janak,	Commissioner Precinct No. 2
Gary Burns,	Commissioner Precinct No. 3
Clint C. Ives,	Commissioner Precinct No. 4
and	
Heidi Easley,	County Clerk and Ex-Officio Clerk

and the following orders were passed:



COUNTY OF VICTORIA

MINUTES

COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS

Monday, February 22, 2021, 10:00 AM, SPECIAL TERM

VICTORIA COUNTY COURTHOUSE

115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order

(1-0:18)

1. February 22, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, February 22, 2021 at 10:00 a.m.

2. Invocation and Pledges

(2-0:25)

2. February 22, 2021. Judge Ben Zeller opened the meeting with prayer and the reciting of the Pledges of Allegiance of the United States of America and the State of Texas.

3. Citizens Communication.

(3-1:49)

3. February 22, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

County Judge Zeller thanked and commended the Victoria County Facilities Department and the Office of Emergency Management for their services during the past week's winter storm. Judge Zeller also stated the hospital capacity has been below the 15% capacity for seven consecutive days which will allow businesses to operate at 75% capacity and also requested to TABC to reopen bars, which was approved this morning.

Rick McBrayer, Emergency Management Coordinator, informed and explained to the Court the FEMA Public Assistance and the Individual Household Programs for residents that need assistance due to the winter storm last week. Commissioner Ives commended Rick McBrayer and his department on a job well done last week.

Jena West with the Emergency Management Office explained the Crossroads Cares 361 Program to the Court.

David Gonzales, Public Health Director, provided information on this week's COVID-19 vaccine clinics and answered questions from the Court.

Rick McBrayer, Emergency Management Coordinator, explained how to sign up for the SWIFT 911 and the benefits of signing up and answered the Courts questions.

Commissioner Garcia thanked Rick McBrayer, David Gonzales, Jena West for their hard work last week and Commissioner Burns thanked Sean Kennedy's office for their extra work.

Hearing no further comments, Judge Ben Zeller continued to the next agenda item.

4. Consider approval of minutes and take appropriate action.

(4-20:01)

4. February 22, 2021. Moved by Kevin M. Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on February 8, 2021. Motion adopted.

5. Consider approval of accounts payable for Victoria County and take appropriate action.

(5-20:08)

5. February 22, 2021. Moved by Gary Burns and seconded by Clint C. Ives, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	2/16/2021	\$266,918.23
Supplemental Accounts	2/5/2021 – 2/11/2021	\$133,107.86

Motion adopted.

6. Receive monthly and quarterly reports from various county officials and departments and take appropriate action.

(6-20:35)

6. February 22, 2021. Moved by Danny Garcia and seconded by Kevin M. Janak, the Commissioners Court approved the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1 - 4; County Treasurer; Tax Assessor Collector; Justice of the Peace, Precinct No. 3; Constables, Precincts Nos. 1 and 2; Victoria County Extension Family and Community Health Report; and Victoria County Extension Agents 4-H Report. Motion adopted.

7. Consider approval of bond forfeiture releases and take appropriate action.

(7-21:09)

7. February 22, 2021. None. No action taken.

8. Consider approval of CMC Interim vendor payments and take appropriate action.

(8-21:23)

8. February 22, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated February 11, 2021 in the amount of \$713,815.93 and the ACH report dated February 11, 2021 in the amount of \$2,428,627.31 and interim vendor payments for Citizens Medical Center dated February 18, 2021 in the amount of \$710,173.42 and the ACH report dated February 18, 2021 in the amount of \$2,282,469.63. Motion adopted.

9. Consider approval of Resolution No. 2021-0018 opposing SB234/HB749 and other efforts to silence county officials filed in the 87th Texas Legislature and take appropriate action.

(9-37:07)

9. February 22, 2021. County Judge Zeller read the Resolution. Commissioner Ives voiced his concerns to the Court. Commissioner Janak provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2021-0018 opposing SB234/HB749 and other efforts to silence county officials filed in the 87th Texas Legislature. Motion adopted.

- 10. Consider approval of Order No. 2021-0017 acknowledging alternate Courtroom designation for 24th Judicial District Court and COVID-19 seating chart and take appropriate action.**

(10-22:49)

10. February 22, 2021. Criminal District Attorney Constance Filley Johnson provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Order No. 2021-0017 acknowledging alternate Courtroom designation for 24th Judicial District Court and COVID-19 seating chart. Motion adopted.

- 11. Consider approval of Resolution No. 2021-0016 designating February 20, 2021 through March 1, 2021 as Victoria Livestock Show Days and take appropriate action.**

(11-26:49)

11. February 22, 2021. Robin Janecka with the Victoria Livestock Show provided information to the Court and answered Commissioners Garcia and County Clerk Heidi Easley's questions. Judge Zeller read the Resolution. Commissioner Janak spoke in regards to the wristbands and entry for the Victoria Livestock Show. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2021-0016 designating February 20, 2021 through March 1, 2021 as Victoria Livestock Show Days. Motion adopted.

- 12. Receive for the record fully executed service agreement with Luminare Inc. to provide Luminare's Innoculate COVID Vaccine Management Solution Software with amended Exhibit B and take appropriate action.**

(12-56:04)

12. February 22, 2021. John Sestak, IT Director, provided the Court with information. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received for the record the fully executed service agreement with Luminare Inc. to provide Luminare's Innoculate COVID Vaccine Management Solution Software with amended Exhibit B. Motion adopted.

- 13. Consider approval and authorization of payment for Invoice No. 927-002 to Rawley McCoy & Associates, PLLC for Professional Services in connection to the RDRRC Freight Elevator Renovation Project and take appropriate action.**

(13-57:22)

13. February 22, 2021. County Engineer John Johnston provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved and authorized the payment for Invoice No. 927-002 in the amount of \$2,919.25 to Rawley McCoy and Associates, PLLC for Professional Services in connection to the RDRRC Freight Elevator Renovation Project. Motion adopted.

- 14. Receive for the record notification of certificate of compliance for the Victoria County Jail from the Texas Commission on Jail Standards and take appropriate action.**

(14-58:17)

14. February 22, 2021. Sheriff Marr and Commissioner Gary Burns provided information to the Court. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court received for the record the notification of certificate of compliance for the Victoria County Jail from the Texas Commission on Jail Standards. Motion adopted.

- 15. Receive for the record a notice to terminate lease from Linda Nguyen regarding the Nail Spot by Linda located at 2604 Mockingbird Lane, Suite A and take appropriate action.**

(15-59:36)

15. February 22, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received for the record a notice to terminate lease from Linda Nguyen regarding the Nail Spot by Linda located at 2604 Mockingbird Lane, Suite A. Motion adopted.

- 16. Consider approval of lease with Hue Truong regarding the Nail Spot by Linda located at 2604 Mockingbird Lane, Suite A and take appropriate action.**

(16-1:00:22)

16. February 22, 2021. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the lease with Hue Truong regarding the Nail Spot by Linda located at 2604 Mockingbird Lane, Suite A, Victoria, Texas 77901. Motion adopted.

- 17. Receive for the record a notice to terminate Recycling Service Agreement with Waste Management Recycling America, L.L.C. and take appropriate action.**

(17-1:00:50)

17. February 22, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received for the record a notice to terminate the Recycling Service Agreement with Waste Management Recycling America, L.L.C. Motion adopted.

- 18. Consider approval of the following for the Victoria Regional Juvenile Justice/Detention Facility and take appropriate action:**

(18-1:03:00)

18. February 22, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the following for the Victoria Regional Juvenile Justice/Detention Facility:

- a. Detention Contract with Brazoria County
- b. Residential Contract with Karnes/Wilson County
- c. Detention Contract with Johnson County

Motion adopted.

- 19. Receive Racial Profiling Report for 2020 from the Victoria County Constable Precinct #2 and take appropriate action.**

(19-1:03:48)

19. February 22, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the

Commissioners Court received the Racial Profiling Report for 2020 from the Victoria County Constable, Precinct No. 2. Motion adopted.

20. Receive for the record annual audit report for the Victoria County Juvenile Probation Department for Fiscal Year 2020 and take appropriate action.

(20-1:04:02)

20. February 22, 2021. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received for the record the annual audit report for the Victoria County Juvenile Probation Department for the year ended August 31, 2020. Motion adopted.

21. Consider response to invoice and claim for injury damages from Joseph-Andrew DiRuzzo and take appropriate action.

(21-1:04:21)

21. February 22, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court rejected the response to invoice and claim for injury damages from Joseph-Andrew DiRuzzo. Motion adopted.

22. Consider appointment of Adriana Cooke to the Community Action Committee of Victoria, TX (CACVT) and take appropriate action.

(22-1:05:22)

22. February 22, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the appointment of Adriana Cooke to the Community Action Committee of Victoria, TX (CACVT). Motion adopted.

23. Consider approval of amendment to the COVID-19 Crisis CoAg Grant Contract No. HHS000769700001 Amendment No. 2 and take appropriate action.

(23-1:05:48)

23. February 22, 2021. Public Health Director David Gonzales provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the amendment of the COVID-19 Crisis CoAg Grant Contract No. HHS000769700001 Amendment No. 2. Motion adopted.

24. Receive for the record information notice of Section 106 filings from the Federal Communications Commission regarding a new PTC tower to be located in Placedo, TX in Precinct 1 and take appropriate action.

(24-1:06:45)

24. February 22, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioner Court received for the record information notice of Section 106 filings from the Federal Communications Commission regarding a new PTC tower to be located in Placedo, Texas in Precinct No. 1. Motion adopted.

25. Consider approval of Resolution 2021-0019 accepting a donation of \$1,000.00 from American Legion Post 166 for the Crossroads Area Veteran's Center and take appropriate action.

(25-1:07:29)

25. February 22, 2021. Moved by Kevin Janak and seconded by Danny Garcia, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2021-0019 accepting a donation of \$1,000.00 from American Legion Post 166 to be utilized for and dedicated to the Crossroads Area Veterans Center. Motion adopted. All per resolution as filed in the minutes of this Court.

26. Consider approval of 2021 Budget Amendments for General Fund/Various Departments, Expenditures and take appropriate action.

(26-1:08:00)

26. February 22, 2021 Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the 2021 Budget Amendment for General Fund/Various Departments, Expenditures, as an increase. Motion adopted.

27. Consider approval of personnel changes and take appropriate action.

(27-1:08:20)

27. February 22, 2021. Moved by Clint C. Ives and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Salary change for Jose Hernandez, Animal Control Officer, from a rate of \$15.00 per hour to \$16.00 per hour, Budget Code 800-630-1107, effective January 30, 2021.
 - 2. Salary change for Alexander Garza, Animal Control Officer, from a rate of \$13.54 per hour to \$15.00 per hour, Budget Code 800-630-1107, effective January 30, 2021.
- b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Brechelle Sade Spradley, Extra Help - Rover, effective January 26, 2021.
- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Salary and position change for Keri Marshman, from Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1116 to Detention Officer Tier 2, at a rate of \$19.88 per hour, Budget Code 100-565-1117, effective January 2, 2021.
 - 2. Salary and position change for Heather Green, from Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1116 to Detention Officer Tier 2, at a rate of \$19.88 per hour, Budget Code 100-565-1117, effective January 2, 2021.

- CONTINUED -

- 3. Salary and position change for Jadah Ruiz, from Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1116 to Detention Officer Tier 2, at a rate of \$19.88 per hour, Budget Code 100-565-1117, effective January 2, 2021.

4. Employment of Joseph Garcia, Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1116-\$17.99, effective February 23, 2021.
5. Resignation of Jordan Flores, Warrants Officer, with 80.0 PTO and 244.13 Compensatory hours due, effective February 22, 2021.
- d. Constance Filley Johnson, Criminal District Attorney - Criminal District Attorney's Office:
 1. Salary change for Jordan Fries, Felony Assistant CDA, from a rate of \$36.07 per hour, Budget Code 100-475-1104 to \$43.27 per hour, Budget Codes 100-475-1104 \$36.07 and 370-475-1104 \$7.20, effective February 13, 2021.
 2. Salary change for Arnold Hayden, Felony Assistant CDA, from 40.88 per hour, Budget Code 100-475-1104 to a rate of \$43.27 per hour, Budget Codes 100-475-1104 \$40.88 and 370-475-1104 \$2.39, effective February 13, 2021.
 3. Salary change for Andrea Harvey, Felony Assistant CDA, from a rate of \$36.07 per hour, Budget Code 100-475-1104 to a rate of \$38.47 per hour, Budget Codes 100-475-1104 \$36.07 and 370-475-1104 \$2.40, effective February 13, 2021.

Motion adopted.

28. Adjourn

(28-1:09:32)

28. February 22, 2021. The Commissioners Court adjourned the meeting of February 22, 2021.