

**THE STATE OF TEXAS   §**

**COUNTY OF VICTORIA   §**

Be it remembered that on this the **3rd day of July A.D., 2023**, 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       |        |
| Jason Ohrt,     | Commissioner Precinct No. 2       |        |
| Gary Burns,     | Commissioner Precinct No. 3       | Absent |
| Kenneth Sexton, | 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, July 3, 2023, 10:00 AM, SPECIAL TERM**

**VICTORIA COUNTY COURTHOUSE**

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

**1. Call to Order.**

(1-0:00)

1. July 3, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, July 3, 2023 at 10:00 a.m.

**2. Invocation and Pledges.**

(2-0:00)

2. July 3, 2023. 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.**

(3-1:50)

3. July 3, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau of 2204 E. North Street thanked Victoria Animal Services for catching two dogs in Bloomington. He also spoke about trash on the Houston Highway and panhandlers in Victoria County.

Woodrow Wilson Wagner, Democratic Chair, recommended to the Court to accept the proposal offered by Elections Administrator Margetta Hill to consolidate polling places and voiced his concerns. Judge Zeller responded to Mr. Wagner.

Bill Pozzi, Republican Chair, informed the Court about other Republican precinct chairs' opinions regarding the consolidation of voting locations.

Fire Marshal Richard Castillo mentioned that Patriot Park will be open on July 4, 2023, from 5:00 p.m. to midnight. Fire Marshal Castillo also informed the Court that a burn ban may go into effect next Monday if circumstances stay the same. He also thanked the Commissioners for sending out personnel for the two structure fires this weekend. Commissioner Garcia stated DAV will not hold their event at Patriot Park on July 4th this year, it will be held on Lova drive.

Commissioner Garcia spoke to the Court about the DuPont bridge replacement, options and the decision he needs to make by July 10th.

(57:50) Commissioner Garcia discussed the driveway changes at the Victoria County Public Health Department.

Mark Sloat, Animal Services Director, stated they will hold a meeting next Monday at 6:00 p.m. at the Victoria County Public Health Department.

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

**4. Consider approval of minutes and take appropriate action.**

(4-26:26)

4. July 3, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on June 26, 2023. Motion adopted.

**5. Consider approval of accounts payable and take appropriate action.**

(5-26:39)

5. July 3, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

|                       |                       |                |
|-----------------------|-----------------------|----------------|
| Regular Accounts      | 7/3/2023              | \$1,153,850.71 |
| Supplemental Accounts | 6/23/2023 – 6/29/2023 | \$127,443.05   |

Motion adopted.

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

(6-27:12)

6. July 3, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the Tax Assessor Collector and Justice of the Peace, Precinct No. 1. Motion adopted.

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

(7-27:30)

7. July 3, 2023. None. No action taken.

**8. Consider approval of CMC Interim vendor payments, board minutes, accounts payable, payroll, and personnel changes, and take appropriate action.**

(8-27:40)

8. July 3, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the board minutes, accounts payable, payroll, personnel changes, and interim vendor payments for Citizens Medical Center dated June 29, 2023 in the amount of \$794,074.50 and the ACH report dated June 29, 2023 in the amount of \$1,874.254.58. Motion adopted.

**9. Receive an Application for Designation of Reinvestment Zone/Tax Abatement from KWJ Development, LLC, and consider authorizing Victoria Economic Development Corporation (VEDC) to conduct an impact study and take appropriate action.**

(9-28:22)

9. July 3, 2023. Jonas Titus with Victoria Economic Development Corporation spoke about the application and public hearing. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the Application for Designation of Reinvestment Zone/Tax Abatement from WJB Development, LLC, and authorized Victoria Economic Development Corporation (VEDC) to conduct an impact study. Motion adopted.

**10. Set a public hearing to consider designating a reinvestment zone and receive an**

**impact study for Centerline Technologies, LLC and take appropriate action.**

(10-33:08)

10. July 3, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved to set a public hearing on Monday, July 17, 2023 at 10:00 a.m. on the second floor of the Victoria County Courthouse located at 115 N Bridge Street, Victoria, TX 77901 to consider an order regarding the creation of the Victoria County Reinvestment Zone No. 3, comprised of 78.492 acres owned by KWI Development, LLC and Storage Solutions of Texas, LLC at 8526 Nursery Drive, Victoria, Texas 77904 and received an impact study for Centerline Technologies, LLC. Waylan Brannan spoke about the operation of Centerline Technologies, LLC. Motion adopted.

**11. Consider approval of a Compensation Study Policy and Procedure and take appropriate action.**

(11-36:17)

11. July 3, 2023. County Judge's Chief of Staff, Giani Cantu, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Compensation Study Policy and Procedures. Motion adopted.

**12. Authorize to advertise a Request for Proposals (RFP) for pre-award and post-award management services for hazard mitigation contract(s), if awarded, from the Texas Division of Emergency Management (TDEM), Texas Water Development Board (TWDB) or other funding sources and take appropriate action.**

(12-42:34)

12. July 3, 2023. Grant Specialist, Maddison Heibel, provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court authorized to advertise a Request for Proposals (RFP) for pre-award and post-award management services for hazard mitigation contract(s), if awarded, from the Texas Division of Emergency Management (TDEM), Texas Water Development Board (TWDB) or other funding sources. Motion adopted.

**13. Consider the following items regarding the Request for Proposals for the Bank Depository and take appropriate action:**

**a. Bank Depository Agreement with Prosperity Bank.**

(13a-44:34)

13a. July 3, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Bank Depository Agreement with Prosperity Bank. Motion adopted.

**Consider the following items regarding the Request for Proposals for the Bank Depository and take appropriate action:**

**b. Collateral Pledge Agreement with Prosperity Bank.**

(13b-44:34)

13b. July 3, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Collateral Pledge Agreement with Prosperity Bank. Motion adopted.

**Consider the following items regarding the Request for Proposals for the Bank Depository and take appropriate action:**

**c. Reject all other bids**

(13c-44:34)

13c. July 3, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court rejected all other bids for the Bank Depository Agreement. Motion adopted.

**14. Consider approval of Resolution No. 2023-0082 receiving a donation for the Victoria County Fire Marshal's Office and take appropriate action.**

(14-47:35)

14. July 3, 2023. Fire Marshal Richard Castillo thanked the Master Gardeners Association for their donation. Moved by Jason Ohrt and seconded by Kenneth Sexton, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2023-0082 receiving a donation of \$50.00 from Victoria County Master Gardeners Association to be utilized for and dedicated to the Victoria County Fire Marshal. Motion adopted.

**15. Consider approval of Resolution No. 2023-0083 receiving a donation of \$3,000.00 for the Veterans Service Center and take appropriate action.**

(15-48:42)

15. July 3, 2023. Commissioner Danny Garcia informed the Court about how the money is used by the Crossroads Area Veterans Center. Moved by Jason Ohrt and seconded by Danny Garcia, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2023-0083 receiving a donation of \$3,000.00 from American Legion Post 166 to be utilized for and dedicated to the Crossroads Area Veterans Center. Motion adopted.

**16. Consider approval of a correction to the amended lease agreement with the Texas Parks and Wildlife and take appropriate action.**

(16-50:25)

16. July 3, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the correction to the amended lease agreement with the Texas Parks and Wildlife. Motion adopted.

**17. Consider approval of the Immunization/Locals Grant Contract HHS000119700011 Amendment No. 05 for the Public Health Department and take appropriate action.**

(17-51:17)

17. July 3, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Immunization/Locals Grant Contract HHS000119700011 Amendment No. 05 for the Victoria County Public Health Department. Motion adopted.

**18. Consider approval of the following Detention and Residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:**

**a. Fort Bend County – Residential.**

(18a-51:58)

18a. July 3, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Fort Bend County. Motion adopted.

**Consider approval of the following Detention and Residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:**

**b. Hidalgo County - Detention**

(18b-51:58)

18b. July 3, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Hidalgo County. Motion adopted.

**19. Hold public hearing for traffic regulation pursuant to V.T.C.A. Transportation Code §251.152 in Pct. 3 and take appropriate action.**

(19-52:36)

19. July 3, 2023. Commissioner Danny Garcia provided information to the Court. County Judge Zeller declared a public hearing open at 10:52 a.m., pursuant to V.T.C.A. Transportation Code §251.152, prior to the adoption of traffic regulations. With no public comments, County Judge Zeller closed the public hearing at 10:54 a.m. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court adopted the following traffic regulation changes:

PRECINCT NO. 3

Install 2 Stop signs at La Luz Drive and Bella Vista Road.

Install 2 Stop signs at La Luz Drive and Monte Vista Drive.

Install a 25 MPH sign at La Luz Drive.

Motion adopted.

**20. Receive for the record a Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) and take appropriate action.**

(20-54:55)

20. July 3, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) as an increase to expenditures. Motion adopted.

**21. Consider approval of the following 2023 budget amendments and take appropriate action:**

(21-55:23)

21. July 3, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures -Decrease
- b. Records Management Fund, Expenditures - Increase
- c. District Clerk Record Management, Expenditures - Line item transfer
- d. County Clerk of the Court, Revenues and Expenditures - Line item transfer
- e. District Clerk of the Court, Expenditures - Line item transfer
- f. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer
- g. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- h. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- i. Airport Fund, Expenditures - Line item transfer

- j. Airport Capital Projects Fund, Revenues and Expenditures - Line item transfer
- k. Health Insurance Fund, Expenditures - Line item transfer
- l. Elections Administrators Special, Expenditures - Line item transfer
- m. Health Department, Expenditures - Line item transfer

Motion adopted.

**22. Consider approval of personnel changes and take appropriate action.**

(22-57:19)

22. July 3, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Ashley Hernandez, Tax Assessor Collector - County Tax Office:
  - 1. Employment of Shelly Szilagyi, Deputy Clerk, at a rate of \$16.58 per hour, Budget Code 100-499-1106, effective July 5, 2023. Remarks: Grade 4.
- b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
  - 1. Employment of Amber Cox, (Juvenile Supervisor Officer - Part Time) JSO-PT, at a rate of \$18.74 per hour, Budget Code 100-573-1157, effective July 5, 2023. Remarks: Grade 6.
  - 2. Employment of Alice Torres, Juvenile Supervisor Officer - Part Time JSO-PT, at a rate of \$18.74 per hour, Budget Code 100-573-1157, effective July 5, 2023. Remarks: Grade 6.
  - 3. Employment of Emily Hancock, (Juvenile Supervision Officer - Full Time) JSO, at a rate of \$18.74 per hour, Budget Code 100-573-1156, effective July 5, 2023. Remarks: Grade 6.
  - 4. Employment of Mary Morales, (Juvenile Supervision Officer - Full Time) JSO, at a rate of \$18.74 per hour, Budget Code 100-573-1156, effective July 5, 2023. Remarks: Grade 6.
  - 5. Employment (Re-Hire) of Raymond Valdez, (Juvenile Supervision Officer- Full Time) JSO, at a rate of \$18.74 per hour, Budget Code 100-573-1156, effective July 5, 2023. Remarks: Grade 6.
  - 6. Resignation of Tiara Pipes-Wilkins, (Juvenile Supervision Officer - Full Time) JSO, effective June 26, 2023. Remarks: Grade 6.
- c. Mark Sloat, Animal Services Director - Victoria County Animal Services:
  - 1. Dismissal of Nicholas F. Irvin, Shelter Care Tech, effective June 22, 2023. Grade 1, Plan General, Tier n/a.
- d. Justin Marr, Sheriff - Sheriff's Office:
  - 1. Position/Other change for Christopher Garcia, from Courts/Extrad Tier 3 (CE Tier 1), at a rate of \$24.29 per hour, Budget Codes 100-565-1310-23.29, 100-565-1136-1.00, and 100-565-1137 Cert Pay to Courts/Extrad Tier 1, at a rate of \$24.29 per hour, Budget Codes 100-565-1110-23.29, 100-565-1136-1.00, and 100-565-1137-Cert Pay, effective July 15, 2023. Remarks: Grade 9.
  - 2. Position/Other change for Bernadette Vickery, from Detention Dep-Tier 3, at a rate of \$26.36 per hour, Budget Codes 100-565-1314-25.36, 100-565-1136-1.00, and 100-565-1137-Cert Pay to Courts/Extrad Tier 3, at a rate of \$26.36 per hour, Budget Codes 100-565-1310-25.36, 100-565-1136-1.00, and 100-565-1137-Cert Pay, effective July 15, 2023. Remarks: Grade 9.

- e. Michelle Samford, County Auditor - County Auditor's Office:
  - 1. Request for overtime payment of Compensatory time for Becky Smiley, 126.45 Compensatory hours - \$3,769.47; Priscilla Madrigal, 157.22 Compensatory hours - \$4,367.57; and Elizabeth Vasquez, 51.15 Compensatory hours - \$1,113.54; to be covered by a budget amendment.
- f. Kenneth Sexton, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
  - 1. Request for overtime payment of 90 Compensatory hours in the amount of \$2,936.70 for Greg Kutac, Foreman, Precinct No. 4, to be paid by a budget amendment for the Road and Bridge, Precinct No. 4's fund 204-614-1103.

Motion adopted.

- 23. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss various department personnel, §551.072 to discuss real property, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege: contracts in negotiation, and §551.087 to discuss Economic Development.**

(23-57:49)

23. July 3, 2023. The Commissioners Court went into closed session at 11:00 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss various department personnel, §551.072 to discuss real property, and §551.071 to conduct a private consultation with the County's attorney regarding matter protected by the attorney-client privilege: contracts in negotiation, and §551.087 to discuss Economic Development. The Commissioners Court did not discuss contracts in negotiation during the closed session.

- 24. Pursuant to V.T.C.A. Government Code §551.102, return to an open meeting and take any action deemed necessary based upon discussion in the closed meeting.**

(24-2:53:52)

24. July 3, 2023. The Commissioners Court returned to open meeting at 12:54 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

- 25. Adjourn.**

(25-2:53:59)

25. July 3, 2023. The Commissioners Court adjourned the meeting of July 3, 2023.