

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **17th 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
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 17, 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 17, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, July 17, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. July 17, 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.

(3-1:01)

3. July 17, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Harley Fisk, Victoria Resident, spoke to the Court about the consolidation of polling places and asked the Court to consider individuals that walk to the polling places to vote. Mr. Fisk also mentioned that the students of Bill Pozzi's class were a great help at the polling place where he works.

Michael Vonderau of 2204 E. North Street, spoke about loose dogs around Christ's Kitchen.

Mark Sloat, Victoria Animal Services Director, informed the Court that they have entered partnerships with Best Friends Humane Society and PetsMart Charities. He also stated the Victoria Animal Services advisory meeting is tonight at 6:00 p.m.

Commissioner Gary Burns complimented the Volunteer Fire Departments for their excellent service this past weekend.

Commissioner Kenneth Sexton stated the Quail Creek Volunteer Fire Department held their fundraiser this past weekend and it was a huge success.

County Engineer John Johnston informed the Court that no bids were received for the Type II Portland Cement, Asphaltic Materials, or ASPPM 9202 Grade IV Cold Mix for Victoria County.

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

4. Consider approval of minutes and take appropriate action.

(4-10:44)

4. July 17, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on July 10, 2023. Motion adopted.

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

(5-10:56)

5. July 10, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	7/17/2023	\$352,358.55
Supplemental Accounts	7/7/2023 – 7/13/2023	\$213,246.84

Motion adopted.

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

(6-11:29)

6. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the District Clerk; Tax Assessor Collector; Justices of the Peace, Precincts Nos. 1, 3, and 4; Constable, Precinct No. 2; and County Extension Agent-Family Community Health. Motion adopted.

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

(7-11:55)

7. July 17, 2023. None. No action taken.

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

(8-12:03)

8. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated July 13, 2023 in the amount of \$475,712.61 and the ACH report dated July 13, 2023 in the amount of \$1,258,590.51. Motion adopted.

9. Consider approval of Resolution No. 2023-0093 authorizing the settlement of Victoria County's pending claims against Volkswagen and take appropriate action.

(9-12:41)

9. July 17, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0093 authorizing the settlement of \$50,000.00 to Victoria County for the claims against Volkswagen in the Clean Diesel Litigation. Motion adopted.

10. Consider an Order enacting a Burn Ban in Victoria County and take appropriate action.

(10-15:19)

10. July 17, 2023. Fire Marshal Richard Castillo reviewed the KBDI numbers and stated a burn ban will go into effect for Victoria County. Commissioner Garcia asked about the fine amount for burning during the burn ban. Fire Marshal Castillo responded to Commissioner Garcia. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Order No. 2023-0090 enacting a Burn Ban in Victoria County, effective immediately. Motion adopted.

11. Recognize second-quarter employee anniversaries.

(11-19:00)

11. July 10, 2023. County Judge Zeller recognized Victoria County employees' anniversaries for the second quarter. Judge Zeller presented each of the following employees with a certificate for their years of service.

NAME	YEARS
THORBIN BRIONES	1
MARIBEL CANO	1
VERONICA CUELLAR	1
JANELL DUKE	1
KAITLYN HESSLER	1
JENNIFER JANSSEN	1
ANNICK JOHNSON	1
LORI MARROQUIN	1
LUIS MARTINEZ	1
GINA PACHECO	1
MYKEL PADRON	1
AVERY RAMOS	1
ROBYN VASQUEZ	1

NAME	YEARS
NICOLE ELLIS	5
MARY GOLDSTEIN	5
NIDRA KING	5

NAME	YEARS
CHRISTINA PINON	10
STEVEN ROSS	10

NAME	YEARS
DANIELLE JIMENEZ	15
JESSICA KALMUS	15
MARTINA MURPHY	15

NAME	YEARS
TERESA QUINN	20

NAME	YEARS
GINA HOWARD	30

No action taken.

- 12. Consider approval of an amendment to the contract with AshBritt, Inc. for Victoria County Disaster Debris Management, removal, and disposal services and take appropriate action.**

(12-24:25)

12. July 17, 2023. Emergency Management Director Rick McBrayer provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved an amendment to the contract with AshBritt, Inc. for Victoria County Disaster Debris Management, removal, and disposal services. Motion adopted.

- 13. Pursuant to Tax Code Chapter 312, hold a public hearing to consider designating Victoria County Reinvestment Zone No. 3 and receive an impact study from Victoria Economic Development Corporation, and take appropriate action.**

(13-35:06)

13. July 17, 2023. Sharon Barnard of Victoria Economic Development Corporation reviewed an impact report for Centerline Technologies, LLC. The Commissioners Court, pursuant to Tax Code Chapter 312, held a public hearing to consider designating Victoria County Reinvestment Zone No. 3 and received an impact study from Victoria Economic Development Corporation. County Judge Zeller opened the public hearing at 10:32 a.m. Hearing no public comments, Judge Zeller closed the public hearing at 10:34 a.m. No action taken.

- 14. Consider an order designating the Victoria County Reinvestment Zone No. 3 and take appropriate action.**

(14-31:20)

14. July 17, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved Order No. 2023-0091 designating the Victoria County Reinvestment Zone No. 3. Motion adopted.

- 15. Set a public hearing to consider a tax abatement agreement with Centerline Technologies, LLC and take appropriate action.**

(15-31:49)

15. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved to set a public hearing for Monday, August 21, 2023 to consider a tax abatement agreement with Centerline Technologies, LLC. Motion adopted.

- 16. Hear a presentation from United Way of the Crossroads and take appropriate action.**

(16-33:07)

16. July 17, 2023. Bethany Castro of United Way of the Crossroads gave a presentation to the Court in regards to the operation and services of the United Way of the Crossroads. Ms. Castro answered questions from the Court and introduced Kayla Gutierrez and Melanie Guzman, also of United Way. No action taken.

- 17. Consider approval of the following items for the Victoria Regional Airport and take appropriate action:**

a. Agreement with Titan Aviation Fuels.

(17a-50:01)

17a. July 17, 2023. Lenny Llerena, Executive Director, provided information to the Court and answered questions. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved an agreement with Titan Aviation Fuels for the Victoria Regional Airport and rejected all other bids. Motion adopted.

Consider approval of the following items for the Victoria Regional Airport and take appropriate action:

b. Lease agreement with Titan Aviation for refueling equipment.

(17b-50:01)

17b. July 17, 2023. Executive Director Lenny Llerena provided information to the Court and answered questions. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the lease agreement with Titan Aviation Fuels for refueling equipment for the Victoria Regional Airport. Motion adopted.

18. Consider approval of the following request for payment to Constar Construction in the amount of \$150,506.06 in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action.

(18-1:04:53)

18. July 17, 2023. Commissioner Garcia provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the request for payment to Constar Construction in the amount of \$150,506.06 in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted,

19. Consider approval of Task Order 015-2023 from Stridde, Callins & Associates to provide electrical design documents for Tenant Space No. 4 in the 311 Constitution building and take appropriate action.

(19-1:05:48)

19. July 17, 2023. Facilities Manager Kelly Hubert provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Task Order No. 015-2023 from Stridde, Callins and Associates to provide electrical design documents for Tenant Space No. 4 in the 311 Constitution building. Motion adopted.

20. Ratify engagement letter for S&P Global Ratings in regards to providing credit ratings for Certificates of Obligation, Series 2023, and take appropriate action.

(20-1:06:41)

20. July 17, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court ratified the engagement letter for S&P Global Ratings in regards to providing credit ratings for Certificates of Obligation, Series 2023. Motion adopted.

21. Consider approval of the renewal lease agreement with Texas A&M Forestry Services and take appropriate action.

(21-1:07:21)

21. July 17, 2023. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the renewal agreement for lease of space between Victoria County, Texas and Texas A&M Forest Services. Motion adopted.

22. Consider approval of the following detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

a. Guadalupe County.

(22a-1:08:30)

22a. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Guadalupe County. Motion adopted.

Consider approval of the following detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

b. Refugio County.

(22b-1:08:30)

22b. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Refugio County. Motion adopted.

Consider approval of the following detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

c. Ector County.

(22c-1:08:30)

22c. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Ector County. Motion adopted.

Consider approval of the following detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

d. 258th & 411th Judicial District - Polk, San Jacinto and Trinity.

(22d-1:08:30)

22d. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and 258th and 411th Judicial District - Polk, San Jacinto, and Trinity County. Motion adopted.

Consider approval of the following detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

e. 36th Judicial District - Aransas, Bee, Live Oak, McMullen and San Patricio.

(22e-1:08:30)

22e. July 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and 36th Judicial District - Aransas, Bee, Live Oak, McMullen, and San Patricio County. Motion adopted.

23. Have a discussion regarding capital projects and take appropriate action.

(23-1:09:13)

23. July 17, 2023. County Judge Zeller provided information. County Engineer John Johnston stated that due to the grant results, they will start to build out the space in the Central Fire Station. No action taken.

- 24. Receive for the record a fully executed sales agreement for the purchase of a maintainer in the amount of \$335,906.00 and take appropriate action.**

(24-1:10:27)

24. July 17, 2023. The Court discussed the funding for the purchase of the maintainer. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received for the record a fully executed sales agreement for the purchase of the Caterpillar maintainer in the amount of \$336,611.03 for Victoria County. Motion adopted.

- 25. Consider approval of Resolution No. 2023-0092 for a road donation in Pct. 3 from Plinio H. Flores, Jr. for road donations for the installation of a driveway and pipe culvert to improve drainage on 15 Lee Marshall Dr. Victoria, Texas 77905 for the value of \$732 and take appropriate action.**

(25-1:12:50)

25. July 17, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0092 for a road donation from Plinio H. Flores, Jr. in the amount of \$732.00 for installation of a driveway and pipe culvert to improve drainage at 15 Lee Marshall Drive, Victoria, Texas 77905 in Precinct No. 3. Motion adopted.

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

(26-1:13:39)

26. July 17, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the 2023 Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) as an increase to expenditures. Motion adopted.

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

(27-1:13:47)

27. July 17, 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 - Line item transfer
- b. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- c. Justice Technology Fund, Expenditures - Increase
- d. County and District Technology Fund, Expenditures - Increase
- e. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(28-1:14:06)

28. July 17, 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. Jason Ohrt, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:
 - 1. Certificate of Completion for Jason Ohrt from the V.G. Young Institute of County Government for completing 10.0 hours of educational training at the South Texas County Judges and Commissioners Annual Conference.
- b. Kenneth Sexton, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Certificate of Completion for Kenneth Sexton from the V.G. Young Institute of County Government for completing 10.0 hours of educational training at the South Texas County Judges and Commissioners Annual Conference.
- c. Gary Burns, Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 3:
 - 1. Retirement of Jimmy Glen Charbula, Foreman, with 80.0 PTO and 40.74 Compensatory hours due, effective July 28, 2023. Other Remarks: Cancel - Cell Phone Allowance: 203-613-1139 - \$41.54 per pay period.
- d. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Alice Torres, Juvenile Supervisor Officer - Part Time JSO-PT, effective July 7, 2023.
- e. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Resignation of Veronica Wood, PAT Parent Educator, effective July 12, 2023.
 - 2. Other Code Change for Ralph Montes, PHEP Coordinator, at a rate of \$26.39 per hour, from Budget Code 800-681-1104 to Budget Code 800-682-1104, effective July 1, 2023. Other Remarks: ****Cell Phone Allowance change to budget coding: 800-682-1139; \$41.54 per pay period. Remarks: Code change.

Motion adopted.

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

(29-1:14:41)

29. July 17, 2023. The Commissioners Court went into closed session at 11:18 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss various department personnel, §551.087 to discuss Economic Development, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege.

30. 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.

(30-2:26:52)

30. July 17, 2023. The Commissioners Court returned to open meeting at 12:29 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

31. Adjourn.

(31-2:27:02)

31. July 17, 2023. The Commissioners Court adjourned the meeting of July 17, 2023.