

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **20th day November 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, November 20, 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. November 20, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, November 20, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. November 20, 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.

(3-1:20)

3. November 20, 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 Golden Corral and Texas Roadhouse for providing Veterans a free meal.

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

4. Consider approval of minutes and take appropriate action.

(4-2:59)

4. November 20, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on November 13, 2023. Motion adopted.

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

(5-3:19)

5. November 20, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the accounts payable as presented by Becky Smiley, First Assistant Auditor.

Regular Accounts	11/20/2023	\$538,837.62
Supplemental Accounts	11/9/2023 – 11/16/2023	\$105,964.50

Motion adopted.

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

(6-3:42)

6. November 20, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the monthly reports from the Criminal District Attorney; Tax Assessor Collector; Sheriff; Justice of the Peace, Precinct No. 1; and Pre-Trial Services. Motion adopted.

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

(7-4:02)

7. November 20, 2023. None. No action taken.

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

(8-4:13)

8. November 20, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved interim vendor payment for Citizens Medical Center dated November 16, 2023 in the amount of \$925,328.80 and the ACH report dated November 16, 2023 in the amount of \$2,041,343.35. Motion adopted.

9. Hear various year-end updates and reminders from the County Judge and take appropriate action.

(9-4:41)

9. November 20, 2023. County Judge Zeller reminded the Court that the last Commissioners Court meeting for this year will be on December 18, 2023 and the first Commissioners Court meeting for 2024 will be held on January 8, 2024. Judge Zeller also mentioned that all unused PTO hours should be used by the end of 2023 and longevity will be paid to Victoria County employees on the December 1, 2023 payroll. He also mentioned the Department Heads or County Officials will be deciding the budgeted salary increases for their departments. Commissioners Court will determine the budgeted salary increase for the Department Heads. The Victoria County Sheriff's Office will be within the 5-Tier payment plan that the Sheriff has implemented. Commissioners Court will be meeting with the Department Heads and County Officials next week. No action taken.

**10. Consider the following items related to the 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:
a. Receive the Selection Committee Scoring Summary and hear recommendations as to award.**

(10a-7:49)

10a. November 20, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received the Selection Committee Scoring Summary and heard a recommendation to award GrantWorks related to the Request for Proposals (RFP) for pre-award and post-award management services for hazard mitigation contract(s) for the Regional Emergency Operations Community Safe Room and Regional Juvenile Justice Center Generator projects. Motion adopted.

Consider the following items related to the 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:
b. Resolution 2023-0130 awarding GrantWorks, Inc. to provide management services for current and future Hazard Mitigation Assistance (HMA) grants.

(10b-7:49)

10b. November 20, 2023. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0130 awarding GrantWorks, Inc. to provide management services for current and future Hazard Mitigation Assistance (HMA) grants related to the Regional Emergency Operations Community Safe Room and Regional Juvenile Justice Center Generator projects. Motion adopted.

Consider the following items related to the 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:
c. Authorize the County Judge to enter into an agreement with the recommended firm, contingent on legal review and approval.

(10c-7:49)

10c. November 20, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court authorized the County Judge to enter into an agreement with the recommended firm, contingent on legal review and approval related to the Regional Emergency Operations Community Safe Room and Regional Juvenile Justice Center Generator projects. Motion adopted.

11. Receive notice of the Fiscal Year 2024 State and Local and Overtime (SLOT) - Funding Allotment and take appropriate action.

(11-11:55)

11. November 20, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the notice of the Fiscal Year 2024 State and Local and Overtime (SLOT) - Funding Allotment. Motion adopted.

12. Consider the following in connection to 311 E. Constitution Street Building renovations, and take appropriate action:

a. Approval of Modernization Proposal from TK Elevator Corporation.

(12a-12:41)

12a. November 20, 2023. Facilities Management Manager Kelly Hubert provided information to the Court. County Engineer John Johnston spoke about the funding sources for this project. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Modernization Proposal from TK Elevator Corporation in connection to the 311 E. Constitution Street Building renovations. Motion adopted.

Consider the following in connection to 311 E. Constitution Street Building renovations, and take appropriate action:

b. Authorize Kelly Hubert, Facility Manager, to execute all related project documents.

(12b-12:41)

12b. November 20, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court authorized Kelly Hubert, Facility Manager, to execute all related project documents in connection to the 311 E. Constitution Street Building renovations. Motion adopted.

- 13. Receive the following from Professional Service Industries, Inc. (PSI) in connection to the construction of a new parking lot on Constitution St. and Glass St. Project No. 0312-2955 and take appropriate action:**

a. Geotechnical Engineering Report.

(13a-14:48)

13a. November 20, 2023. County Engineer John Johnston provided information to the Court. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court received the Geotechnical Engineering Report from Professional Service Industries, Inc. (PSI) in connection to the construction of a new parking lot on Constitution Street and Glass Street, Project No. 0312-2955. Motion adopted.

Receive the following from Professional Service Industries, Inc. (PSI) in connection to the construction of a new parking lot on Constitution St. and Glass St. Project No. 0312-2955 and take appropriate action:

b. Supplemental Recommendation.

(13-14:48)

13b. November 20, 2023. John Johnston, County Engineer, provided information to the Court. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court received the Supplemental Recommendation from Professional Service Industries, Inc. (PSI) in connection to the construction of a new parking lot on Constitution Street and Glass Street, Project No. 0312-2955. Motion adopted.

- 14. Canvass the November 7th, 2023 Constitutional Amendment Election and take appropriate action.**

(14-17:16)

14. November 20, 2023. Elections Administrator Margetta Hill provided information to the Court and answered the Courts questions. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court canvassed the November 7, 2023 Constitutional Amendment Election. Motion adopted.

- 15. Consider approval of a change to the bond agent for the 2014 and 2017 Series Certificate of Obligations to US Bank and take appropriate action.**

(15-20:34)

15. November 20, 2023. Paige Foster, County Treasurer, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the change to the bond agent for the 2014 and 2017 Series Certificate of Obligations to US Bank. Motion adopted.

16. Consider approval of the following items by the Public Health Department and take appropriate action:

a. Ryan White Service Delivery Contract Amendment No. 5611/1-565-03.

(16a-23:22)

16a. November 20, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Ryan White Service Delivery Contract Amendment No. 5611/1-565-03 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

b. Tuberculosis Prevention and Control-Federal (TB/PC) - HHS001096400026 Amendment No. 2.

(16b-23:22)

16b. November 20, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Tuberculosis Prevention and Control-Federal (TB/PC) - HHS001096400026 Amendment No. 2 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

c. Receive for the record a fully executed HARP Personal Services Agreement with James Omecinski, D.D.S.

(16c-23:22)

16c. November 20, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record a fully executed HARP Personal Services Agreement with James Omecinski, D.D.S. for the Victoria County Public Health Department.. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

d. Receive for the record a fully executed CPS/Hazards Contract No. HHS001311200045 Amendment No. 1.

(16d-23:22)

16d. November 20, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record a fully executed CPS/Hazards Contract No. HHS001311200045 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

17. Consider approval of letters of engagement from Harrison, Waldrop & Uherek for Victoria County and Victoria County Juvenile Probation Department audits and take appropriate action.

(17-25:01)

17. November 20, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the letters of engagement from Harrison, Waldrop and Uherek for Victoria County and Victoria County Juvenile Probation Department audits. Motion adopted.

18. Discuss county facility parking lot projects by all precincts and take appropriate action.

(18-25:40)

18. November 20, 2023. Commissioners Court discussed that there will be delays in starting the county facility parking lot projects. Commissioner Sexton mentioned they may not be ready to pave Guadalupe School until next summer. The Commissioner discussed the road crew, delay, and timeline for the parking lot project. County Engineer Johnston stated the steering committee met and discussed the project. No action taken.

19. Consider approval of a corrected bond for the Fire Marshal and take appropriate action.

(19-29:35)

19. November 20, 2023. County Judge's Chief of Staff Giani Cantu provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the corrected bond for Richard Castillo, Fire Marshal. Motion adopted.

20. Receive for the record 2023 Discretionary Fund Budget Amendment for Sheriff's Commissary No. 380 and take appropriate action.

(20-30:29)

20. November 20, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2023 Discretionary Fund Budget Amendment for the Sheriff's Commissary Fund No. 380 as an increase to expenditures. Motion adopted.

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

(21-30:54)

21. November 20, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures – Line item transfer
- b. Emergency Management, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- d. Airport Fund, Expenditures - Line item transfer
- e. National School Lunch Program, Revenue and Expenditures - Line item transfer
- f. Law Library Fund, Expenditures - Increase
- g. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- h. General Fund/Sheriff's Office, Expenditures - Line item transfer
- i. Health Department, Expenditures - Line item transfer

Motion adopted.

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

(22-32:50)

22. November 20, 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. Kenneth M. Sexton, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. A request to pay out 80.0 Compensatory Time hours for Greg Kutac, Foreman in the amount of \$2,611.00 from GL code 204-614-1103.
- b. John Sestak, IT Director - IT Department:
 - 1. Correction (Code Change): Employment of Daniel Gutierrez, System Admin, at a rate of \$24.00 per hour, Budget Code 100-503-1110, effective November 21, 2023. Grade 9 Plan General Tier n/a.
- c. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Rocky Ybarro Salinas, JSO - FT with 42.39 Compensatory hours due, effective November 10, 2023.
 - 2. Resignation of Joseph Hancock, JSO - FT, with 25.13 Compensatory hours due, effective November 09, 2023.
 - 3. Dismissal of Jason Banks, JSO - FT, with 73.89 Compensatory hours due, effective November 13, 2023.
- d. Kelly Hubert, Facilities Director - Facilities Management:
 - 1. Retirement of Adan Martinez, Maintenance I, with 80.0 or less PTO hours and 0.07 Compensatory hours due, effective December 15, 2023.

Motion adopted.

23. Closed meeting pursuant to V.T.C.A. Government Code §551.072 to discuss real property, §551.074 to discuss personnel matters, §551.0745 to discuss Board and Commissions, §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.

(23-41:16)

23. November 20, 2023. The Commissioners Court went into closed session at 10:41 a.m., pursuant to V.T.C.A. Government Code §551.072 to discuss real property, §551.074 to discuss personnel matters, and §551.0745 to discuss Board and Commissions, §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.

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

(24-2:35:16)

24. November 20, 2023. The Commissioners Court returned to an open meeting at 12:35 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

25. Discuss and consider the restructure of the Facilities Management and Records Management Departments and take appropriate action.

(25-2:35:35)

25. November 20, 2023. The Commissioners Court did not discuss the restructure of the Facilities Management and Records Management Departments. No action taken.

26. Adjourn.

(26-2:35:39)

26. November 20, 2023. The Commissioners Court adjourned the meeting of November 20, 2023.