

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **2nd day December A.D., 2024**, 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, December 2, 2024, 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. December 2, 2024. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, December 2, 2024, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. December 2, 2024. County 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.

(3-1:05)

3. December 2, 2024. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Ernest Montez of the Vietnam Veterans of America (VVA) Chapter 898 and Ron Kocian of Warrior's Weekend thanked the Court for their help and support with the helicopter at Patriot Park and presented Commissioner Gary Burns with a check.

Commissioner Danny Garcia stated that Les Weaver donated the Patriot Park helicopter.

Michael Vonderau of 2204 E. North Street spoke about Mr. Weaver's donation of the helicopter at Patriot Park and thanked The Salvation Army for the Thanksgiving meal. Mr. Vonderau also thanked Jordan Fries of the Criminal District Attorney's office for the arrest in the trailer park and thanked County Clerk Heidi Easley for her assistance. He also spoke about his eviction.

County Clerk Heidi Easley clarified that Mr. Vonderau did not receive legal advice from her, just information on how to get legal advice.

Fire Marshal Richard Castillo spoke about the burn ban and current KBDI numbers. Fire Marshal Castillo informed the Court that his office had been approved for the Emergency Grant from the Forest Service.

Commissioner Danny Garcia thanked Commissioner Burns and his crew for their assistance with the Bloomington house fire on Thanksgiving Day.

Victoria Regional Airport Executive Director Lenny Llerena provided November 2024 enplanement numbers for the Victoria Regional Airport. Mr. Llerena spoke about the South Texas Transportation Conference to be held tomorrow at 8:00 a.m. at the

Emergency Technology Center.

Facilities Manager Kelly Hubert updated the Court on the Courthouse repairs and demolition work that was done last week.

Mark Sloat, Animal Services Director, spoke about the Thanksgiving adoption event.

County Judge Zeller reminded everyone of Commissioner Burns' retirement celebration tomorrow at El Patron Restaurant from 5:30 p.m. to 7:00 p.m. and also stated that after today, there are only two more Commissioner Court meetings this year. County Judge Zeller mentioned the swearing in ceremony for newly elected and returning officials will be held on January 1, 2025 in the Historic Courtroom at 11:00 a.m.

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

4. Consider approval of minutes and take appropriate action.

(4-20:36)

4. December 2, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on November 18, 2024. Motion adopted.

5. Ratify the November 25, 2024, accounts payable and take appropriate action.

(5-20:54)

5. December 2, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court ratified the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	11/25/2024	\$850,755.38
Supplemental Accounts	11/15/2024 – 11/21/2024	\$170,712.78

Motion adopted.

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

(6-21:31)

6. December 2, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the monthly reports from the County Treasurer; Sheriff; and Constable, Precinct No. 3. Motion adopted.

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

(7-21:41)

7. December 2, 2024. None. No action taken.

8. Consider the following items related to Citizens Medical Center and take appropriate action:

a. Ratify CMC interim vendor payments dated November 21, 2024.

(8a-21:54)

8a. December 2, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court ratified the CMC interim vendor payments dated November 21, 2024, in the amount of \$532,535.91 and the ACH report dated November 21, 2024, in the amount of \$2,679,576.72. Motion adopted.

Consider the following items related to Citizens Medical Center and take appropriate action:

b. Receive minutes, accounts payable, payroll, and personnel changes from October

23, 2024.

(8b-21:54)

8b. December 2, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the minutes, accounts payable, payroll, and personnel changes from October 23, 2024 for Citizens Medical Center. Motion adopted.

Consider the following items related to Citizens Medical Center and take appropriate action:

c. Approve interim vendor payments dated November 28, 2024.

(8c-21:54)

8c. December 2, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the CMC interim vendor payments dated November 28, 2024. Motion adopted.

9. Consider approval of Citizens Medical Center ICU Additions and Renovations AIA Document G702 for Payment No. 6 and take appropriate action.

(9-22:56)

9. December 2, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the Citizens Medical Center ICU Additions and Renovations AIA Document G702 for Payment No. 6 in the amount of \$333,097.98. Motion adopted.

10. Hear a presentation regarding the Texas Property Assessed Clean Energy (TX-PACE) program and take appropriate action.

(10-23:23)

10. December 2, 2024. Jonas Titas, President of Victoria Economic Development Corporation, introduced Dub Taylor, Chief Operating Officer with PACE. Mr. Taylor gave a presentation to Commissioners Court regarding the Texas Property Assessed Clean Energy (TX-PACE) program. The Court held a discussion with Mr. Taylor. No action taken.

11. Consider the following regarding the Request for Proposals (RFP) – Design-Build Services for Inpatient Mental Health Facility and take appropriate action:

a. Receive proposals and evaluations.

(11a-51:58)

11a. December 2, 2024. County Engineer John Johnston provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received proposals and evaluations for the Design Build Services for the Inpatient Mental Health Facility. Motion adopted.

Consider the following regarding the Request for Proposals (RFP) – Design-Build Services for Inpatient Mental Health Facility and take appropriate action:

b. Receive recommendation to award agreement to SpawGlass + BSA to provide professional Design Build Services.

(11b-51:58)

11b. December 2, 2024. John Johnston, County Engineer, provided the Court with information. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received a recommendation to award the agreement to SpawGlass + BSA to provide professional Design Build Services for the Inpatient Mental Health Facility. Motion adopted.

Consider the following regarding the Request for Proposals (RFP) – Design-Build Services for Inpatient Mental Health Facility and take appropriate action:

c. Authorize the County Judge to execute the agreement with SpawGlass + BSA pending legal review.

(11c-51:58)

11c. December 2, 2024. County Engineer John Johnston provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court authorized the County Judge to execute the Agreement with SpawGlass + BSA, pending legal review, to provide professional Design Build Services for the Health and Human Services Commission (HHSC) Mental Health Inpatient Facility project. Motion adopted.

Consider the following regarding the Request for Proposals (RFP) – Design-Build Services for Inpatient Mental Health Facility and take appropriate action:

d. Authorize John Johnston, County Engineer, to execute future documents related to the project.

(11d-51:58)

11d. December 2, 2024. The Commissioners Court passed on authorizing John Johnston, County Engineer, to execute future documents related to the Inpatient Mental Health Facility project, due to this agenda item being already authorized on a previous agenda. No action taken.

- 12. Authorize the County Judge to execute an agreement with Square One Consultants to provide Owners Representative Services in regard to the Health and Human Services Commission (HHSC) Mental Health Inpatient Facility project and take appropriate action.**

(12-56:21)

12. December 2, 2024. The Commissioners Court passed on authorizing the County Judge to execute the Agreement with Square One Consultants to provide Owners Representative Services for the Health and Human Services Commission (HHSC) Mental Health Inpatient Facility project, due to this agenda item being already authorized on a previous agenda. No action taken.

- 13. Consider approval of the following regarding the Request for Proposals (RFP) - Victoria County Animal Services Relocation and take appropriate action:**

a. Receive sole proposal and evaluation.

(13a-56:26)

13a. December 2, 2024. County Engineer John Johnston provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received the sole proposal and evaluation regarding the Request for Proposals (RFP) - Victoria County Animal Services Relocation. Motion adopted.

Consider approval of the following regarding the Request for Proposals (RFP) - Victoria County Animal Services Relocation and take appropriate action:

b. Authorize the County Judge to execute the agreement with Lauger Companies, Inc.

(13b-56:26)

13b. December 2, 2024. John Johnston, County Engineer, provided the Court with information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court authorized the County Judge to execute the agreement with Lauger Companies, Inc. regarding the Request for Proposals (RFP) - Victoria County Animal Services Relocation

subject to legal final review and approval. Motion adopted.

Consider approval of the following regarding the Request for Proposals (RFP) - Victoria County Animal Services Relocation and take appropriate action:

c. Authorize John Johnston, County Engineer, to execute future documents related to the project.

(13c-56:26)

13c. December 2, 2024. County Engineer John Johnston provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court authorized John Johnston, County Engineer, to execute future documents related to the Victoria County Animal Services Relocation. Motion adopted.

- 14. Consider approval of the purchase of unimproved property from the Estate of Leslee Kathryn Buhler Alexander, in connection to the Victoria County Regional Emergency Operations Community Safe Room HMGP DR-4485, and authorize the County Judge to execute and future related documents, and take appropriate action.**

(14-58:55)

14. December 2, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the purchase of unimproved property from the Estate of Leslee Kathryn Buhler Alexander, in connection to the Victoria County Regional Emergency Operations Community Safe Room HMGP DR-4485 and authorized the County Judge to execute and future related documents. Motion adopted.

- 15. Consider approval of the Garcitas Creek Ranch Estates-Phase 2 Subdivision, located in Precinct 4, and take appropriate action.**

(15-1:03:47)

15. December 2, 2024. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the Garcitas Creek Ranch Estates - Phase 2 Subdivision located in Precinct No. 4. Motion adopted.

- 16. Consider the following in reference to the Texas Indigent Defense Commission (TIDC) FY2025 Indigent Defense Improvement Grants and take appropriate action:**
a. Approval of FY2025 Sustainability Improvement Grant Award for the Crossroads Regional Public Defenders Office.

(16a-1:06:26)

16a. December 2, 2024. Grant Administrator Robin Knipling and Chief Public Defender Brian Watson provided information to the Court. Mr. Watson introduced Kathleen Neilson, Assistant Public Defender I and informed the Court of the Public Defender's Office open house on December 19, 2024, from 3:00 p.m. to 5:00 p.m. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the FY2025 Sustainability Improvement Grant Award for the Crossroads Regional Public Defenders Office in reference to the Texas Indigent Defense Commission (TIDC) FY2025 Indigent Defense Improvement Grants. Motion adopted.

Consider the following in reference to the Texas Indigent Defense Commission (TIDC) FY2025 Indigent Defense Improvement Grants and take appropriate action:

b. Approval of FY2025 Continued Multi-year Improvement Grant Award for Indigent Defense Coordinator.

(16b-1:06:26)

16b. December 2, 2024. Chief Public Defender Brian Watson and Grant Administrator

Robin Knipling provided the Court with information. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the FY2025 Continued Multi-year Improvement Grant Award for Indigent Defense Coordinator in reference to the Texas Indigent Defense Commission (TIDC) FY2025 Indigent Defense Improvement Grants. Motion adopted.

- 17. Approve payment of accumulated overtime/comp time for District Court Reporters pursuant to the ORDER issued by District Judge Garza complying under protest and authorize all necessary actions before appropriate authorities to determine the validity of the ORDER.**

(17-1:21:58)

17. December 2, 2024. Moved (under protest) by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the payment of accumulated overtime/comp time for District Court Reporters pursuant to the Order issued by District Judge Garza complying under protest and authorized all necessary actions before appropriate authorities to determine the validity of the Order. Motion adopted.

- 18. Consider approval of the Department of Public Safety User Agreement to Purchase Driver Records or Driver Record Monitoring Services and take appropriate action.**

(18-1:10:38)

18. December 2, 2024. Human Resources Director Giani Cantu provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Department of Public Safety User Agreement to Purchase Driver Records or Driver Record Monitoring Services. Motion adopted.

- 19. Consider approval of resolution No. 2024-0095 authorizing individuals to act on behalf of the 457 deferred compensation plan with VALIC Trust Company Inc. and take appropriate action.**

(19-1:11:21)

19. December 2, 2024. Giani Cantu, Human Resources Director, provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2024-0095 authorizing individuals to act on behalf of the 457 deferred compensation plan with VALIC Trust Company, Inc. Motion adopted.

- 20. Consider approval of a Tyler Technologies Defendant Access Order Form for online payments to benefit the Victoria County Clerk, District Clerk, and Justice of the Peace Courts and take appropriate action.**

(20-1:12:10)

20. December 2, 2024. IT Director Matt Schneider provided the Court with information. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Tyler Technologies Defendant Access Order Form for online payments to benefit the Victoria County Clerk, District Clerk, and Justice of the Peace Courts. Motion adopted.

- 21. Receive a quarterly investment report as presented by the County Treasurer and take appropriate action.**

(21-1:13:23)

21. December 2, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court received a quarterly investment report as presented by the County Treasurer. Motion adopted.

- 22. Consider approval and authorize the County Judge to sign the Amended Listing**

Agreement with Jimmy Zaplac at Coldwell Banker D'Ann Harper, Realtors, property located at 8410 FM 236, Victoria, Texas 77905, and take appropriate action.
(22-1:14:40)

22. December 2, 2024. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved and authorized the County Judge to sign the Amended Listing Agreement with Jimmy Zaplac at Coldwell Banker D'Ann Harper, Realtors, for the property located at 8410 FM 236, Victoria, Texas 77905. Motion adopted.

- 23. Receive a fully executed Portside Energy, LLC Tax Abatement Agreement and take appropriate action.**

(23-1:15:24)

23. December 2, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received a fully executed Portside Energy, LLC. Tax Abatement Agreement. Motion adopted.

- 24. Consider approval of a residential contract with Parker County for the Victoria Regional Juvenile Justice Center and take appropriate action.**

(24-1:15:44)

24. December 2, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Residential contract between Victoria Regional Juvenile Justice Center and Parker County. Motion adopted.

- 25. Consider approval of a Psychoeducational/Counseling Services Contract with Ashley Trevino, LCSW for the Victoria Juvenile Justice Center and take appropriate action.**

(25-1:16:00)

25. December 2, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Psychoeducational/Counseling Services Contract with Ashley Trevino, LCSW for the Victoria Juvenile Justice Center. Motion adopted.

- 26. Consider approval of Citizens Medical Center ICU Additions and Renovations AIA Document G702 for Payment No. 6 and take appropriate action.**

(26-1:16:36)

26. December 2, 2024. The Commissioners Court passed on the Citizens Medical Center ICU Additions and Renovations AIA Document G702 for Payment No. 6, due to this being a duplicate agenda item. No action taken.

- 27. Receive a letter of permission to enter the private property of Kenneth Kickendahl located at 6219 and 6092 Lower Mission Valley Road, Victoria, Texas 77905 in connection to the state-wide TxDOT Off - System Bridge Project in Pct. 2 and take appropriate action.**

(27-1:16:47)

27. December 2, 2024. Commissioner Jason Ohrt provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the letter of permission from Kenneth Kickendahl to enter the private property at 6219 and 6092 Lower Mission Valley Road, Victoria, Texas 77905, in connection to the state-wide TxDOT Off - System Bridge Project in Precinct No. 2. Motion adopted.

- 28. Receive for the record a 2024 Discretionary Fund Budget Amendment for CDA Contraband Forfeiture Funds (370) and take appropriate action.**

(28-1:17:28)

28. December 2, 2024. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received for the record the 2024 Discretionary Fund Budget Amendment for the CDA Contraband Forfeiture Funds (370) as an increase to expenditures. Motion adopted.

29. Receive for the record the 2024 Discretionary Fund Budget Amendment for Sheriff's Commissary (380) and take appropriate action.

(29-1:17:49)

29. December 2, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the 2024 Discretionary Fund Budget Amendment for the Sheriff's Commissary Fund (380) as an increase to expenditures. Motion adopted.

30. Ratify the following November 25, 2024 budget amendments and take appropriate action:

(30-1:18:09)

30. December 2, 2024. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court ratified the November 25, 2024 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Increase
- b. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- d. Law Library Fund, Expenditures - Increase
- e. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(31-1:18:38)

31. December 2, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Michelle Samford, County Auditor - County Auditor's Office:
 - 1. Salary and position/other code change for Veronica Gajer, from Accounting Clerk II, at a rate of \$20.64 per hour, Budget Code 100-495-1105 to Assistant Auditor, at a rate of \$23.02 per hour, Budget Code 100-495-1107, effective December 14, 2024. Grade 10 Plan General Tier n/a.
- b. Heidi Easley, County Clerk - County Clerk's Office:
 - 1. Request to payout compensatory time for Belinda Sepulveda (45 hours), to be paid from 100-403-1103, 124-403-1105, 120-403-1105, and Stefanie Tumlinson (40 hours), to be paid from 100-403-1104, and 120-403-1105.
- c. Mark Sloat, Animal Services Director - Victoria County Animal Services:
 - 1. Employment of Shawna M. George, Animal Control Officer, at a rate of \$16.57 per hour, Budget Code 100-630-1107, effective December 10, 2024. Grade 4 Plan General Tier n/a.
- d. Giani Cantu, HR Director - Human Resources:
 - 1. Correction G/L Code for resignation of Peggy West, from G/L Code 100-505-1103 to G/L Code 100-505-1105, effective November 29, 2024. Other due: Eligible for Longevity Pay on 11/27/2024. Other Remarks: Payout PTO and comp time in accordance with policy on her final check. Remarks: Eligible for

rehire in another county office.

e. Justin Marr, Sheriff - Sheriff's Office:

1. Resignation of Jeffrey Rendon, SRO, with 67.26 PTO and .63 Compensatory hours due, effective December 1, 2024.
2. Employment of Katy Williams, Telecommunication Operator, at a rate of \$21.76 per hour, Budget Code 100-562-1153-\$21.76, effective December 10, 2024. Grade 5 Plan General Tier n/a.
3. Salary change and position/other code change for Shaina Mata, from Corporal, at a rate of \$27.94 per hour, Budget Codes 100-565-1109-\$26.60 and 288-565-1109-\$1.24 to Sergeant, at a rate of \$30.85 per hour, Budget Codes 100-565-1108-\$28.14 and 288-565-1108-\$2.71, effective November 30, 2024. Grade 9 Plan Law Enforcement Tier 1.
4. Salary change and position/other code change for Blake Mozisek, from Training Sergeant, at a rate of \$31.16 per hour, Budget Codes 100-562-1150-\$31.16 and 100-562-1137-\$46.15-Cert. Pay to Lt. Training Officer, at a rate of \$35.09 per hour, Budget Codes 100-562-1142-\$35.09 and 100-562-1137-\$46.15-Cert. Pay, effective November 30, 2024. Grade 10 Plan Law Enforcement Tier 3.

f. Travis Ernst/Jack Marr, Court of Law Judge/District Judge - County Court of Law/District Court:

1. Salary change and position change for Christy Moya, Court Reporter (County Court of Law), from a rate of \$36.34 per hour, Budget Code 100-425-1103 to Court Reporter (District Court), at a rate of \$49.55 per hour, Budget Code 100-435-1103, effective December 28, 2024. Other Remarks: Transfer of Departments. Grade 16 Plan General. Remarks: exempt status under protest per DOL ruling.

g. Kenneth Sexton, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:

1. Retirement of David Gwosdz, Mech/Equip Operator, with 6.15 PTO hours due, effective November 29, 2024. Remarks: payout comp or PTO per policy.

Motion adopted.

32. Closed meeting pursuant to V.T.C.A. Government code §551.074 to discuss personnel in various departments; §551.072 to discuss real property; §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.

(32-1:20:59)

32. December 2, 2024. The Commissioners Court went into closed session at 11:27 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel in various departments; §551.072 to discuss real property; §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.

33. 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.

(33-1:22:25)

33. December 2, 2024. The Commissioners Court returned to open meeting at 12:03 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

34. Adjourn.

(34-1:22:35)

34. December 2, 2024. The Commissioners Court adjourned the meeting of December 2, 2024.