

August 24, 2023

Regular Meeting

BE IT REMEMBERED, that on the 24th day of August, A.D., 2023 there was held a Regular Meeting of the Honorable Commissioners' Court of Willacy County, Texas at the County Judge's Office, 576 West Main, in the City of Raymondville, Texas for the purpose of transacting the following agenda:

1. Call to Order.
2. Roll Call / Establishment of Quorum.
3. Invocation / Pledge.
4. Public Comment (s).
5. Approval of Claims. ACTION REQUIRED.
6. Discussion and Action to discuss tax rate, rake record vote, and schedule a public meeting. ACTION REQUIRED.
7. Discussion and Action on approval of Sheriffs' and Constables' Fees for 2024. ACTION REQUIRED
8. Discussion and Action to allow Road and Bridge PCT 4 to auction off surplus equipment. ACTION REQUIRED.
9. Discussion and Action to approve Willacy County Burn Ban. ACTION REQUIRED
10. Discussion and Action to approve contract between Willacy County and Sam Asher Computing Services-Hyper Reach, three (3) years package for a total of \$17,400.00 (\$5,800.00 annually) with Gomesa Funds; starting 02/01/23 until contract is terminated by Commissioners Court. ACTION REQUIRED
11. Discussion and Action to approve payment to Sam Asher Computing Services-Hyper Reach upon receiving invoices. ACTION REQUIRED.
12. Discussion and Action to consider appointing a County Judge Pro Tem for FY2024 beginning on 10/01/2023 and ending 9/30/2024. POSSIBLE ACTION REQUIRED
13. Discussion and Action to consider approving payment of appointed County Judge Pro Tem for FY2024 beginning on 10/01/2023 and ending 9/30/2024. POSSIBLE ACTION REQUIRED
14. Discussion and Action to approve the Work-Based Learning (WBL) Memorandum of Understanding between the Lasara ISD and the Willacy County District Attorney's Office. POSSIBLE ACTION REQUIRED.
15. Discussion and Action to approve PCTech4U contract effective 10/01/23 through 09/30/24. ACTION REQUIRED.

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16. Discussion and Action on Request for permission to perform underground and aerial utility work, placing Spectrum Fiber Optics in duct throughout Sebastian, Texas (Precinct 4). ACTION REQUIRED.
17. Discussion and Action to obligate the estimate amount of \$64,000.00 for Precinct 2 Building Shed to be paid from the American Rescue Plan Act fund 114. ACTION REQUIRED.
18. Discussion and Action to approve a cost estimate of \$26,000.00 for Precinct 4 Dump Truck Trailer to be paid from the American Rescue Plan Act fund 114. ACTION REQUIRED
19. Approval of Travel. ACTION REQUIRED.
20. EXECUTIVE SESSION:
 - (A) Confer with Commissioners Court legal counsel regarding pending or contemplated litigation and/or negotiations involving the county, its employees, or its interests, pursuant to VTCA Government Code, Section 551.071.
 - (B) Confer with Commissioners Court legal counsel on potential litigation regarding the planned subdivision of the Willacy County Navigation District, pursuant to VTCA Government Code, Section 551.071.
21. ACTION RELATIVE TO EXECUTIVE SESSION:
 - (A) Possible Action.
 - (B) Possible Action.
22. Adjourn.

THE COURT MET:
PRESENT:

Aurelio Guerra, Jr.,
Eliberto Guerra,
Mario Tijerina,
Henry De La Paz,
Ernesto Garcia,
Annette Hinojosa,
Maria Del Carmen Maldonado,
Elizabeth Rios,

County Judge,
Commissioner, Precinct 1,
Commissioner, Precinct 2,
Commissioner, Precinct 3,
Commissioner, Precinct 4,
County Attorney,
County Auditor,
County Chief Deputy Clerk,

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WHEREUPON, the Court was opened to the following proceedings were had to wit:

PERSONS VISITING THE COURT:

Karen McInnis
Agustin Lopez
Jesus Vasquez

1. Call to Order – Chairman Aurelio Guerra, Jr.
2. Roll Call/Establishment of Quorum – **ALL PRESENT**
3. Pledge / Invocation – Commissioner Henry De La Paz
4. Public Comments – None.

Move to item number 6.

Agenda # 5
IN REGARDS TO APPROVAL
OF CLAIMS

Motion was made by Commissioner Guerra, seconded by Commissioner Garcia for approval of Claims, as presented. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Move to item number 7.

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Agenda # 6
DISCUSSION AND ACTION TO
DISCUSS TAX RATE, TAKE
RECORD VOTE AND SCHEDULE
A PUBLIC MEETING

2023 – 2024 Proposed Tax Rate:

NNRM& O	.64789
I&S (Debt)	.01412
Total	.66201

RD1 (Road)	.1251
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Commissioners Court Members Record Vote:

For the Proposal:

Commissioner Precinct 1, Eliberto Guerra
Commissioner Precinct 2, Mario Tijerina
Commissioner Precinct 3, Henry De La Paz
Commissioner Precinct 4, Ernesto Garcia
County Judge, Aurelio Guerra, Jr.

Against:

None

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of a Public Hearing to be held on September 8, 2023 at 9:00 a.m. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Motion Amended: Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of a Public Hearing to be held on September 8, 2023 at 10:00 a.m. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Return back to item number 5.

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Agenda # 7
DISCUSSION AND ACTION ON
APPROVAL OF SHERIFFS' AND
CONSTABLES' FEES FOR 2024

Motion was made by Commissioner De La Paz, seconded by Commissioner Tijerina for approval of Sheriffs' and Constables' Fees for 2024. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 8
DISCUSSION AND ACTION TO
ALLOW ROAD AND BRIDGE
PRECINCT 4 TO AUCTION OFF
SURPLUS EQUIPMENT

Motion was made by Commissioner De La Paz, seconded by Commissioner Tijerina for approval to allow Road and Bridge Precinct 4 to auction off surplus equipment. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 9
DISCUSSION AND ACTION TO
APPROVE WILLACY COUNTY
BURN BAN

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of Willacy County Burn Ban. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Commissioner Henry De La Paz steps out of the meeting at 10:40 a.m. and returns back at 10:41 a.m.

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Agenda # 10
DISCUSSION AND ACTION TO
APPROVE CONTRACT BETWEEN
WILLACY COUNTY AND SAM ASHER
COMPUTING SERVICES-HYPER
REACH, THREE (3) YEARS PACKAGE
FOR A TOTAL OF \$17,400.00
(\$5,800.00 ANNUALLY) WITH
GOMESA FUNDS; STARTING 02/01/23
UNTIL CONTRACT IS TERMINATED
BY COMMISSIONERS COURT

Motion was made by Commissioner Garcia, seconded by Commissioner Guerra for approval to renew contract between Willacy County and Sam Asher Computing Services-Hyper Reach, three (3) years package for a total of \$17,400.00 (\$5,800 annually) with Gomesa Funds, as funding permits; starting February 1, 2023 until contract is terminated by Commissioners Court. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 11
DISCUSSION AND ACTION TO
APPROVE PAYMENT TO SAM
ASHER COMPUTING SERVICES-
HYPER REACH UPON RECEIVING
INVOICES

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina for approval for of payment of \$5,800.00 to Sam Asher Computing Services-Hyper Reach upon receiving invoices. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 12
DISCUSSION AND ACTION TO
CONSIDER APPOINTING A COUNTY
JUDGE PRO TEM FOR FY2024
BEGINNING ON OCTOBER 1, 2023 AND
ENDING SEPTEMBER 30, 2024

Motion was made by Commissioner De La Paz, seconded by Commissioner Garcia for approval of appointing Commissioner Precinct 1, Eliberto Guerra as County Judge Pro Tem for FY2024 beginning on October 1, 2023 and ending September 30, 2024. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 13
DISCUSSION AND ACTION TO
CONSIDER APPROVING PAYMENT
OF APPOINTED COUNTY JUDGE PRO
TEM FOR FY2024 BEGINNING ON
10/01/2023 AND ENDING 9/30/2024

Motion was made by Commissioner De La Paz, seconded by Commissioner Garcia for approval of \$7,200.00 yearly payment of Appointed County Judge Pro Tem for FY2024 beginning October 1, 2023 and ending September 30, 2024. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 14
DISCUSSION AND ACTION TO
APPROVE THE WORK-BASED
LEARNING (WBL) MEMORANDUM
OF UNDERSTANDING BETWEEN
THE LASARA ISD AND THE WILLACY
COUNTY DISTRICT ATTORNEY'S OFFICE

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of the Work-Based Learning (WBL) Memorandum of Understanding between the Lasara ISD and the Willacy County District Attorney's Office. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 15
DISCUSSION AND ACTION TO
APPROVE PCTECH4U CONTRACT
EFFECTIVE 10/01/2023 THROUGH
09/30/2024

Motion was made by Commissioner De La Paz, seconded by Commissioner Tijerina for approval of PCTech4U Contract effective October 1, 2023 through September 30, 2024, pending upon this verbiage be added on the contract, "30 days written notice opt-out in advance from Court or 30 days in advance from Jesus Vasquez pending on these conditions". Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Motion Amended: Motion was made by Commissioner De La Paz, seconded by Commissioner Tijerina for approval to allow County Legal Counsel's Review adding 30 days cancellation unilateral between both parties. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 16
DISCUSSION AND ACTION ON
REQUEST FOR PERMISSION TO
PERFORM UNDERGROUND AND
AERIAL UTILITY WORK, PLACING
SPECTRUM FIBER OPTICS IN DUCT
THROUGHOUT SEBASTIAN, TEXAS
(PRECINCT 4)

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval on request for permission to perform underground and aerial utility work, placing Spectrum Fiber Optics in duct throughout Sebastian, Texas (Precinct 4). Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 17
DISCUSSION AND ACTION TO
OBLIGATE THE ESTIMATE
AMOUNT OF \$64,000.00 FOR
PRECINCT 2 BUILDING SHED TO
BE PAID FROM THE AMERICAN
RESCUE PLAN ACT FUND 114

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval to obligate the estimate amount of \$64,000.00 for Precinct 2 Building Shed to be paid from the American Rescue Plan Act Fund 114. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 18
DISCUSSION AND ACTION TO
APPROVE A COST ESTIMATE OF
\$26,000.00 FOR PRECINCT 4
DUMP TRUCK TRAILER TO BE
PAID FROM THE AMERICAN RESCUE
PLAN ACT FUND 114

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina for approval of cost estimate of \$26,000.00 for Precinct 4 Dump Truck Trailer to be paid from the American Rescue Plan Act Fund 114. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 19
IN REGARDS TO APPROVAL
OF TRAVEL REQUEST

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina that the following travel requests be approved:

1. Sheriff's Department, two (2) Employees to Huntsville, Texas on September 12-13, 2023. (To be paid out of Fund 35).
2. Extension Office, Georgina Macias to Weslaco, Texas on September 13-14, 2023. (County Agent will only be needing registration fee of \$100.00).

Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Commissioner Eliberto Guerra steps out of the meeting at 11:17 a.m. and returns back at 11:18 a.m.

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Agenda # 20

EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS
COURT LEGAL COUNSEL REGARDING
PENDING OR CONTEMPLATED
LITIGATION AND/OR NEGOTIATIONS
INVOLVING THE COUNTY, ITS EMPLOYEES,
OR ITS INTERESTS, PURSUANT TO VTCA
GOVERNMENT CODE, SECTION 551.071

- (B) CONFER WITH COMMISSIONERS COURT
LEGAL COUNSEL ON POTENTIAL LITIGATION
REGARDING THE PLANNED SUBDIVISION OF
THE WILLACY COUNTY NAVIGATION DISTRICT,
PURSUANT TO VTCA GOVERNMENT CODE,
SECTION 551.071

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina that Court Adjourn to Closed Executive Session at 11:21 a.m. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina that Court Reconvene into Open Session at 12:21 p.m. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Continue with item number 21.

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Agenda # 21
ACTION RELATIVE TO EXECUTIVE
SESSION:
(A) POSSIBLE ACTION
(B) POSSIBLE ACTION

Motion was made by Commissioner Tijerina to take no action. Commissioner Tijerina withdraw his motion. Motion Dies.

Return back to item number 20.

Motion was made by Commissioner De La Paz, seconded by Commissioner Garcia to take no action on items A and B. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina that Court Adjourned. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

There being no further action,

Court Adjourned.