

February 22, 2024

Regular Meeting

BE IT REMEMBERED, that on the 22<sup>nd</sup> day of February, A.D., 2024 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. Presentation by Augusto Sanchez regarding the Memorandum of Agreement with the Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. for representative appointment to Regional Stormwater Task Force.
7. Discussion and Possible Action to approve the Memorandum of Agreement between Willacy County and the Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc, for representative appointment to Regional Stormwater Task Force (Agreement #CE-2024-016) POSSIBLE ACTION REQUIRED.
8. Discussion and Action to approve application for eligibility for the Texas Facilities Commission Federal Surplus Property Program. ACTION REQUIRED.
9. Discussion and Action in regards to Interlocal Agreement between Hidalgo County Drainage District No. 1, Willacy County Drainage District No. 1. And Willacy County – Lateral G Project. ACTION REQUIRED.
10. Discussion and Action regarding Willacy County Justice of the Peace Pct #1 Part Time Employee hours to increase from 24 per week to 29 hours per week. ACTION REQUIRED.
11. Discussion and Action regarding Willacy County Commissioner Pct 1 requesting Budget Amendment from road improvement 420- \$60,000 and add to machinery and equipment over \$500 Fund 385. ACTION REQUIRED.
12. Discussion and Action to Approve Wi-Fi access for the staff at the Willacy County District Attorney's Office located in the Tax Office/Election Office building, and to approve payments, if needed. ACTION REQUIRED
13. Discussion and Action to create line item 01-475-200 for the District Attorney's Office. ACTION REQUIRED.
14. Discussion and Action to approve to de-obligate ARPA Project #2381 Sebastian Fire Department for the total amount of \$10,000 from Fund 114 American Rescue Plan Act. ACTION REQUIRED.

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15. Discussion and Action to approve Proclamation for Engineers Week beginning February 19 through February 24, 2024. ACTION REQUIRED.
16. Discussion and Action to approve Contract between Willacy County, Elections Officer and City of Lyford by authority of section 31.092(b), Texas Election Code, for the conduct and supervision of the City Election on May 4, 2024. ACTION REQUIRED.
17. Discussion and Action to approve and sign grant resolution #3193509 of the Willacy County Sheriff's Office Grant application for the OPSG Texas Willacy FY23 previously approved in the Willacy County Commissioners Court Meeting held on 01/11/24 (item #15). Resolution Attached. ACTION REQUIRED
18. Discussion and Action on requesting permission to approve Family Partition of the Lands of Antonio Hernandez (Pct 2). ACTION REQUIRED.
19. Discussion and Action on requesting permission to approve Family Partition of the Lands of Regino Garcia and Belia Garcia (Precinct 3). ACTION REQUIRED.
20. Discussion and Action on requesting permission to approve Family Partition of the Lands of Ramiro Vela (Precinct 3). ACTION REQUIRED.
21. Discussion and Action on requesting permission to install a 6-inch line extension, 12-inch bore and line side meter service. From the NE corner of County Road 2700 and County Road 15, the beginning of the 680-foot line extension of 6-inch going west for a line side 3/4-inch meter service. Will bore County Road 15 from E to W and install a 12-inch pvc casing across County Road 15. 5-feet deep. 6-inch line extension will be placed on the 5-foot alignment. 40-foot Right of Way, 5-foot alignment (Precinct 1). ACTION REQUIRED.
22. Discussion and Action on requesting permission to approve the New Port Subdivision Phase 1 preliminary Plat, located in Port Mansfield, Tx (Precinct 2). ACTION REQUIRED.
23. Approval of Travel. ACTION REQUIRED.
24. EXECUTIVE SESSION:
  - (a) Confer with Commissioners Court legal counsel regarding pending or contemplated litigation and/or negotiations involving the county, its employees, or its interest, pursuant to VTCA Government Code, Section 551.071 (a) and (2).
  - (b) Deliberation regarding pending or contemplated litigation and/or negotiations involving the county, its employees, or its interests, pursuant to V.T.C.A Government Code, Section 551.071 (a) and (2).
25. ACTION RELATIVE TO EXECUTIVE SESSION:
  - (a) Possible Action.
  - (b) Possible Action.
26. Adjourn.

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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,

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

PERSONS VISITING THE COURT:

Cher Montalvo

Sarah Deberry

Evan Randolph (sic)

Paul Anders

Robert Lewis

Frances Najera

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 – Robert Lewis, Willacy County Jailer comments about his comp time. Chairman Guerra, suggests for Mr. Lewis to talk to him after the meeting.

Agenda # 5

IN REGARDS TO APPROVAL

OF CLAIMS

Motion was made by Commissioner Garcia, seconded by Commissioner Guerra 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.

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**Move to item number 15.**

Agenda # 6

PRESENTATION BY AUGUSTO  
SANCHEZ REGARDING THE  
MEMORANDUM OF AGREEMENT  
WITH THE LOWER RIO GRANDE VALLEY  
TPDES STORMWATER TASK FORCE  
PARTNERSHIP, INC. FOR REPRESENTATIVE  
APPOINTMENT TO REGIONAL STORMWATER  
TASK FORCE

Presentation by Augusto Sanchez regarding the Memorandum of Agreement with the Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. for representative appointment to Regional Stormwater Task Force.

Agenda # 7

DISCUSSION AND POSSIBLE ACTION  
TO APPROVE THE MEMORANDUM  
OF AGREEMENT BETWEEN WILLACY  
COUNTY AND THE LOWER RIO GRANDE  
VALLEY TPDES STORMWATER TASK  
FORCE PARTNERSHIP, INC. FOR  
REPRESENTATIVE APPOINTMENT TO  
REGIONAL STORMWATER TASK FORCE  
(AGREEMENT #CE-2024-016)

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina for approval of the Memorandum of Agreement between Willacy County and the Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc., to appoint Commissioner Ernesto Garcia as Regional Stormwater Task Force Member representing Willacy County. (Agreement # CE-2024-016). 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 Guerra, seconded by Commissioner Tijerina for approval of Memorandum of Agreement the payment and the rest of the money to be taken out of Capital Fund. 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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**Commissioner Eliberto Guerra steps out of the meeting at 10:41 a.m., does not vote for item number 8.**

Agenda # 8

DISCUSSION AND ACTION TO  
APPROVE APPLICATION FOR  
ELIGIBILITY FOR THE TEXAS  
FACILITIES COMMISSION FEDERAL  
SURPLUS PROPERTY PROGRAM

Motion was made by Commissioner De La Paz, seconded by Commissioner Garcia for approval of application for eligibility for the Texas Facilities Commission Federal Surplus Property Program. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Tijerina, De La Paz and Garcia voting AYE. NAYS NONE. Motion was declared carried.

**Commissioner Eliberto Guerra returns back to the meeting at 10:44 a.m.**

Agenda # 9

DISCUSSION AND ACTION IN  
REGARDS TO INTERLOCAL AGREEMENT  
BETWEEN HIDLAGO COUNTY DRAINAGE  
DISTRICT NUMBER 1, WILLACY COUNTY  
DRAINAGE DISTRICT NUMBER 1 AND WILLACY  
COUNTY – LATERAL G PROJECT

Motion was made by Commissioner De La Paz, seconded by Commissioner Garcia for approval of Interlocal Agreement between Hidalgo County Drainage District Number 1, Willacy County Drainage District Number 1 and Willacy County – Lateral G Project, upon Legal Review. 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 # 10

DISCUSSION AND ACTION  
REGARDING WILLACY COUNTY  
JUSTICE OF THE PEACE PRECINCT  
NUMBER 1 PART TIME EMPLOYEE  
HOURS TO INCREASE FROM 24 PER  
WEEK TO 29 HOURS PER WEEK

Motion was made by Commissioner De La Paz, seconded by Commissioner Tijerina for approval of Willacy County Justice of the Peace Precinct Number 1 Part Time Employee hours to increase from 24 per week to 29 hours per week. 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  
REGARDING WILLACY COUNTY  
COMMISSIONER PRECINCT 1  
REQUESTING BUDGET AMENDMENT  
FROM ROAD IMPROVEMENT 420-  
\$60,000.00 AND ADD TO MACHINERY  
AND EQUIPMENT OVER \$500 FUND 385

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina to table this item. 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 11:00 a.m. and returns back at 11:01 a.m.**

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Agenda # 12

DISCUSSION AND ACTION TO  
APPROVE WI-FI ACCESS FOR THE  
STAFF AT THE WILLACY COUNTY  
DISTRICT ATTORNEY'S OFFICE  
LOCATED IN THE TAX OFFICE/  
ELECTION OFFICE BUILDING,  
AND TO APPROVE PAYMENTS,  
IF NEEDED

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina for approval of Wi-Fi access for the staff at the Willacy County District Attorney's Office located in the Tax Office/Election Office Building. 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  
CREATE LINE ITEM 01-475-200  
FOR THE DISTRICT ATTORNEY'S  
OFFICE

Motion was made by Commissioner Tijerina, seconded by Commissioner Garcia for approval to create line item 01-475-200 for the 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 # 14

DISCUSSION AND ACTION TO  
APPROVE TO DE-OBLIGATE ARPA  
PROJECT NUMBER 2381 SEBASTIAN  
FIRE DEPARTMENT FOR THE TOTAL  
AMOUNT OF \$10,000.00 FROM  
FUND 114 AMERICAN RESCUE PLAN  
ACT

Motion was made by Commissioner De La Paz, seconded by Commissioner Tijerina for approval to de-obligate ARPA Project Number 2381 Sebastian Fire Department for the total amount of \$10,000.00 from Fund 114 American Rescue Plan Act. 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 16.**

Agenda # 15

DISCUSSION AND ACTION TO  
APPROVE PROCLAMATION FOR  
ENGINEERS WEEK BEGINNING  
FEBRUARY 19 THROUGH FEBRUARY  
24, 2024

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of Proclamation for Engineers Week beginning February 19 through February 24, 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.

**Return back to item number 6.**



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Agenda # 16

DISCUSSION AND ACTION TO  
APPROVE CONTRACT BETWEEN  
WILLACY COUNTY, ELECTIONS  
OFFICER AND CITY OF LYFORD  
BY AUTHORITY OF SECTION 31.092(B),  
TEXAS ELECTION CODE, FOR THE  
CONDUCT AND SUPERVISION OF THE  
CITY ELECTION ON MAY 4, 2024

Motion was made by Commissioner Tijerina, seconded by Commissioner De La Paz for approval of Contract between Willacy County, Elections Officer and City of Lyford by authority of Section 31.092(b), Texas Election Code, for the conduct and supervision of the City Election on May 4, 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 # 17

DISCUSSION AND ACTION TO  
APPROVE AND SIGN GRANT  
RESOLUTION NUMBER 3193509  
OF THE WILLACY COUNTY SHERIFF'S  
OFFICE GRANT APPLICATION FOR THE  
OPSG TEXAS WILLACY FY23 PREVIOUSLY  
APPROVED IN THE WILLACY COUNTY  
COMMISSIONERS COURT MEETING  
HELD ON 01/11/24 (ITEM NUMBER 15).  
RESOLUTION ATTACHED

Motion was made by Commissioner De La Paz, seconded by Commissioner Tijerina for approval and sign Grant Resolution Number 3193509 of the Willacy County Sheriff's Office Grant Application for the OPSG Texas Willacy FY23 previously approved in the Willacy County Commissioners Court Meeting held on 01/11/24 (item number 15). Resolution Attached. 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 # 18

DISCUSSION AND ACTION ON  
REQUESTING PERMISSION TO  
APPROVE FAMILY PARTITION OF  
THE LANDS OF ANTONIO  
HERNANDEZ. (PRECINCT 2)

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of permission to approve Family Partition of the Lands of Antonio Hernandez. (Precinct 2). 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 # 19

DISCUSSION AND ACTION ON  
REQUESTING PERMISSION TO  
APPROVE FAMILY PARTITION  
OF THE LANDS OF REGINO  
GARCIA AND BELIA GARCIA.  
(PRECINCT 3)

Motion was made by Commissioner Tijerina, seconded by Commissioner De La Paz for approval of permission to approve Family Partition of the Lands of Regino Garcia and Belia Garcia. (Precinct 3). 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 # 20

DISCUSSION AND ACTION ON  
REQUESTING PERMISSION TO  
APPROVE FAMILY PARTITION  
OF THE LANDS OF RAMIRO VELA.  
(PRECINCT 3)

Motion was made by Commissioner Tijerina, seconded by Commissioner De La Paz for approval of permission to approve Family Partition of the Lands of Ramiro Vela. (Precinct 3). 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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**Commissioner Henry De La Paz steps out of the meeting at 11:14 a.m. and returns back at 11:15 a.m.**

Agenda # 21

DISCUSSION AND ACTION ON  
REQUESTING PERMISSION TO  
INSTALL A 6-INCH LINE EXTENSION,  
12-INCH BORE AND LINE SIDE METER  
SERVICE. FROM THE NE CORNER OF  
COUNTY ROAD 2700 AND COUNTY  
ROAD 15, THE BEGINNING OF THE  
680-FEET LINE EXTENSION OF 6-INCH  
GOING WEST FOR A LINE SIDE 3/4-INCH  
METER SERVICE. WILL BORE COUNTY  
ROAD 15 FROM E TO W AND INSTALL  
A 12-INCH PVC CASING ACROSS COUNTY  
ROAD 15. 5-FEET DEEP. 6-INCH LINE  
EXTENSION WILL BE PLACED ON THE  
5-FEET ALIGNMENT. 40-FEET RIGHT OF  
WAY, 5-FEET ALIGNMENT. (PRECINCT 1)

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina for approval of permission to install a 6-inch line extension, 12-inch bore and line side meter service. From the NE Corner of County Road 2700 and County Road 15, the beginning of the 680-foot line extension of 6-inch going west for a line side 3/4-inch meter service. Will bore County Road 15 from E to W and install a 12-inch pvc casing across County Road 15. 5-feet deep. 6-inch line extension will be placed on the 5-feet alignment. 40-feet Right of Way, 5-feet alignment. (Precinct 1). 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 # 22

DISCUSSION AND ACTION ON  
REQUESTING PERMISSION TO  
APPROVE THE NEW PORT  
SUBDIVISION PHASE 1 PRELIMINARY  
PLAT, LOCATED IN PORT MANSFIELD,  
TEXAS (PRECINCT 2)

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of permission to approve the New Port Subdivision Phase 1 Preliminary Plat, located in Port Mansfield, Texas. (Precinct 2). 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 11:17 a.m. and returns back at 11:18 a.m.**

Agenda # 23

IN REGARDS TO APPROVAL  
OF TRAVEL REQUEST

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

1. County Judge, Aurelio Guerra, Jr. to Austin, Texas on March 13-15, 2024.
2. Justice of the Peace Clerks, Melissa Nyquist, Flor Montes and Natalie Perez to Corpus Christi, Texas on July 22-24, 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.

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Agenda # 24

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 (A)  
AND (2)

(B) DELIBERATION REGARDING PENDING OR  
CONTEMPLATED LITIGATION AND/OR  
NEGOTIATIONS INVOLVING THE COUNTY,  
ITS EMPLOYEES, OR ITS INTERESTS, PURSUANT  
TO V.T.C.A GOVERNMENT CODE, SECTION  
551.071 (A) AND (2)

Motion was made by Commissioner Garcia, seconded by Commissioner De La Paz that Court Adjourn to Closed Executive Session at 11:18 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 11:48 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.

Agenda # 25

ACTION RELATIVE TO EXECUTIVE  
SESSION:

(A) POSSIBLE ACTION.

(B) POSSIBLE ACTION.

Motion was made by Commissioner Tijerina, seconded by Commissioner Garcia no action taken 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.

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Motion was made by Commissioner De La Paz, 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.