

September 26, 2019

Regular Meeting

BE IT REMEMBERED, that on the 26th day of September, A.D., 2019 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. Presentation by TxDOT to provide monthly status updates.
6. Update by Limbacher & Godfrey Architects, Inc. on preservation architectural consulting services on the historic courthouse.
7. Presentation by MTC to present Certificate for Judge Aurelio Guerra for being an excellent community supporter.
8. Spread in the Minutes – Public Works Institute certifies that Willacy County Maintenance Supervisor Adolfo Mata has completed 32 training hours of Motor Grader Beginner.
9. Spread in the Minutes – Precinct 4 Commissioner Eduardo Gonzales has successfully completed 21.00 hours of County Commissioner Continuing Education.
10. Spread in the Minutes – Precinct 1 Commissioner Eliberto Guerra has successfully completed 25.00 hours of County Commissioner Continuing Education.
11. Discussion and Action to approve purchasing County Cell Phones from Cricket Wireless to be paid out of various accounts. ACTION REQUIRED
12. Discussion and Action to authorize County Judge to sign contracts, disburse funds as needed, and to pay invoices for the Employee Appreciation Dinner. ACTION REQUIRED
13. Discussion and Action to approve Emergency Management Coordinator Contract between Willacy County and Frank Torres. ACTION REQUIRED
14. Discussion and Action to approve Consulting Agreement between William Rusteburg and Willacy County. ACTION REQUIRED
15. Discussion and Action to appoint Dr. Mario A. Sanchez as the Local Health Authority in Willacy County from October 1, 2019 – September 30, 2020. ACTION REQUIRED
16. Presentation by Powering Texas and Possible Action for Willacy County to be a coalition partner of Powering Texas. POSSIBLE ACTION REQUIRED.

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17. Discussion and Action to approve Hunters Education Course to be held at the Reber Memorial Library on October 12, 2019. ACTION REQUIRED
18. Discussion and Action to approve purchase and payment of 1997 Shopbuilt/Ford Water Truck from the Texas Department of Transportation for Road & Bridge Precinct 2. ACTION REQUIRED
19. Discussion and Action to approve purchase and payment of 1998 Shopbuilt/Chevrolet Herbicide Truck and 1997 Trailboss Trailer from the Texas Department of Transportation in the amount of \$8,344.00, for Road and Bridge Precinct 4. ACTION REQUIRED
20. Discussion and Action to approve Interlocal Agreement between the County of Willacy and the City of Lyford for Environmental Services. ACTION REQUIRED
21. Discussion and Action to approve Intergovernmental Agreement between Willacy County and the City of Lyford regarding Housing of the City of Lyford Prisoners in the Willacy County Detention. ACTION REQUIRED
22. Discussion and Action to approve Intergovernmental Agreement between Willacy County Sheriff Department and the City of Lyford regarding the use of County Police Radio and Dispatch Services. ACTION REQUIRED
23. Discussion and Action to approve Interlocal Cooperation Agreement between the City of Lyford and Willacy County Pct. #3 regarding maintenance of streets. ACTION REQUIRED
24. Discussion and Action to approve Interlocal Cooperation Agreement between the City of Lyford and Willacy County regarding maintenance of water and wastewater distribution lines and water meters. ACTION REQUIRED
25. Discussion and Action to approve Attorney fees to be paid to Lena C. Munoz for work on Appellate Cause No. 13-18-392-CR and AP-77, 081 Gustavo Tijerina-Sandoval vs. State of Texas (Trial cause# 2015-DCR-2443-C) to be paid out of Fund 50 Drug Seizure Account. Dates that cause were worked on are July 5-13, 2019. ACTION REQUIRED
26. Approval and Action to contribute funding from Fund 40 to promote tourism hotel, motel, bed and breakfast in Willacy County to Chamber of Commerce, Historical Museum, and Water & Soil Conservation. ACTION REQUIRED.
27. Discussion and Action to approve new Contract with ERI for TVC General Grant for VCSO. ACTION REQUIRED.
28. Adjourn to Closed EXECUTIVE SESSION pursuant to Section 551.071 of the Texas Government Code to consult with legal counsel regarding the pending game room litigation.
29. Reconvene into OPEN SESSION and Action, if any, on items discussed in closed session. POSSIBLE ACTION REQUIRED

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30. Approval of Travel Request. ACTION REQUIRED.

31. Approval of Claims. ACTION REQUIRED

32. Adjourn.

THE COURT MET:

PRESENT:

Aurelio Guerra, Jr.,
Eliberto Guerra,
Oscar De Luna,
Henry De La Paz,
Eduardo Gonzales,
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's Assistant,
County Chief Deputy Clerk,

arrives at 10:06 a.m.

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

PERSONS VISITING THE COURT:

Valerie Aparicio
Francisco Venegas
Lydia Moreno
Gabriel Villarreal
Carlos Ceballos, Jr.

Steve Million
Evelyn C. Castillo
Roseanna Ramirez
Daniel Gomez
Rosa Sanchez

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

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Agenda # 5

PRESENTATION BY TXDOT TO
PROVIDE MONTHLY STATUS
UPDATES

Presentation by Gabriel Villarreal with TxDOT to provide monthly status updates on reference to SH 186, North U.S. 77 Project, South U.S. 77 Project and U.S. 281 Project.

Agenda # 6

UPDATE BY LIMBACHER AND
GODFREY ARCHITECTS, INC. ON
PRESERVATION ARCHITECTURAL
CONSULTING SERVICES ON THE
HISTORIC COURTHOUSE

As per the Chairman, Lorie Limbacher was not present for update by Limbacher and Godfrey Architects, Inc. on Preservation Architectural Consulting Services on the Historic Courthouse. Chairman Guerra, read an email from Lorie Limbacher that the project is moving forward on the Historic Courthouse.

Agenda # 7

PRESENTATION BY MTC TO
PRESENT CERTIFICATE FOR
JUDGE AURELIO GUERRA FOR
BEING AN EXCELLENT COMMUNITY
SUPPORTER

Presentation by MTC to present certificate for County Judge, Aurelio Guerra, Jr. for being an excellent Community Supporter.

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Agenda # 8

SPREAD IN THE MINUTES –
PUBLIC WORKS INSTITUTE
CERTIFIES THAT WILLACY COUNTY
MAINTENANCE SUPERVISOR
ADOLFO MATA HAS COMPLETED 32
TRAINING HOURS OF MOTOR
GRADER BEGINNER

As per the Chairman, spread in the minutes – Public Works Institute certifies that Willacy County Maintenance Supervisor Adolfo Mata has completed 32 training hours of Motor Grader Beginner.

Agenda # 9

SPREAD IN THE MINUTES –
PRECINCT 4 COMMISSIONER
EDUARDO GONZALES HAS
SUCCESSFULLY COMPLETED 21.00
HOURS OF COUNTY COMMISSIONER
CONTINUING EDUCATION

Motion was made by Commissioner De La Paz, seconded by Commissioner De Luna for approval to spread in the minutes – Precinct 4 Commissioner Eduardo Gonzales has successfully completed 21.00 hours of County Commissioner Continuing Education. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 10

SPREAD IN THE MINUTES –
PRECINCT 1 COMMISSIONER
ELIBERTO GUERRA HAS
SUCCESSFULLY COMPLETED 25.00
HOURS OF COUNTY COMMISSIONER
CONTINUING EDUCATION

Motion was made by Commissioner De Luna, seconded by Commissioner Gonzales for approval to spread in the minutes – Precinct 1 Commissioner Eliberto Guerra has successfully completed 25.00 hours of County Commissioner Continuing Education. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 11

DISCUSSION AND ACTION TO
APPROVE PURCHASING COUNTY
CELL PHONES FROM CRICKET
WIRELESS TO BE PAID OUT OF
VARIOUS ACCOUNTS

Motion was made by Commissioner Guerra, seconded by Commissioner De Luna for approval of purchasing County Cell Phones from Cricket Wireless to be paid out of various accounts. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 12

DISCUSSION AND ACTION TO
AUTHORIZE COUNTY JUDGE TO
SIGN CONTRACTS, DISBURSE
FUNDS AS NEEDED AND TO PAY
INVOICES FOR THE EMPLOYEE
APPRECIATION DINNER

Motion was made by Commissioner Gonzales, seconded by Commissioner Guerra for approval to authorize County Judge to sign contracts, disburse funds as needed and to pay invoices for the Employee Appreciation Dinner. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 13

DISCUSSION AND ACTION TO
APPROVE EMERGENCY MANAGEMENT
COORDINATOR CONTRACT BETWEEN
WILLACY COUNTY AND FRANK TORRES

Motion was made by Commissioner De Luna, seconded by Commissioner Guerra for approval of Emergency Management Coordinator Contract between Willacy County and Frank Torres. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 14
DISCUSSION AND ACTION TO
APPROVE CONSULTING
AGREEMENT BETWEEN WILLIAM
RUSTEBURG AND WILLACY COUNTY

Motion was made by Commissioner De La Paz, seconded by Commissioner Gonzales for approval of Consulting Agreement between William Rusteburg and Willacy County. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 15
DISCUSSION AND ACTION TO
APPOINT DR. MARIO A. SANCHEZ
AS THE LOCAL HEALTH AUTHORITY
IN WILLACY COUNTY FROM
OCTOBER 1, 2019 – SEPTEMBER
30, 2020

Motion was made by Commissioner De La Paz, seconded by Commissioner Gonzales for approval to appoint Dr. Mario A. Sanchez as the Local Health Authority in Willacy County from October 1, 2019 – September 30, 2020. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 16
PRESENTATION BY POWERING
TEXAS AND POSSIBLE ACTION FOR
WILLACY COUNTY TO BE A COALITION
PARTNER OF POWERING TEXAS

Motion was made by Commissioner Guerra, seconded by Commissioner De La Paz for approval for Willacy County to join and to be a coalition partner of Powering Texas. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 17

DISCUSSION AND ACTION TO
APPROVE HUNTERS EDUCATION
COURSE TO BE HELD AT THE
REBER MEMORIAL LIBRARY ON
OCTOBER 12, 2019

Motion was made by Commissioner Guerra, seconded by Commissioner De Luna for approval of Hunters Education Course to be held at the Reber Memorial Library on October 12, 2019.

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

Agenda # 18

DISCUSSION AND ACTION TO
APPROVE PURCHASE AND PAYMENT
OF 1997 SHOPBUILT/FORD WATER
TRUCK FROM THE TEXAS DEPARTMENT
OF TRANSPORTATION FOR ROAD AND
BRIDGE PRECINCT 2

Motion was made by Commissioner Gonzales, seconded by Commissioner De Luna for approval to purchase and payment of 1997 Shopbuilt/Ford Water Truck from the Texas Department of Transportation for Road and Bridge Precinct 2. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Motion Amended: Motion was made by Commissioner Gonzales, seconded by Commissioner De Luna for approval the purchase to be paid out from 2019 – 2020 Budget and for the check to be issued no later than the 2nd or 3rd due to a deadline for the check to be turn in to TxDOT.

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

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Agenda # 19

DISCUSSION AND ACTION TO
APPROVE PURCHASE AND
PAYMENT OF 1998 SHOPBUILT/
CHEVROLET HERBICIDE TRUCK
AND 1997 TRAILBOSS TRAILER
FROM THE TEXAS DEPARTMENT
OF TRANSPORTATION IN THE
AMOUNT OF \$8,344.00, FOR ROAD
AND BRIDGE PRECINCT 4

Motion was made by Commissioner Gonzales, seconded by Commissioner De Luna for approval to purchase and payment of 1998 Shopbuilt/Chevrolet Herbicide Truck and 1997 Trailboss Trailer from the Texas Department of Transportation in the amount of \$8,344.00, for Road and Bridge Precinct 4. Also, the same criteria as item number 18 for the purchase to be paid out from 2019 – 2020 Budget and for the check to be issued no later the 2nd or 3rd due to a dead line for the check to be turn in to TxDOT. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 20

DISCUSSION AND ACTION TO
APPROVE INTERLOCAL AGREEMENT
BETWEEN THE COUNTY OF WILLACY
AND THE CITY OF LYFORD FOR
ENVIRONMENTAL SERVICES

Motion was made by Commissioner De La Paz, seconded by Commissioner Gonzales for approval of Interlocal Agreement between the County of Willacy and the City of Lyford for Environmental Services, contingent upon Legal Counsel's Review and Approval. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 21

DISCUSSION AND ACTION TO
APPROVE INTERGOVERNMENTAL
AGREEMENT BETWEEN WILLACY
COUNTY AND THE CITY OF LYFORD
REGARDING HOUSING OF THE
CITY OF LYFORD PRISONERS IN THE
WILLACY COUNTY DETENTION

Motion was made by Commissioner De La Paz, seconded by Commissioner Gonzales for approval of Intergovernmental Agreement between Willacy County and the City of Lyford regarding Housing of the City of Lyford Prisoners in the Willacy County Detention, contingent upon Legal Counsel's Review and Approval. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 22

DISCUSSION AND ACTION TO
APPROVE INTERGOVERNMENTAL
AGREEMENT BETWEEN WILLACY
COUNTY SHERIFF DEPARTMENT
AND THE CITY OF LYFORD REGARDING
THE USE OF COUNTY POLICE RADIO
AND DISPATCH SERVICES

Motion was made by Commissioner De La Paz, seconded by Commissioner Gonzales for approval of Intergovernmental Agreement between Willacy County Sheriff Department and the City of Lyford regarding the use of County Police Radio and Dispatch Services, contingent upon Legal Counsel's Review and Approval. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 23

DISCUSSION AND ACTION TO
APPROVE INTERLOCAL COOPERATION
AGREEMENT BETWEEN THE CITY OF
LYFORD AND WILLACY COUNTY PRECINCT
NUMBER 3 REGARDING MAINTENANCE
OF STREETS

Motion was made by Commissioner De La Paz, seconded by Commissioner De Luna for approval of Interlocal Cooperation Agreement between the City of Lyford and Willacy County Precinct Number 3 regarding maintenance of streets, contingent upon Legal Counsel's Review and Approval. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 24

DISCUSSION AND ACTION TO
APPROVE INTERLOCAL COOPERATION
AGREEMENT BETWEEN THE CITY OF
LYFORD AND WILLACY COUNTY
REGARDING MAINTENANCE OF WATER
AND WASTEWATER DISTRIBUTION LINES
AND WATER METERS

Motion was made by Commissioner De La Paz, seconded by Commissioner Gonzales for approval of Interlocal Cooperation Agreement between the City of Lyford and Willacy County regarding maintenance of water and wastewater distribution lines and water meters, contingent upon Legal Counsel's Review and Approval. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 25

DISCUSSION AND ACTION TO
APPROVE ATTORNEY FEES TO
BE PAID TO LENA C. MUNOZ FOR
WORK ON APPELLATE CAUSE NUMBER
13-18-392-CR AND AP-77, 081 GUSTAVO
TIJERINA-SANDOVAL VS. STATE OF TEXAS
(TRIAL CAUSE NUMBER 2015-DCR-2443-C)
TO BE PAID OUT OF FUND 50 DRUG
SEIZURE ACCOUNT. DATES THAT CAUSE
WERE WORKED ON ARE JULY 5-13, 2019

Motion was made by Commissioner Gonzales, seconded by Commissioner De Luna for approval of Attorney Fees to be paid to Lena C. Munoz for work on Appellate Cause Number 13-18-392-CR and AP-77, 081 Gustavo Tijerina-Sandoval vs. State of Texas (Trial Cause Number 2015-DCR-2443-C) to be paid out of Fund 50 Drug Seizure Account. Dates that cause were worked on are July 5-13, 2019. The funds determine either from Fund 50, Fund 60 or the District Attorney's Account. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 26

IN REGARDS TO APPROVAL AND
ACTION TO CONTRIBUTE FUNDING
FROM FUND 40 TO PROMOTE
TOURISM HOTEL, MOTEL, BED AND
BREAKFAST IN WILLACY COUNTY TO
CHAMBER OF COMMERCE, HISTORICAL
MUSEUM AND WATER & SOIL CONSERVATION

Motion was made by Commissioner Guerra, seconded by Commissioner De Luna for approval to contribute funding from Fund 40 to promote tourism hotel, motel, bed and breakfast in Willacy County to Chamber of Commerce, Historical Museum and Water & Soil Conservation. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 27

DISCUSSION AND ACTION TO
APPROVE NEW CONTRACT WITH
ERI FOR TVC GENERAL GRANT FOR
VCSO

Motion was made by Commissioner Guerra, seconded by Commissioner Gonzales to table this item. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 28

ADJOURN TO CLOSED EXECUTIVE
SESSION PURSUANT TO SECTION
551.071 OF THE TEXAS GOVERNMENT
CODE TO CONSULT WITH LEGAL
COUNSEL REGARDING THE PENDING
GAME ROOM LITIGATION

Motion was made by Commissioner De Luna, seconded by Commissioner Gonzales that Court Adjourn to Executive Session at 11:44 a.m. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 29

RECONVENE INTO OPEN SESSION
AND ACTION, IF ANY, ON ITEMS
DISCUSSED IN CLOSED SESSION

As per the Chairman, Reconvene into Open Session at 1:05 p.m.

As per the Chairman, no action taken on item number 29.

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Agenda # 30
IN REGARDS TO APPROVAL
OF TRAVEL REQUEST

Motion was made by Commissioner De La Paz, seconded by Commissioner De Luna that the following travel requests be approved:

1. Justice of the Peace Judge, Juan Salinas to Galveston, Texas on December 1-4, 2019.
2. Justice of the Peace Judge, Rudy Cantu to San Antonio, Texas on January 12-15, 2020.
3. Veteran's Office, Daniel Gomez and Frances Najera to San Marcos, Texas on December 3-5, 2019.

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

Agenda # 32
IN REGARDS TO APPROVAL
OF CLAIMS

Motion was made by Commissioner Guerra, seconded by Commissioner De La Paz for approval of Claims, as presented plus a verbal manual claim for Tax Office for the amount of \$578.00 Account Number 01-499-385 Machinery and Equipment >\$500.00. Motion was put before the Court by the Chairman. Commissioners Guerra, De Luna, De La Paz and Gonzales voting AYE. NAYS NONE. Motion was declared carried.

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

There being no further action,

Court Adjourned.