THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 8th day of December, 2023, at 9:00 o'clock a.m., a regular meeting of the Commissioners Court of Kenedy County, Texas, was held in the Kenedy County Courthouse.

**Commissioners present:**

Charles E. Burns, County Judge

Joe Recio, Commissioner, Precinct No. 1

Israel Vela, Jr., Commissioner, Precinct No. 2

Sarita Armstrong-Hixon, Commissioner, Precinct No. 3

Jose Salazar, Commissioner, Precinct No. 4

**Also present:**

Veronica Vela, County & District Clerk

Grace Salinas, Administrative Secretary

Irma Longoria, Tax Assessor/Collector

Allison Strauss, County Attorney

Leo Villarreal, Administrative Assistant

Sandra Maltby, Maltby Builders, Inc.

Caleb Maltby, Maltby Builders, Inc.

JP Jana Norrell

JP Cecilia Schulz

JP Patricia Fain

Jose E. Mendietta, Fire Chief

Stephanie Garza, Elections Administrator

Tom Denney, Chief Appraiser

Andy Garza, Kenedy County Groundwater Conservation District

Seferino Gutierrez, Maintenance Supervisor

Javier Zambrano, GrantWorks

Nelda Barrera

Deputy Gerardo Rosa

Capt. Cameron Kirk

Sandra Guzman, Sheriff’s Office

Manuel Garcia, Sarita School

Chris Russell, IT

Sandra Calvo, CM Auctions

David Morales with Gowland, Morales and Smith, PLLC

Trinidad Jasso, TJ Electric

**Absent**:

JP Jerry Miller

Cynthia Salinas, County Treasurer

Sheriff Ramon Salinas

Daniel Almeida

1. **Call Meeting to Order at 9:00 a.m.**

Judge Charles E. Burns called the meeting to order at 9:00 a.m.

1. **Pledge of Allegiance**.

Judge Charles E. Burns led the Commissioners and audience in the Pledge of Allegiance.

1. **Conduct Public Hearing Concerning Consideration by Commissioners Court of Guidelines and Criteria Governing the Granting of Tax Abatement Agreement in Reinvestment Zones created in and Kenedy County, Texas**.

Judge Charles E. Burns, at 9:05 a.m., called the Public Hearing concerning consideration by the Commissioners Court of Guidelines and Criteria Governing the Granting of a Tax Abatement Agreement in Reinvestment Zones created in Kenedy County.

No member of the public made a comment.

Judge Charles E. Burns called the public hearing closed at 9:12 a.m.

1. **Discussion and Possible Commissioners Court Action to Adopt Guidelines and Criteria Governing the Granting of Tax Abatement Agreements in Reinvestment Zones created in Kenedy County, Texas**.

Judge Charles E. Burns introduced Kevin O’Hanlon, the County’s attorney, to the Commissioners Court to present the adoption of guidelines and criteria governing the granting of Tax Abatement Agreements in Reinvestment Zones created in Kenedy County.

Kevin O’Hanlon stated that guidelines are re-adopted every two years; that he has made minor changes to the guidelines and criteria governing the granting of Tax Abatement Agreements in Reinvestment Zones created in Kenedy County and these changes do not need to be adopted every two years. Commissioner Sarita-Armstrong Hixon asked whether it covers the entire county. Mr. O’Hanlon replied that it did. However, the adoption of the guidelines does not require the county to enter into a tax abatement agreement. Commissioner Hixon asked whether the projects already in effect create a conflict. Mr. O’Hanlon stated that they did not; that there has to be a reinvestment zone in place at the time a tax abatement is approved and that the Reinvestment Zones will be for ten years.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Resolution Regarding the Guidelines and Criteria Governing the Granting of Tax Abatement Agreements in Reinvestment Zones created in Kenedy County be adopted as presented.

1. **EXECUTIVE SESSION: TEXAS GOVERNMENT CODE § 551.087-ECONOMIC DEVELOPMENT NEGOTIATIONS**.

Judge Charles E. Burns, at 9:15 a.m., called the Executive Session pursuant to Texas Government Code, Section 551.087, Economic Development Negotiations.

The Executive Session was adjourned at 9:46 a.m.

1. **Open Session: Discussion and Possible Commissioners Court Action Concerning application of Ocelot Solar LLC for Possible Tax Abatement Agreement for Proposed Solar Power Generation Installation**.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled to provide the Commissioners Court an opportunity to study the current market rates regarding tax abatements prior to the consideration of a Tax Abatement request.

1. **Receive Public Comments**.

No public comments were made.

1. **Discuss & Act on the Regular Minutes of November 13th, 2023**.

Judge Charles E. Burns presented the Commissioners Court with the minutes of the regular November 13, 2023.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the minutes of the regular November 13, 2023 meeting minutes be accepted as presented.

1. **Consent Agenda:**

**(A) Approve Travel and Lodging Expenses for Johnny Hernandez to Attend the TEHA South Texas Chapter Educational Conference on December 6th – 8th, 2023 in South Padre Island, Tx. ($1,060.16 within budget)**

Judge Charles E. Burns informed the Commissioners Court that the following employees needed to attend the below seminars/conferences and be advance/reimbursed their expenses provided that proper receipts are submitted:

NAME: Johnny Hernandez

SEMINAR: TEHA South Texas Chapter Educational Conference

DATE: December 6-8, 2023

PLACE: South Padre Island, Texas

AMOUNT: $1,060.16 within budget

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the below employees’ attendance and travel expenses be approved as follows:

NAME: Johnny Hernandez

SEMINAR: TEHA South Texas Chapter Educational Conference

DATE: December 6-8, 2023

PLACE: South Padre Island, Texas

AMOUNT: $1,060.16 within budget

1. **Discuss & Act on Approving Payment to Eforce Regarding the Sheriff’s Records Management 2024 Invoice in the Amount of $3,224.00, within budget, due January 1, 2024**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider approving payment to E-Force regarding the Sheriff’s Records Management 2024 invoice in the amount of $3,224.00, within budget, which is due on January 1, 2024.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that that E-Force $3,224.00 regarding the Sheriff’s Records Management 2024 invoice be paid within budget.

1. **Discuss & Approve Hiring Contract Dispatch (Paid for Out of Dispatch Line Item that Has Been Vacant Since February**.

Captain Edward Cruz addressed the Commissioners Court regarding the need to hire a contract dispatcher due to not having had any applicants based on the pay scale.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Sheriff Ramon Salinas is authorized to hire contract dispatchers at $20.00 an hour and be paid from the Sheriff’s Dispatch line item that has been vacant since February 2023.

1. **Discuss & Act on Interlocal Agreement with Lubbock County and the Regional Public Defender for Capital Cases in the Amount of $1,000.00**.

Judge Charles E. Burns informed the Commissioners Court of the need to approve and sign the Interlocal Agreement with Lubbock County and the Regional Public Defender for capital cases in the amount of $1,000.00.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Interlocal Agreement with Lubbock County and the Regional Public Defender for capital cases be paid in the amount of $1,000.00 and signed.

1. **Discuss & Act on the 2023 Budget Amendments for County & District Clerk**.

Veronica Vela, County/District Clerk, informed the Commissioners Court that she needed to consider further budget amendments due to her reviewing the current budget analysis and that this item should be tabled.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled.

1. **Discuss & Act on Accepting the Primary Joint Elections Resolution for the March 5, 2024 Primary Election**.

Judge Charles E. Burns informed the Commissioners Court of the need to accept the Primary Joint Elections Resolution for the March 5, 2023 Primary Election. Stephanie Garza, Elections Administrator, stated that the Republican and Democratic party chairs had agreed to conduct a joint election and that the county could recoup county funds for expenditures.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Primary Joint Elections Resolution for the March 5, 2023 Primary Election be accepted as presented.

1. **Discuss & Act on the Joint Primary Election Service Contract Between the Elections Administrator and the Kenedy County Republican Party**.

Judge Charles E. Burns informed the Commissioners Court reported that there was a Joint Primary Election Service Contract between the Elections Administrator and the Kenedy County Republican Party.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on the Joint Primary Election Service Contract Between the Elections Administrator and the Kenedy County Democratic Party**.

Judge Charles E. Burns informed the Commissioners Court that there was the Joint Primary Election Service Contract between the Elections Administrator and the Kenedy County Democratic Party.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on Payment of Bills**.

Judge Charles E. Burns informed the Commissioners’ Court of the need to pay the bills for the month ending November 30, 2023.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the bills, including add-ons be paid, except for Daniel Almeida’s $2,780 bill to be paid in the amount of his contract of $2,450.00 which was his contract amount.

1. **EXECUTIVE SESSION: TEXAS GOVERNMENT CODE, §551.071, §551.072, §551.073, §551.074 - CONSULTATION WITH ATTORNEY REGARDING LITIGATION**

Judge Charles E. Burns called the Executive Session to order at 10:04 a.m.

1. **Open Session: Discuss & Act on Items Addressed in Executive Session**.

Judge Charles E. Burns called the Open Session to order at 10:37 a.m.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled until the December 19, 2023, Commissioners Court meeting.

1. **Adjournment**.

There being no further business to come before the Commissioners Court, Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Commissioners Court be adjourned at 10:40 a.m.

/s/ Charles E. Burns\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge Charles Burns

/s/ Veronica Vela\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

VERONICA VELA

Clerk of Commissioners Court