

ON THIS THE 26<sup>TH</sup> DAY OF AUGUST 2019, BEING THE FOURTH MONDAY OF THE MONTH, THE HONORABLE DIMMIT COUNTY COMMISSIONERS COURT CONVENED IN REGULAR SESSION, IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE, AT THE DIMMIT COUNTY COURTHOUSE "ANNEX", WITH MEMBERS PRESENT TO-WIT :

FRANCISCO G. PONCE  
COUNTY JUDGE

JUAN R. CARMONA  
COMMISSIONER PCT. 3



ALONSO G. CARMONA  
COMMISSIONER PCT. 2

VALERIE RUBALCABA  
COMMISSIONER PCT. 4

MARIO Z. GARCIA  
COUNTY CLERK & EX-OFFICIO CLERK  
OF COMMISSIONERS COURT

VISITORS SIGNED-IN: Alicia Sanchez Yvette Nesmith **Sonia G. Perez** Luis Aaron Cruz **Alberto Esquivel** Mary Sandoval **Maricela Gonzalez** David Torres Danny Estrada Christine Guerrero Carlos Pereda **Alfredo P Martinez** Leticia Hernandez **Daniel M. Gonzalez** Chris Plaster Michelle Garcia Vanessa Villastrigo **Marion Boyd** Dan Hejl **Estanislado Martinez**  
OTHER VISITORS: --

<><><> THE FOLLOWING SUBJECTS DISCUSSED, CONSIDERED, PASSED OR ADOPTED TO-WIT : <><><>

1. ADMINISTRATIVE

- 1.1 CALL MEETING TO ORDER
- 1.2 ROLL CALL
- 1.3 PLEDGE OF ALLEGIANCE AND SALUTE TO THE TEXAS FLAG
- 1.4 TESTIMONIAL OATH OF PRESENTERS

County Judge **Francisco G. Ponce** Called the Meeting to Order [10:00 AM]; County Clerk **Mario Z Garcia** conducted Roll Call of Court Members with a Quorum present and Absence of Commissioner Pct.1-**Mike Uriegas** so duly noted for the Record. Court Members led the Pledge of Allegiance and Salute to The Texas Flag. Presenters addressing the Court acknowledged the Testimonial Oath.

1.5 PUBLIC HEARING ON TAX RATE INCREASE FOR FISCAL YEAR 2019-2020

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE TO :  
Enter into Public Hearing on the proposed Tax Rate Increase for FY02019-2020. MOTION CARRIED.

[RE:--County Judge **Francisco G. Ponce** duly opened the Hearing for public members to address questions, concerns regarding the proposed tax rate increase, i.e., effective tax rate is .2616—a rate of .2929 would require a Roll Back. Court acknowledged No Response from the Public present.

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE TO :  
Adjourn Public Hearing as presented. MOTION CARRIED.

1.6 PUBLIC COMMENT

- a) **Alonso Carmona**-Commsr. Pct. 2, RE:--ADVISORY: DC Appraisal Dept. extended Contract w/Capital Appraisal Group
- b) ANNOUCEMENT-"The Biggest Losers" (Weight Health Program)- RE:--**Nick Castaño** (-16.2 #), **Maria Mata** (-12.6#)

1. ADMINISTRATIVE, contd.,

1.7 APPROVED: MINUTES OF REGULAR MEETING -- AUGUST 12, 2019

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
MINUTES of Regular Meeting held on August 12, 2019 as presented . MOTION CARRIED.

2. PERSONNEL & POLICY

2.1 APPROVAL OF BONDS

[RE:--no Bonds timely submitted for approval ] NO MOTION PRESENTED.

2.2 APPROVED: MONTHLY REPORT -- JUSTICE OF THE PEACE PCT. 1

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of July, 2019 from JP Pct. 1-Sonia Guerrero-Perez as presented.

NOTED:--payment to Parks & Wildlife Dept; issue resolved in Auditor's Office MOTION CARRIED. \*attachment

2.3 APPROVED: MONTHLY REPORT -- JUSTICE OF THE PEACE PCT. 2

MOTION: Valerie Rubalcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of July 2019 from JP Pct. 2-Alberto Esquivel as presented . MOTION CARRIED. \*attachment

2.4 APPROVED: MONTHLY REPORT -- JUSTICE OF THE PEACE PCT. 3

MOTION: Juan Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of July 2019 from JP Pct. 3-Leticia Hernandez as presented . MOTION CARRIED. \*attachment

2.5 APPROVED: MONTHLY REPORT -- JUSTICE OF THE PEACE PCT. 4

MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of July 2019 from JP Pct.4-Alfredo Martinez as presented . MOTION CARRIED. \*attachment

2.6 APPROVED: MONTHLY REPORT(s) -- DISTRICT CLERK

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of June, July 2019 from District Clerk-Maricela Gonzalez as presented. MOTION CARRIED. \*attachment

2.7 APPROVED: MONTHLY REPORT -- COUNTY CLERK

MOTION: Juan Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of July 2019 from County Clerk-Mario Z Garcia as presented . MOTION CARRIED. \*attachment

2.8 APPROVED: MONTHLY REPORT(s) -- COUNTY COMMISSIONERS

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT(s) for Month of July 2019 from County Commissioners : Pct. 1- Mike Uriegas, Pct. 2-Alonso Carmona, Pct. 3-Juan Carmona and Pct. 4-Valerie Rubalcaba as presented . MOTION CARRIED. \*attachment(s)

2.9 APPROVED: MONTHLY REPORT -- DCVFD ASSISTANT FIRE CHIEF

MOTION: Valerie Rubalcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of July 2019 from DCVFD Assistant Fire Chief-David Torres as presented. MOTION CARRIED. \*attachment

2.10 APPROVED: PRESENTATION OF FY'2017-2018 AUDIT -- BILL ROCHA, CPA

[RE:--spokesperson Aaron Luis Cruz addressed court w/Presentation w/accentuate on : Statement of Revenues, Expenditures and Changes in Fund Balances, CO's-15 , Combining Statement of Revenues, Expenditures and Changes in Fund Balances, Changes in Fund Balance-Budget and Actual and the (Letter) Management and Issues Resolved -- Mr. Cruz returned answers to questions from the court ]

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
Dimmit County AUDIT for FY' 2017-2018 as presented . MOTION CARRIED. \*attachment

2.11 APPROVED: ADVERTISEMENT -- SALARY INCREASE FOR ELECTED COUNTY OFFICIALS

MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
ADVERTISEMENT (Public Notice) for Salary Increase for County Elected Officials with add-on : Car Allowance (\$4,500.00) for JP Pct. 4 as presented . MOTION CARRIED. \*attachment

**2. PERSONNEL & POLICY, contd.,**

**2.12 APPROVED: EXTEND (employment) PART TIME POSITION – COUNTY TREASURER OFFICE**  
MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE TO :  
extend part-time position, i.e., employment for Victoria Ponce in the County Treasurer's Office as presented .  
ABSTAIN: Francisco G. Ponce MOTION CARRIED.

**2.13 APPROVED: TRAVEL REQUEST(s) -- COUNTY JUDGE, COUNTY COMMISSIONERS**  
MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :  
TRAVEL request/expenses for County Judge Francisco G. Ponce, Commissioners : Pct. 1-Mike Uriegas, Pct. 2-Alonso Carmona, Pct. 3-Juan Carmona and Pct. 4-Valerie Rubalcaba to attend : 97<sup>th</sup> Annual County Judges & Commissioners Association of Texas Conference, October 7-8-9-10, 2019 in Galveston, TX as presented . MOTION CARRIED. \*attachment(s)

**2.14 APPROVED: TRAVEL REQUEST – COUNTY ATTORNEY**  
MOTION: Valerie Rubalcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :  
TRAVEL request/expenses for County Attorney-Daniel M. Gonzalez to attend : 1) TDCAA 2019 Legislative Update, September 17-18-19, Corpus Christi, TX and attend : 2) TDCAA Criminal and Civil Law Update, September 18-19-20, 2019 in Corpus Christi, TX as presented . MOTION CARRIED. \*attachment

**3 LAW ENFORCEMENT**

**3.1 Tabled:REVISITED:APPROVED: HIRING – CO-OP STUDENT FOR DC SHERIFF'S OFFICE**  
MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
HIRING of a Co-op Student (CSCISD) for the Sheriff's Office as presented . MOTION CARRIED.

**3.2 Tabled:REVISITED:APPROVED: INTERLOCAL COOPERATION AGREEMENT –CARRIZO SPRINGS CISD**  
MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
Dimmit County Sheriff's Office to enter into Interlocal Cooperation AGREEMENT for Crossing Guard Services w/Carrizo Springs CISD for a term beginning : August 28, 2019 and ending : August 28, 2020 as presented. MOTION CARRIED. \*attachment

**3.3 Tabled:REVISITED:APPROVED: HIRING – JAILERS**  
MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
HIRING of Jailers, i.e., Julian Lopez, Daniel Mendez, Isaac Jimenez for Dimmit County Jail. MOTION CARRIED.

**3.4 NON-ACTION ITEM : STATUS REPORTS**

**ADDENDUM:**

**3.5 a) MOTION FAILS : EXPAND THE COUNTY JAIL FACILITY**  
MOTION: Juan Carmona SECOND: Francisco G. Ponce THAT THE COMMISSIONERS COURT APPROVE :  
Expansion of the County JAIL Facility as presented .  
FOR : Juan Carmona, Francisco G. Ponce  
AGAINST : Alonso Carmona, Valerie Rubalcaba MOTION FAILS.

**b) APPROVED: EXPAND THE SHERIFF'S OFFICE**  
MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
Expansion of the Sheriff's Office as presented . MOTION CARRIED.

**c) Tabled : ADVERTISE FOR ARCHITECTURAL RFP's for EXPANSION PROJECTS**  
MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE TO :  
TABLE this Item . MOTION CARRIED.

**3.6 NON-ACTION ITEM : CONCERNING WORK SCHEDULE FOR THE CODE ENFORCER**  
[RE:--Court acknowledges this position supervised by Sheriff Dept. and consensus to include Courtroom duties in the 40-hour work schedule ] NO MOTION PRESENTED.

#### 4. GRANTS & PLANNING / REGULATORY COMPLIANCE DEPARTMENTS

**4.1 APPROVED: AUTHORIZATION – OBTAIN LEGAL COUNSEL TO REMOVE/REPLACE AUSLAND ARCHITECTS PLLC FROM DIMMIT COUNTY PROJECTS IN ASHERTON, TX**

[RE:--**FOR THE RECORD**: Court in consensus that all courtesies have been extended/exhausted, i.e., deadlines extended, Agenda Items revisited and ample notices “to be ready” given (to Ausland Architects) ]

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba

THAT THE COMMISSIONERS COURT APPROVE TO :

AUTHORIZE County Judge Francisco G. Ponce to communicate w/Legal Counsel, i.e., Donato Ramos for options, legal process to remove Kenedy Whitely of AUSLAND ARCHITECTS PLLC and issue written Notice of Termination as presented .

**NOTED**:--Whitely engaged to these projects since February 2019---court acknowledges that this type of Public Building project(s) requires Architectural rendering

**MOTION CARRIED.**

**4.2 APPROVED: (subject to) INTERLOCAL AGREEMENT – DIMMIT COUNTY Tx CDBG 2019-2020 COLONIA FUND**

[RE:--G&P Director-Christine Guerrero, MRGDC spokesperson Michelle Garcia jointly addressed court members w/updates, i.e., Perimeters rewritten now must work w/MRGDC, i.e., every CDBG project requires an Agreement “in writing” ]

MOTION: Valerie Rubalcaba SECOND: Alonso Carmona

THAT THE COMMISSIONERS COURT APPROVE TO :

Award and Execute and Interlocal AGREEMENT between Dimmit County and Middle Rio Grande Development Council for Administrative SERVICES for application, preparation and CONTRACT implementation service for the Dimmit County Tx CDBG 2019-2020 COLONIA FUND : Construction (CFC) Fund Grant Application ...subject to review (of Agreement) by the County Attorney as presented .

**MOTION CARRIED.**

**4.3 APPROVED: PUBLIC NOTICE – Tx CDBG 2019-2020 COLONIA FUND GRANT APPLICATION**

MOTION: Valerie Rubalcaba SECOND: Alonso Carmona

THAT THE COMMISSIONERS COURT APPROVE :

Publication of Public NOTICE for the Tx CDBG 2019-2020 COLONIA Fund : Construction (CFC) Fund Grant Application as presented .

**MOTION CARRIED.**

**4.4 APPROVED: RFQ's, ENGINEERING SERVICES-Tx CDBG 2019-2020 COLONIA FUND GRANT APPLICATION**

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba

THAT THE COMMISSIONERS COURT APPROVE TO :

RFQ for Engineering SERVICES for Application preparation and Contract implementation service for Dimmit County Tx CDBG 2019-2020 Colonia Fund : Construction (CFC) Fund Grant Application as presented.

**MOTION CARRIED.**

**4.5 APPROVED:REVISITED:AMENDED : (subject to) APPOINTMENT – SELECTION REVIEW COMMITTEE FOR ENGINEERING SERVICES FOR Tx CDBG 2019-2020 COLONIA FUND GRANT APPLICATION**

MOTION: Valerie Rubalcaba SECOND: Juan Carmona.

THAT THE COMMISSIONERS COURT APPROVE :

APPOINTMENT of Selection Review Committee : Francisco G. Ponce, Valerie Rubalcaba, Daniel M. Gonzalez for Engineering Services for the Tx CDBG 2019-2020 Colonia Fund : Construction (CFC) Fund Grant Application...subject to : should conflict arise and Committee needs a legal opinion then Alternate Member : Alonso G. Carmona will serve on Committee, as presented .

**MOTION CARRIED.**

**4.6 NON-ACTION ITEM : STATUS REPORTS**

[RE:--internet service is “on” at new Pct. 3 Office--**LANDFILL**: Solid Waste Committee Meeting, last Wednesday; in favor of the Application; to issue Official Notice to Public after all Administrative process is completed--**Purchase Order On-Line** : “flow” update, i.e., on-line procedures, cost: \$3,000- per department, one-time Fee...Court Advisory to proceed ]

**ADDENDUM:**

**4.7 APPROVED: HIRING – IT DEPARTMENT ASSISTANT**

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba

THAT THE COMMISSIONERS COURT APPROVE :

HIRING of Marco De Leon as IT Department Assistant, effective: August 20, 2019 .

**MOTION CARRIED.**

#### 5. FINANCIAL

**5.1 APPROVED: REIMBURSEMENT -- 365<sup>TH</sup> FAMILY and JUVENILE COURT COORDINATOR**

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba

THAT THE COMMISSIONERS COURT APPROVE :

REIMBURSEMENT for 365<sup>th</sup> Family & Juvenile Court Coordinator-Melissa Garcia for expenses incurred w/Meals: July 3, 2019 thru July 23, 2019 as presented .

**MOTION CARRIED.**

5. FINANCIAL, contd.,

5.2 APPROVED: REIMBURSEMENT – 365<sup>TH</sup> CIVIL COURT COORDINATOR

MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REIMBURSEMENT for 365<sup>th</sup> Civil Court Coordinator-Debbie Montemavor for expenses incurred w/:Meal on July 23, 2019  
as presented . MOTION CARRIED.

5.3 APPROVED: REIMBURSEMENT – 365<sup>TH</sup> CRIMINAL COURT COORDINATOR

MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REIMBURSEMENT for 365<sup>th</sup> Criminal Court Coordinator-Valeria Muñoz for expenses incurred w/: Meals, July 15, 2019 to July  
17, 2019 as presented . MOTION CARRIED.

JOINT AGENDA ITEMS :

5.4 APPROVED: BUDGET ADJUSTMENT NO. 44 – COUNTY JUDGE

5.5 APPROVED: BUDGET ADJUSTMENT NO. 46 – JP PCT. 1

5.6 APPROVED: BUDGET ADJUSTMENT NO. 40 – JP PCT. 4

5.7 APPROVED: BUDGET ADJUSTMENT NO. 43 – JAIL

5.8 APPROVED: BUDGET ADJUSTMENT NO. 42 – JAIL

5.9 APPROVED: BUDGET ADJUSTMENT NO. 29 – SHERIFF

5.10 APPROVED: BUDGET ADJUSTMENT NO. 47 – ROAD & BRIDGE PCT. 3

MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
Budget Adjustments : NO. 44 (County Judge-\$3,000-), NO.46 (JP Pct. 1-\$400-), NO. 40 (JP Pct. 4-\$1,000-), NO. 43 (Jail-\$9,000-)  
NO.42 (Jail-\$20,000-), NO.29 (Sheriff-\$6,500-) NO. 47-R&B Pct. 3(\$55,000-) as presented. MOTION CARRIED \*attachment(s)

5.11 APPROVED: MONTHLY REPORT – COUNTY TREASURER

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of July 2019 from County Treasurer-Estanislado Z Martinez as presented. MOTION CARRIED. \*attachment

5.12 APPROVED: FINANCIAL REPORT – COUNTY AUDITOR

MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
Financial REPORT for Month of July 2019 from County Auditor-Carlos Pereda as presented .  
NOTED:--[sic] City of Carrizo Springs "paid-up" to 2019 MOTION CARRIED. \*attachment

5.13 APPROVED: CLAIMS

MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
List of CLAIMS as presented . MOTION CARRIED. \*attachment

5.14 APPROVED: CLAIM DOCKET

\*MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
GENERAL FUND docket (\$191,782.27) as presented . MOTION CARRIED. \*attachment

ABSTAIN: Francisco G. Ponce [from any/all claims for Francisco R. Ponce or Ponce family-related]

\*MOTION: Valerie Rubalcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :  
AIRPORT FUND docket (\$2,750.00), PUBLIC SAFETY FAC FUND docket (\$816.87). MOTION(s) CARRIED. \*attachment(s)

\*MOTION: Alonso Carmona SECOND: Valerie Rubalcaba THAT THE COMMISSIONERS COURT APPROVE :  
OPERATION STONEGARDEN GRANT FUND docket (\$133,769.49), INTEREST & SINKING FUND docket (\$6,674,053.25) and  
CO's-18 FUND docket (\$18,471.41) as presented . MOTION(s) CARRIED.

\*attachment(s)

NOTED:--request from Commsr. Juan Carmona for a Project Total Expense (CO's-18) Report

\*MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
LAW LIBRARY FUND docket (\$1,247.00), UTILITIES FUND docket (\$8,436.85), RODEO ARENA&CONFERENCE FUND docket  
(\$1,304.61) and DIMMIT COUNTY PAYROLL FUND docket (\$370,433.54) . MOTION(s) CARRIED. \*attachment(s)

\*MOTION: Valerie Rubalcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
DEPARTMENTAL PAYROLL REPORTS as presented . MOTION CARRIED. \*attachment

6. EXECUTIVE SESSION

NON-ACTION ITEM

7. RECONVENE IN OPEN SESSION

NON-ACTION ITEM

8.

**PUBLIC SAFETY CORPORATION**

**8.1 CALL MEETING TO ORDER**

**1.2 ROLL CALL**

President **Francisco G. Ponce** Called the Meeting to Order [11:38 AM] with a Quorum present and the Absence of Member **Mike Uriegas** so duly noted for the Record.

**8.3 CONCERNING FINANCIAL STATUS OF CORPORATION**

[RE:--\$ 1M Fund Balance YTD..]

NO MOTION PRESENTED.

**8.4 PERSONNEL AND EXPENDITURES**

[RE:-- purchasing three (3) Tractors (Commissioners Court Meeting of 09/12/2019, Agenda Item 4.3)--(Daniel Estrada) : considering two(2) Full Time Employees—NOTED: salaries from Public Safety Corp. : 50% for Tony V., 50% for Utilities ]  
NO MOTION PRESENTED.

**9. ADJOURNMENT(S)**

MOTION: **Alonso Carmona** SECOND: **Valerie Rubalcaba**

THAT THE COMMISSIONERS COURT **APPROVE TO :**

Adjourn Commissioners Court Meeting and Public Safety Corporation Meeting [ 11:48 PM ], MOTION CARRIED.

APPROVED:

\_\_\_\_\_  
**FRANCISCO G. PONCE, COUNTY JUDGE**

ATTEST:

\_\_\_\_\_  
**MARIO Z. GARCIA, COUNTY CLERK**

SEAL :