

REGULAR MEETING
WILLACY COUNTY COMMISSIONERS' COURT
THURSDAY APRIL 27, 2023 AT 10:00 A.M.
COUNTY JUDGE'S OFFICE (COMMISSIONERS' COURTROOM)
576 WEST MAIN STREET, RAYMONDVILLE, TEXAS 78580

Notice is Hereby Given

WILLACY COUNTY COMMISSIONERS COURT will hold a REGULAR MEETING at the County Judge's Office (Commissioners' Courtroom), 576 West Main Street, Raymondville, TX. 78580, Thursday April 27, 2023 at 10:00 A.M. For the purpose of discussion of the following items.

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be held in *executive or closed session*, the WILLACY COUNTY COMMISSIONERS COURT will convene in such executive or closed sessions in accordance with Section 551.001, et seq., Texas Government Code.

Should any final action, final decision, or final vote be required in the opinion of the Willacy County Commissioners' Court with regard to any matter consider in such closed or executive meeting or session, then the final decision, or final vote shall be either:

- In the open meeting covered by the Notice upon the reconvening of the public meeting; or
- At a subsequent meeting of the Willacy County Commissioners' Court upon notice thereof, as the County shall determine.

1. Call to Order.
2. Roll Call / Establishment of Quorum.
3. Invocation / Pledge.
4. Public Comment (s).
5. Approval of Claims. ACTION REQUIRED.
6. Spread in the Minutes – Lucio Esparza, Pct 2 Foreman, has successfully completed the 2023 South Texas All Hazards Conference on March 22-23, 2023, 11 hours.
7. Presentation of TDA Form A1024 CDBG Section 3 Goals and Concepts as related to the CDBG Program and Grant Contract CFC21-0274 for expansion of sewer service and providing first-time sewer services in Sebastian and Lasara Colonias. Presented by GrantWorks.
8. Presentation by Spectrum Enterprise/Charter Communications on multi layered, diverse fiber internet/phone integrated solution based proposals.
9. Discussion and action to approve payment of escrow agent fees and paying agent fees (\$500) for each of the following Texas Water Development Board (TWDB) accounts from Capital Fund 02 paid upon invoice received in this fiscal year ending 09/30/2023: G1001255, L1001264, G1001263, G1001254, L1001253, L1011262, L1001353 L1001256, 253907000, 222786000, G1001261, G1001354, G1001321, G1001259 L1001258, G1001265, G1001257, L100126. Action Required.
10. Discussion; Consideration, and Action Required under Texas Govt. Code 2254, for Willacy County to provide a Written Statement and Finding of the County's Need for Specialized Contingent Fee Legal Services for Delinquent Tax Collection Services. Action Required

11. Discussion, Consideration, and Possible Action to Award a Contract for Delinquent Tax Collection Services to Linebarger Goggan Blair & Sampson, LLP. Action Required
12. Discussion to approve Willacy County's participation in the Walgreens Settlement, Walmart Settlement, Allergan Settlement and CVS Settlement pending in the new National Opioid Settlements. Action Required
13. Discussion and ratification of the County Judge's action of signing the Special District Settlement Participation forms for the Walgreens Settlement, Walmart Settlement, Allergan Settlement, and CVS Settlement. Action Required
14. Discussion and action to sign the Office of the Governor FY22 Operation Stonegarden Program Grant Resolution (Grant #3193508) of the OPSG Texas Willacy FY22 Grant application for the Willacy County Sheriff's Office. Signatory document (Resolution) attached. Action Required.
15. Discussion and Possible Action to discuss incurred expenses from the Willacy County Sheriffs Office to pick up an Inmate in Tampa, Florida on or before May 4, 2023. Possible Action Required.
16. Discussion and Action to request funding to purchase bullet proof vests for the Willacy County Sheriff's Office, not available through grant funding. Action Required.
17. Discussion and Action to request funding to purchase Emergency Lighting on the 2021 Chevrolet Tahoe acquired from the Lyford Police Department through Stone Garden for the Willacy County Sheriff's Office, not available through grant funding. Action Required.
18. Consideration and action to appoint a Willacy County Representative to the South Texas Coastal County Consortium. Action Required.
19. Approve the Amended & Restated Tax Abatement Agreement between Willacy County & Monte Alto Windpower LLC. Action Required.
20. Approve the Agreement for Road Use, Repair, & Improvements between Willacy County and Monte Alto Windpower, LLC. Action Required.
21. Discussion and Possible Action on further clarifying Willacy County's obligation on approval of Subdivision outside Municipality boundaries. Possible Action Required.
22. Approval and Action for the purchasing of (1) Patrol Pick-up truck for Pct. 3 Constable's Office for the total amount of \$45,290.00 after trade-in. A total amount of \$45,000 to be paid from fund 114 American Rescue Plan Act and \$290.00 to be paid from fund 01-424. Action Required.
23. Approval and action for the purchase of (1) Patrol Pick-up Truck for Pct. 4 & 7 Constable's Office for the total amount of \$47,790.00 A total amount of \$45,000 to be paid from fund 114 American Rescue Plan Act and \$2,790.00 to be paid from Capital Fund -02 OR another funding source. Action Required.
24. Discussion and Consideration on the proposed feasibility study for the Fred Stone Park Shoreline Protection – Phase I Project: Scope of Work to be paid from GOMESA. Possible Action Required.
25. Approval of Travel. ACTION REQUIRED.

26. 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.

27. ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) possible action
- (B) possible action

28. Adjourn.

Susana R. Garza, County Clerk &
Ex-Officio Clerk of the
Commissioners' Court of
Willacy County, Texas



Willacy County Judge
Aurelio Guerra

By: MIRANDA CRUZ, Deputy



10:03 AM
FILED
COUNTY COURT
APR 24 2023 M.C

SUSANA R. GARZA, CLERK
WILLACY COUNTY, TEXAS
BY: MIRANDA
CRUZ

ADDENDUM #1

WILLACY COUNTY COMMISSIONERS' COURT
THURSDAY, April 27, 2023 AT 10:30 A.M.
COUNTY JUDGE'S OFFICE – (COMMISSIONERS' COURTROOM)
576 W. MAIN STREET, RAYMONDVILLE, TEXAS 78580

Notice is Hereby Given

THAT, WILLACY COUNTY COMMISSIONERS COURT, will hold a Regular Meeting Addendum # 1 at the County Judge's Office (Commissioners Courtroom), 576 W. Main Street, Raymondville, TX. 78580 on Thursday, April 27, 2023 at 10:30 A.M. for the purpose of discussion of the following items.

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, WILLACY COUNTY COMMISSIONERS COURT will convene in such executive or closed sessions in accordance with Section 551.001, et seq., Texas Government Code.

Should any final action, final decision, or final vote be required in the opinion of the County with regard to any matter consider in such closed or executive meeting or session, then the final decision, or final vote shall be either:

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- at a subsequent meeting of the County upon notice thereof, as County shall determine.
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1. Discussion and Action to approve payment to LEMC Inc.-HCE for services rendered representing Willacy County in Bridge Project on County Road 180 to be paid out of Capital Fund Acct. ACTION REQUIRED
2. Adjourn:

Susana R. Garza, County Clerk &
Ex-Officio Clerk of the
Commissioners' Court of
Willacy County, Texas


Willacy County Judge
Aurelio Guerra

By: MIRANDA CRUZ, Deputy



10:19 AM
FILED
COUNTY COURT
APR 24 2023

SUSANA R. GARZA, CLERK
WILLACY COUNTY, TEXAS
BY: MIRANDA CRUZ DEPUTY

NOTICE OF A PUBLIC MEETING

Notice is hereby given that a Willacy County Commissioners' Court meeting will be held on Thursday, April 27th at 10:00 am at Commissioners' Courtroom, 576 West Main Street, Raymondville, Texas 78580, for the purpose of considering and taking action on all matters on the agenda for the meeting, including approval of an agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP as special counsel to perform all legal services necessary to collect delinquent property taxes and authorizing the execution of such agreement.

The agreement to be considered is necessary for the delinquent taxes owed to Willacy County to be collected in the most effective manner. The county desires that such delinquent tax, penalties and interest be collected as provided in the Texas Tax Code.

The Linebarger Goggan Blair & Sampson, LLP firm is fully qualified to provide this representation, being the largest delinquent tax collection law firm in the State of Texas, as well as the United States and having been engaged in this specialized legal service for more than 40 years. In addition, the Linebarger Goggan Blair and Sampson, LLP firm possesses infrastructure and technology, such as call center technology, that the district does not currently possess.

Linebarger Goggan Blair & Sampson, LLP has represented the county for at least the past 10 years with competence and professionalism, in the collection of delinquent property taxes.

The specialized legal services required by this agreement cannot be adequately performed by the attorneys and supporting personnel of the county due to the high cost of implementing the appropriate infrastructure and technology and employing sufficient in-house attorneys and staff with the level of experience and competence necessary to perform these activities.

Linebarger will be compensated on a contingent fee basis as provided in the Texas Tax Code Sections 6.30, 33.07, 33.08, 33.11, and 33.48. These Texas Tax Code sections specifically provide for an additional penalty on delinquent taxes to compensate collection attorneys. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the district.

Entering into the proposed agreement is in the best interests of the residents of the Willacy County because the delinquent taxes will be professionally and competently collected without the additional costs to the district of implementing infrastructure and technology, and employing in-house personnel or paying outside counsel on an hourly fee basis which would otherwise be required.