

MINUTES

Notice is hereby given that the City of Combes Commissioners met in a Special Session at 7:00 pm Tuesday, May 30, 2023, at **Combes Municipal Complex**, 21626 Hand Road, Combes Texas to consider the following.

---

Public comments may be e-mailed to [agutierrez@townofcombes.com](mailto:agutierrez@townofcombes.com) by the meeting date at 4:00 pm.

Meeting began at 7:01pm

Mayor Silvestre Garcia requested roll call.

1. **Roll Call.**

By City Administrator Aida Gutierrez

Mayor Silvestre Garcia – Present  
Commissioner Olga H. Montes- Present  
Commissioner Kenneth P Stolar- Present  
Commissioner Ann Forbes- Present  
Commissioner Carlos Cordova- Present  
Commissioner May David- Present

Mayor Silvestre Garcia – Quorum established; meeting goes on to next item on the agenda.

2. **Invocation & Pledge of Allegiance.**

Commissioner Ann Forbes led the invocation.  
Commissioner Carlos Cordova led Pledge of Allegiance.

3. **Public Comments: At this time, any person with business before the Council not scheduled on the agenda may speak, or any person may speak on any item on the agenda for a maximum of three (3) minutes. No formal action can be taken on these items.** Action for Approval or Disapproval

No Public Comments at this time

Mayor Silvestre Garcia thanked the public for their attendance.

Dawn Ray Leonard asked to speak to the City Council regarding her property located at Sunshine Estates Harlingen residence. Explained she moved to Sunshine Estates 3 years ago. The City of Combes and the Tax Office considered the property belonged to Combes but after contacting Cameron County they revised the map, and the property was determined to be a Harlingen residence. She asked for further investigation to be confirmed on the location of her residence and be released from Combes waterworks and transitioned into Harlingen waterworks.

Commissioner Olga H. Montes made a motion to approve public comments. Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

4. **First Public Hearing-Re-zone request from Mr. Jose Briseno Jr.-from Commercial to Residential-N. Expressway 77, Block 6 B.F. Subdivision.**

Action for Approval or Disapproval of.

City Administrator Aida Gutierrez informed the council Mr. Jose Briseno Jr would not be present and would be represented by Ms. Celene Pesina. She also informed the council a letter was sent to the property owners within two hundred (200) feet of the project site, legal Notice was placed on the official newspaper of the City and No opposition was made. Mr. Jose Briseno's intention for re-zoning is for the property to be used to build a future residential home. This would be the First Public Hearing and no action to be taken until Second Public Hearing scheduled on next meeting scheduled for June 12,2023.

Commissioner Carlos Cordova made a comment to question if an Interest of Conflict form be filed due to Mr. Jose Briseno's representative Ms. Celene Pesina being related to a family member of his. The City's legal counsel Judge Gilberto Hinojosa advised she does not fall in his immediate family members therefore a form does not need to be filed and would leave for Commissioner Carlos Cordova to make that decision.

Commissioner Kenneth P Stolar made a motion to approve the First Public Hearing-Re-zone request from Mr. Jose Briseno Jr.-from Commercial to Residential- N. Expressway 77, Block 6 B.F. Subdivision. Seconded by Commissioner Olga H. Montes. All in favor. Motion passed due to unanimous vote.

5. LeFevre Engineering, PLLC-

**a) Consideration and Possible Action of Change Order Number 1- Ryner Construction and City of Combes FM 508 Road Widening Project (Bonds 2021 Project).**

Mayor Silvestre Garcia advised that agenda items will be addressed one by one.

Mr. Richard LeFevre introduced himself as an Engineer for the City of Combes. Mayor Silvestre Garcia asked Mr. Richard LeFevre to explain to the city council the change of order. Mr. Richard LeFevre advised that on April 2022 the Former Mayor requested FM 508 Plans be provided to Love Engineers and worked with them for 6-8 months to confirm the work coordinated with the plans. The Original bid amount was \$349,994.20. The Net Increase (decrease) of this change order was \$36,549.70 leaving a contract price with all approved change orders to be \$386,543.90. Mr. LeFevre advised; the change order was a result of the existing conditions by Love's construction and location of curbing, addition of 11 additional days to inclement weather, removal of Reshaping of Ditches and removal of items No. 166 Fertilizer ,168 Vegetative Watering,164 Cell FBR MLCH Seed.

Commissioner Olga H. Montes made a motion to approve Consideration and Possible Action of Change Order Number 1- Ryner Construction and City of Combes FM 508 Road Widening Project (Bonds 2021 Project). Seconded by Commissioner Ann Forbes. All in favor. Motion passed due to unanimous vote.

**b) Update on Public Warehouse & Animal Shelter & Application Payment #4-RG Enterprises, LLC. \$158,192.10 (Bonds 2021 Project)**

Action for Approval or Disapproval of. (Items A-B)

Mr. Richard LeFevre updated the City Council that an inspection of the warehouse and Animal Shelter was done for corrections that needed to be done previously and that information was requested from RG Enterprises, LLC for completion of the warehouse and Animal Shelter. A letter was sent to RG Enterprises LLC requesting closing documents such as warranties and a letter from the manufacturer.

Mayor Silvestre Garcia recommended moving further discussion to the executive session.



May 30, 2023 Special Meeting

Commissioner Olga H. Montes made a motion to table the Update on Public Warehouse & Animal Shelter & Application Payment #4-RG Enterprises, LLC. \$158,192.10 (Bonds 2021 Project) until after executive session. Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

**6. Consideration and Possible Action to;**

**a) Appoint and/or Re-Appoint Combes Economic Development Corporation Directors.**

**Action for Approval or Disapproval of.**

**c) Appoint and/or Re-Appoint Combes Municipal Development District Directors.**

**Action for Approval or Disapproval of.**

Mayor Silvestre Garcia asked the city board for Consideration and Possible Action to; a) Appoint and/or Re-Appoint Combes Economic Development Corporation Directors and c) Appoint and/or Re-Appoint Combes Municipal Development District Directors be tabled until after executive session.

Commissioner Olga H. Montes made a motion to table Consideration and Possible Action to a) Appoint and/or Re-Appoint Combes Economic Development Corporation Directors and c) Appoint and/or Re-Appoint Combes Municipal Development District Directors until after executive session. Seconded by Commissioner Ann Forbes. All in favor. Motion passed due to unanimous vote.

**7. Mayor Silvestre Garcia- Consideration and Possible Action of**

**a) USDA Application & Fulcrum Engineering.**

Mayor Silvestre Garcia made contact with Fulcrum Engineering requesting USDA Application update and documentation. Fulcrum Engineering rejected themselves from further involvement in projects with the City of Combes and has failed to submit requested documentation.

Commissioner Olga H. Montes made a motion to acknowledge Consideration and Possible Action of a) USDA Application & Fulcrum Engineering. Seconded by Commissioner Mary David. All in favor. Motion passed due to unanimous vote.

**b) Crosswind Landing Subdivision Update.**

Mayor Silvestre Garcia advised the City Council the developer for Crosswind Landing would not be present due to having no update on item.

Commissioner Olga H. Montes a motion to table Crosswind Landing Subdivision Update for further discussion during executive session and return to item after executive session. Seconded by Commissioner Mary David. All in favor. Motion passed due to unanimous vote.

**c) Update on Nixon Road Street & Drainage Improvements Project.**

The City Administrator advised the City Council bids for repairs to Nixon Road would go out June 01 and June 08<sup>th</sup> with Nixon Road having an estimated completion date of 120 days (4 Months).

May 30, 2023 Special Meeting

Commissioner Kenneth P Stolar made a motion to approve c) Update on Nixon Road Street & Drainage Improvements Project. Seconded by Commissioner Carlos Cordova. All in favor. Motion passed due to unanimous vote.

**d) Final Invoice -# March 2023-17 \$8,500.00 Silva Management Solutions, Bond Project 2021 Manager.**

Action for Approval or Disapproval of. (Items A-D)

Commissioner Olga H. Montes made a motion to table d) Final Invoice -# March 2023-17 \$8,500.00 Silva Management Solutions, Bond Project 2021 Manager and move to executive session. Seconded by Commissioner Ann Forbes. All in favor. Motion passed due to unanimous vote.

Mayor Silvestre Garcia requested a motion to enter executive Session at 8:19pm. Commissioner Olga H. Montes made a motion to enter executive Session. Seconded by Commissioner Ann Forbes- Commissioner Mary David.

8.Executive Session: Consultation with Attorney as per Texas Open Meetings Act. [Tex. Govt. Code §551.071-

- a) Discussion regarding RG Enterprises, LLC DBA-G&G Contractors-Combes Public Warehouse & Animal Shelter Bond Project 2021.
  - b) Crosswind Landing Subdivision
  - c) Silva Management Solutions, Bond Project 2021 Manager and Bond Project Manager Agreement with the City of Combes.
- Action for Approval or Disapproval of.

Commissioner Olga H. Montes made a motion to exit the executive session and return to the regular meeting at 9:33pm. Seconded by Commissioner Mary David.

9. Action following Executive Session: Consultation with Attorney as per Texas Open Meetings Act. [Tex. Govt. Code §551.071-

- a) Discussion regarding RG Enterprises, LLC DBA-G&G Contractors-Combes Public Warehouse & Animal Shelter Bond Project 2021.

Mayor Silvestre Garcia asked for motion to have legal counsel and city administrator proceed as addressed in executive Session. Commissioner Olga H. Montes made a motion to approve. Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

- b) Crosswind Landing Subdivision

Mayor Silvestre Garcia asked for a motion to have legal counsel to proceed as discussed in the executive session. Commissioner Olga H. Montes made a motion to approve the motion. Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

- c) Silva Management Solutions, Bond Project 2021 Manager and Bond Project Manager Agreement with City of Combes.
- Action for Approval or Disapproval of (Items A-C)



May 30, 2023 Special Meeting

Mayor Silvestre Garcia asked for a motion instructing legal counsel to proceed as discussed in the executive session. Commissioner Olga H. Montes made a motion to approve. Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

**Revisited: #6 Consideration and Possible Action to;**

**a) Appoint and/or Re-Appoint Combes Economic Development Corporation Directors.**

**Action for Approval or Disapproval of.**

**c) Appoint and/or Re-Appoint Combes Municipal Development District Directors.**

New EDC Directors selected were named by Mayor Silvestre Garcia.

- Joe Trevino
- Jorge Castillo
- Veronica De La Fuente
- Nelson Snavelly
- Edward Reibelng
- Silvestre Garcia
- Gerardo (Jerry) Santos

Commissioner Olga H. Montes made a motion to approve the newly elected EDC Directors. Seconded by Commissioner Mary David. All in favor. Motion passed due to unanimous vote.

New MDD Directors selected were named by Mayor Silvestre Garcia.

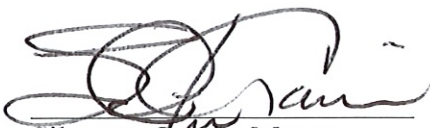
- Aida Gutierrez
- Silvestre Garcia
- John Cardoza
- Kenneth P Stolar
- Jesus Ortega

Commissioner Kenneth P Stolar made a motion to approve the newly elected MDD Directors. Seconded by Commissioner Mary David. All in favor. Motion passed due to unanimous vote.

10. Adjournment of Meeting.

Action for Approval or Disapproval of.

Commissioner Olga H. Montes made a motion to adjourn the meeting. Seconded by Commissioner Mary David. All in favor. Motion passed due to unanimous vote.



\_\_\_\_\_  
Silvestre Garcia, Mayor



\_\_\_\_\_  
JoAnn Duarte, City Secretary

