

January 8, 2024, Regular Meeting

## MINUTES

Notice is hereby given that the City of Combes Commissioners met in a Regular Session at 7:00 pm Monday, January 8, 2024, at **Combes Municipal Complex**, 21626 Hand Road, Combes Texas to consider the following.

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

Mayor Silvestre Garcia took a moment to wish everyone a Happy New Year and Hopes to move in the right direction and achieve better things for the coming year.

Meeting began at 7:00 pm

Mayor Silvestre Garcia requested roll call.

### 1. Roll Call.

By City Secretary Jo Ann Nino

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

### 2. Invocation & Pledge of Allegiance.

Pastor led the Invocation.

Commissioner Kenneth P Stolar led the 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

Mayor Silvestre Garcia informed the city council there are two (2) people with business before the council not scheduled on the agenda to speak for a maximum of three (3) minutes. No formal action can be taken on these items.

Before entering public comments, Mayor Silvestre Garcia asked the people of Combes, City Commission, and everyone associated with our City Government to join the support in the election for the two people before the council.

Mayor Silvestre Garcia called on the first-person Ms. Carol Sanchez. Ms. Carol Sanchez, running for State District 37, introduced herself and described her background as a testament to community commitment.

Mayor Silvestre Garcia called on the second-person Ms. Liz Sanchez. Ms. Liz Chavez, running for Justice of the Peace Precinct 5- Place 1. Ms. Liz Chavez gave a brief introduction to the city council on her 23 years' experience with the Cameron County Justice of the peace courts.

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Mayor Silvestre Garcia informed the city council with no further comment/discussions the meeting goes on to agenda item #4.

4. **Second and Last Public Hearing-** Re-Zone Request from San Mateo Investments, LLC from Agriculture to Residential -A 19.00 Acre Tract of land more or less out of the east half of Block 29, Wilson Tract Subdivision- Northwest corner of Rio Rancho and Cragon Road. CAD Id# 211083 and 211086  
Action to open and close public hearing.

Mayor Silvestre Garcia asked for a motion to open the public hearing. Commissioner Kenneth P Stolar made a motion to open the public hearing. Seconded by Commissioner Olga H Montes. All in favor. Motion passed due to unanimous vote.

Mayor Silvestre Garcia informed the city council the preliminary plan for the subdivision was previously approved. The subdivision would bring in thirty plus (30+) rooftops to the community.

Mayor Silvestre Garcia asked for a motion to close the public hearing. Commissioner Kenneth P Stolar made a motion to close the public hearing. Seconded by Commissioner Ann Forbes. All in favor. Motion passed due to unanimous vote.

5. Mayor Silvestre Garcia- Consideration and Possible Action-Department Updates

- a) Utility Rate Study-Combes Waterworks
- b) Police Department
- c) Waterworks
- d) Municipal court

Action for Approval, Disapproval and/or Acknowledgement.

- a) Mayor Silvestre Garcia addressed the citizens of Combes on the Utility Rate Study. Mayor Silvestre Garcia explained the Utility Rate Study has not been conducted, Water rates were not raised as anticipated due to bonds and would remain the same. The city is working with the Texas Rural Water Association to assist with the Utility Study to be done at no cost to avoid an expense for the city. Taxes were lowered and moving forward, the effort continues to lower water rates.
- b) City Administrator Aida Gutierrez informed the city council the update for the Police Department was provided in their agenda packets. Mayor Silvestre Garcia asked for any questions and/or discussion. Commissioner Ann Forbes acknowledged the Chief of Police Patrick Quill performance with the Police Department.
- c) & d) Mayor Silvestre Garcia acknowledged the great performance by all departments.

Mayor Silvestre Garcia asked for a motion to acknowledge the reports. Commissioner Olga H Montes made a motion to acknowledge the reports. Seconded by Commissioner Kenneth P Stolar.

Mayor Silvestre Garcia asked for any questions/discussions on the items. Commissioner Mary David had questions for the Chief of Police Patrick Quill pertaining to the police department. Police Chief Patrick Quill acknowledged her questions and responded. All in favor. Motion passed due to unanimous vote.

6. Consideration and Possible Action for City Engineer R.E. Garcia & Associates to finalize construction plans and specifications for construction of Woods Road (AKA Templeton) and advertise Request for Sealed Bids.

Action for Approval or Disapproval of.

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Mayor Silvestre Garcia informed the city council and public that this project is a future development to increase economic growth for the City of Combes. The City's Engineer was asked to develop the plans and was brought up to Cameron County. Cameron County did not agree with the project. The City's Engineer Mr. Raul E. Garcia explained to the city council that the design showed the development of Woods Rd (an existing road) the county reviewed it as a subdivision and therefore according to them it did not meet the guidelines.

Mayor Silvestre Garcia addressed the importance of building the road. It would bring in an increase in property values. The best interest of the City of Combes is for a project to move forward not only for businesses but also for the future economic development of the city.

Mayor Silvestre Garcia asked for a motion to approve for City Engineer R.E. Garcia & Associates to finalize construction plans and specifications for construction of Woods Road (AKA Templeton) and advertise Request for Sealed Bids. Commissioner Olga H Montes made a motion to approve City Engineer R.E. Garcia & Associates to finalize construction plans and specifications for construction of Woods Road (AKA Templeton) and advertise Request for Sealed Bids. Seconded by Commissioner Mary David.

Mayor Silvestre Garcia asked for any questions/ discussions regarding the item. The City Administrator Aida Gutierrez asked if this would be an all-weather road. Mayor Silvestre Garcia recommended two alternate roads. One road to have caliche and millings and the alternative with asphalt.

Motion reinforced: Motion to approve for City Engineer R.E. Garcia & Associated to finalize construction plans and specifications for construction of Woods Road (AKA Templeton) and advertise Request for Seal Bids with Alternates. All in favor. Motion passed due to unanimous vote.

#### 7. Consideration and Possible Action

- a) Invoices for Approval-General, Waterworks, Special Funds.
  - b) Check Registers & Debit Card Transactions-General Fund, Waterworks, and Police Department Special Funds for December 2023.
  - c) Financial Statement Reports-General Fund, Waterworks, and Police Department Special Funds for December 2023.
  - d) MEG Engineers proposal #02-23-238M -\$4,436.00 for Asphalt Coring Test for Streets in Combes (Bond 2021 Fund)
- Action for Approval or Disapproval of. (Items A-D)

Mayor Silvestre Garcia asked for a motion to approve a) Invoices for Approval-General, Waterworks, Special Funds. b) Check Registers & Debit Card Transactions-General Fund, Waterworks, and Police Department Special Funds for December 2023. c) Financial Statement Reports-General Fund, Waterworks, and Police Department Special Funds for December 2023. d) MEG Engineers proposal #02-23-238M - \$4,436.00 for Asphalt Coring Test for Streets in Combes (Bond 2021 Fund). Commissioner Olga H Montes made a motion to approve a) Invoices for Approval-General, Waterworks, Special Funds. b) Check Registers & Debit Card Transactions-General Fund, Waterworks, and Police Department Special Funds for December 2023. c) Financial Statement Reports-General Fund, Waterworks, and Police Department Special Funds for December 2023. d) MEG Engineers proposal #02-23-238M - \$4,436.00 for Asphalt Coring Test for Streets in Combes (Bond 2021 Fund) Seconded by Commissioner Mary David. All in favor. Motion passed due to unanimous vote.

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8. Consideration and Possible Action of First Reading-Ordinance No. 2023-4 An Ordinance of the City of Combes, Texas Adopting a Prohibition on Noise Disturbances within the City and Providing Exceptions; Providing a Penalty for Violation; Providing a Severability Clause, Providing or Publication; and Providing an Effective Date.

Action for Approval or Disapproval of.

Mayor Silvestre Garcia asked for a motion to approve. Commissioner Olga H Montes made a motion to approve. Seconded by Commissioner Kenneth P Stolar.

Mayor Silvestre Garcia asked for a motion to approve First Reading-Ordinance No. 2023-4 An Ordinance of the City of Combes, Texas Adopting a Prohibition on Noise Disturbances within the City and Providing Exceptions; Providing a Penalty for Violation; Providing a Severability Clause, Providing or Publication; and Providing an Effective Date. Commissioner Kenneth P Stolar made a motion to approve First Reading-Ordinance No. 2023-4 An Ordinance of the City of Combes, Texas Adopting a Prohibition on Noise Disturbances within the City and Providing Exceptions; Providing a Penalty for Violation; Providing a Severability Clause, Providing or Publication; and Providing an Effective Date. Seconded by Commissioner Olga H Montes. All in favor. Motion passed due to unanimous vote.

9. Chief P. Quill-Consideration and Possible Action of Ordinance 2013-(1) Regulating Wrecker Rotation List- Amendment to reduce Five Wrecker Services on Rotation to Two (2)-for Combes Police Department.

Action for Approval or Disapproval of. (Tabled November 13, 2023, Meeting)

Mayor Silvestre Garcia informed the city council he was informed Kennedy County consisted of one (1) towing company versus multiple to take responsibility for all City matters. Mayor Silvestre Garcia had a question pertaining to having the same number of towing companies for the city. The Chief of Police Patrick Quill explained the agenda item was a recommendation. A request for proposals was made and five (5) were returned with only two (2) submitted correctly as per the instructions.

Mayor Silvestre Garcia made a recommendation to go with one (1) towing company within the city limits of Combes.

Mayor Silvestre Garcia asked for a motion to amend the ordinance to have one (1) instead of five (5). Commissioner Ann Forbes made a motion to amend the ordinance to have one (1) instead of five (5). Seconded by Commissioner Olga H Montes. All in favor. Motion passed due to unanimous vote.

10. Consideration and Possible Action.

a) Call Order of Election for May 4, 2024, General Election to elect three (3) Commissioners (Incumbents: Place 1-Olga H. Montes Place 3-Kenneth P. Stolar, and Place 5-Carlos Cordova)

b) Proposition No. 1 "The reauthorization of the local sales tax in the Town of Combes at the rate of  $\frac{1}{4}$  (One-Fourth) of One (1%) to continue providing revenue for maintenance and repair of municipal streets" (expires December 31, 2024)

c) Action to consider Cameron County Elections Department to conduct General Election May 4, 2024

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

Mayor Silvestre Garcia asked for a motion to approve a) Call Order of Election for May 4, 2024, General Election to elect three (3) Commissioners (Incumbents: Place 1-Olga H. Montes Place 3-Kenneth P. Stolar,

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and Place 5-Carlos Cordova) b) Proposition No. 1 "The reauthorization of the local sales tax in the Town of Combes at the rate of ¼ (One-Fourth) of One (1%) to continue providing revenue for maintenance and repair of municipal streets" (expires December 31, 2024) c) Action to consider Cameron County Elections Department to conduct General Election May 4, 2024.

Commissioner Olga H Montes made a motion to approve a) Call Order of Election for May 4, 2024, General Election to elect three (3) Commissioners (Incumbents: Place 1-Olga H. Montes Place 3-Kenneth P. Stolar, and Place 5-Carlos Cordova) b) Proposition No. 1 "The reauthorization of the local sales tax in the Town of Combes at the rate of ¼ (One-Fourth) of One (1%) to continue providing revenue for maintenance and repair of municipal streets" (expires December 31, 2024) c) Action to consider Cameron County Elections

Department to conduct General Election May 4, 2024. Seconded by Commissioner Mary David. All in favor. Motion passed due to unanimous vote.

11. Consideration and Possible Action of Scoring Results by Review Committee and Select to Award.

**a) Engineering/Architectural/Surveying** Services for Texas General Land Office (GLO) 2018 South Texas Floods CDBG-DR-4377 (2018 Floods) & 2019 Lower Rio Grande Valle Floods CDBG-DR-4454 (2019 Floods) and Tropical Storm Imelda CDBG-DR-4466 (TS Imelda). Action for Approval or Disapproval of.

The City Administrator Aida Gutierrez informed the city council there were four (4) engineering firms turn in RFQs for 2018-2019 (lift station and manholes) and explained the use of the money granted. The scoring for engineers was discussed among the city council. The two top engineers went to Hinojosa with a score of 474 and R.E. Garcia with a score of 469.

Mr. Jared Hockema recommended a motion to award the engineering services to Hinojosa for 2019 and R.E Garcia for 2018 subject to the approval of the general land office.

Commissioner Kenneth P Stolar made a motion to award the engineering services to Hinojosa for 2019 and R.E Garcia for 2018 subject to the approval of the general land office.

Seconded by Commissioner Olga H Montes. All in favor. Motion passed due to unanimous vote.

12. Consideration and Possible Action of Assessment of City of Combes Street Lights Project- Phase I- Engineer Assessment and Quote for Hand Road from Fonroche Lighting America  
Action for Approval or Disapproval of.

Mayor Silvestre Garcia asked for a motion to approve Consideration and Possible Action of Assessment of City of Combes Street Lights Project- Phase I- Engineer Assessment and Quote for Hand Road from Fonroche Lighting America. Commissioner Olga H Montes made a motion to approve Consideration and Possible Action of Assessment of City of Combes Street Lights Project- Phase I- Engineer Assessment and Quote for Hand Road from Fonroche Lighting America. Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

13. **Executive Sessions-**

- (1) Deliberation pursuant to Texas Government Code 551.072 regarding the purchase and/exchange of real property where the deliberation in open session would have a detrimental effect on the position of a governmental entity with a third person, and pursuant to Texas Government Code 55.087 to discuss or deliberate regarding a financial incentive to a business prospect described in 551.087 (1)

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and pursuant to Texas Government Code (2) regarding consultation with legal counsel on which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.

*b- Discussion and or possible action on developing an agreement with incentives for proposed development requested by Project Y.*

(2) Consultation with Attorney as per Texas Open Meetings Act. [Tex. Govt. Code §551.071-to discuss Crosswind Landing LP, pursuant to Texas Government Code 55.087 (2)

(3) To Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, pursuant to Section 551.074 Personnel Matters. Reassignment Duties- Building Inspector & Former Community Health Worker-Tu Salud Si Cuenta. –

(4) Executive Session- Consultation with Attorney as per Texas Open Meetings Act. [Tex. Govt. Code §551.071-Discussion regarding G&G Contractors/Surety Bond-Combes Public Warehouse & Animal Shelter Bond Project 2021-(Update)

**Action for Approval or Disapproval of to go into Executive Session-#11-(1 through 4)**

Mayor Silvestre Garcia asked for a motion to enter executive session (1) through (4). Commissioner Olga H Montes made a motion to enter executive session (1) through (4). Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

**14. Action following Executive Sessions #11 (1 through 4)**

**(1) A; (2); (3); and (4)**

Action for Approval or Disapproval of.

The City Administrator Aida Gutierrez asked for a motion to return to regular meeting at 8:30pm  
Commissioner Mary David made a motion to return to regular meeting at 8:30pm. Seconded by  
Commissioner Olga H Montes.

Action following executive session: Acknowledge report from (1) to (4). Commissioner Olga H Montes made a motion to acknowledge the report (1) to (4). Seconded by Commissioner Ann Forbes. All in favor. Motion passed due to unanimous vote.

**15. EDC Executive Session Action Items January 8, 2024, EDC Meeting:**

Executive Session: As per Texas Local Government Code, Section 551-086, Economic Development, the EDC Board may enter Closed or Executive Session to discuss the following:

(c) Deliberation regarding sale of real property, described as DAVID & STEPHENSON SUBDIVISION 13.460 OUT OF 36.3780 ACRES BLK 8, pursuant to Texas Government Code, Section 551.072.

(d) Deliberation regarding offer of economic incentives, related, pursuant to Texas Government Code, Section 551.087(2). Project Y.

Action for Approval or Disapproval of.

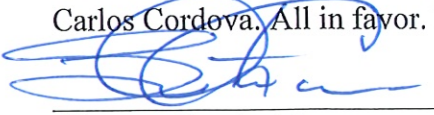
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Commissioner Olga H Montes made a motion to enter executive session. Seconded by Commissioner Kenneth P Stolar. All in favor. Motion passed due to unanimous vote.

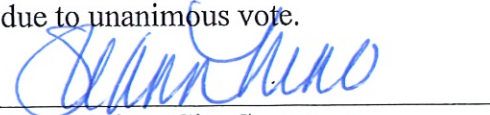
16. Adjournment of Meeting.

Action for Approval or Disapproval of.

Commissioner Olga H Montes made a motion for Adjournment of meeting. Seconded by Commissioner Carlos Cordeva. All in favor. Motion passed due to unanimous vote.



Silvestre Garcia, Mayor



JoAnn Nino, City Secretary