

**THE UVALDE COUNTY COMMISSIONERS COURT WILL MEET AT 10 AM ON MONDAY,
AUGUST 14TH, 2023 ON THE EAST LAWN OF THE UVALDE COUNTY COURTHOUSE**

AMENDA AGENDA

1. Consider and act upon call to order, invocation and pledge of allegiance
2. Consider and act upon approval of minutes
3. Consider and act upon resolution prohibiting carrying of handguns in courthouse
4. Consider and act upon approval to file DBAs for the resiliency program under UTRC and UCWC
5. Consider and act upon contract with Accelerated Card Company LLC dba Certified Payments for Tax Assessor Office credit card payments
6. Consider and act upon payment of bills
7. Consider and act upon payroll approval
8. Consider and act upon monthly reports
9. Consider and act upon change order for vehicle bids received for DA's Border Prosecution unit
10. Consider and act upon change order for vehicle bids received for DA's Operation Lone Star
11. Consider and act upon resolution to recall UCAD board of directors member Javier Flores
12. Consider and act upon change order for Mid-Town Complex building
13. Consider and act upon 2023-2024 final budget draft
14. Consider and act upon No-New-Revenue tax rate
15. Consider and act upon Voter-Approval tax rate
16. Consider and act upon acceptance of Walmart community grant
17. Consider and act upon 2023 TAC Cybersecurity training certification
18. Consider and act upon Uvalde County Health Department copier contract
19. Consider and act upon adopting order prohibiting outdoor burning
20. Consider and act upon motor vehicle optional road/bridge and child safety fees
21. Consider and act upon accepting 2024-2025 38th and 454th Judicial District CSCD budget
22. Consider and act upon Road Administrators report
23. Consider and act upon local disaster declaration
24. Consider and act upon resolutions/proclamations

CERTIFICATE: I certify the above and foregoing was posted in compliance with Sections 551.043 and 551.049 of the Texas Government Code at 2:20 PM on August 10th, 2023. Persons with disabilities who plan on attending this meeting and who may require auxiliary aids are requested to contact Administrative Assistant Helly Moncada in the office of the Uvalde County Judge no later than 4 PM on Friday prior to the meeting.



**WILLIAM R. MITCHELL
UVALDE COUNTY JUDGE**



THE UVALDE COUNTY COMMISSIONERS COURT WILL MEET AT 10 AM ON MONDAY, AUGUST 14TH, 2023 IN THE COMMISSIONERS COURTROOM OF THE UVALDE COUNTY COURTHOUSE

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CERTIFICATE: I certify the above and foregoing was posted in compliance with Sections 551.043 and 551.049 of the Texas Government Code at 10 AM on August 9th, 2023. Persons with disabilities who plan on attending the meeting and who may require auxiliary aids are requested to contact Administrative Assistant Helly Moncada in the office of the Uvalde County Judge no later than 4 PM on Thursday prior to the meeting.


**WILLIAM R. MITCHELL
UVALDE COUNTY JUDGE**



**1. CONSIDERAND ACT UPON CALL TO ORDER, INVOCATION AND
PLEDGE OF ALLEGIANCE**

2. CONSIDER AND ACT UPON APPROVAL OF MINUTES

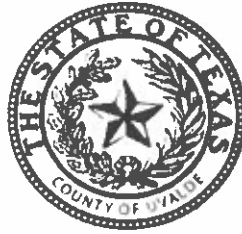
July 24th, 2023

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**



MINUTES

BE IT REMEMBERED that on the 24th of July 2023, the Honorable Commissioners Court of Uvalde County, Texas convened in regular session in the Commissioners Courtroom of the Uvalde County Courthouse. The following members were in attendance:

William R. Mitchell, *County Judge*
Mariano Pargas, *Commissioner Pct. #2*
Jerry W. Bates, *Commissioner Pct. #3*
Ronnie Garza, *Commissioner Pct. #4*
Donna M. Williams, *County Clerk and Clerk of
the Commissioners Court*

Also present were, *County Treasurer* Joni Deorsam, *County Tax-Assessor Collector* Rita Verstuyft, and *County Road Administrator* Dee Kirkpatrick.

Absent: John Yeackle, *Commissioner Pct. 1*, and John P. Dodson, *County Attorney*.

1. Consider and act upon call to order, invocation and pledge of allegiance:

The Honorable William R. Mitchell, Uvalde County Judge, called the meeting of July 24, 2023 to order at 10:00 AM, followed with the invocation, led the Pledge of Allegiance, and the Texas Pledge of Allegiance.

2. Consider and act upon approval of minutes:

Motion by Commissioner Bates to approve the Minutes of July 10, 2023, as presented.
Seconded by Commissioner Garza.
Motion unanimously carried (3-0).

3. Consider and act upon bids received for vehicles for use in the District Attorney's Border Prosecution Unit program:

Carl Esser gave overview and recommended acceptance of the one bid that was received from Cavender in the amount of \$97,000. For 2 vehicles to be purchased utilizing funding from the Border Prosecution Grant.

Motion by Commissioner Pargas to accept the one bid received for vehicles for use in the District Attorney's Border Prosecution Unit program.
Motion seconded by Commissioner Bates.
Motion unanimously carried (3-0). (See Attached)

4. Consider and act upon bids received for vehicles for use in the District Attorney's Office Operation Lone Star program:

Carl Esser gave overview and recommended acceptance of the one bid that was received from Cavender in the amount of \$79,000. For 2 vehicles to be purchased utilizing funding from Operation Lone Star.

Motion by Commissioner Bates to accept the one bid for vehicles for use in the District Attorney's Operation Lone Star program.
Motion seconded by Commissioner Pargas.
Motion unanimously carried (3-0). (See Attached)

5. Consider and act upon resolution authorizing TDA Home Delivered Meal grant application:

Motion by Commissioner Garza to approve resolution authorizing TDA Home Delivered Meal application.
Motion seconded by Commissioner Bates.
Motion unanimously carried (3-0). (See Attached)

6. Consider and act upon Regional Public Defender 2024/2025 Interlocal Agreement:

Uvalde County contracts with the Regional Public Defenders Office located in Lubbock to provide for legal defense for individuals charged with a death-eligible capital murder case. The interlocal agreement calls for Uvalde County to pay \$11,644.00 for FY 24 and \$11,644.00 for FY 25.

Motion by Commissioner Bates to approve Regional Public Defender 2024/2025 Interlocal Agreement.

Motion seconded by Commissioner Garza.

Motion unanimously carried (3-0). (See Attached)

7. Consider and act upon 2023-2024 Sheriff and Constable Fees:

Per Sheriff Nolasco, no recommended change from last year.

Motion by Commissioner Pargas to accept recommendation for no fee changes to 2023-2024 Sheriff and Constable Fees.

Motion seconded by Commissioner Bates.

Motion unanimously carried (3-0). (See Attached)

8. Consider and act upon report of county auction results:

Uvalde County auction was held on Saturday, July 17, 2023. Total sales \$14,170.00 Less 20% commission \$2,834.00, and advertising \$196.69, TOTAL NET: \$11,139.31

Motion by Commissioner Bates to accept report of county auction results.

Motion seconded by Commissioner Garza.

Motion unanimously carried (3-0). (See Attached)

9. Consider and act upon HTS buyboard contract for Midtown Complex technology:

Several contracts were presented for the technology needs for the Midtown Complex.

Motion by Commissioner Garza to approve HTS buyboard contract for Midtown Complex technology.

Motion seconded by Commissioner Pargas.

Motion unanimously carried (3-0). (See Attached)

10. Consider and act upon presentation of second draft of 2023-2024 county budget:

None presented. No action on this agenda item.

11. Consider and act upon Road Administrators Report:

Report by Road Administrator Dee Kirkpatrick.
July 5 – July 18, 2023

Motion by Commissioner Garza to approve Road Administrators Report.
Seconded by Commissioner Pargas.
Motion unanimously carried (3-0). (See Attached)

12. Consider and act upon line-item budget amendments:

None presented. No action on this agenda item.

13. Consider and act upon payroll approval:

Public participants: Ruben Torres, Berlinda Arreola and Marissa Lozano addressed the court in opposition to approving payroll.

Motion by Commissioner Bates to approve payroll.
Seconded by Commissioner Pargas.
Motion unanimously carried (3-0). (See Attached)

14. Consider and act upon payment of bills:

Motion by Commissioner Bates to approve payment of bills.
Motion seconded by Commissioner Pargas.
Motion unanimously carried (3-0). (See Attached)

15. Consider and act upon approval of monthly reports:

Monthly reports that are on file for review in the County Clerk's office were presented to the court for consideration and approval.

Motion by Commissioner Bates to approve monthly reports.
Seconded by Commissioner Garza.
Motion unanimously carried (3-0).

16. Consider and act upon resolutions/proclamations:

The Court approved resolutions and closed the meeting in honor of the memory of the following individuals:

Charles L. Reeves †
Former County Attorney David R. White, Jr. †
Susan J. Yates †
Rachel Valverde Velasquez †
Johnny Darrell Connell †
Longino “Lonnie” R. Gonzalez †
Gary Davis, Jr. †
Annell Dorris †
Judith Anne Hibdon †
Johnny A. Ruiz †
James Everett Smart †

With no further business, the meeting of July 24, 2023 was adjourned at 10:24 AM. Exhibits identified under a specific agenda item are included as supporting documentation of the actions taken by the Uvalde County Commissioners Court, and are placed after the minutes and before the last page titled Commissioners Court Order.

3. CONSIDER AND ACT UPON RESOLUTION PROHIBITING CARRYING OF HANDGUNS IN COURTHOUSE

Section 46.03 of the Texas Penal Code prohibits the carrying of handguns, even by holders of a handgun license, on the premises of any government court or offices utilized by the court. The Uvalde County Judge and the 38th Judicial District Judge have presented a joint resolution requesting the Commissioners Court to take action prohibiting the carrying of handguns in the Uvalde County Courthouse. Judge DuBose will be present to discuss the resolution.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

JOINT RESOLUTION OF THE 38TH JUDICIAL DISTRICT COURT
AND THE UVALDE COUNTY COURT

WHEREAS, Section 411.209 of the Texas Government Code provides that a governmental subdivision may not exclude the holder of a handgun license from carrying a handgun on premises owned or leased by the governmental agency, except as provided by the Texas Penal Code;

WHEREAS, Section 46.03 of the Texas Penal Code prohibits the carrying of handguns, even by holders of a handgun license, on the premises of any government court or offices utilized by the court;

WHEREAS, the Uvalde County Courthouse was constructed in 1927, and currently has three occupied floors, with one elevator and one staircase, and with a central lobby area on each floor allowing access to the staircase and elevator; and whereas the first floor is accessible from outside to those persons covered by the Americans with Disabilities Act;

WHEREAS, the Uvalde County Courthouse has courtrooms on the first, second and third floors, and public restrooms for males on the first and second floor, and for females on the first and third floors;

WHEREAS, jail inmates can only enter the courthouse from the first floor entrance, can only be transported to the various courtrooms through the public hallways, and/or by the elevator or stairs shared by the general public, jurors, parties and witnesses in civil and criminal cases, and must also share the same restroom facilities;

WHEREAS, when conducting court, the 38th Judicial District Attorney and the Uvalde County Attorney utilize the law library on the second floor and the jury room on the third floor to confer with defense counsel when court is in session, and due to limited space, counsel utilizes the hallways on all three floors to confer with their clients when court is in session;

WHEREAS, Section 46.03(c)(4) of the Texas Penal Code defines "premises" as a building or portion of a building;

WHEREAS, the unique design and layout of the Uvalde County Courthouse makes it physically impossible to secure only a portion of the courthouse, or portion of any floor therein;

WHEREAS, ATTORNEY GENERAL OPINION KP-0047 (dated December 21, 2015) recognizes that flexibility is necessary to accommodate the different kinds of spaces courts utilize in various types of buildings, and whereas the Attorney General further opines that each government court itself can determine what offices are essential to its operation;

THEREFORE, BE IT RESOLVED, that the judge of the District Court and the judge of the County Court, Uvalde County, Texas find that the entire Uvalde County Courthouse is essential for the efficient and secure operation of the two trial courts located in the Uvalde County Courthouse;

BE IT FURTHER RESOLVED, that the judge of the District Court and the judge of the County Court of Uvalde County, Texas respectfully request the Uvalde County Commissioners Court to take all necessary action to prohibit the carrying of handguns in the Uvalde County Courthouse, except by law enforcement personnel, and specifically excluding holders of handgun licenses from carrying handguns in the Uvalde County Courthouse.

Executed this 2ND day August, 2023.



William R. Mitchell
Uvalde County Judge



Camile G. DuBose
38th Judicial District Judge



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 21, 2015

The Honorable Allison Palmer
51st Judicial District Attorney
124 West Beauregard
San Angelo, Texas 76903-5850

Opinion No. KP-0047

Re: The extent to which firearms may be excluded from buildings that contain courts, offices utilized by the courts, and other county officials (RQ-0040-KP)

Dear Ms. Palmer:

You seek an opinion about whether provisions of the Penal Code prohibit the exclusion of firearms from certain county buildings.¹ You state that the Tom Green County Sheriff currently secures the district courthouse and the Tom Green County Justice Center and does not allow firearms inside the buildings even if the carrier has a concealed handgun license. *See* Request Letter at 1. You also tell us about the different offices that are located within other county buildings that house courts and ask whether firearms may be excluded from each of these buildings “even if the possessor of the firearm has a concealed handgun license.” *Id.* at 2.

Chapter 411 of the Government Code was amended in 2015 with the enactment of Senate Bill 273. Act of May 23, 2015, 84th Leg., R.S., ch. 593, § 1, 2015 Tex. Gen. Laws 2000, 2000–2001 (codified at TEX. GOV'T CODE § 411.209). The primary change under Senate Bill 273 is the creation of enforcement measures available against the state or a political subdivision that seeks to wrongfully exclude a person from carrying a handgun where the person may lawfully do so. *See id.* Section 411.209 provides:

A state agency or a political subdivision of the state may not provide notice by a communication described by Section 30.06, Penal Code, or by any sign expressly referring to that law or to a concealed handgun license, that a license holder carrying a handgun under the authority of this subchapter is prohibited from entering or remaining on a premises or other place owned or leased by the governmental entity unless license holders are

¹*See* Letter from Honorable Allison Palmer, 51st Judicial Dist. Att’y, to Honorable Ken Paxton, Tex. Att’y Gen. at 1–2 (July 14, 2015), <https://www.texasattorneygeneral.gov/opinion/requests-for-opinion-rqs> (“Request Letter”).

prohibited from carrying a handgun on the premises or other place by Section 46.03 or 46.035, Penal Code.

TEX. GOV'T CODE § 411.209(a); *see also id.* §§ 411.171–.209 (subchapter H providing for the licensing of handguns).² Because section 411.209 references sections 46.03, 46.035, and 30.06 of the Penal Code, we briefly discuss each provision. *See id.* § 411.209(a).

Section 46.03 of the Penal Code prohibits a person, including a licensee, from carrying firearms and other prohibited weapons, including handguns, in certain locations identified in the section.³ *See* TEX. PENAL CODE § 46.03(a), (f) (“Except as provided by Subsection (e-1), it is not a defense to prosecution under this section that the actor possessed a handgun and was licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code.”). The enumerated locations include premises of schools and educational institutions, polling places during voting, and other specified locations. *See id.* § 46.03(a)(1)–(6). Relevant here, section 46.03 prohibits handguns from “the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court.” *Id.* § 46.03(a)(3).

Penal Code section 46.035 lists the locations where a license holder may not carry a handgun. *See id.* § 46.035(b). The list of prohibited places in section 46.035 includes the premises of certain businesses involved in the sale of alcoholic beverages, the premises of a correctional facility, the premises of certain places of worship, and “in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting.”⁴ *Id.* § 46.035(b)(1)–(6), (c).

Section 30.06 of the Penal Code is a criminal trespass statute that essentially allows property owners to prohibit license holders from carrying concealed handguns onto their property by providing the prescribed notice. *See id.* § 30.06(a)–(b); *see also id.* § 30.06(c)(3) (providing exact language necessary to be included on any written communication intended to provide notice that entry with a handgun is prohibited). But it excepts that property which is “owned or leased by a governmental entity and is not a premises or other place on which the license holder is prohibited from carrying the handgun under section 46.03 or 46.035.” *Id.* § 30.06(a), (e). The exception in subsection 30.06(e) means that a governmental entity does not have general authority to prohibit concealed handguns from its public buildings other than a location listed in sections 46.03 and 46.035. *See id.* § 30.06(e); *see also* SENATE COMM. ON STATE AFFAIRS, BILL ANALYSIS, Tex. S.B. 273, 84th Leg., R.S. (2015) at 1 (“When uncooperative governments post signs to ban Texas citizens from carrying where it is legal, they are breaking the law and infringing on the

²House Bill 910, also passed in 2015, amended subchapter H and mostly removed the requirement of concealment with respect to an individual’s license to carry a handgun. *See* Act of May 29, 2015, 84th Leg., R.S., ch. 437, §§ 16–28, 2015 Tex. Gen. Laws 1706, 1710–1714 (codified at various provisions in TEX. GOV’T CODE ch. 411, subch. H).

³As you ask about only section 411.209 of the Government Code, we limit this opinion to a consideration of only the prohibition of handguns.

⁴You do not ask us to address the scope of subsection 46.035(c). *See* Request Letter at 1–2.

second amendment rights of Texas citizens. S.B. 273 provides an enforcement mechanism . . . to stop these illegal postings.”).

Taken together, these three provisions authorize a political subdivision to prohibit handguns from only the locations identified in Penal Code sections 46.03 and 46.035. Your questions do not implicate any limitation or expansion of the kinds of locations from which a governmental entity may prohibit handguns. Rather, you ask only about the scope of the location identified in subsection 46.03(a)(3) concerning the “premises of any government court or offices utilized by a court.” Request Letter at 1; TEX. PENAL CODE § 46.03(a)(3). Your questions implicate many fact sensitive issues that cannot be resolved in an attorney general opinion. However, we will provide the legal guidance that we can.

When construing statutes, courts seek to ascertain and give effect to the Legislature’s intent. See *Entergy Gulf States, Inc. v. Summers*, 282 S.W.3d 433, 437 (Tex. 2009). “The plain meaning of the text is the best expression of [that] intent[.]” *Molinet v. Kimbrell*, 356 S.W.3d 407, 411 (Tex. 2011). “If a statute . . . assigns a particular meaning to a term, [courts] are bound by the statutory usage.” *TGS-NOPEC Geophysical Co. v. Combs*, 340 S.W.3d 432, 439 (Tex. 2011). “Undefined terms . . . are typically given their ordinary meaning[.]” *Id.*

To determine the scope of the prohibition in subsection 46.03(a)(3), we need to construe the phrase “premises of any government court or offices utilized by the court,” which requires an examination of the term “premises.” TEX. PENAL CODE § 46.03(a)(3). Subsection 46.035(f) defines the term “premises” for purposes of section 46.03. *Id.* § 46.035(f)(3); see also *id.* § 46.03(c)(1) (defining “premises” by reference to section 46.035). “‘Premises’ means a building or a portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage; or other parking area.” *Id.* § 46.035(f)(3) (emphasis added). “[T]he word ‘or’ is a disjunctive conjunction that indicates a choice between two alternatives generally corresponding to ‘either’ or ‘either this or that.’” *Gunn v. Phillips*, 410 S.W.2d 202, 206 (Tex. Civ. App.—Houston 1966, writ ref’d n.r.e.). The common meaning of “building” is “a structure with a roof and walls, such as a house, school, store, or factory.” NEW OXFORD AMERICAN DICTIONARY 228 (3d ed. 2010); see also TEX. PENAL CODE § 30.01(2) (defining “building” as “any enclosed structure intended for use or occupation as a habitation or for some purpose of trade, manufacture, ornament, or use”). Section 46.03 neither provides nor directs us to a definition of “government court,” but article V, section 1 of the Texas Constitution vests judicial power in listed courts and “such other courts as may be provided by law.”⁵ TEX. CONST. art. V, § 1. It is likely that a court would determine that a “government court” under section 46.03 is any of the judicial bodies created by either the Texas Constitution or by the Legislature. We also consider the meaning of “offices utilized by the court.” TEX. PENAL CODE § 46.03(a)(3). Section 46.03 does not define the term “office,” but a Texas court of appeals has defined “office”

⁵The Legislature has provided for the courts in chapters 22 through 30 of the Government Code, which contain provisions for each of the different types of courts, and all of which have judicial authority to determine rights as between persons or property. See TEX. GOV’T CODE §§ 22.001–.302 (appellate courts), 24.001–.954 (district courts), 25.0001–.2702 (statutory county courts), 26.001–.353 (constitutional county courts), 27.001–.061 (justice courts), 29.001–.105 (municipal courts), 30.00001–.01904 (municipal courts of record). Created by the Texas Constitution or by the Legislature, these bodies are courts established by the government.

as a “place where a particular kind of business . . . is transacted.” *Anderson v. State*, 17 Tex. Ct. App. 305, 310 (1884). The common meaning of “utilize” is to “make practical and effective use of.” NEW OXFORD AMERICAN DICTIONARY 1909 (3d ed. 2010).

Thus, the phrase “premises of any government court” generally means either (1) a structure utilized by a court created by the Texas Constitution or the Legislature, or (2) a portion of such a structure. And the premises of an office utilized by the court generally means a building or portion of a building that is a place where the business of a government court is transacted.

But such alternatives still do not provide any clarity with respect to where section 46.03 prohibits handguns. If the Legislature intended for the entire structure with a government court in it to be a location from which firearms are excluded, it could have redefined “premises” to mean only a building. See *Kappus v. Kappus*, 284 S.W.3d 831, 835 (Tex. 2009) (recognizing that the Legislature chooses “its words carefully and intentionally”). It did not. To so construe subsection 46.03(a)(3) would essentially render the language “portion of a building” meaningless—a construction that, like the courts, we try to avoid. See *Hanson v. Jordan*, 198 S.W.2d 262, 263 (Tex. 1946) (stating that courts “should avoid a construction which renders any provision meaningless”). By including the “portion of a building” language, the Legislature evidenced an intent to have the prohibition in subsection 46.03(a)(3) equally apply to an area that is less than the entire structure. Thus, the disjunctive “or” in the phrase may not provide a discretionary choice between two alternatives as much as recognition that flexibility is necessary to accommodate the different kinds of spaces courts utilize in various types of buildings.

Further, when considering the statute as a whole, under subsection 46.03(a)(3) a court may issue written regulations or provide authorization concerning the allowance of firearms on its premises. See TEX. PENAL CODE § 46.03(a)(3) (establishing an offense for carrying a prohibited weapon “on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or authorization of the court”). A court’s authority with regard to such regulations or authorization would not include areas of the building that are beyond the operations of the court. This is some indication that the Legislature intended the prohibition in subsection 46.03(a)(3) to have a limited reach.

Yet, in the greater context of section 411.209’s penalty against a governmental entity improperly excluding handguns, the Legislature also amended subsection 46.035(c), Penal Code, to prohibit handguns from the “room or rooms where a meeting of a governmental entity is held.” TEX. PENAL CODE § 46.035(c) (emphasis added). By this amendment, the Legislature indicated that it knows how to limit the handgun prohibition to a specific room in which an activity is conducted. The Legislature chose to use the term “government court,” instead of government courtroom. *Id.* § 46.03(a)(3). So, though the Legislature may have intended subsection 46.03(a)(3) to have a limited reach, it did not expressly limit section 46.03(a)(3) to only the room that houses the government court.

The Legislature has not clearly demarcated, or established, a precise boundary in a building or portion of a building at which handguns are prohibited or permitted. Yet, it has established an enforcement scheme that can be properly effectuated only where such a boundary is determined and definitive. Similarly, the Legislature has not provided the Attorney General’s Office with

specific authority to make rules governing this enforcement scheme. While the outside limits of subsection 46.03(a)(3) may be unclear, at the very least it can be said that the Legislature intended to prohibit concealed handguns from the rooms that house government courts and offices central to the business of the courts.⁶ Accordingly, in the absence of clarity from the Legislature and in order to provide concrete advice to governmental entities seeking to secure their courts without penalty, we construe subsection 46.03(a)(3) to encompass only government courtrooms and those offices essential to the operation of the government court. Section 46.03(a)(3) recognizes the power of government courts to override the ban on concealed handguns in that a court may issue "written regulations or written authorization" allowing the carrying of concealed handguns in their spaces. Likewise, we routinely acknowledge that decisions such as this are for the governmental entity in the first instance, subject to the applicable review. *See, e.g.*, Tex. Att'y Gen. Op. KP-0007 (2015) at 2 (concluding that the determination of whether the expenditure of public funds is for a public purpose is for the governmental body in the first instance, subject to judicial review). Accordingly, the responsible authority that would notify license holders of their inability to carry on the respective premises must make the determination of which government courtrooms and offices are essential to the operation of the government court. And it is that authority that could face the statutory civil penalty. TEX. GOV'T CODE § 411.209(a) (prohibiting "[a] state agency or a political subdivision of the state" from providing improper notice). If this authority is not the government court itself, the responsible authority would presumably consult with the government court to determine what government courtrooms and offices are essential to its operation.

⁶Toward that end, these parameters from the Legislature will presumably prevent a governmental body from using pretext to attempt to exclude the licensed carrying of handguns where the law allows it.

S U M M A R Y

For purposes of section 411.209 of the Government Code, the phrase "premises of any government court" used in Penal Code subsection 46.03(a)(3) generally means either (1) a structure utilized by a court created by the Texas Constitution or the Legislature, or (2) a portion of such a structure. The premises of a "government court or office utilized by the court" means a government courtroom or those offices essential to the operation of the government court. The responsible authority that would notify license holders of their inability to carry on the respective premises must make the determination of which government courtrooms and offices are essential to the operation of the government court, in consultation with the government court.

Very truly yours,



KEN PAXTON
Attorney General of Texas

CHARLES E. ROY
First Assistant Attorney General

BRANTLEY STARR
Deputy Attorney General for Legal Counsel

VIRGINIA K. HOELSCHER
Chair, Opinion Committee

CHARLOTTE M. HARPER
Assistant Attorney General, Opinion Committee

4. CONSIDER AND ACT UPON APPROVAL TO FILE DBAs for the resiliency program under UTRC and UCWC

District Attorney Christina Mitchell will outline the request to file DBAs (doing business as) for programs operated at the resiliency center.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

5. CONSIDER AND ACT UPON CONTRACT WITH ACCELERATED CARD COMPANY LLY dba CERTIFIED PAYMENTS FOR TAX ASSESSOR OFFICE CREDIT CARD PAYMENTS

As a result of the courthouse fire and the temporary relocation of the Tax Assessor-Collectors office, the county needs to enter into an agreement with Accelerated Card Company so the TAC office can continue to receive credit card payment. The Auditor will outline the contract.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

6. CONSIDER AND ACT UPON PAYMENT OF BILLS

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

7. CONSIDER AND ACT UPON PAYROLL APPROVAL

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

8. CONSIDER AND ACT UPON MONTHLY REPORTS

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

9. CONSIDER AND ACT UPON CHANGE ORDER FOR VEHICLE BIDS RECEIVED FOR DA's BORDER PROSECUTION UNIT

At the last meeting of the Court bids were awarded for purchase of vehicles for the District Attorney Border Prosecution Unit. Since the award was made, the bidder indicated the vehicles were no longer available but another model was. The change order is to allow for the purchase of the different model. Carl Esser will outline the change request.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

**10. CONSIDER AND ACT UPON VEHICLE BIDS RECEIVED FOR DA'S
VEHICLE BIDS RECEIVED OFR OPERATION LONE STAR**

Same as #9

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

**11. CONSIDER AND ACT UPON RESOLUTION TO RECALL UCAD
BOARD OF DIRECTOR MEMBER JAVIER FLORES**

See attached information and letter from Chief Appraiser Roberto Valdez.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

UVALDE COUNTY APPRAISAL DISTRICT



209 NORTH HIGH STREET
UVALDE, TEXAS 78801
(830) 278-1106
(830) 278-8150
www.uvaldecad.org

July 31, 2023

Honorable Judge William R. Mitchell
County of Uvalde
Courthouse Plaza, Box 3
Uvalde, TX 78801

Re: Mr. Javier Flores' Recall Process

Dear Honorable Judge Mitchell:

Pursuant to Texas Property Tax Code §6.033(a), Uvalde County Appraisal District (UCAD) is in receipt of a resolution from SWTC calling for the recall of Mr. Javier Flores. You are hereby notified that SWTC's resolution was filed with our office on **July 28, 2023**.

Pursuant to Texas Property Tax Code §6.033(b), your entity has 30 days to submit a resolution for the recall of the board member. The resolution must identify your votes in favor or against the recall. Enclosed please find a copy of the 2023-2024 Board of Directors election results. The deadline to file the resolution with UCAD is **August 28, 2023**.

Please refer to the Texas Property Tax Code §6.033. Recall of Director, to ensure your entity follows the steps and timelines established within. If you have any questions or concerns, please contact me at (830) 278-1106 extension 301.

Respectfully,

A handwritten signature in black ink, appearing to read "Roberto Valdez".

Roberto Valdez, RPA, RTA, CCA, CTA
Chief Appraiser

Enclosure: 2023-2024 BOD Election Results
TPTC §6.033

The following is an excerpt from the Appraisal District Directors Manual published by the Texas Comptroller of Public Accounts. Publication #96-301, March 2022. It is a summary of Texas Property Tax Code §6.033. I have emphasized the language that identifies the timelines associated with the process.

RECALLING A DIRECTOR

A taxing unit may ask for the recall of any director the taxing unit voted for in the appointment process. A recall starts when a taxing unit files a resolution with the chief appraiser stating that the taxing unit is calling for the recall of a named member. **Within 10 days after a taxing unit files a recall resolution**, the chief appraiser must give written notice of the filing of the resolution to the presiding officer of each voting taxing unit.

Only the taxing units that voted for the member may vote. A recall-voting taxing unit has the same number of votes in the recall that it cast in appointing the board member. **A taxing unit votes by submitting a resolution to the chief appraiser on or before the 30th day after the recall resolution is filed.**

Not later than the 10th day after the last day for voting in favor of the recall, the chief appraiser must count the casted votes. A director is recalled if the number of votes cast in favor of recall equals or exceeds a majority of the votes cast appointing the board member. The chief appraiser must immediately notify in writing the presiding officer of the board of directors and the governing body of each recall-voting taxing unit of the results. If the chair is the subject of the recall, the board secretary shall also be notified.

After a recall, the director's vacancy is filled by the recall-voting taxing units appointing a new board member. Each recall-voting taxing unit may nominate by resolution one candidate and is entitled to the same number of votes it originally cast to appoint the recalled member.

Official Ballot Vote Count
Election of Two (2) Directorships to Board of Directors
for the Uvalde County Appraisal District
Fiscal Year 2023-2024

Candidate Name	Knippha ISD	Leakey ISD	Nueces Canyon Cisd	Sabinal ISD	Uvalde Cisd	Utopia ISD	County of Uvalde	SWTJC	City of Sabinal	City of Uvalde	Candidate Total
John T. Buchanan											-
Javier Flores	50		28		212		331	48			669
Vicente Gonzales III				198			331	48		72	649
Frank Guerra					211			48			259
Cara Hiebert										72	72
Adam Martinez										72	72
Diana Olvedo-Karau											-
Steve Sanchez					211						211
		18							12		68
Entity Total	50	18	28	198	634	36	662	144	12	218	2,000

2 - Highest Vote Count

Total Votes Entitled 2,000
 Total Votes Casted 2,000

Pursuant to Texas Property Tax Code Section 6.03 (k) -- The chief appraiser shall count the votes, declare the candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates.

This is to certify that the information contained in the report is accurate to the best of my knowledge. Communication to the taxing unit and the candidates have been mailed and/or emailed.


 Roberto Valdez, Chief Appraiser

December 15, 2022
 Date

5352
~~539~~ 862

The chief appraiser shall notify each taxing unit participating in the district of each change that is adopted before October 10.

(e) A change in membership or selection made as provided by this section remains in effect until changed in a manner provided by this section or rescinded by resolution of a majority of the governing bodies that are entitled to vote on appointment of board members under Section 6.03 of this code.

(f) A provision of Section 6.03 of this code that is subject to change under this section but is not expressly changed by resolution of a sufficient number of eligible taxing units remains in effect.

(g) For purposes of this section, the conservation and reclamation districts in an appraisal district are considered to be entitled to vote on the appointment of appraisal district directors if:

(1) a conservation and reclamation district has filed a request to the chief appraiser to nominate and vote on directors in the current year as provided by Section 6.03(c); or

(2) conservation and reclamation districts were entitled to vote on the appointment of directors in the appraisal district in the most recent year in which directors were appointed under Section 6.03.

HISTORY: Enacted by Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), § 16, effective January 1, 1982; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 2, effective September 1, 1987; am. Acts 1989, 71st Leg., ch. 1123 (H.B. 2301), § 3, effective January 1, 1990; am. Acts 2013, 83rd Leg., ch. 1161 (S.B. 359), § 2, effective June 14, 2013.

ATTORNEY GENERAL OPINIONS

Method for Determining Voting Entitlement.

Tex. Tax Code § 6.031 authorizes a change to the voting entitlement of taxing units in the appointment of an appraisal district's board of directors. Under the transition provisions of House Bill 1010 from 2007, a court would likely conclude that House Bill 1010 invalidated any previously adopted alternative method for determining that voting entitlement. 2020 Tex. Op. Att'y Gen. KP-0287.

Method for Determining Voting Entitlement under Tax Code § 6.03(d).

The voting entitlement for the appointment of appraisal district directors should be determined by Tex. Tax Code § 6.03(d), absent action taken under Tax Code section 6.031 to change that method subsequent to House Bill 1010 from 2007. 2020 Tex. Op. Att'y Gen. KP-0287.

Sec. 6.032. [Blank].

Sec. 6.033. Recall of Director.

(a) The governing body of a taxing unit may call for the recall of a member of the board of directors of an appraisal district appointed under Section 6.03 of this code for whom the unit cast any of its votes in the appointment of the board. The call must be in the form of a resolution, be filed with the chief appraiser of the appraisal district, and state that the unit is calling for the recall of the member. If a resolution calling for the recall of a board member is filed under this subsection, the chief appraiser, not later than the 10th day after the date of filing, shall deliver a written notice of the filing of the resolution and the date of its filing to the presiding officer of the governing body of each taxing unit entitled to vote in the appointment of board members.

(b) On or before the 30th day after the date on which a resolution calling for the recall of a member of the board is filed, the governing body of a taxing unit that cast any of its votes in the appointment of the board for that member may vote to recall the member by resolution submitted to the chief appraiser. Each taxing unit is entitled to the same number of votes in the recall as it cast for that member in the appointment of the board. The governing body of the taxing unit calling for the recall may cast its votes in favor of the recall in the same resolution in which it called for the recall.

(c) Not later than the 10th day after the last day provided by this section for voting in favor of the recall, the chief appraiser shall count the votes cast in favor of the recall. If the number of votes in favor of the recall equals or exceeds a majority of the votes cast for the member in the appointment of the board, the member is recalled and ceases to be a member of the board. The chief appraiser shall immediately notify in writing the presiding officer of the appraisal district board of directors and of the governing body of each taxing unit that voted in the recall election of the outcome of the recall election. If the presiding officer of the appraisal district board of directors is the member whose recall was voted on, the chief appraiser shall also notify the secretary of the appraisal district board of directors of the outcome of the recall election.

(d) If a vacancy occurs on the board of directors after the recall of a member of the board under this section, the taxing units that were entitled to vote in the recall election shall appoint a new board member. Each taxing unit is entitled to the same number of votes as it originally cast to appoint the recalled board member. Each taxing unit entitled to vote may nominate one candidate by resolution adopted by its governing body. The presiding officer of the governing body of the unit shall submit the name of the unit's nominee to the chief appraiser on or before the 30th day after the date it receives notification from the chief appraiser of the result of the recall election. On or before the 15th day after the last day provided for a nomination to be submitted, the chief appraiser shall prepare a ballot, listing the candidates nominated alphabetically according to each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote. On or before the 15th day after the date on which a taxing unit's ballot is delivered, the governing body of the taxing unit shall determine its vote by resolution and submit it to the chief appraiser. On or before the 15th day after the last day on which a taxing unit may vote, the chief appraiser

shall count the votes, declare the candidate who received the largest vote total appointed, and submit the results to the presiding officer of the governing body of the appraisal district and of each taxing unit in the district and to the candidates. The chief appraiser shall resolve a tie vote by any method of chance.

(e) If the board of directors of an appraisal district is appointed by a method or procedure adopted under Section 6.031 of this code, the governing bodies of the taxing units that voted for or otherwise participated in the appointment of a member of the board may recall that member and appoint a new member to the vacancy by any method adopted by resolution of a majority of those governing bodies. If the appointment was by election, the method of recall and of appointing a new member to the vacancy is not valid unless it provides that each taxing unit is entitled to the same number of votes in the recall and in the appointment to fill the vacancy as it originally cast for the member being recalled.

HISTORY: Enacted by Acts 1985, 69th Leg., ch. 273 (H.B. 1202), § 1, effective August 26, 1985; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 5, effective September 1, 1987 (renumbered from Sec. 6.032).

Sec. 6.034. Optional Staggered Terms for Board of Directors.

(a) The taxing units participating in an appraisal district may provide that the terms of the appointed members of the board of directors be staggered if the governing bodies of at least three-fourths of the taxing units that are entitled to vote on the appointment of board members adopt resolutions providing for the staggered terms. A change to staggered terms may be adopted only if the method or procedure for appointing board members is changed under Section 6.031 of this code to eliminate or have the effect of eliminating cumulative voting for board members as provided by Section 6.03 of this code. A change to staggered terms may be proposed concurrently with a change that eliminates or has the effect of eliminating cumulative voting.

(b) An official copy of a resolution providing for staggered terms adopted by the governing body of a taxing unit must be filed with the chief appraiser of the appraisal district after June 30 and before October 1 of a year in which board members are to be appointed, or the resolution is ineffective.

(c) Before October 5 of each year in which board members are to be appointed, the chief appraiser shall determine whether a sufficient number of taxing units have filed valid resolutions proposing a change to staggered terms for the change to take effect. Before October 10 the chief appraiser shall notify each taxing unit participating in the district of a change that is adopted under this section.

(d) A change to staggered terms made under this section becomes effective beginning on January 1 of the next even-numbered year after the chief appraiser determines that the change has been adopted. The entire board of directors shall be appointed for that year without regard to the staggered terms. At the earliest practical date after January 1 of that year, the board shall determine by lot which of its members shall serve one-year terms and which shall serve two-year terms in order to implement the staggered terms. If the board consists of an even number of board members, one-half of the members must be designated to serve one-year terms and one-half shall be designated to serve two-year terms. If the board consists of an odd number of board members, the number of members designated to serve two-year terms must exceed by one the number of members designated to serve one-year terms.

(e) After the staggered terms have been implemented as provided by Subsection (d) of this section, the appraisal district shall appoint annually for terms to begin on January 1 of each year a number of board members equal to the number of board members whose terms expire on that January 1, unless a change in the total number of board members is adopted under Section 6.031 of this code to take effect on that January 1.

(f) If a change in the number of directors is adopted under Section 6.031 of this code in an appraisal district that has adopted staggered terms for board members, the change must specify how many members' terms are to begin in even-numbered years and how many members' terms are to begin in odd-numbered years. The change may not provide that the number of members whose terms are to begin in even-numbered years differs by more than one from the number of members whose terms are to begin in odd-numbered years.

(g) A change to staggered terms made as provided by this section may be rescinded by resolution of a majority of the governing bodies that are entitled to vote on appointment of board members under Section 6.03 of this code. To be effective, a resolution providing for the rescission must be adopted by the governing body and filed with the chief appraiser after June 30 and before October 1 of an odd-numbered year. If the required number of resolutions are filed during that period, the chief appraiser shall notify each taxing unit participating in the district that the rescission is adopted. If the rescission is adopted, the terms of all members of the board serving at the time of the adoption expire on January 1 of the even-numbered year following the adoption, including terms of members who will have served only one year of a two-year term on that date. The entire board of directors shall be appointed for two-year terms beginning on that date.

(h) If an appraisal district that has adopted staggered terms adopts or rescinds a change in the method or procedure for appointing board members and the change or rescission results in a method of appointing board members by cumulative voting, the change or rescission has the same effect as a rescission of the change to staggered terms made under Subsection (g) of this section.

(i) If a vacancy occurs on the board of directors of an appraisal district that has adopted staggered terms for board members, the vacancy shall be filled by appointment by resolution of the governing body of the taxing unit that nominated the person whose departure from the board caused the vacancy, and the procedure for filling a vacancy provided by Section 6.03 of this code does not apply in that event.

[Tex. Tax Code § 6.033](#)

This document is current through the 2023 Regular Session of the 88th legislature bills: hb49, hb1565, hb2664, hb3106, hb3108; sb240, sb281, sb349, sb415, sb497, sb569, 2b580, sb664, sb838, sb1004, sb1008, sb1016, sb1055, sb1226, sb1249, sb1259, sb1305, sb1372, sb1425, sb1469, sb1730, sb1859, sb2232, sb2233, sb2284; and the 2023 ballot proposition contingencies to date.

Texas Statutes & Codes Annotated by LexisNexis® > Tax Code > Title 1 Property Tax Code (Subts. A — F) > Subtitle B Property Tax Administration (Chs. 5 — 10) > Chapter 6 Local Administration (Subchs. A — C) > Subchapter A Appraisal Districts (§§ 6.01 — 6.16)

Sec. 6.033. Recall of Director.

(a) The governing body of a taxing unit may call for the recall of a member of the board of directors of an appraisal district appointed under Section 6.03 of this code for whom the unit cast any of its votes in the appointment of the board. The call must be in the form of a resolution, be filed with the chief appraiser of the appraisal district, and state that the unit is calling for the recall of the member. If a resolution calling for the recall of a board member is filed under this subsection, the chief appraiser, not later than the 10th day after the date of filing, shall deliver a written notice of the filing of the resolution and the date of its filing to the presiding officer of the governing body of each taxing unit entitled to vote in the appointment of board members.

(b) On or before the 30th day after the date on which a resolution calling for the recall of a member of the board is filed, the governing body of a taxing unit that cast any of its votes in the appointment of the board for that member may vote to recall the member by resolution submitted to the chief appraiser. Each taxing unit is entitled to the same number of votes in the recall as it cast for that member in the appointment of the board. The governing body of the taxing unit calling for the recall may cast its votes in favor of the recall in the same resolution in which it called for the recall.

(c) Not later than the 10th day after the last day provided by this section for voting in favor of the recall, the chief appraiser shall count the votes cast in favor of the recall. If the number of votes in favor of the recall equals or exceeds a majority of the votes cast for the member in the appointment of the board, the member is recalled and ceases to be a member of the board. The chief appraiser shall immediately notify in writing the presiding officer of the appraisal district board of directors and of the governing body of each taxing unit that voted in the recall election of the outcome of the recall election. If the presiding officer of the appraisal district board of directors is the member whose recall was voted on, the chief appraiser shall also notify the secretary of the appraisal district board of directors of the outcome of the recall election.

(d) If a vacancy occurs on the board of directors after the recall of a member of the board under this section, the taxing units that were entitled to vote in the recall election shall appoint a new board member. Each taxing unit is entitled to the same number of votes as it originally cast to appoint the recalled board member. Each taxing unit entitled to vote may nominate one candidate by resolution adopted by its governing body. The presiding officer of the governing body of the unit shall submit the name of the unit's nominee to the chief appraiser on or before the 30th day after the date it receives notification from the chief appraiser of the result of the recall election. On or before the 15th day after the last day provided for a nomination to be submitted, the chief

Tex. Tax Code § 6.033

appraiser shall prepare a ballot, listing the candidates nominated alphabetically according to each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote. On or before the 15th day after the date on which a taxing unit's ballot is delivered, the governing body of the taxing unit shall determine its vote by resolution and submit it to the chief appraiser. On or before the 15th day after the last day on which a taxing unit may vote, the chief appraiser shall count the votes, declare the candidate who received the largest vote total appointed, and submit the results to the presiding officer of the governing body of the appraisal district and of each taxing unit in the district and to the candidates. The chief appraiser shall resolve a tie vote by any method of chance.

(e) If the board of directors of an appraisal district is appointed by a method or procedure adopted under Section 6.031 of this code, the governing bodies of the taxing units that voted for or otherwise participated in the appointment of a member of the board may recall that member and appoint a new member to the vacancy by any method adopted by resolution of a majority of those governing bodies. If the appointment was by election, the method of recall and of appointing a new member to the vacancy is not valid unless it provides that each taxing unit is entitled to the same number of votes in the recall and in the appointment to fill the vacancy as it originally cast for the member being recalled.

History

Enacted by Acts 1985, 69th Leg., ch. 273 (H.B. 1202), § 1, effective August 26, 1985; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 5, effective September 1, 1987 (renumbered from Sec. 6.032).

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UVALDE COUNTY COMMISSIONERS COURT

RESOLUTION

WHEREAS On November 16th, 2022, the County of Uvalde, by action of the Uvalde County Commissioners Court, cast 331 votes in favor of Javier Flores to be elected as a member of the Board of Directors of the Uvalde County Appraisal District; and

WHEREAS On July 28th, 2023 Southwest Texas Junior College, a member entity of the Uvalde County Appraisal District, filed a resolution calling for the recall of Board of Director Javier Flores citing his failure to meet residential requirements; and

WHEREAS The County of Uvalde has a total of 331 votes to cast for or against a resolution calling for a recall of Javier Flores; and

WHEREAS On August 14th, 2023, the County of Uvalde, by action of the Uvalde County Commissioners Court, voted to cast ____ votes in favor of a recall of Board of Director Javier Flores and ____ votes against the recall

THEREFORE, BE IT RESOLVED THAT Uvalde County, by action of the Uvalde County Commissioners Court, does hereby favor/oppose a recall of Javier Flores as a member of the board of directors of the Uvalde County Appraisal District.

Approved this the 14th day of August, 2023.

WILLIAM R. MITCHELL
UVALDE COUNTY JUDGE

DONNA M. WILLIAMS
UVALDE COUNTY CLERK

**12. CONSIDER AND ACT UPON CHANGE ORDER FOR MID-TOWN
COMPLEX BUILDING**

**In order to finish out the east side of the Mid-Town Complex a
construction change order is needed. Carl Esser will outline the request.**

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**



2215- Uvalde Mid-Town Courthouse Annex - CO Proposal

7/19/2023

Division		Division Total	
00- General Conditions		\$ 15,000.00	3.50%
Additional General Conditions & Supervision	\$ 15,000.00		
03- Concrete		\$ 25,700.00	5.99%
Concrete - In Building	\$ 10,700.00		
Polished Concrete	\$ 15,000.00		
06- Wood, Plastics, & Composites		\$ 10,450.00	2.44%
Millwork & Cabinets	\$ 9,500.00		
Stone Countertops	\$ 950.00		
08- Openings		\$ 37,500.00	8.74%
Hollow Metal Doors, Frames & Hardware	\$ 37,500.00		
09- Finishes		\$ 192,040.00	44.75%
Interior Framing, Insulation, Gypsum Board	\$ 96,500.00		
Tape, Float & Paint	\$ 42,500.00		
Suspended Ceilings	\$ 35,170.00		
FRP	\$ 2,750.00		
Vinyl Cove Base	\$ 6,500.00		
Ceramic Tile - Labor	\$ 7,000.00		
Ceramic Tile- Materials	\$ 1,620.00		
10- Specialties		\$ 3,700.00	0.86%
Toilet Accessories	\$ 1,500.00		
Signage Changes - PR#5	\$ 2,200.00		
22- Plumbing		\$ 14,200.00	3.31%
Plumbing- Including Gas Line	\$ 14,200.00		
23- Heating, Ventilating & Air Conditioning		\$ 16,500.00	3.85%
HVAC	\$ 16,500.00		
26- Electrical		\$ 89,111.91	20.77%
Electrical Work- Interior	\$ 70,500.00		
Light Poles - PR#2	\$ 16,764.87		
Wall Packs- PR#3	\$ 1,847.04		
32- Exterior Improvements		\$ (4,088.23)	-0.95%
Credit	\$ (4,088.23)		
TOTAL CONSTRUCTION COSTS		\$400,113.68	93.24%
	Contingency Fund	\$ (10,000.00)	-2.33%
	Overhead & Profit	\$ 39,011.37	9.09%
TOTAL CONSTRUCTION COST		\$429,125.05	100.00%

13. CONSIDER AND ACT UPON 2023-2034 FINAL BUDGET DRAFT

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**



COUNTY OF UVALDE
2023 - 2024

TAX PLANNING CALENDAR

April 30, 2022	Chief Appraiser	Property Value Estimate
June 12, 2023	CCT	Designate Official to Calculate Tax Rates
June 12, 2023	County Judge	PRESENTATION - 2023-2024 Initial Budget Draft to CCT (Clerk/ website)
June 12, 2023	CCT	ADOPTION - 2023 Tax Planning Calendar
July 24, 2023	County Judge	PRESENTATION - 2022-2023 Second Budget Draft to CCT (Clerk/website)
August 1, 2023	Chief Appraiser	Certification of Final Tax Roll *
August 7, 2023	Chief Appraiser	Notice of Estimated Taxes to Property Owners *
August 13, 2023	Public Notice	Publish NNR & VATR (website/newspaper)
August 14, 2023	County Judge	PRESENTATION - 2023-2024 Final Budget Draft to CCT (website/newspaper)
August 14, 2023	County Auditor	PRESENTATION - NO-NEW-REVENUE Tax Rate to CCT *
August 14, 2023	County Auditor	PRESENTATION - VOTER-APPROVAL Tax Rate to CCT*
August 20, 2023	County Auditor	Publish Notice of Public Hearing on 2023-2024 Budget (website/newspaper)
August 20, 2023	County Auditor	Publish Elected Official's Salaries or Allowances (website)
August 21, 2023	County Auditor	Provide Salary & Allowance Notices to Elected Officials *
September 11, 2023	CCT	PUBLIC HEARING - 2023-2024 FINAL BUDGET
September 11, 2023	CCT	ADOPTION - 2023-2024 Salary Fund (file with Clerk/post on website)
September 11, 2023	CCT	ADOPTION - 2023-2024 BUDGET BY RECORD VOTE OF CCT (Clerk/ website)
September 11, 2023	CCT	APPROVE - 2023-2024 Proposed Tax Rate & Set for Public Hearing
September 18, 2023	County Auditor	Post Notice of Public Hearing to Adopt 2023 Tax Rate (Website)
September 21, 2023	County Auditor	Publish Notice of Public Hearing to Adopt 2023 Tax Rate (Newspaper)
September 25, 2023	CCT	PUBLIC HEARING - 2023 PROPOSED TAX RATE
September 25, 2023	CCT	ADOPTION - 2023 TAX RATE BY RECORD VOTE OF CCT (Website)

alc 6/12/23

*or as soon as practical thereafter

14. CONSIDER AND ACT UPON NO-NEW-TAX RATE

The County Auditor will outline this item

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

15. CONSIDER AND ACT UPON VOTER-APPROVAL TAX RATE

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

**16. CONSIDER AND ACT UPN ACCEPTANCE OF WALMART
COMMUNITY GRANT**

Fairplex Director Wendy Speer will detail the grant from Walmart

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

Walmart
 702 S.W. 8th Street
 Bentonville, AR 72716

RECEIVED JUN 21 2023

UVALDE COUNTY
 215 VETERANS LANE
 UVALDE TX 78801



IN PAYMENT OF INVOICES TO **Walmart**
 702 S.W. 8th ST
 BENTONVILLE, AR 72716

* INCLUDES
 * FOOD
 * GAS & OIL
 * BATH & OUTLET STORES
 * CANADA
 * NORTH ARKANSAS HOME SALES CO. INC.
 * BEAVER LAKE REFRIG. INC.
 * PHELPS COMPANY, INC.
 * WAL-MART PHARMACY OF MICHIGAN, INC.
 * WAL-MART PUERTO RICO, INC.

CHECK DATE: 06-14-23
 CHECK NUMBER: 0080969

DATE	INVOICE NUMBER	STORE NUMBER	DOCUMENT NUMBER	TYPE CODE*	GROSS AMOUNT	DISCOUNT/ALLOWANCES	NET AMOUNT
06 12 23	91425881	05-09000	115403698		2500.00	0.00	2500.00
					2500.00	0.00	2500.00

VENDOR: /999999975 UVALDE COUNTY

* VENDOR: Deduction codes are described on the reverse side of this statement

! DETACH AT PERFORATION !

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER. THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE TO VIEW.

Walmart
 702 S.W 8th St. BENTONVILLE, AR 72716



WELLS FARGO BANK, N.A. 66-159
 CHARLOTTE, NC 28288-0013 531

Vendor Number: 999999975	Check Date: 06-14-23	Check Number: 0080969
-----------------------------	-------------------------	--------------------------

NON-NEGOTIABLE AFTER 180 DAYS
0080969

PAY
 TWO THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS

\$

DOLLARS	CENTS
*****2,500.00	
NET AMOUNT OF CHECK	

TO THE UVALDE COUNTY
 ORDER 215 VETERANS LANE
 OF UVALDE TX 78801

WALMART, INC.

Donna B. A.
 Treasurer



⑈0080969⑈ ⑆053101561⑆ 2079900136854⑈

17. CONSIDER AND ACT UPON 2023 CYBERSECURITY TRAINING CERTIFICATION

As required each county official/employee utilizing the computer system took cybersecurity training. The County Auditor will discuss this certification.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

UVALDE COUNTY

**TAC Cybersecurity
Awareness Training**

2023

ALCHAPMAN

From: Security Training Verification Site Guest User <txtrainingcert@dir.texas.gov>
Sent: Wednesday, August 2, 2023 9:14 AM
To: txtrainingcert@dir.texas.gov; alchapman@uvaldecountry.com
Subject: Confirmation of Cybersecurity Training Certification STV-15050

This email serves as a written certification of Uvalde County's compliance with cybersecurity training, required under Texas Government Code Sections 2054.5191 and 2054.5192. Please save this confirmation for your entity's records as it is required to be included as part of the grant application under Texas Government Code Section 772.012, or the state agency's strategic plan under Texas Government Code Section 2056.002, as applicable.

This email confirms that you have successfully submitted the required annual Cybersecurity Training Certification for Fiscal Year 2023 for Uvalde County.

ReportID: STV-15050

Email: alchapman@uvaldecountry.com

Name: Alice Chapman

Title: County Auditor

Organization Name: Uvalde County

Organization Type: Local Government

Phone Number: (830) 591-0181

Fiscal Reporting Year: 2023

Percentage Training Completion: 100%

(For School Districts, if provided) Were school district employees trained (in addition to the Cybersecurity Coordinator and elected/appointed officials who have access to local government systems and use a computer to perform 25% of their duties)?

Certification Statement

- If a local government, my organization is in compliance with the employee security awareness training requirements of Section 2054.5191, Texas Government Code;
- If a school district, my district is also in compliance with Section 11.175(g), Education Code;

- If a state agency, my agency is in compliance with the employee security awareness training requirements of Section 2054.519, Texas Government Code and the contractor security awareness training requirements of Section 2054.5192, Texas Government Code.

AND

- My organization is in compliance with the internal review requirements of Section 2054.5191, Texas Government Code; and
- I am authorized by my organization to submit this certification.

I certify that the information I have submitted is true and complete. I understand that knowingly submitting information that is not true and complete may result in civil or criminal penalties. I acknowledge that submitting this form satisfies the reporting requirements specified under Sec. 2054.5191 and Sec. 2054.5192, Texas Government Code (if applicable).

Date Submitted: August 2, 2023

Thank you.

Texas Department of Information Resources

TXTrainingCert@dir.texas.gov

TEXAS ASSOCIATION *of* COUNTIES



Cybersecurity Course Enrollment Form for Counties

Texas Government Code § 2054.5191 requires all county employees, elected officials, and appointed officials who have access to a local government computer system or database and use a computer to perform at least 25 percent of their duties to complete an annual cybersecurity training that has been certified by the Texas Department of Information Resources (DIR).

In response to the cybersecurity training mandate and in furtherance of our continued commitment to our county family, TAC is offering a free cybersecurity course that has been certified by DIR and fulfills the requirements of the law.

Should your county choose to participate in TAC's cybersecurity training program, **please have your Commissioners Court approve your county's participation and complete the enclosed form and return it via email to SecurityTraining@county.org** or fax to (512) 477-1324. For more information about the underlying legislation and TAC's cybersecurity training course, please visit county.org/cybersecurity.

Your course administrator will receive an email notification when your county is enrolled. Counties are required to report their compliance with the mandate by August 31, 2023. Enrollment is available on a rolling basis through July 30, 2023.

Printed Name

William R. Mitchell

County Name

Uvalde County

Authorized Signature

Date

March 28th 2023

Course Administrator (Required)

Please indicate the individual who will serve as the primary point of contact with TAC staff for purposes of enrolling participating county officials and employees in the cybersecurity training course. The designated individual will be asked to provide a list of all participating county employees and elected officials' names, email addresses and positions held. The designated individual will also be asked to regularly add or remove users from access to the training program upon separation from county employment.

The course administrator will have access to reports reflecting the course completion status of all participating county employees and elected officials. If your county would like multiple administrators, please include their contact information on the following page.

Name of Administrator: M'Liss G. Braker

Email of Administrator: mbraker@uvaldecountry.com

Phone Number of Administrator: 830-591-0181

Position/Office of Administrator: Assistant Auditor

County IT Administrator (Required)

Please indicate the individual responsible for IT administration for your county. Upon request, TAC will coordinate with your IT administrator to facilitate smooth deployment of the cybersecurity training program for your personnel and elected officials.

Name of IT Administrator: Alice L. Chapman

Email of Registrant: alchapman@uvaldecountry.com

Phone Number of Registrant: 830-591-0181

Additional Course Administrators (Optional)

Please indicate any additional county employees who will have access to regularly add/remove users from training according to employment changes within the county. Administrators will have access to reports reflecting the course completion status of all county employees.

Name of Administrator: Laura M. Perales

Email of Administrator: lperales@uvaldecounty.com

Phone Number of Administrator: 830-591-0181

Position/Office of Administrator: First Assistant Auditor

Name of Administrator: _____

Email of Administrator: _____

Phone Number of Administrator: _____

Position/Office of Administrator: _____

Name of Administrator: _____

Email of Administrator: _____

Phone Number of Administrator: _____

Position/Office of Administrator: _____

18. CONSIDER AND ACT UPON UVALDE COUNTY HEALTH DEPARTMENT COPIER CONTRACT

Attached is a proposed contract with Xerox for copier service to the health department

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

State and Local Government Cost Per Image Agreement



Supplier Name & Address: **Quality Print Solutions 123 N. High Street Uvalde Texas, 78801** Agreement No: 020-0124682-0

Owner: **XEROX FINANCIAL SERVICES LLC – 201 Merritt 7, Norwalk, CT 06851**

CUSTOMER INFORMATION
Full Legal Name: County of Uvalde Phone Number: 830-278-3216
Billing Address: Courthouse Plaza #4 City: Uvalde State: Texas Zip: 78801
Contact Name: Alice Chapman Contact Email: alchapman@uvaldecountry.com

EQUIPMENT

Quantity	Model and Description	Quantity	Model and Description
1	C8155H/Fax/LX Finisher/Hole Punch		

See Attached Schedule A Equipment Location (if different from Billing Address): Attn: Health Dept 66 Military Lane Uvalde Texas, 78801

METER AND/OR POOL INFORMATION:

Meter/Pool Name:	Allowance:	Excess Rate:	Meter/Pool Name:	Allowance:	Excess Rate:

Excess Image Charge Billing Frequency (Monthly) Monthly Quarterly Other

TERM	PAYMENT - (Monthly Frequency, otherwise noted)	PURCHASE OPTION	(OTHERWISE NOTED)
Initial Term: 60 (IN MONTHS)	Payment (plus applicable taxes) \$92.02 Frequency: <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Annually	<input checked="" type="checkbox"/> Fair Market Value	<input type="checkbox"/> \$1

CUSTOMER ACCEPTANCE
BY YOUR SIGNATURE BELOW, YOU ACKNOWLEDGE THAT YOU ARE ENTERING INTO A NON-CANCELLABLE AGREEMENT AND HAVE READ AND AGREED TO ALL APPLICABLE TERMS AND CONDITIONS SET FORTH ON PAGES 1 AND 2 HEREOF.

Authorized Signer X: _____ Date: _____ Federal Tax ID: (Required) 74-6002422
Print Name: William R. Mitchell Title: County Judge

OWNER ACCEPTANCE
Accepted By: Xerox Financial Services LLC Name and Title: _____

TERMS & CONDITIONS

1. Definitions. The words "You" and "Your" mean the legal entity identified in "Customer Information" above, and "XFS," "We," "Us," "Owner" and "Our" mean Xerox Financial Services LLC. "Party" means You or XFS, and "Parties" means both You and XFS. "Supplier" means the entity identified as "Supplier" above. "Acceptance Date" means the date You irrevocably determine Equipment has been delivered installed and operating satisfactorily. "Agreement" means this Cost Per Image Agreement, including any attached Equipment Schedule. "Commencement Date" will be a date after the Acceptance Date, as set forth in Our first invoice, for facilitating an orderly transition and to provide a uniform billing cycle. "Discount Rate" means 3% per annum. "Equipment" means the items identified in "Equipment" above and in any attached Equipment schedule, plus any Software (defined in section 3 hereof), attachments, accessories, replacements, replacement parts, substitutions, additions and repairs thereto. "Excess Charges" means the applicable excess image charges. "Interim Period" means the period, if any, between the Acceptance Date and the Commencement Date. "Interim Payment" means one thirtieth of the Payment multiplied by the number of days in the Interim Period. "Payment" means the Payment specified above, which may include an amount payable to Supplier under the Maintenance Agreement to account for the Monthly Image Allowances listed above, the Excess Charges (unless otherwise agreed by You, Supplier and XFS), Taxes and other charges You, Supplier and XFS agree will be invoiced by XFS "Maintenance Agreement" means a separate agreement between You and Supplier for maintenance and support purposes. "Origination Fee" means a one-time fee of \$125 billed on Your first invoice which You agree to pay, covering origination, documentation, processing and other initial costs. "Term" means the Interim Period, if any, together with the Initial Term plus any subsequent renewal or extension terms. "UCC" means the Uniform Commercial Code of the State(s) where XFS must file UCC-1 financing statements to perfect its interest in the Equipment. "Freight Fee" means a fee that We may charge on behalf of the Supplier to cover their costs of shipping supplies to You.

2. Agreement, Payments and Late Payments. You agree and represent that the Equipment was selected, configured and negotiated by You based on Your judgment and supplied by Supplier. At Your request, XFS will acquire same from Supplier to lease to You hereunder and You agree to lease same from XFS. The Initial Term commences on the Acceptance Date. You agree to remit to XFS each Payment as invoiced by Us according to the frequency set forth above. You agree to pay Us all sums due under each invoice via check, Automated Clearing House debit, Electronic Funds Transfer or direct debit from Your bank account by the due date. With Our consent, alternate forms of payment may be accepted subject to a nominal fee. If any Payment is not paid in full within 15 days of its due date, You will pay a late charge of the greater of 5% of the amount due or \$25, not to exceed the maximum amount permitted by law. We will make any required adjustment to the aforesaid invoicing/late charge practices in accordance with any applicable prompt payment laws in the state of Your formation once You provide notice thereof. For each dishonored or returned Payment, You will be assessed the applicable fee, not to exceed \$35. Restrictive covenants on any method of payment will be unenforceable.

3. Equipment and Software. To the extent that the Equipment includes intangible property or associated services such as software licenses, such intangible property shall be referred to as "Software." You acknowledge and agree that XFS is not the licensor of such Software, and therefore has no right, title or interest in it and You will comply throughout the Term with any license and/or other agreement ("Software License") with the supplier of the Software ("Software Supplier"). You are responsible for determining with the Supplier whether any Software Licenses are required and entering into them with the Software Supplier(s) no later than 30 days after the Acceptance Date. **YOU AGREE THE EQUIPMENT IS FOR YOUR LAWFUL BUSINESS USE IN THE UNITED STATES, WILL NOT BE USED FOR PERSONAL HOUSEHOLD OR FAMILY PURPOSES, AND IS NOT BEING ACQUIRED FOR RESALE.** You will not attach the Equipment as a fixture to real estate or make any permanent alterations to it.

4. Non-Cancellable Agreement. EXCEPT FOR A NON-APPROPRIATION EVENT AS DESCRIBED IN SECTION 21 HEREOF, THIS AGREEMENT CANNOT BE CANCELLED OR TERMINATED BY YOU PRIOR TO THE END OF THE INITIAL TERM. YOUR OBLIGATION TO MAKE ALL PAYMENTS IS ABSOLUTE AND UNCONDITIONAL AND NOT SUBJECT TO DELAY, REDUCTION, SET-OFF, DEFENSE, COUNTERCLAIM OR RECOUPMENT FOR ANY REASON WHATSOEVER, IRRESPECTIVE OF THE PERFORMANCE OF THE EQUIPMENT, SUPPLIER, ANY THIRD PARTY, OR XFS. Any pursued claim by You against XFS for alleged breach of Our obligations hereunder shall be asserted solely in a separate action; provided, however, that Your obligations hereunder shall continue unabated.

5. End of Agreement Options. If a \$1 Purchase Option is designated, You will be deemed to have exercised Your option to purchase the Equipment as of the Acceptance Date. If an FMV purchase option is designated, You are not in default and if You provide no greater than 150 days and no less than 60 days' written notice prior to the end of term to XFS, You may, at the end of the Initial Term or any renewal term ("End Date"), either (a) purchase all, but not less than all, of the Equipment by paying its fair market value, as determined by XFS in its sole but reasonable discretion ("Determined FMV"), plus Taxes, or (b) return the Equipment within 30 days of the End Date, at Your expense, fully insured, to a continental US location XFS shall specify. You cannot return Equipment more than 30 days prior to the End Date without Our consent. If We consent, We may charge You, in addition to all undiscounted amounts due hereunder, an early termination fee. If You have not elected one of the above options, this Agreement shall renew for successive 1-month terms. Either party may terminate the Agreement as of the end of any renewal term on 30 days' prior written notice and by taking one of the actions identified in (a) or (b) in the preceding sentence of this section. Purchase options shall be exercised with respect to each item of Equipment on the day immediately following the date of expiration of the Term of such item, and the delivery at such time by You to XFS of payment, in form acceptable to XFS, of the amount of the applicable purchase price. Upon payment of the applicable amount, XFS shall transfer Our interest in the Equipment to You on an "AS IS, WHERE IS," "WITH ALL FAULTS" basis, without representation or warranty of any kind.

6. Equipment Delivery and Maintenance. You should arrange with Supplier to have the Equipment delivered to You at the location(s) specified herein, and You agree to execute a Delivery & Acceptance Certificate at XFS's request (and confirm same via telephone and/or electronically) confirming when You have received, inspected and irrevocably accepted the Equipment, and authorize XFS to fund Supplier for the Equipment. If You fail to accept the Equipment, You shall no longer have any obligations hereunder. Equipment may not be moved to another physical location or removed from service without XFS's prior written consent, which shall not be unreasonably withheld or delayed. You shall permit XFS or its agent to inspect Equipment and any maintenance records relating thereto during Your normal business hours upon reasonable notice. You represent You have entered into a Maintenance Agreement to maintain the Equipment in good working order in accordance with the manufacturer maintenance guidelines and to provide You with Equipment supplies. You acknowledge that XFS is acting solely as an administrator for Supplier with respect to the billing and collecting of the charge under any Maintenance Agreement. XFS IS NOT LIABLE FOR ANY BREACH BY SUPPLIER OF ANY OF ITS OBLIGATIONS TO YOU, NOR WILL ANY OF YOUR OBLIGATIONS HEREUNDER BE MODIFIED, RELEASED OR EXCUSY BY ANY ALLEGED BREACH BY SUPPLIER.

7. Equipment Ownership, Labeling and UCC Filing. If and to the extent a court deems this Agreement to be a security agreement under the UCC, and otherwise for precautionary purposes only, You grant XFS a first priority security interest in the Equipment as defined on the first page hereof in order to secure Your performance hereunder. Unless a \$1 Purchase Option is applicable, XFS is and shall remain the sole Owner of the Equipment, except the Software. You authorize XFS to file a UCC financing statement to show, and to do all other acts to protect, Our interest in the Equipment. You agree to pay all

**19. CONSIDER AND ACT UPON ADOPTING ORDER PROHIBITING
OUTDOOR BURNING**

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

State of Texas X

County of Uvalde X

ORDER PROHIBITING OUTDOOR BURNING

WHEREAS The Uvalde County Commissioners Court finds that circumstances present in all or part of the unincorporated area of Uvalde County creates a public safety hazard that would be exacerbated by outdoor burning;

IT IS HEREBY ORDERED by the Commissioners Court of Uvalde County that all outdoor burning prohibited in the unincorporated areas of the county for 90 days from the date of adoption of this ORDER, unless the restrictions are terminated earlier based on a determination made by this Court. This ORDER is adopted pursuant to Local Government Code 352.08, and other applicable statutes.

This ORDER does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Natural Resources Commission for (1) firefighting training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agricultural crops; or (4) burns that are conducted by a certified prescribed burn manager certified under Section 153.048, Natural Resources Code. This ORDER does not prohibit burning for the preparation of food provided the source is constantly monitored by an individual who is at least 18 years of age.

In accordance with Local Government Code 352.081(h), a violation of this ORDER is a Class C misdemeanor, punishable by a fine not to exceed \$500.

Adopted this the 14th DAY OF AUGUST, 2023.

WILLIAM R. MITCHELL
UVALDE COUNTY JUDGE

DONNA M. WILLIAMS
UVALDE COUNTY CLERK

20. CONSIDER AND ACT UPON MOTOR VEHICLE OPTIONAL ROAD/BRIDGE AND CHILD SAFETY FEE

Annually the Court is required to either implement or not a vehicle fee which is designated for road maintenance. We usually adopt that fee. Also there is an optional fee to be designated for school crossings. Since schools are within city jurisdiction, the county normally does not impose that fee

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**




Imposition of Optional Fees Calendar Year (CY) 2024

INSTRUCTIONS: All counties must complete and return this form to the TxDMV via email to:
DMV_OptionalCountyFeeUpdates@TxDMV.gov

Please submit at your earliest convenience, but no later than **Friday, September 1, 2023.**

COUNTY NAME: _____

SELECT ONLY ONE OPTION BELOW:

OPTION A – No change. This county will charge the same fees in CY 2024. 
Submit this form to TxDMV. A copy of a commissioners court order is NOT required.

OR

OPTION B – The commissioners court has approved fee changes for CY 2024.
Submit this form and a copy of the commissioners court order to TxDMV.
Enter amounts for each fee, even those that did not change. Enter zero (0), if necessary.

CY 2024 fees to be collected by your county:

Road and Bridge Fee: \$ _____

Child Safety Fee: \$ _____

Transportation Project Fee (applicable to Bexar, Brazos, Cameron, El Paso, Hidalgo and Webb counties only): \$ _____

Total fee amount to be collected in CY 2024: \$ _____

For OPTION B, submit this form and a copy of the court order to TxDMV.

We appreciate your response. Thank you.



July 17, 2023

Re: Imposition of Optional Fees for Calendar Year (CY) 2024

To the Honorable County Judge:

County commissioners courts are statutorily required to notify the Texas Department of Motor Vehicles (TxDMV) each year regarding the imposition or removal of optional fees. Notice must be made to TxDMV each year by September 1 with new fees taking effect on January 1 of the following year. This letter and attachments will provide information on how to submit the Calendar Year (CY) 2024 notification to TxDMV. The following is a brief description of the optional county fees from Chapter 502 of the Transportation Code:

County Road and Bridge Fee (Section 502.401):

- May not exceed \$10; and
- Revenue must be credited to the county road and bridge fund.

Child Safety Fee (Section 502.403):

- May not exceed \$1.50; and
- Revenue must be used for school crossing guard services; remaining funds must be used for programs to enhance child safety, health, or nutrition, including child abuse intervention and prevention, and drug and alcohol abuse prevention, among other purposes.

Transportation Project Fee (Section 502.402):

- Applies to Bexar, Brazos, Cameron, El Paso, Hidalgo and Webb counties **ONLY**;
- May not exceed \$10 for Bexar, El Paso, and Hidalgo counties;
- May not exceed \$20 for Brazos, Cameron, and Webb counties; and
- Revenue must be used for long-term transportation projects.

Please complete and return the attached *Imposition of Optional Fees* form. If your county will keep the same optional fees for CY 2024, please select OPTION A. If your county will change imposed fees, please select OPTION B and include a copy of a commissioners court order reflecting the specific changes.

DEADLINE: Please return the form and commissioners court order, if applicable, by Friday, September 1, 2023, by email to: DMV_OptionalCountyFeeUpdates@TxDMV.gov (note the underscore between DMV and Optional).

If you have any questions, please contact Maureen Vale, Registration Services, at 512-465-5601. Thank you for your timely response.

Sincerely,

Annette Quintero, Director
Vehicle Titles and Registration Division
Texas Department of Motor Vehicles

AQ:CT:MV

Attachments

cc: County tax assessor-collectors

21. CONSIDER AND ACT UPON ACCEPTING 2024-2025 38TH AND 454TH JUDICIAL DISTRICT CSCD BUDGET

The budget for the Community Supervision and Corrections Department is funded by the state. The County is required to accept the proposed budget and file it in the records of the court. No county funding is involved.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

**38th & 454th Judicial District Community
Supervision & Corrections Department
Notice of FY22/23 Initial Budgets**

July 31, 2023

The 38th & 454th Judicial District Community Supervision and Corrections Department is hereby filing with the Uvalde County Commissioners Court a copy of the initial budgets for the programs it will be operating in Fiscal Years 2024/2025.

For the Court's information, the 38th & 454th Judicial District Community Supervision and Corrections Department will hold a meeting to finalize its budget prior to August 17, 2023.

Items:

1. Approval of submission of 2024-253 Initial Budget of the 38th & 454th Judicial District Community Supervision & Corrections Department's **Basic Supervision** program to the Texas Department of Criminal Justice-Criminal Assistance Division (TDCJ-CJAD)
2. Approval of submission of 2024-25 Initial Budget of the 38th & 454th Judicial District Community Supervision & Corrections Department's **Community Corrections Program (CCP)** to the Texas Department of Criminal Justice-Criminal Assistance Division (TDCJ-CJAD)
3. Approval of submission of 2024-25 Initial Budget of the 38h & 454th Judicial District Community Supervision & Corrections Department's **Community Corrections Facility (CCF)** program to the Texas Department of Criminal Justice-Criminal Assistance Division (TDCJ-CJAD)
4. Approval of submission of 2024-25 Initial Budget of the 38th & 454th Judicial District Community Supervision & Corrections Department's **Outpatient Substance Abuse Treatment Program (OSAT)** to the Texas Department of Criminal Justice-Criminal Assistance Division (TDCJ-CJAD)
5. Approval of submission of 2024-25 Initial Budget of the 38th & 454th Judicial District Community Supervision & Corrections Department's **Gang Intervention Caseload** grant program to the Texas Department of Criminal Justice-Criminal Assistance Division (TDCJ-CJAD)
6. Approval of submission of 2024-25 Initial Budget of the 38th & 454th Judicial District Community Supervision & Corrections Department's **Pre-trial Diversion Caseload** grant program to the Texas Department of Criminal Justice-Criminal Assistance Division (TDCJ-CJAD)

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Community Justice Assistance Division
INITIAL BUDGET - 2024/2025 BIENNIUM
DATE RECEIVED: 7/30/2023

APPROVED BY: _____

DATE APPROVED: _____

Tammy McGinty, TDCJ-CJAD Budget Director or
Yoko Watabe, Senior Budget Analyst

CSCD:	Program:	Funding Type:	Other Funding Type:	Current Status:	Status Date:
Uvalde	900 - Basic Supervision	BS		Editable	7/30/2023

FISCAL YEARS:	2024	2025
REVENUE:		
TDCJ Funding	\$ 738,289	\$ 738,289
SAFPF Payments (Basic Supervision Only)	\$ 0	\$ 0
Comm. Sup. Fees Collected (Basic Sup. Only)	\$ 550,000	\$ 550,000
Payments By Program Participants	\$ 325,001	\$ 325,001
Interest Income (Basic Supervision Only)	\$ 6,000	\$ 6,000
Carry Over from Previous Fiscal Year	\$ 435,915	\$ 435,915
Other Revenue	\$ 0	\$ 0
Basic Supervision Interfund Transfer [+ or -]	\$ -510,349	\$ -510,349
CCP Interfund Transfer [+ or -]	\$ 0	\$ 0
TOTAL REVENUE:	\$ 1,544,856	\$ 1,544,856
EXPENDITURES:		
Salaries/Fringe Benefits	\$ 1,001,834	\$ 1,001,834
- Full Time Salaries		
- Part Time Salaries		
- Fringe Benefits		
Travel/Furnished Transportation	\$ 62,000	\$ 62,000
Contract Services for Offenders	\$ 8,000	\$ 8,000
Professional Fees	\$ 60,000	\$ 60,000
Supplies & Operating Expenses	\$ 398,022	\$ 398,022
Facilities	\$ 0	\$ 0
Utilities	\$ 6,000	\$ 6,000
Equipment	\$ 9,000	\$ 9,000
TOTAL EXPENDITURES:	\$ 1,544,856	\$ 1,544,856

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Community Justice Assistance Division
INITIAL BUDGET - 2024/2025 BIENNIUM
DATE RECEIVED: 7/30/2023

APPROVED BY: _____ DATE APPROVED: _____

Tammy McGinty, TDCJ-CJAD Budget Director **or**
 Yoko Watabe, Senior Budget Analyst

CSCD:	Program:	Funding Type:	Other Funding Type:	Current Status:	Status Date:
Uvalde	14 - Community Supervision Services	CCP		Editable	7/30/2023

FISCAL YEARS:	2024	2025
REVENUE:		
TDCJ Funding	\$ 156,491	\$ 156,491
SAFPF Payments (Basic Supervision Only)	\$ 0	\$ 0
Comm. Sup. Fees Collected (Basic Sup. Only)	\$ 0	\$ 0
Payments By Program Participants	\$ 0	\$ 0
Interest Income (Basic Supervision Only)	\$ 0	\$ 0
Carry Over from Previous Fiscal Year	\$ 0	\$ 0
Other Revenue	\$ 0	\$ 0
Basic Supervision Interfund Transfer [+ or -]	\$ 17,889	\$ 17,889
CCP Interfund Transfer [+ or -]	\$ 0	\$ 0
TOTAL REVENUE:	\$ 174,380	\$ 174,380
EXPENDITURES:		
Salaries/Fringe Benefits	\$ 174,380	\$ 174,380
- Full Time Salaries		
- Part Time Salaries		
- Fringe Benefits		
Travel/Furnished Transportation	\$ 0	\$ 0
Contract Services for Offenders	\$ 0	\$ 0
Professional Fees	\$ 0	\$ 0
Supplies & Operating Expenses	\$ 0	\$ 0
Facilities	\$ 0	\$ 0
Utilities	\$ 0	\$ 0
Equipment	\$ 0	\$ 0
TOTAL EXPENDITURES:	\$ 174,380	\$ 174,380

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Community Justice Assistance Division
INITIAL BUDGET - 2024/2025 BIENNIUM
DATE RECEIVED: 7/30/2023

APPROVED BY: _____

DATE APPROVED: _____

Tammy McGinty, TDCJ-CJAD Budget Director **or**
 Yoko Watabe, Senior Budget Analyst

CSCD:	Program:	Funding Type:	Other Funding Type:	Current Status:	Status Date:
Uvalde	1 - 38th Judicial District Community Corrections Facility	DP		Editable	7/30/2023

FISCAL YEARS:	2024	2025
REVENUE:		
TDCJ Funding	\$ 1,798,920	\$ 1,798,920
SAPPF Payments (Basic Supervision Only)	\$ 0	\$ 0
Comm. Sup. Fees Collected (Basic Sup. Only)	\$ 0	\$ 0
Payments By Program Participants	\$ 0	\$ 0
Interest Income (Basic Supervision Only)	\$ 0	\$ 0
Carry Over from Previous Fiscal Year	\$ 0	\$ 0
Other Revenue	\$ 10,000	\$ 10,000
Basic Supervision Interfund Transfer [+ or -]	\$ 463,922	\$ 463,922
CCP Interfund Transfer [+ or -]	\$ 0	\$ 0
TOTAL REVENUE:	\$ 2,272,842	\$ 2,272,842
EXPENDITURES:		
Salaries/Fringe Benefits	\$ 1,775,305	\$ 1,775,305
- Full Time Salaries		
- Part Time Salaries		
- Fringe Benefits		
Travel/Furnished Transportation	\$ 31,009	\$ 31,009
Contract Services for Offenders	\$ 20,000	\$ 20,000
Professional Fees	\$ 51,900	\$ 51,900
Supplies & Operating Expenses	\$ 259,628	\$ 259,628
Facilities	\$ 35,000	\$ 35,000
Utilities	\$ 70,000	\$ 70,000
Equipment	\$ 30,000	\$ 30,000
TOTAL EXPENDITURES:	\$ 2,272,842	\$ 2,272,842

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Community Justice Assistance Division
INITIAL BUDGET - 2024/2025 BIENNIUM
DATE RECEIVED: 7/30/2023

APPROVED BY: _____

DATE APPROVED: _____

Tammy McGinty, TDCJ-CJAD Budget Director **OR**
 Yoko Watabe, Senior Budget Analyst

CSCD:	Program:	Funding Type:	Other Funding Type:	Current Status:	Status Date:
Uvalde	5 - 38th & 454th Judicial Districts Outpatient Substance Abuse Treatment	DP		Editable	7/30/2023

FISCAL YEARS:	2024	2025
REVENUE:		
TDCJ Funding	\$ 35,047	\$ 35,047
SAFPF Payments (Basic Supervision Only)	\$ 0	\$ 0
Comm. Sup. Fees Collected (Basic Sup. Only)	\$ 0	\$ 0
Payments By Program Participants	\$ 0	\$ 0
Interest Income (Basic Supervision Only)	\$ 0	\$ 0
Carry Over from Previous Fiscal Year	\$ 0	\$ 0
Other Revenue	\$ 0	\$ 0
Basic Supervision Interfund Transfer [+ or -]	\$ 10,000	\$ 10,000
CCP Interfund Transfer [+ or -]	\$ 0	\$ 0
TOTAL REVENUE:	\$ 45,047	\$ 45,047
EXPENDITURES:		
Salaries/Fringe Benefits	\$ 41,520	\$ 41,520
- Full Time Salaries		
- Part Time Salaries		
- Fringe Benefits		
Travel/Furnished Transportation	\$ 0	\$ 0
Contract Services for Offenders	\$ 0	\$ 0
Professional Fees	\$ 0	\$ 0
Supplies & Operating Expenses	\$ 3,527	\$ 3,527
Facilities	\$ 0	\$ 0
Utilities	\$ 0	\$ 0
Equipment	\$ 0	\$ 0
TOTAL EXPENDITURES:	\$ 45,047	\$ 45,047

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Community Justice Assistance Division
INITIAL BUDGET - 2024/2025 BIENNIUM
DATE RECEIVED: 7/30/2023

APPROVED BY: _____ DATE APPROVED: _____

Tammy McGinty, TDCJ-CJAD Budget Director or
Yoko Watabe, Senior Budget Analyst

CSCD:	Program:	Funding Type:	Other Funding Type:	Current Status:	Status Date:
Uvalde	18 - Gang Intervention Caseload	DP		Editable	7/30/2023

FISCAL YEARS:	2024	2025
REVENUE:		
TDCJ Funding	\$ 47,700	\$ 47,700
SAFPF Payments (Basic Supervision Only)	\$ 0	\$ 0
Comm. Sup. Fees Collected (Basic Sup. Only)	\$ 0	\$ 0
Payments By Program Participants	\$ 0	\$ 0
Interest Income (Basic Supervision Only)	\$ 0	\$ 0
Carry Over from Previous Fiscal Year	\$ 0	\$ 0
Other Revenue	\$ 0	\$ 0
Basic Supervision Interfund Transfer [+ or -]	\$ 8,041	\$ 8,041
CCP Interfund Transfer [+ or -]	\$ 0	\$ 0
TOTAL REVENUE:	\$ 55,741	\$ 55,741
EXPENDITURES:		
Salaries/Fringe Benefits	\$ 55,741	\$ 55,741
- Full Time Salaries		
- Part Time Salaries		
- Fringe Benefits		
Travel/Furnished Transportation	\$ 0	\$ 0
Contract Services for Offenders	\$ 0	\$ 0
Professional Fees	\$ 0	\$ 0
Supplies & Operating Expenses	\$ 0	\$ 0
Facilities	\$ 0	\$ 0
Utilities	\$ 0	\$ 0
Equipment	\$ 0	\$ 0
TOTAL EXPENDITURES:	\$ 55,741	\$ 55,741

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Tammy McGinty, TDCJ-CJAD Budget Director or
 Yoko Watabe, Senior Budget Analyst

CSCD:	Program:	Funding Type:	Other Funding Type:	Current Status:	Status Date:
Uvalde	22 - Pretrial Diversion Caseload (PTR Funding)	DP		Editable	7/30/2023

FISCAL YEARS:	2024	2025
REVENUE:		
TDCJ Funding	\$ 32,000	\$ 32,000
SAFPF Payments (Basic Supervision Only)	\$ 0	\$ 0
Comm. Sup. Fees Collected (Basic Sup. Only)	\$ 0	\$ 0
Payments By Program Participants	\$ 0	\$ 0
Interest Income (Basic Supervision Only)	\$ 0	\$ 0
Carry Over from Previous Fiscal Year	\$ 0	\$ 0
Other Revenue	\$ 0	\$ 0
Basic Supervision Interfund Transfer [+ or -]	\$ 10,497	\$ 10,497
CCP Interfund Transfer [+ or -]	\$ 0	\$ 0
TOTAL REVENUE:	\$ 42,497	\$ 42,497
EXPENDITURES:		
Salaries/Fringe Benefits	\$ 42,497	\$ 42,497
- Full Time Salaries		
- Part Time Salaries		
- Fringe Benefits		
Travel/Furnished Transportation	\$ 0	\$ 0
Contract Services for Offenders	\$ 0	\$ 0
Professional Fees	\$ 0	\$ 0
Supplies & Operating Expenses	\$ 0	\$ 0
Facilities	\$ 0	\$ 0
Utilities	\$ 0	\$ 0
Equipment	\$ 0	\$ 0
TOTAL EXPENDITURES:	\$ 42,497	\$ 42,497

22. CONSIDER AND ACT UPON ROAD ADMINISTRATORS REPORT

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

08/09/23

UVALDE COUNTY ROAD DEPT. 2022-2023
Pct 1 = 5% County Roads • Pct 2 = 9% County Roads
Pct 3 = 61% County Roads • Pct 4 = 25% County Roads

<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Amount</u>
1 PRECINT ONE			
Total 1 PRECINT ONE			
2 PRECINT TWO			
07/19/2023	202	MOVE EQUIPMENT	366.16
08/01/2023	202	BLADE ROAD	2,274.53
08/02/2023	202	BLADE ROAD	1,809.55
08/03/2023	202	BLADE ROAD	1,809.55
08/04/2023	202	BLADE ROAD	1,518.53
08/07/2023	202	BLADE ROAD	1,809.55
08/08/2023	202	BLADE ROAD	1,822.51
Total 2 PRECINT TWO			11,410.38
3 PRECINT THREE			
07/19/2023	354	PATCHING ROAD	1,932.74
07/19/2023	354	PATCHING ROAD	877.56
07/19/2023	CONCAN	PICK UP TRASH	276.36
07/20/2023	335	BLADE ROAD	1,842.28
07/20/2023	SABINAL	CHECK ROADS	198.24
07/21/2023	332	BLADE ROAD	1,849.88
07/21/2023	KNIPPA	PATCHING ROAD	1,018.09
07/21/2023	UTP SCHL354	PATCHING ROAD	1,066.76
07/21/2023	312	MOVE EQUIPMENT	456.72
07/24/2023	KNIPPA	PATCHING ROAD	975.09
07/24/2023	334	BLADE ROAD	1,849.88
07/25/2023	CONCAN	PICK UP TRASH	276.36
07/26/2023	334	BLADE ROAD	1,849.88
07/26/2023	SABINAL	PAVE ROAD	3,890.35
07/26/2023	SABINAL YAR	MOVE EQUIPMENT	461.35
07/27/2023	334	BLADE ROAD	1,849.88
07/27/2023	SABINAL	PAVE ROAD	3,933.91
07/31/2023	HELIPAD	MOWING GRASS	223.29
07/31/2023	334	BLADE ROAD	1,849.88
08/01/2023	301	PATCHING ROAD	243.55
08/01/2023	UTOPAI,SAB	CHECK ROADS	183.72
08/04/2023	334	BLADE ROAD	1,849.88
08/08/2023	334	BLADE ROAD	1,518.44
Total 3 PRECINT THREE			30,474.09
4 PRECINT FOUR			
07/19/2023	405	BLADE ROAD	1,809.55
07/20/2023	416	PATCHING ROAD	1,074.36
08/01/2023	DEER CALLEY	PATCHING ROAD	243.55
08/01/2023	405	CHECK ROADS	183.72
08/02/2023	CNTY YARD	LOAD GRAVEL	664.35
08/03/2023	CNTY YARD	LOAD GRAVEL	664.35
Total 4 PRECINT FOUR			4,639.88
TOTAL			46,524.35

23. CONSIDER AND ACT UPON LOACL DISASTER DECLARATION

A Declaration of Local Disaster was issued following the fire at the courthouse. By issuing the declaration the county could be eligible for state financial and other aid. The Declaration issued by the County Judge expires automatically after seven days. The Court can renew the declaration for a period of 30 days.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**



DECLARATION OF LOCAL DISASTER

WHEREAS On August 9, 2023 fire damaged a considerable portion of the Uvalde County Tax Assessor-Collectors office located on the first floor of the Uvalde County Courthouse and resulted in smoke filtering throughout each other office located in the three story building; and

WHEREAS The fire was contained by the rapid response from the Uvalde Volunteer Fire Department; and

WHEREAS Fortunately no person was injured as a result of the fire but severe property damage did result; and

WHEREAS It has been determined that the recovery and investigation into the fire and the temporary relocation of the Uvalde County Tax Assessor-Collectors office will exceed the resources available within the Uvalde County budget

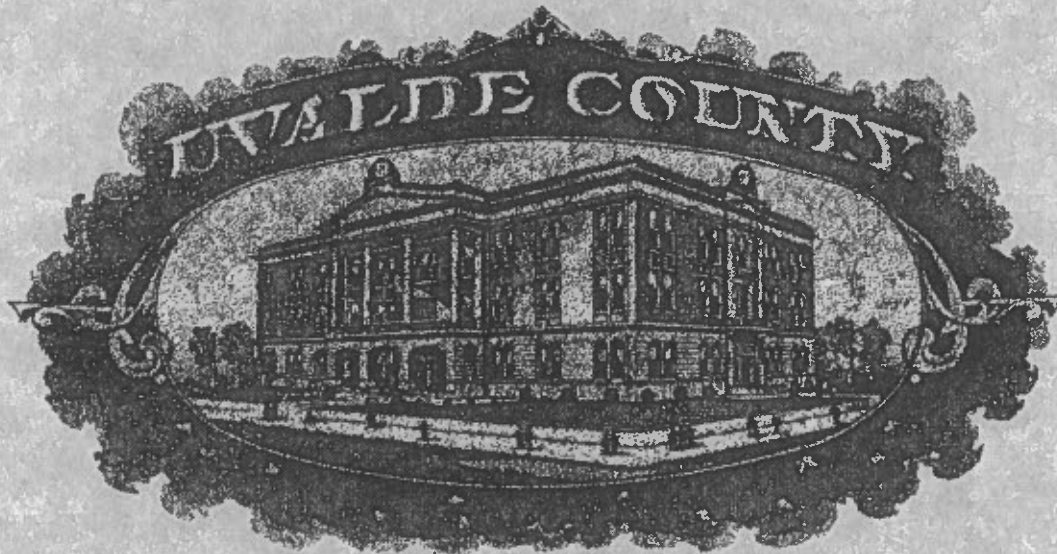
NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY JUDGE OF UVALDE COUNTY, TEXAS:

1. That a local disaster is hereby declared for Uvalde County pursuant to Section 418.108(a) of the Texas Government Code.
2. Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster shall continue for a period not to exceed more than seven (7) days from the date of this declaration unless continued or renewed by the Uvalde County Commissioners Court.
3. Pursuant to Section 418.108 (c) of the Texas Government Code, this declaration of local disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
4. Pursuant to Section 418.108 (d) of the Texas Government Code, this declaration of local state of disaster activates the county emergency management plan.
5. That this proclamation shall take effect immediately from and after its issuance.

ORDERED this the 9th day of August, 2023.

WILLIAM R. MITCHELL
UVALDE COUNTY JUDGE

24. CONSIDER AND ACT UPON RESOLUTIONS/PROCLAMATIONS



UVALDE, TEXAS

RESOLUTION

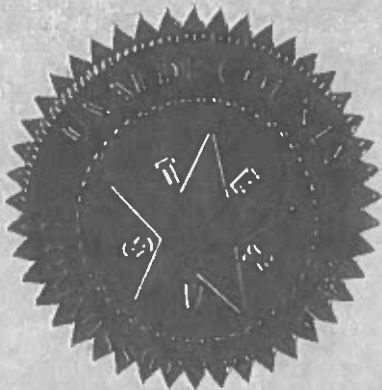
WHEREAS, The family and many friends of **MARICELA P. GONZALES** an esteemed citizen of Uvalde County, were profoundly saddened by her death; and

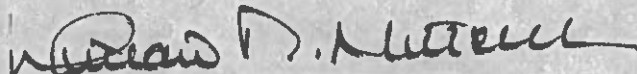
WHEREAS, Throughout her life, this outstanding individual contributed in countless ways to the betterment of Uvalde County; and although her warmth, intelligence and energy will be greatly missed, her memory will live on in the hearts of all who knew her; now therefore, be it

RESOLVED That the Uvalde County Commissioners Court hereby honor the memory of **MARICELA P. GONZALES** and extend sympathy to the members of the family; and be it further

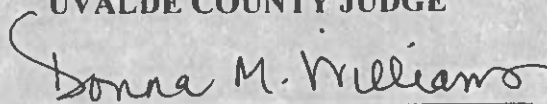
RESOLVED That official copies of the resolution be prepared for the members of her family and when the Uvalde County Commissioners Court adjourns this day, it do so in the memory of **MARICELA P. GONZALES**.

APPROVED on this the 14th day of **AUGUST, 2023**.





WILLIAM R. MITCHELL
UVALDE COUNTY JUDGE



DONNA M. WILLIAMS
UVALDE COUNTY CLERK