

PUBLIC NOTICE

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
WEDNESDAY, FEBRUARY 10, 2021 AT 9:30 A.M.
BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM
201 W AVE E
ALPINE, TEXAS**

In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. As a result, all or some government officials may participate via Zoom.

Additionally, members of the public are encouraged to watch the meetings live online, at the www.brewstercountytexas.com or [Brewster County, Texas \(County's Facebook page\)](#). Members of the public are also encouraged to participate in public comment by calling telephone number 432-538-2028. This temporary suspension will leave important Open Meetings Act (Section 551.043, Texas Government Code) protections in place:

AGENDA

1. Invocation, Pledge of Allegiance
 2. Minutes / additions / corrections / approval
 3. Public Comment – Comments are limited to 5 minutes per person. Pursuant to the Texas Open Meetings Act, the Court is limited in its ability to respond to comments
 4. Consultation with legal counsel regarding title to County owned property described as a 0.377 acre tract of land out of Block 27, Original Townsite, currently the site of the County Jail
 - A. Executive Session Pursuant to Section § 551.071, Government Code, VTCA, Pending Litigation and Consultation on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter (Privileged Matters), and Pursuant to Section § 771.072, Government Code VTCA, Deliberation regarding real property
- Reconvene in Open Session
- B. Discussion and appropriate action resulting from Executive Session as may be needed, on matters discussed in closed session; including, but not limited to, possible authorization of suit to clear title

5. Update on Coronavirus (COVID-19) by Brewster County Judge, Eleazar R. Cano & Stephanie Elmore, Emergency Management Coordinator / Discussion and appropriate action

6. Emergency Management Department

A. General Report including:

Recent emergency responses; emergency planning update; recent work with cooperating emergency responders: (ESD #1, all VFD's and EMS); update on needs, programs, training, recent work with other governmental entities; equipment for emergency response and updates regarding needs, maintenance, repairs, replacement and additions; burn bans, emergency management issues related to public and private insurance coverage, personnel issues related to emergency response, matters related to pending & future Homeland Security & FEMA Grants / Discussion and appropriate action

B. Discussion and appropriate action for work of Emergency Management Department to go forward

7. Bickerstaff Heath Delgado Acosta, LLP / General Obligation Refunding Bonds Series 2021

A. Consider and take action on an order authorizing the issuance of Brewster County, Texas General Obligation Refunding Bonds, Series 2021; authorizing certain parameters for the bonds; authorizing the redemption prior to maturity of certain outstanding obligations; authorizing the County Judge or the County Auditor to approve the amount, the interest rate, price, and terms thereto and certain other procedures and provisions related thereto; authorizing the refunding of certain outstanding obligations and the execution and delivery of an escrow deposit agreement; and enacting other provisions relating to the purposes of this order / Discussion and appropriate action

B. Hiring of Bond Counsel / Consider and take possible action to approve the hiring of bond counsel for contingent fee basis / Discussion and appropriate action

8. Recognitions & Announcements

9. Road & Bridge Department / Community Facilities

A. Road & Bridge Superintendent's Report

General updates on maintenance and repairs for all county roads; road materials including, fuel, supplies including usage & inventories & future needs; equipment including heavy equipment, (maintenance repairs, future needs, replacement and additions), pickups, trailers

and other light vehicles and accessories, and small equipment, (usage, future needs), equipment rentals; facilities (yards in Alpine, Marathon and S. County) and community facilities (assistance with maintenance and other related issues); assistance to other governmental entities and emergency responders; personnel issues, (vacancies, new hires, performance and safety); permits for boring or trenching for utilities across County Roads

B. Discussion and appropriate action for general work of Road & Bridge Department & Community Facilities to go forward

10. Community Facilities Report

A. General Report

B. Discussion and appropriate action for general work of Community Facilities to go forward

11. Treasurer's Office

A. Financial Reports / Updates, discussion, review and appropriate action concerning the following:

Combined Statement of Revenues & Expenses	Payroll Reports
Check Register	Receipt File Listings
Personnel/Overtime Reports	Cash Reports
Other Financial Report as Requested by Commissioners	Grants Reports

B. Discuss and consider renewal of the Families First Coronavirus Response Act (FFCRA) for Employee Paid Leave extending to December 31st, 2021 / Discussion & appropriate action

C. Discuss and consider amendment to the Brewster County Handbook Section 2A-9 Employee Payroll Overtime Calculations & Rules / Discussion & appropriate action

D. Discuss and consider the advertisement for bids for a County Depository Bank / Discussion & appropriate action

E. Other general administrative & procedural matters related to Treasurer's Office / Discussion and appropriate action for work of Treasurer's Office to go forward

12. Brewster County Auditor

A. General Bills / Discussion and appropriate action

B. Financial Reports / Updates, discussion, review and appropriate action concerning the following:

**Budget Amendments
Other Financial Reports as Requested
by Commissioners**

Line Item Transfers

C. Other general administrative and procedural matters related to Auditor's Office / Discussion and appropriate action for work of Auditor's Office to go forward

13. Approve Revised Travel Policy / Discussion and appropriate action

14. Officials' Monthly Reports

15. Update / Retainer Agreement with Law Firm Big Bend Law, Rod Ponton, Attorneys At Law, in re Cause No. CVB20433; Marcia Ann Sykes and the Estate of Marcia Ann Sykes and all Unknown Heirs, Devisees, and Assigns of Marcia Ann Sykes; Phillip Joseph Smith; Dymphna Lorraine DeLaRosa / Discussion and appropriate action

16. Discuss and approve clean up dates for Brewster County under the Rio Grande Council of Governments Municipal Solid Waste grant Program / Discussion and appropriate action

17. Schedule next Regular Commissioners Court Meeting on February 24, 2021, at 9:30 A.M.

18. Adjourn

At 1:21 FILED o'clock P M
Date 2/5/21

SARAH VASQUEZ
County Clerk, Brewster County, TX
By Debra M. Ulyie Deputy

NOTICE FOR HIRING BOND COUNSEL

Brewster County, Texas (the "County") will be considering the approval of a contingent fee contract for legal services ("Legal Services Contract") at the regular meeting of the Commissioners Court of the County to be held on February 10, 2021 at 9:30 a.m. in the Commissioners Courtroom located at 6th and Avenue E, Alpine, Texas. The approval of the Legal Services Contract will be considered in connection with the County's proposed issuance of public securities (the "Obligations"). The County intends to select the law firm of Bickerstaff Heath Delgado Acosta LLP ("BHDA") to serve as the County's bond counsel in connection with the sale and issuance of the Obligations (the "Issuance") and any other issuances of public securities by the County pursuant to the Legal Services Contract.

BHDA has demonstrated that it has the competence, qualifications, and experience required to serve as the County's bond counsel in connection with the Issuance. BHDA has successfully represented Texas local governments as bond counsel in connection with the issuance of public securities such as the Obligations for over 30 years.

Attorneys that represent local governments in transactions such as the Issuance typically are recognized for their work in the specialized area of public finance. The County's successful sale and issuance of public securities, such as the Issuance, will require the preparation of numerous transactional documents, the compilation of those documents into a transcript, and obtaining the approval of the Attorney General of the State of Texas for the sale of the obligations, as well as other procedural steps. The County does not have any attorneys on staff that have the specialized experience required for a successful sale of the Obligations or other public securities that the County may issue.

Each sale of public securities by a local government presents a unique set of legal issues and bond counsel traditionally bills for services on a contingent fee basis. Because bond counsel services are based on a fixed contingency rate, the County can know with certainty the precise amount of the fees before the sale of the public securities, and therefore, can more easily budget and plan for the use of the proceeds.

For the preceding reasons, entering into a contingent fee contract for bond counsel services with BHDA is in the best interest of the residents of the County.

FILED
At 1:16 o'clock P M
Date 2/5/21

SARAH VASQUEZ
County Clerk, Brewster County, TX
By *[Signature]* Deputy