

I, Diana T. Barrera, County Clerk of Nueces County, do hereby certify that the following Commissioners Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting on May 23, 2012.



Diana T. Barrera, County Clerk
and Ex-Officio Clerk of the
Commissioners Court of
Nueces County, Texas

Samuel L. Neal, Jr., County Judge
Nueces County, Texas

REGULAR MEETING - May 23, 2012

BE IT REMEMBERED, that on this the 23rd day of May, A.D., 2012, there was begun and held a REGULAR MEETING of the Honorable Commissioners Court of Nueces County, Texas, wherein the following members thereof were present, to-wit:

SAMUEL L. NEAL, JR.	COUNTY JUDGE
MIKE PUSLEY	COMMISSIONER, PRECINCT NO. 1
JOE A. GONZALEZ	COMMISSIONER, PRECINCT NO. 2
OSCAR O. ORTIZ	COMMISSIONER, PRECINCT NO. 3
JOE MCCOMB	COMMISSIONER, PRECINCT NO. 4

and Diana T. Barrera, County Clerk of Nueces County, Texas, wherein the following proceedings were had, to-wit:

1. CALL TO ORDER

- A. Judge Neal called for the invocation by Reverend William Pullam from St. John First Baptist Church.
- B. Judge Neal led the Pledge of Allegiance to the United States of America and Texas Flags.
- C. Judge Neal called the roll at 9:05 a.m., and certified a quorum of the Court with all members present.

D. WORKSHOP

- 1. A workshop was called to order at 9:06 a.m. to discuss the Joint Erosion Response Plan for Nueces County and the City of Corpus Christi with a presentation by Bob Payne, Senior City Planner & Project Manager, Greg Smith, Chairman of Erosion Response Plan Working Group and Fred McCutcheon, Chairman of Nueces County Beach Management Advisory Committee.

The Workshop closed at 10:02 a.m. and entered into regular session.

- E. Approve the following Minutes:

1. May 9, 2012.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz
Motion: Approve the Commissioners Court Meeting minutes of May 9, 2012.

Vote: 5 - 0 Approved

- F.** Adopt the following Resolution(s) and/or Order(s):

1. Adopt a resolution proclaiming May as Fair Housing Month.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz
Motion: Adopt a resolution proclaiming May as Fair Housing Month.

Vote: 5 - 0 Approved

2. Hurricane Preparedness Awareness Week - May 27 - June 2, 2012.

Motion by: Commissioner McComb, Second by: Commissioner Gonzalez
Motion: Adopt a Resolution Declaring May 27, 2012 through June 2, 2012 as Hurricane Preparedness Awareness Week.

Vote: 5 - 0 Approved

- G.** Commissioners Court presented the following Certificate(s) of Recognition:

1. Thurman-Fondren Glass Company, Inc., celebrating 50 years of residential and commercial glass service in Nueces County.

2. **PUBLIC COMMENT:** None

- 3. CONSENT AGENDA:** The following Agenda Items are of a routine nature, and the Commissioners Court has received supporting materials for consideration. All of these Agenda Items will be passed with one vote without being discussed separately, unless a member of the Commissioners Court or the public requests that a particular Agenda Item be discussed. If so, that Agenda Item will be pulled from the Consent Agenda and discussed as part of the regular Agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.
- A.** Authorize payment of bills - manual check registers dated May 15, 2012.
 - B.** Authorize payment of bills - regular bill summaries dated April 30, 2012; May 4, 2012; May 11, 2012; May 15, 2012; and May 18, 2012.
 - C.** Authorize payment of bills - group health insurance claims and fees TPA check registers April 23, 2012 to May 11, 2012.
 - D.** Authorize payment of Pcard purchases for the month of March 2012.
 - E.** Authorize payment of bills - special motions list dated May 23, 2012.
 - F.** Approve the monthly revenue reports in accordance with LGC 114.044 - March 2012.
 - G.** Accept the following Outside Agency Reports for FY2010/2011:
 - 1. Corpus Christi Beach Association.
 - 2. Corpus Christi Black Chamber of Commerce.
 - 3. Corpus Christi Chamber of Commerce.
 - 4. Corpus Christi Downtown Management District.
 - 5. NorthWest Business Association.
 - H.** Approve the following "Outside Agency" Contracts:
 - 1. Coastal Bend Aids Foundation-\$500.
 - 2. CC Beach Association, Inc.-\$1,000.
 - 3. CC Black Chamber of Commerce-\$1,500.
 - 4. CC Chamber of Commerce-\$1,600.
 - 5. CC Hispanic Chamber of Commerce-Additional \$200 (Amended Contract \$5,700).
 - 6. CC Regional Economic Development Corp.-Additional \$1,000 (Amended Contract \$8,500).
 - 7. Downtown Management District-\$1,000.
 - 8. Hammons Education Leadership Programs, Inc. (HELP)-\$500.

9. Hispanic Women's Network of Texas-\$1,000.
10. NorthWest Business Association-\$3,250.
11. Refuge of Hope-\$1,000.
12. South Texas Substance Abuse Recovery Services (STSARS)-\$500.
13. Spaulding For Children-\$500.
14. Women's Shelter-\$1,500.

- I. Approve the diabetes awareness contract with South Coastal Area Health Education Center in the amount of \$2,500 for the purpose of promoting diabetes prevention and awareness that will benefit Nueces County residents.
 - J. Appoint Sylvan Igisomar, Assistant Emergency Management Coordinator, as Assistant ADA Coordinator for Nueces County.
 - K. Ratify/Approve execution of a Motor Vehicle License Point of Sale Sticker Lease Agreement amendment to document #20050189 with Charlie Thomas Courtesy Ford, Inc. dba Champion Ford, dba Champion Mazda, dba Champion Ford Mazda, related to the issuance of title application/motor vehicle sales tax receipts, point of sale stickers, and license plates.
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Motion by: Commissioner Pusley, Second by: Commissioner Ortiz
Motion: Approve Consent Agenda Items 3A through 3K to include under 3B regular bill summaries, payment of bills for May 8, 2012 as amended.

Vote: 5 - 0 Approved

4. REGULAR AGENDA:

A. AGENDA ITEMS

1. The Commissioners Court received a presentation from Martin Ornelas, Director of the Transportation Coordination Network (TCN) of the Coastal Bend, about TCN, the activities and the goals for 2012.

2. Discuss and consider authorizing the County Judge to send a letter to the property owners of Lot 76, La Concha Estates, Phase 2, that "no dune protection permit is required" related to the existing large scale development permit, and related matters.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Authorize the County Judge to send a letter to the property owners of Lot 76, La Concha Estates, Phase 2, that "no dune protection permit is required" related to the existing large scale development permit.

Vote: 5 - 0 Approved

3. The Commissioners Court received a progress report from the District Clerk related to the audit of the District Clerk's Office.
4. Discuss and consider execution of a Personal Services Contract between Nueces County and Lacy Pakebusch for the development of the Emergency Management Social Media and the conversion of the Emergency Management Plan into a fully functioning electronic document.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Authorize execution of a Personal Services Contract between Nueces County and Lacy Pakebusch for the development of the Emergency Management Social Media and the conversion of the Emergency Management Plan into a fully functioning electronic document.

Vote: 5 - 0 Approved

5. Discuss and consider accepting the Nueces County Emergency Management Plan Annex A (Warning) as presented by the Nueces County Emergency Management Coordinator.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Accept the Nueces County Emergency Management Plan Annex A (Warning) as presented by the Nueces County Emergency Management Coordinator.

Vote: 5 - 0 Approved

6. Discuss and consider accepting the Nueces County Emergency Management Plan Annex B (Communications) as presented by the Nueces County Emergency Management Coordinator.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Accept the Nueces County Emergency Management Plan Annex B (Communications) as presented by the Nueces County Emergency Management Coordinator.

Vote: 5 - 0 Approved

7. Discuss and consider accepting the Nueces County Emergency Management Plan Annex E (Evacuation) as presented by the Nueces County Emergency Management Coordinator.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Accept the Nueces County Emergency Management Plan Annex E (Evacuation) as presented by the Nueces County Emergency Management Coordinator.

Vote: 5 - 0 Approved

8. Discuss and consider accepting the Nueces County Emergency Management Plan Annex G (Law Enforcement) as presented by the Nueces County Emergency Management Coordinator.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Accept the Nueces County Emergency Management Plan Annex G (Law Enforcement) as presented by the Nueces County Emergency Management Coordinator.

Vote: 5 - 0 Approved

9. Discuss and consider accepting the Nueces County Emergency Management Plan Annex V (Terrorist Incident Response) as presented by the Nueces County Emergency Management Coordinator.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Accept the Nueces County Emergency Management Plan Annex V (Terrorist Incident Response) as presented by the Nueces County Emergency Management Coordinator.

Vote: 5 - 0 Approved

10. Discuss and consider approval of the Tyler Technologies License Agreement and Professional Services Agreement for development of the jail interface for the Odyssey Case Management System.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez
Motion: Table

Vote: 5 - 0 Approved

11. Discuss and consider approval of the professional services agreement to provide training and go-live assistance for the Criminal and Prosecutor modules of the Odyssey Case Management System.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez
Motion: Table

Vote: 5 - 0 Approved

B. HEALTH DEPARTMENT

1. Discuss and consider the Corpus Christi-Nueces County Public Health District entering into a contract with the Texas Health and Human Services Commission (HHSC) for the Texas Nurse-Family Partnership Program providing for a nurse-led maternal health and home visitation program in the amount of \$319,805 for the period of May 23, 2012 to August 31, 2013; Authorize Annette Rodriguez, M.P.H., Director of the Corpus Christi-Nueces County Public Health District, to sign on behalf of Nueces County.

Motion by: Judge Neal, Second by: Commissioner Pusley
Motion: Table

Vote: 5 - 0 Approved

C. SHERIFF

1. Discuss and consider execution of a Joint Terrorism Task Force Memorandum of Understanding and Cost Reimbursement Agreement between the Federal Bureau of Investigation and the Nueces County Sheriff's Office.

Motion by: Commissioner Pusley, Second by: Commissioner McComb
Motion: Authorize execution of a Joint Terrorism Task Force Memorandum of Understanding and Cost Reimbursement Agreement between the Federal Bureau of Investigation and the Nueces County Sheriff's Office.

Vote: 5 - 0 Approved

D. GRANTS

1. Discuss and consider the execution of a Sub-recipient Agreement and Terms and Conditions with the Texas Division of Emergency Management for the acceptance of the FY 2011 Operation Stonegarden grant award.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez
Motion: Authorize execution of a Sub-recipient Agreement and Terms and Conditions with the Texas Division of Emergency Management for the acceptance of the FY 2011 Operation Stonegarden grant award.

Vote: 5 - 0 Approved

E. PUBLIC WORKS

1. Discuss and consider the approval of Certificate of Substantial Completion for the Juvenile Justice Center Chiller Replacement project completed by Columbia Contracting, Inc.

Motion by: Judge Neal, Second by: Commissioner Gonzalez
Motion: Approve a Certificate of Substantial Completion for the Juvenile Justice Center Chiller Replacement project completed by Columbia Contracting, Inc.

Vote: 5 - 0 Approved

2. Discuss and consider the approval of Change Order No. 2 for the Waco Street Jail Fire Alarm Replacement. Change Order No. 2 will add fire alarm system components to the 3rd floor and 5th floor to comply with the Commission on Jail Standards and city fire code.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Approve Change Order No. 2 for the Waco Street Jail Fire Alarm Replacement. Change Order No. 2 will add fire alarm system components to the 3rd floor and 5th floor to comply with the Commission on Jail Standards and city fire code.

Vote: 5 - 0 Approved

F. PURCHASING

1. Authorize Buyboard Contract No. 358-10 purchase of a 2012 Chevrolet Impala from Caldwell Country for Constable Pct. 1; issue the vehicle that will be replaced in the Constable Pct. 1 to the District Attorney's office.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize Buyboard Contract No. 358-10 purchase of a 2012 Chevrolet Impala from Caldwell Country for Constable Pct. 1 and issue the vehicle that will be replaced in the Constable Pct. 1 to the District Attorney's office.

Vote: 5 - 0 Approved

2. Authorize TASB BuyBoard State Contract 358-10 purchase of a 2012 Toyota Tundra truck from Philpott Motors Ltd., for the Sheriff's Office for the replacement of a 2005 Jeep Grand Cherokee with funding from the Sheriff's Drug Forfeiture funds.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize TASB BuyBoard State Contract 358-10 purchase of a 2012 Toyota Tundra truck from Philpott Motors Ltd., for the Sheriff's Office for the replacement of a 2005 Jeep Grand Cherokee with funding from the Sheriff's Drug Forfeiture funds.

Vote: 5 - 0 Approved

3. Authorize Facility Solutions Group to furnish all materials and labor necessary to construct the emergency power building connections at the Richard M. Borchard Regional Fairgrounds.

Motion by: Judge Neal, Second by: Commissioner Ortiz

Motion: Authorize Facility Solutions Group to furnish all materials and labor necessary to construct the emergency power building connections at the Richard M. Borchard Regional Fairgrounds.

Vote: 3 - 1 Approved

Against: Commissioner McComb

Other: Commissioner Pusley (Abstain)

4. Discuss/Award RFP No. 2899-12 N.C. Lease & Development of Real Property at I.B. Magee Beach.

Motion by: Judge Neal, Second by: Commissioner McComb

Motion: Re-Advertise RFP No. 2899-12 N.C. Lease & Development of Real Property at I.B. Magee Beach.

Vote: 5 - 0 Approved

5. Discuss/Award IFB No. 2907-12 Calderon Building Fire Alarm System Replacement.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Award IFB No. 2907-12, Calderon Building Fire Alarm System Replacement to Total Protection Systems, and ask Public Works to re-negotiate for lower bids.

Vote: 5 - 0 Approved

G. AUDITOR

1. Budget Change Order No. 15 for Fiscal Year 2011-2012.

Motion by: Commissioner Ortiz, Second by: Commissioner Pusley

Motion: Budget Change Order No. 15 for Fiscal Year 2011-2012.

Vote: 5 - 0 Approved

2. Personnel actions of a budgeted nature:
 - a. Application Temporary List No. 315
 - b. Frozen List No. 018
 - c. Unfreeze List No. 639
 - d. Personnel Changes reports dated May 4, 2012 and May 11, 2012.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Approve the following Personnel actions of a budgeted nature:

- a. Application Temporary List No. 315
- b. Frozen List No. 018
- c. Unfreeze List No. 639 and add Atty 2 position, Pay Group 30/A to Unfreeze List
- d. Personnel Changes reports dated May 4, 2012 and May 11, 2012.

Vote: 5 - 0 Approved

3. Discuss and consider the creation and unfreezing of a Laboratory Quality Manager position to assist the Public Health Administrator in the quality assurance program in the laboratory.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Authorize creation and unfreezing of a Laboratory Quality Manager position to assist the Public Health Administrator in the quality assurance program in the laboratory.

Vote: 5 - 0 Approved

4. Discuss and consider execution of Amendment No. 13 to the Nueces County Employee Health Benefit Plan.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize execution of Amendment No. 13 to the Nueces County Employee Health Benefit Plan.

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION:** None

6. BOARD APPOINTMENTS:

A. Nueces County Rural Rail Transportation District.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Re-Appoint Arthur (Fred) Babin and Robert Harrold to the Nueces County Rural Rail Transportation District.

Vote: 5 - 0 Approved

The Court was adjourned at 11:52 a.m. in memory of Shau'Da Johnson, Victor Gonzalez, Nadia Guerra, Oliver Alvarado and Sig Berlanga. Judge Neal asked the Court to stand for a moment of silence.

There being no further business to come before the Court, it is ordered that this meeting do now stand adjourned, this the 23rd day of May, 2012.