

REGULAR MEETING - August 8, 2012

BE IT REMEMBERED, that on this the 8th day of August, 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 calls for the invocation by Pastor Billy Storms from Covenant 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 9:00 a.m., and certified a quorum of the Court with all members present.
- D. Approve the following Minutes:

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley
Motion: Approve the following Commissioners Court Minutes:

Vote: 5 - 0 Approved

- 1. July 18, 2012.
- 2. July 25, 2012.

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 register dated July 31, 2012.
 - B.** Authorize payment of bills - regular bill summaries dated July 20, 2012; July 27, 2012; and August 3, 2012.
 - C.** Authorize payment of bills - group health insurance claims and fees, check register: July 16, 2012 to July 20, 2012.
 - D.** Authorize payment of bills - special motions list dated August 8, 2012.
 - E.** Approve the monthly revenue reports in accordance with LGC 114.044 - June 2012.
 - F.** Approve the following "Outside Agency" Contract:
 - 1. Nueces County CPS Community Partners Board - \$1,000.
 - G.** Ratify execution of two (2) Intergovernmental Agreements with U.S. Department of Justice, Marshals Service, related to the housing of Federal detainees in LCS Correction Services facilities located at 1) Coastal Bend Detention Center, 4909 FM 2826, Robstown, Texas, and 2) East Hidalgo Detention Center, 1300 Highway 107, La Villa, Texas.
 - H.** Discuss and consider the acceptance of \$148,306.00 in contributions to the Capital Project Fund 1915.
 - I.** Execute Contract Addendum 3 for Group Term Life Insurance (RFP No.2817-09) with Fort Dearborn Life.
 - J.** Ratify/approve execution of a Motor Vehicle License Point of Sale Sticker Lease Agreement amendment to document #20050177 with Bay Chevrolet-GEO, Inc., dba Allen Samuels, related to the issuance of title application/motor vehicle sales tax receipts, point of sale stickers, and license plates.

- K. Ratify/approve execution of a Motor Vehicle License Point of Sale Sticker Lease Agreement amendment to document #20050188 with Coastal Motorcars, related to the issuance of title application/motor vehicle sales tax receipts, point of sale stickers and license plates.
 - L. Ratify/approve execution of a Motor Vehicle License Point of Sale Sticker Lease Agreement amendment to document #200600024 with Ed Hicks Nissan, LTD, 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 Gonzalez
Motion: Approve Consent Agenda Items 3A-3L.

Vote: 5 - 0 Approved

4. REGULAR AGENDA:

A. AGENDA ITEMS

- 1. Discuss and consider proposal for 2012-2013 tax rates for Nueces County and the Nueces County Hospital District that exceeds the effective tax rate; take record vote; and authorize the publishing of appropriate notices.

Motion by: Judge Neal, Second by: Commissioner Gonzalez
Motion: Intent to adopt the new tax rate of \$0.343101 for Nueces County for 2012-2013, and propose the effective tax rate of \$0.355259.

Commissioner McComb voted Yes

Commissioner Gonzalez voted Yes

Judge Neal voted Yes

Commissioner Ortiz voted Yes

Commissioner Pusley voted Yes

Vote: 5 - 0 Approved

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Intent to adopt the current tax rate for the Nueces County Hospital District at \$0.162482.

Commissioner Pusley voted Yes

Commissioner Ortiz voted Yes

Judge Neal voted Yes

Commissioner Gonzalez voted Yes

Commissioner McComb voted Yes

Vote: 5 - 0 Approved

Motion by: Judge Neal, **Second by:** Commissioner Gonzalez

Motion: Authorize the publishing of appropriate notices of the proposal to the 2012-2013 tax rates for Nueces County and Nueces County Hospital District.

Vote: 5 - 0 Approved

2. Discuss and consider approving a Dune Protection Permit application for the Beach View Estates Dune Walkover.

Motion by: Judge Neal, **Second by:** Commissioner McComb

Motion: Approve a Dune Protection Permit application for the Beach View Estates Dune Walkover.

Vote: 5 - 0 Approved

3. Discuss and consider approval of Sole Source Purchase of the Intergraph Scope of Work (SOW) for the development of the i/LEADS jail interface with the Odyssey Case Management System.

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

Motion: Approve Sole Source Purchase of the Intergraph Scope of Work (SOW) for the development of the i/LEADS jail interface with the Odyssey Case Management System.

Vote: 5 - 0 Approved

4. Discuss and consider exercising Renewal Option to the Nueces County and CHRISTUS Spohn Health Network Agreement for Network Services (In-Area Only).

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

Motion: Approve Renewal Option to the Nueces County and CHRISTUS Spohn Health Network Agreement for Network Services (In-Area Only).

Vote: 5 - 0 Approved

5. Discuss and consider execution of a contract for RFP No. 2910-12 Secondary (Wrap) Network Services, Disease Management, Pre-Certification/Utilization Programs, and COBRA/HIPAA Administration with HealthSmart.

Motion by: Commissioner McComb, Second by: Commissioner Pusley
Motion: Authorize execution of a contract for RFP No. 2910-12 Secondary (Wrap) Network Services, Disease Management, Pre-Certification/Utilization Programs, and COBRA/HIPAA Administration with HealthSmart.

Vote: 5 - 0 Approved

6. Discuss and consider execution of a contract for RFP No. 2911-12 Third Party Administration/TPA with HealthSmart.

Motion by: Commissioner McComb, Second by: Commissioner Pusley
Motion: Authorize execution of a contract for RFP No. 2911-12 Third Party Administration/TPA with HealthSmart.

Vote: 5 - 0 Approved

7. Discuss and consider execution of a contract for RFP No. 2912-12 Cafeteria Administration, including Premium Only Plan (POP) & Enrollment/Billing Services.

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

Vote: 5 - 0 Approved

8. Discuss and consider approval of the 2012-2013 County and Employee contribution rates for the Health Benefits Plan and Life Insurance Plan.

Motion by: Judge Neal, Second by: Commissioner Gonzalez
Motion: Approve the 2012-2013 County and Employee contribution rates for the Health Benefits Plan and Life Insurance Plan.

Vote: 5 - 0 Approved

B. HEALTH DEPARTMENT

1. Discuss and consider executing an agreement with Dr. William Burgin, Jr., to serve as the Local Health Authority for the Public Health District.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Authorize execution of a professional services agreement with Dr. William Burgin, Jr. to serve as Local Health Authority for the Public Health District.

Vote: 5 - 0 Approved

2. Discuss and consider executing an agreement with Dr. Colette Simon to serve as Alternate Local Health Authority for the Health District.

Motion by: Commissioner McComb, Second by: Commissioner Gonzalez

Motion: Authorize execution of a professional services agreement with Dr. Colette Simon to serve as Alternate Local Health Authority for the Public Health District.

Vote: 5 - 0 Approved

C. GRANTS

1. Discuss and consider acceptance of a grant award from U.S. Fish and Wildlife Service for the Grants Administration Support Project, part of the Coastal Impact Assistance Program (CIAP) grant program.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Accept a grant award from U.S. Fish and Wildlife Service for the Grants Administration Support Project, part of the Coastal Impact Assistance Program (CIAP) grant program.

Vote: 5 - 0 Approved

2. Discuss and consider authorizing the submission of a grant application for the Texas Veterans Commission Fund, Veterans' Assistance Grant Program.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Authorize submission of a grant application for the Texas Veterans Commission Fund, Veterans' Assistance Grant Program.

Vote: 5 - 0 Approved

D. PURCHASING

1. Discuss/Award IFB No. 2909-12 Copy Paper, Computer Paper, NCR Paper, & Envelopes.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Award IFB No. 2909-12 Copy Paper, Computer Paper, NCR Paper, & Envelopes to FasClampitt Paper Store for a single award in the amount of \$104,497.95.

Vote: 5 - 0 Approved

2. Authorize A. Ortiz Construction & Paving Inc. to furnish all supervision, machinery, materials and labor necessary to pave, seal coat, and stripe the parking lot/areas and driveways at the Bishop Community Center.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Authorize A. Ortiz Construction & Paving Inc. to furnish all supervision, machinery, materials and labor necessary to pave, seal coat, and stripe the parking lot/areas and driveways at the Bishop Community Center in the amount of \$46,710.00.

Vote: 5 - 0 Approved

3. Rescind the request to purchase a 2012 Toyota Tundra truck from Philpott Motors Ltd. and authorize TASB BuyBoard State Contract 358-10 purchase of a 2013 Police Interceptor SUV from Philpott Motors for the Sheriff's office for the replacement of a 2005 Jeep Grand Cherokee.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Rescind purchase of a 2012 Toyota Tundra truck from Philpott Motors Ltd and authorize the purchase of a 2013 Police Interceptor SUV from Philpott Motors Ltd.

Vote: 5 - 0 Approved

4. Discuss and consider the purchase of a firearm by a retiring law enforcement officer and establish the amount for which the firearm may be purchased.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Approve purchase of a firearm by a retiring law enforcement officer in the amount of \$551.11 as replacement cost for the Sheriff's Office.

Public Comment

David Garcia

Vote: 5 - 0 Approved

E. AUDITOR

1. Approve Budget Change Order No. 20 for Fiscal Year 2011-2012.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Approve Budget Change Order No. 20 for Fiscal Year 2011-2012.

Vote: 5 - 0 Approved

2. Approve personnel actions of a budgeted nature:
 - a. Application Temporary List No. 319
 - b. Frozen List No. 023
 - c. Unfreeze List No. 644
 - d. Personnel Changes reports dated July 20, 2012 and July 27, 2012.

Motion by: Commissioner Ortiz, Second by: Commissioner Pusley

Motion: Approve personnel actions of a budgeted nature:

- a. Application Temporary List No. 319
- b. Frozen List No. 023
- c. Unfreeze List No. 644
- d. Personnel Changes reports dated July 20, 2012 and July 27, 2012.

Vote: 5 - 0 Approved

3. Discuss and consider reclassification of one part time Licensed Vocational Nurse position to a full time position with benefits (H16, salary range is: low \$26,254, mid \$34,096, high \$41,938).

Motion by: Judge Neal, Second by: Commissioner Gonzalez
Motion: Approve reclassification of one part-time Licensed Vocational Nurse position to a full-time position with benefits (H16, salary range is: low \$26,254, mid \$34,096, high \$41,938).

Vote: 5 - 0 Approved

4. Discuss and consider an increase of \$50 in change fund for the Keach Family Library and a \$25 change fund for the Bishop Branch Library.

Motion by: Judge Neal, Second by: Commissioner Gonzalez
Motion: Approve increase of \$50 in change fund for the Keach Family Library and a \$25 change fund for the Bishop Branch Library.

Vote: 5 - 0 Approved

5. EXECUTIVE SESSION: None

- A. Discuss Ricardo Lopez Audit.

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

Vote: 5 - 0 Approved

The Court was adjourned at 10:35 a.m. in memory of Gloria Guerrero-Gonzales.

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 8th day of August, 2012.