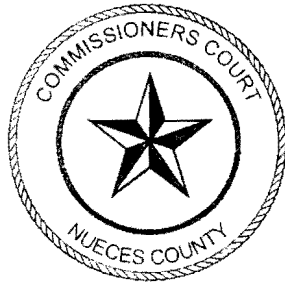


I, Diana T. Barrera, County Clerk of Nueces County, do hereby certify that the following Commissioners Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting on January 8, 2014.

*Diana T. Barrera*

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



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

**REGULAR MEETING - January 8, 2014**

BE IT REMEMBERED, that on this the 8th day of January, A.D., 2014, 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:

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**1. CALL TO ORDER**

- A. County Judge Neal called for the Invocation by Reverend Charles "Chip" Blackshear, First Presbyterian Church, 430 Carancahua, Corpus Christi, Texas.
- B. County Judge Neal led the Pledge of Allegiance to the United States of America and Texas Flags.
- C. County 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 Pusley, Second by: Commissioner Gonzalez

**Motion:** Approve the following Commissioners Court Minutes:

**Vote:** 5 - 0 Approved

- 1. December 18, 2013
- 2. December 19, 2013

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

- 1. 2014 Martin Luther King Holiday Celebration and Commemorative March.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

**Motion:** Adopt a Resolution 2014 Martin Luther King Holiday Celebration and Commemorative March.

**Vote:** 5 - 0 Approved

- F. The Commissioners Court presented the following Certificates of Recognition:

1. Great Western Warcats - U14 Girls Soccer State Champions.

2. **PUBLIC COMMENT:**

Commissioners Gonzalez announced the Hector P. Garcia events.

3. **CONSENT AGENDA:**

- A. Authorize payment of bills - manual check registers dated December 30, 2013.
- B. Authorize payment of bills - regular bill summaries dated December 13, 2013 B; December 20, 2013; December 27, 2013; December 31, 2013 and January 3, 2014.
- C. Authorize payment of bills - special motions list dated January 8, 2014.
- D. Authorize payment of Pcard purchases for the month of November 2013.
- E. Approve personnel actions of a budgeted nature:
  - a. Application Temporary List No. 349
  - b. Unfreeze List No. 678
  - c. Personnel Changes reports dated December 13, 2013; December 20, 2013; and December 27, 2013
- F. Accept the FY 2012-2013 Diabetes report from Texas A&M University Corpus Christi - Antonio E. Garcia Arts & Education Center.
- G. Approve the "Diabetes" contract for FY 2013-2014 for Wesley Community Center - \$3,000.
- H. Accept the following "Outside Agency" Reports for FY 2012-2013:
  - 1. Coastal Bend Wellness Foundation
  - 2. Downtown Management District
  - 3. Gulf Coast Council of La Raza
  - 4. Port Aransas Chamber of Commerce
- I. Approve the following "Outside Agency" Contracts for FY 2013-2014:
  - 1. Coastal Bend Wellness Foundation - \$600
  - 2. Corpus Christi Police Officer's Association - \$1,300
  - 3. Downtown Management District - \$1,000
  - 4. Gulf Coast Council of La Raza - \$1,000
  - 5. Port Aransas Chamber of Commerce - \$1,000
- J. Accept the award and executed agreements for residential and nonresidential services as approved by the Juvenile Board.
- K. Authorize the FY 2014 Resource Sharing Addendum and a 2013 Master Interlocal Agreement for the TechShare Common Integrated Justice System.
- L. Rescind the executed Amendment No. 4 with GTL approved on October 2, 2013; Authorize/Execute Amendment No. 4 to the Agreement between Nueces County and Public Communications Services, Inc. (PCS) for Inmate Telephone and Public Coin Telephone Services (RFP 2799-08).

- M. Accept the executed Amendment No. 1 for RFP No. 2872-10 Concession Service for Horace Caldwell Pier agreement with Jeffery Miller as approved by the Coastal Parks Board.
- N. Authorize an amendment to the End User License Agreement and Professional Services Agreement with Tyler Technology.

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Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez  
**Motion:** Approve Agenda Items 3.A thru 3.N.

**Vote:** 5 - 0 Approved

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**4. REGULAR AGENDA:**

**A. AGENDA ITEMS**

- 1. The Commissioners Court received an annual report from Diane Lowrance, Executive Director, on the activities of the Behavioral Health Center of Nueces County.
- 2. Discuss and consider selection of Turner, Ramirez & Associates, Inc., for Architectural Services related to the Fallen Heroes Memorial, to be constructed on the north side of the Nueces County Courthouse; authorize execution of contract.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez  
**Motion:** Select Turner, Ramirez & Associates, Inc., for Architectural Services related to the Fallen Heroes Memorial, to be constructed on the north side of the Nueces County Courthouse and authorize execution of contract subject to the proof of insurance.

**Vote:** 5 - 0 Approved

- 3. Discuss and consider authorizing execution of License Agreement between Nueces County and Tuloso-Midway Independent School District for use of the Richard M. Borchard Fairgrounds Baseball venue for Tuloso-Midway High School baseball.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz  
**Motion:** Authorize execution of License Agreement between Nueces County and Tuloso-Midway Independent School District for use of the Richard M. Borchard Fairgrounds Baseball venue for Tuloso-Midway High School baseball.

**Vote:** 5 - 0 Approved

- 4. Discuss and consider executing a maintenance contract with Capturion, Inc., for the video marquee at the Richard M. Borchard Regional Fairgrounds.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz  
**Motion:** Authorize executing a maintenance contract with Capturion, Inc., for the video marquee at the Richard M. Borchard Regional Fairgrounds.

**Vote:** 5 - 0 Approved

**B. GRANTS**

1. Discuss and consider the acceptance of a grant award for the FY 2014 Formula Grant Program of the Texas Indigent Defense Commission.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

**Motion:** Authorize acceptance of a grant award for the FY 2014 Formula Grant Program of the Texas Indigent Defense Commission.

**Vote:** 5 - 0 Approved

2. Discuss and consider authorizing the submission of a grant application to the Texas Division of Emergency Management for the FY 2014 Emergency Management Performance Grant program.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

**Motion:** Authorize the submission of a grant application to the Texas Division of Emergency Management for the FY 2014 Emergency Management Performance Grant program.

**Vote:** 5 - 0 Approved

**C. PURCHASING**

1. Discuss/Award IFB No. 2940-13 LyondellBasell Park Improvements, Phase II.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

**Motion:** Reject all bids for IFB No. 2940-13 LyondellBasell Park Improvements, Phase II

**Vote:** 5 - 0 Approved

2. Discuss and consider approving an order regarding the lease of 121.63 acres of farmland adjacent to the Nueces County Airport in Robstown.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

**Motion:** Approve an order regarding the lease of 121.63 acres of farmland adjacent to the Nueces County Airport in Robstown.

i. make a finding of the method of procurement (Texas Local Government Code-Section 263.007 (a),(b)(1)-(4)) for the lease of real property through a sealed-bid procedure; ii. adopt a sealed bid procedure for this lease of real property as set out in this Order and authorize and direct the purchasing agent to carry out the Bid Procedure and take such other action needed in her opinion necessary for carrying out this procedure; iii. authorize the purchasing agent to publish notice for sealed bid under Section 263.007 of the Texas Local Government Code; iv. appoint the purchasing agent as the designated representative to evaluate the bids submitted under Section 263.007 of the Texas Local Government Code.

**Vote:** 5 - 0 Approved

3. Authorize TASB BuyBoard State Contract No. 358-10 purchase of a Chevrolet Silverado Truck for Inland Parks from Caldwell Country.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

**Motion:** Authorize TASB BuyBoard State Contract No. 358-10 purchase of a Chevrolet Silverado Truck for Inland Parks from Caldwell Country.

**Vote:** 5 - 0 Approved

4. Discuss and consider making a finding for the method of procurement (request for competitive bids) for laundry supplies for Nueces County Jail; and authorize the Purchasing Agent to publish a notice.

Motion by: Commissioner Ortiz, Second by: Commissioner Pusley

**Motion:** Authorize making a finding for the method of procurement (request for competitive bids) for laundry supplies for Nueces County Jail; and authorize the Purchasing Agent to publish a notice.

**Vote:** 5 - 0 Approved

**D. AUDITOR**

1. Approve Budget Change Order No. 5 for Fiscal Year 2013-2014.

Motion by: Judge Neal, Second by: Commissioner Ortiz

**Motion:** Approve Budget Change Order No. 5 for Fiscal Year 2013-2014.

**Vote:** 5 - 0 Approved

2. Approve Monthly Financial Report for October 2013.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

**Motion:** Approve Monthly Financial Report for October 2013.

**Vote:** 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 10:05 a.m. in accordance with the authority of the Government Code, Vernon's Texas Codes, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.076, 551.086, to consult with attorney(s) including matters related to litigation; deliberate regarding real property, prospective gift(s), personnel matters, including termination, county advisory bodies, security devices, and/or economic development negotiations and other matters that may be discussed in an Executive Session.

The Commissioners Court reconvened into open session at 10:15 a.m.

- A. Consult with County Attorney regarding the status of Civil Action No. 2:12-CV-339, Elmer Cox v. Nueces County, Texas, and Jim Kaelin in his Individual Capacity; USCA No. 13-41343; and Civil Action No. 2:12-CV-341, Thomas Burnside v. Nueces County, Texas, and Jim Kaelin in his Individual Capacity, USCA No. 13-41344, in the United States District Court for the Southern District of Texas, Corpus Christi Division. No action.

**6. COURT APPOINTMENTS:**

**A. Nueces County Child Welfare Board**

Motion by: Commissioner Gonzalez, Second by: Commissioner McComb

**Motion:** Re-appoint the following persons to the Nueces County Child Welfare Board.

Sandra Dawod  
Mary Katherine Neiswender  
Annette DuVall

**Vote:** 5 - 0 Approved

**B. Discuss and consider acceptance of letter of resignation from the Judge, Nueces County Court at Law No. 5, in accordance with the terms of the resignation; discuss and consider establishing the procedure for the application process to fill the vacancy for the unexpired term, pursuant to Section 87.041 of the Texas Local Government Code, and related matters.**

Motion by: Judge Neal, Second by: Commissioner Gonzalez

**Motion:** Accept the letter of resignation from the Judge, Nueces County Court at Law No. 5, in accordance with the terms of the resignation; discuss and consider establishing the procedure for the application process to fill the vacancy for the unexpired term, pursuant to Section 87.041 of the Texas Local Government Code, open process to the public today, January 8th close at 5 p.m. on January 17th, 2014 and appoint on January 22nd, 2014.

**Vote:** 5 - 0 Approved

The Court was adjourned at 10:28 a.m. in memory of Nancy Clary, a long-time employee of Nueces County, Dorothy Bockholt, Barbara Ann Kircher, Henry Rahn, Garland Kennedy, Sr., Ray Alan Smith, Ramon Garcia, and Robert Floyd Briscoe. 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 at 10:34 a.m., this the 8th day of January, 2014.