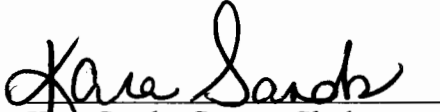


I, Kara Sands, County Clerk of Nueces County, do hereby certify that the following Commissioners Court Public Hearing Minutes are a true and correct record of the proceedings from the Commissioners Court Public Hearing on November 29, 2017.



Kara Sands, 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 - November 29, 2017

BE IT REMEMBERED, that on this the 29th day of November, A.D., 2017, 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
JOHN MAREZ	COMMISSIONER, PRECINCT NO. 3
BRENT CHESNEY	COMMISSIONER, PRECINCT NO. 4

and Kara Sands, County Clerk of Nueces County, Texas, wherein the following proceedings were had, to-wit:

1. CALL TO ORDER

- A.** County Judge Neal called for the Invocation by Tyner Little.
- 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 9:15 a.m. and certified a quorum of the Court with all members present.
- D.** Approve the following Minutes:

1. November 1, 2017

Motion by: Commissioner Marez, Second by: Commissioner Gonzalez

Motion: Approve the Commissioners Court Minutes of November 1, 2017.

Vote: 5 - 0 Approved

- E. RECESS MEETING:** County Judge Neal recessed the Commissioners Court Meeting at 9:15 a.m.

OPEN PUBLIC HEARING

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Open Public Hearing.

Vote: 5 - 0 Approved

PUBLIC HEARING: The Nueces County Commissioners Court conducted a public hearing to receive public comment on the designation of a zone for temporary property tax abatement to be established under Chapter 312 of the Texas Tax Code. The establishment of the zone is at the request of Epic Y-Grade Logistics, LP, and the zone would be on the west side of Violet Road (County Road 24), approximately 2.4 miles north of State Highway 44. **Comment: John Bell-Corpus Christi Regional Economic Development Corporation.**

CLOSE PUBLIC HEARING

Motion by: Commissioner Pusley, Second by: Commissioner Chesney

Motion: Close Public Hearing.

Vote: 5 - 0 Approved

RECONVENE REGULAR MEETING: County Judge Neal reconvened the Commissioners Court Meeting at 9:20 a.m.

F. Adopt the following Resolution(s), Proclamation(s), and/or Order(s):

- 1.** Resolution Celebrating National Nurse Practitioner Week, November 12-18. **Comment: Joe Flores.**

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

Motion: Recognize the role of nurse practitioners in Nueces County during Nurse Practitioners' Week.

Vote: 5 - 0 Approved

- 2.** **PUBLIC COMMENT:** Brian Watson, Bobby Petty with the Small Business Administration Office of Disaster Assistance.
- 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 November 4, 2017 through November 17, 2017.
- B.** Authorize payment of bills - regular bill summaries dated November 9, 2017, November 16, 2017, November 17, 2017 and November 22, 2017.
- C.** Authorize payment of bills - special motions list dated November 29, 2017.
- D.** Authorize payment of bills - group health insurance claims and fees:
1. Health Smart October monthly
 2. Boon Chapman October monthly
 3. Health Smart November 2 - 9, 2017 weekly
 4. Boon Chapman November 7 - 14, 2017 weekly
- E.** Approve personnel actions of a budgeted nature:
1. Unfreeze List #768
 2. Temp List #426
 3. Personnel Changes Reports dated November 10, 2017 and November 17, 2017.
- F.** Accept FY 2016-2017 report; and approve FY 2017-2018 contract with HALO Flight.

- G.** Accept the following FY 2016-2017 Outside Agency and Family Protection Fee Reports:
1. American Red Cross Coastal Bend-Texas Chapter
 2. Big Brothers Big Sisters of South Texas
 3. Children's Advocacy Center of the Coastal Bend
 4. Northwest Business Association
 5. The Ark Assessment Center & Emergency Shelter
 6. Timon's Ministries
- H.** Authorize/execute FY 2017-2018 contract in the amount of \$40,000.00 between Nueces County and the United Corpus Christi Chamber of Commerce for the activities of the South Texas Military Facilities Task Force for the economic benefit of Nueces County and the surrounding areas.
- I.** Authorize the acceptance of \$1,293.73 in contributions to the "Friends of the Courthouse, a \$500.00 contribution to the Emergency Training Fund; \$9,836.78 contribution to Social Services Department; \$6,000.00 contribution to County Commissioner's Precinct 1, \$20,100; contributions to Constable Precinct 2 special revenue account; \$2,441.10 contribution to the Library Board; and \$600.00 contribution to JP Judicial Fund for special purposes.
- J.** Approve the proposed 2018 Commissioners Court meeting schedule.
- K.** Appoint Timothy Everest, Nueces County Risk Manager, as Assistant ADA Coordinator for Nueces County.
- L.** Approve the following Tax Deed(s) and highest minimum bid to date:
1. Lot 25, Block 1, Flour Bluff Gardens, in the amount of \$8,500.00
 2. Lot 26, Block 3, Carver Addition, in the amount of \$12,500.00
 3. Lot 9-E, Blake Addition, in the amount of \$4,000.00
 4. Lot 25, Block 1, Central Park Unit 1, in the amount of \$3,500.00
 5. Lot 22, Block 2, Christi Park #3, in the amount of \$10,000.00
 6. Lot 3, Block 12, Lawndale Subdivision, in the amount of \$10,000.00
 7. Lots 1 and 2, Block A, La Bahia Addition, in the amount of \$15,999.00
- Comment: Marvin Leary with Linebarger, Goggan, Blair and Sampson.**
- M.** Authorize a TASB BuyBoard State Contract No. 521-16 purchase from Caldwell Country for a 2018 Chevrolet 2500HD Silverado Regular Cab for Public Works.
- N.** Authorize a purchase from Guarantee Carpet Inc. to remove and furnish commercial carpet in the District Attorney's office.
- O.** Approve execution of Amendment No. 2 with ICSolutions for RFP 2983-14 Inmate Coinless & Public Coin Telephone Service.
- P.** Authorize Sole Source purchase of tile and bathroom cleaner from Kendall & Son LTD for the Sheriff's office.
- Q.** Approve execution of an agreement with Progressive Structures, Inc. for IFB 3040-17 Nueces County ADA Modifications Hilltop Community Center, Commissioner Office, Pass It On Building, Bill Bode Building.
- R.** Approve Interlocal Agreement for a period of one year, from January 1, 2018 through December 31, 2018, between San Patricio County and Nueces County regarding sharing expenses for the Intoxilyzer Program and Technical Supervisor Services.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney
Motion: Approve Consent Agenda Items 3.A through 3.R with the exceptions of 3.E, 3.I and 3.L.

Vote: 5 - 0 Approved

Motion by: Commissioner Marez, Second by: Commissioner Gonzalez

Motion: Approve Consent Agenda Item 3.E.

Vote: 5 - 0 Approved

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Approve Consent Agenda Item 3.I.

Vote: 5 - 0 Approved

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Approve Consent Agenda Item 3.L.

Vote: 5 - 0 Approved

4. REGULAR AGENDA:

A. AGENDA ITEMS

1. Discuss and consider adopting an Order Designating the Epic Zone within Nueces County, Texas, as a reinvestment zone, pursuant to the Property Redevelopment and Tax Abatement Act (Chapter 312 of the Texas Tax Code), to be located on the west side of Violet Road (CR 24), approximately 2.4 miles north of SH 44. **Comment: John Bell-Corpus Christi Regional Economic Development Corporation, Mike Culbertson and Kelly Rensaparis-Site Selection Group.**

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Approve adoption of an Order Designating the Epic Zone within Nueces County, Texas, as a reinvestment zone, pursuant to the Property Redevelopment and Tax Abatement Act (Chapter 312 of the Texas Tax Code), to be located on the west side of Violet Road (CR 24), approximately 2.4 miles north of SH 44.

Vote: 4 - 1 Approved

Against: Commissioner Marez

2. Discuss and consider adopting an Order authorizing the execution of an Agreement with Epic Y-Grade Logistics, LP, providing for a Temporary Tax Abatement, pursuant to Chapter 312 of the Texas Tax Code.

Motion by: Commissioner Pusley, Second by: Commissioner Chesney

Motion: Adopt an Order authorizing the execution of an Agreement with Epic Y-Grade Logistics, LP, providing for a Temporary Tax Abatement, pursuant to Chapter 312 of the Texas Tax Code.

Vote: 4 - 1 Approved

Against: Commissioner Marez

3. Received a presentation from Tiffany Montemayor, Director of Communications & Development-Coastal Bend Council on Alcohol & Drug Abuse on the Agency's FY 2016-2017 activities; and, approve FY 2017-2018 contract.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Approve FY 2017-2018 contract.

Vote: 5 - 0 Approved

4. Discuss and consider the approval of Change Order No. 8 with TBC Commercial Construction to increase the contract amount relating to the Padre Balli Park Improvements, Phase 1 Project.

Motion by: Commissioner Chesney, Second by: Commissioner Marez

Motion: Approve Change Order No. 8 with TBC Commercial Construction to increase the contract amount relating to the Padre Balli Park Improvements, Phase 1 Project.

Vote: 5 - 0 Approved

5. Ratify approval of Order Forms and General Terms and Conditions for West Proflex Online Legal Research with West Publishing Corporation for the County Attorney, District Attorney, and Judges of Nueces County.

Motion by: Commissioner Chesney, Second by: Commissioner Pusley

Motion: Ratify approval of Order Forms and General Terms and Conditions for West Proflex Online Legal Research with West Publishing Corporation for the County Attorney, District Attorney, and Judges of Nueces County.

Vote: 4 - 0 Approved

Other: Commissioner Gonzalez (Absent)

6. Discuss and consider approval of proposed 2017 projects to be funded under the Regional Transportation Authority (RTA) Street Improvement Program.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Approve proposed 2017 projects to be funded under the Regional Transportation Authority (RTA) Street Improvement Program.

Vote: 4 - 0 Approved

Other: Commissioner Pusley (Absent)

7. Ratify approval of Texas Association of Counties Risk Management Pool (TAC RMP) 2018 Workers' Compensation renewal for 2018 including all payments.

Motion by: Judge Neal, Second by: Commissioner Marez

Motion: Ratify approval of Texas Association of Counties Risk Management Pool (TAC RMP) 2018 Workers' Compensation renewal for 2018 including all payments.

Vote: 5 - 0 Approved

8. Discuss and consider adopting an Order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.

Motion by: Judge Neal, Second by: Commissioner Marez

Motion: Adopt an Order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.

Vote: 5 - 0 Approved

B. GRANTS

1. Discuss and consider execution of Amendment No. 1 to the Texas General Land Office - Beach Cleaning and Maintenance Assistance Agreement (GLO Contract No. 16-124-009).

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Authorize execution of Amendment No. 1 to the Texas General Land Office - Beach Cleaning and Maintenance Assistance Agreement (GLO Contract No. 16-124-009).

Vote: 5 - 0 Approved

C. PUBLIC WORKS

1. Discuss and consider approval of a Financial Guarantee for Improvements Agreement with Maria C. Martinez and Eulysses F. Perez for improvements in the Santa Maria Acres Subdivision located in County Commissioner Precinct No. 4.

Motion by: Commissioner Pusley, Second by: Commissioner Chesney

Motion: Approve Financial Guarantee for Improvements Agreement with Maria C. Martinez and Eulysses F. Perez for improvements in the Santa Maria Acres Subdivision located in County Commissioner Precinct No. 4.

Vote: 5 - 0 Approved

2. Discuss and consider the approval of Change Order No. 3 for the ADA Modifications - Calderon Building.

Motion by: Commissioner Marez, Second by: Commissioner Gonzalez

Motion: Authorize approval of Change Order No. 3 for the ADA Modifications - Calderon Building.

Vote: 5 - 0 Approved

D. PURCHASING

1. Discuss and award IFB 3058-17 Land for Lease, Jim Wells & Live Oak.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Table.

Vote: 5 - 0 Approved

E. AUDITOR

1. a. Approve Budget Change Order No. 04 for FY 2017-2018.
b. Approve Project Budget Change Order No. 60.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney
Motion: Approve Regular Agenda Items 1.E.1.a and 1.E.1.b with one vote.

Vote: 5 - 0 Approved

2. Received a presentation on October 2017 Monthly Expense Report from Dale Atchley-Nueces County Auditor.
3. Approve monthly financial report for the month of September 2017.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez
Motion: Approve monthly financial report for the month of September 2017.

Vote: 5 - 0 Approved

4. Approve Asset Forfeiture reports for FY 2017 for Nueces County Constable Pct. 1, Constable Pct. 2, Constable Pct. 3, Constable Pct. 4, and Constable Pct. 5
5. Discuss and consider approving the Federal Equitable Sharing Agreement and Certification for District Attorney, Constable Pct. 3, Constable Pct. 5.

Motion by: Commissioner Pusley, Second by: Commissioner Chesney
Motion: Approve Regular Agenda Items 1.E.4 and 1.E.5 with one vote.

Vote: 5 - 0 Approved

6. Discuss and consider creating a Trial Chief Position (Pay Group 40, Step 1) for the District Attorney's Office, and eliminating an Asset Forfeiture Position (Pay Group 33, Step 1).

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

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 10:40 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 11:00 a.m.

- A. Consult with the County Attorney regarding the Professional Services Agreement (Contingent Fee Special Counsel for Opioid Litigation) with the Law Firm of Richard Schechter, P.C. and associated firms and the Purnell Law Firm and associated firms to represent Nueces County in legal matters involving Opioid Litigation; Discuss and consider an Order authorizing the County Judge to execute the Professional Services Agreement (Contingent Fee Special Counsel for Opioid Litigation) with the law firm of Richard Schechter, P.C. and associated firms and the Purnell Law Firm and associated firms to represent Nueces County in legal matters involving opioid litigation, and related matters.

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Table.

Vote: 5 - 0 Approved

- B.** Consulted with the County Attorney regarding the status of Master File No. D-1-GN-16-000370; In Re Volkswagen Clean Diesel Litigation: TCAA Enforcement Case; 353rd District Court of Travis County, Texas, and related matters

6. BOARD APPOINTMENTS:

- A.** Civil Service Commission: Reappoint Robert Tamez, Rebecca Bradford and Jason Floyd.
- B.** Nueces County Emergency Services District No. 1: Reappoint Richard W. Rose and John Danny Tate.
- C.** Nueces County Emergency Services District No. 2: Reappoint Miguel Rodriguez and appoint Weston Beseda.
- D.** Nueces County Emergency Services District No. 3: Reappoint Andres Martinez and reopen to fill another vacant position.
- E.** Nueces County Emergency Services District No. 4: Reappoint Geoff Atwood and Donald W. Herrmann.
- F.** Nueces County Emergency Services District No. 6: Reappoint Gavanda K. Cadena and Donald McNair.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Approve all Board Appointments in Agenda Items 6.A through 6.F as recommended .

Vote: 5 - 0 Approved

The Court was adjourned at 11:10 a.m. in memory of Mary Elizabeth Sullivan (Glen Sullivan's mother-106 years of age), Mitchell Wolmack, Jim Cravens, Gregory Alan Williams, Ricardo Torres, Elizabeth Botello, Jacinto Alonzo, Jr. and Robert Charles Jones. The Commissioners Court mentioned that former Chief of Police Henry Garrett is ill and that he be kept in prayer. 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 does now stand adjourned, this the 29th day of November, 2017.