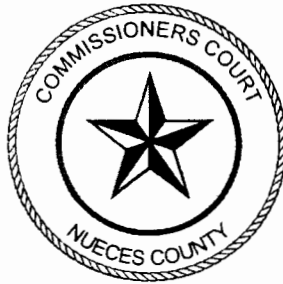


I, Kara Sands, County Clerk of Nueces County, do hereby certify that the following Commissioners Court Public Hearing Minutes are a true and correct record of the proceedings from the Commissioners Court Public Hearing on May 10, 2018.



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

SPECIAL MEETING - May 10, 2018

BE IT REMEMBERED, that on this the 10th day of May, A.D., 2018, there was begun and held a SPECIAL 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
CAROLYN VAUGHN	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 10:00 a.m. and certified a quorum of the Court with all members present.
- D.** Approve the following Minutes:

1. April 25, 2018

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: Approve the Commissioners Court Minutes of April 25, 2018.

Vote: 5 - 0 Approved

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

1. National Police Week - May 13-19, 2018.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Designate May 13 - 19, 2018 as Police Week in Nueces County.

Vote: 5 - 0 Approved

- F.** Presented the following Certificate(s) of Recognition:

- 1. Nuri Rodriguez, Tax Assessor-Collector (Voter Registration), retiring after 31 years of service to Nueces County. **Comment: Kevin Kieschnick-Nueces County Tax Assessor/Collector and Nuri Rodriguez.****

2. 2018 Primary Student Election Clerks-Tyner Little read a proposed Resolution recognizing Student Election Clerks.
2. **PUBLIC COMMENT:** Brian Watson; Dale Atchley-Nueces County Auditor and Aidee Hernandez-1st Assistant.
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 April 17, 2018 through April 30, 2018.
 - B. Authorize payment of bills - regular bill summaries dated, April 20, 2018, April 27, 2018, April 30, 2018 and May 4, 2018.
 - C. Authorize payment of bills - special motions list dated May 10, 2018.
 - D. Approve personnel actions of a budgeted nature:
 1. Application Temporary List No. 434
 2. Unfreeze No. 778
 3. Personnel Changes reports dated April 20, 2018 and April 27, 2018.
 - E. Authorize payment of bills - group health insurance claims and fees dated:
 1. Boon Chapman - April 17, 2018 and April 24, 2018.
 2. Health Smart - April 29, 2018.
 - F. Approve and accept \$2,757.96 donations (list attached) to the county in accordance with LGC 81.032 in the amount of \$107.96 to the Social Services Fund and \$2,650.00 to the Library Board Fund for special purposes.
 - G. Approve setting the compensation for Early Voting Ballot Board Members, Election Judges and Clerks for the May 22, 2018 Joint Primary Runoff Election in accordance with Sec. 87.001 and Section 32.091 of the Election Code.
 - H. Amend NCF-1 to clarify reclassification/ deletion of a Misdemeanor Attorney I, Pay Group 29 position to an Investigator Interdiction Specialist, Pay Group 28 in the District Attorney's Office, Department #3520. Authorized March 14, 2018 Commissioners Court.
 - I. Accept the award and executed agreement with Southwest Key Programs, Inc. for RFP No. 3069-18 Juvenile Justice Alternative Education Program (JJAEP) as approved by the Juvenile Board for the Juvenile Department.
 - J. Approve the execution of an amendment for processing of claim run-outs with Christus Spohn Health Network.
 - K. Authorize a TASB BuyBoard State Contract No. 493-15 purchase with Total Protection to replace a control and intercom system to Building B-Detention, upgrade control system and intercom system to Building A – Robert Barnes Regional Facility.

- L. Approve a finding for the method of procurement (request for competitive bids) for Nueces County Airport waterline extension; and authorize the Purchasing Agent to publish a notice.
- M. Authorize a sole source purchase with Tyler Technologies for support and maintenance of the Tyler Odyssey application system.
- N. Approve the application procedure for the following Nueces County Advisory Boards:
 - 1. Citizens' Advisory Board on Health & Welfare;
 - 2. Nueces County Library Board.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Motion: Approve Consent Agenda Items 3.A through 3.N with the exception of Consent Agenda Items 3.A, 3.C, 3.G and 3.H.

Vote: 5 - 0 Approved

Motion by: Commissioner Chesney, Second by: Commissioner Marez

Motion: Approve Consent Agenda Items 3.A, 3.C and 3.G.

Vote: 5 - 0 Approved

Motion by: Commissioner Chesney, Second by: Commissioner Marez

Motion: Approve Consent Agenda Item 3.H.

Vote: 4 - 1 Approved

Against: Commissioner Vaughn

Advance to Regular Agenda Item 4.D.2.

4. REGULAR AGENDA:

A. AGENDA ITEMS

- 1. Presentation on 2018 Tyler Excellence Award to the Nueces County Sheriff's Office and Information Technology. **Comments: Lance Murphy-IT Chief Information Officer, Darrell Keach-Deputy Chief Information Officer and Asst. Chief Deputy of Jail Operations Martin Arnold.**
- 2. Discuss and consider approval to implement a Trained Canine Therapy Program for residents detained at the Robert N. Barnes facility. **Comment: Homer Flores-Chief Juvenile Probation Officer.**

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve implementation of a Trained Canine Therapy Program for residents detained at the Robert N. Barnes facility.

Vote: 5 - 0 Approved

3. 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: Commissioner Chesney, Second by: Commissioner Gonzalez

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. INFORMATION TECHNOLOGY

1. Discuss and consider execution of an agreement with Microsoft for 800 Microsoft Office licenses, 800 CoreCal Bridges licenses, and 800 Advanced Threat Protection licenses.
2. Discuss and consider a DIR Contract No. DIR-TSO-4092 purchase with SHI Government Solutions for Microsoft Software volume licensing for 3-year, 7 month term.
3. Discuss and consider a TIPS Contract No. 1071615 purchase with SHI Government Solutions for linked mailbox and Personal Storage Table (PST) migration.
4. Discuss and consider a Notice and Consent for Microsoft-Funded Partner Services related to Microsoft's partial funding of Personal Storage Table (PST) migration.

Motion by: Commissioner Marez, Second by: Commissioner Chesney

Motion: Approve Regular Agenda Items 4.B.1 through 4.B.4 with one vote.

Vote: 4 - 1 Approved

Against: Commissioner Gonzalez

C. PUBLIC WORKS

1. Discuss and consider accepting the Conditional Certificate of Completion for Hazel Bazemore Park - Ravine A, issued by the Texas Commission on Environmental Quality (TCEQ).

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: Authorize acceptance of the Conditional Certificate of Completion for Hazel Bazemore Park - Ravine A, issued by the Texas Commission on Environmental Quality (TCEQ).

Vote: 5 - 0 Approved

2. Discuss and consider cancellation of an Architectural Services Contract with Turner, Ramirez & Associates, Inc., dated June 21, 2016, and modified by Supplemental Agreement No. 1, dated November 1, 2017, for the replacement and/or modification of the existing emergency generators at the McKinzie Jail Annex.

Motion by: Commissioner Marez, Second by: Commissioner Vaughn

Motion: Approve cancellation of an Architectural Services Contract with Turner, Ramirez & Associates, Inc., dated June 21, 2016, and modified by Supplemental Agreement No. 1, dated November 1, 2017, for the replacement and/or modification of the existing emergency generators at the McKinzie Jail Annex.

Vote: 5 - 0 Approved

3. Discuss and consider approving an Architectural Services Contract with Turner, Ramirez & Associates, Inc. for preparation of plans, specifications, and construction observation for the replacement of the emergency generators at the McKinzie Jail Annex.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Motion: Approve an Architectural Services Contract with Turner, Ramirez & Associates, Inc. for preparation of plans, specifications, and construction observation for the replacement of the emergency generators at the McKinzie Jail Annex.

Vote: 5 - 0 Approved

4. Discuss and consider approval of Change Order No. 10 for the McKinzie Jail Annex Dormitory Renovation Project.

Motion by: Judge Neal, Second by: Commissioner Vaughn

Motion: Authorize approval of Change Order No. 10 for the McKinzie Jail Annex Dormitory Renovation Project.

Vote: 5 - 0 Approved

D. PURCHASING

1. Discuss and award IFB No. IFB 3073-18 McKinzie Jail Annex Fire Alarm System Replacement Project.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Reject all bids and go out for rebid.

Vote: 5 - 0 Approved

2. Discuss and award RFP No. 3072-18 Property and Casualty Insurance. **Comments: Tommy Carlisle and Chase Carlisle with Carlisle Insurance, Wally Goodman-Vice President of Borden Insurance, Michael Swantner-Vice President of Borden Insurance, Steve Atkinson with Higginbotham, Swantner & Gordon, Lisa McKeg and Robert Ruiz with Texas Association of Counties Risk Management Pool.**

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Motion: Option is to go with Texas Association of Counties for the original liability with no additions; go with Option #7 on the Windstorm and Property; not go with Option #3 for that coverage at all for either one of those, so 3 is not being considered; going with Swantner for the Flood which is number 4; In number 4 we have the Excess Flood and are going with Borden, which is Option 1 with Borden; Number 5 we are going with Borden; Number 6, only one was submitted and we are going with Swantner; Number 7 for Crime and Policy, only one was submitted and we are going with Swantner; Number 8, there were three submissions and we are going with the best and

final offer from Swantner, Commissioner Gonzalez amended original motion to include Option #9 and Option #10; do not consider Option #11.

Vote: 5 - 0 Approved

Return to Regular Agenda Item 4.A.1.

3. Discuss and award IFB No. 3071-18 County Road 40 Paving Improvements from FM 1694 to Robstown City Limits.

Motion by: Commissioner Marez, Second by: Commissioner Chesney

Motion: Reject all bids.

Vote: 5 - 0 Approved

E. AUDITOR

1. Approve Budget Change Order No. 14 for fiscal year 2017-2018 list and backup.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve Budget Change Order No. 14 for fiscal year 2017-2018 list and backup.

Vote: 5 - 0 Approved

2. Discuss and consider reclassifying the Budget Accounting Supervisor (job code 2907) from a pay group 28 to pay group 30.

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

Motion: Authorize reclassification of the Budget Accounting Supervisor (job code 2907) from a pay group 28 to pay group 30.

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 1:00 p.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 1:20 p.m.

- A. 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 Office of Richard Schechter, P.C., The Lanier Law Firm, P.C. Reich & Binstock, LLP and The Law Office of James B. Ragan and their respective team and The Purnell Law Firm, Phipps Anderson Deacon, LLP and their respective team to represent Nueces County in legal matters that involve responsible parties who caused and contributed to an epidemic of opioid addiction in Nueces County and related matters; Discuss and consider authorizing the County Attorney to request approval of the Professional Services Agreement from the Texas Comptroller of Public Accounts and related matters.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Authorize the County Judge to execute the Professional Services Agreement (Contingent Fee Special Counsel For Opioid Litigation) with The Law Office of Richard Schechter, P.C., The Lanier Law Firm, P.C. Reich & Binstock, LLP and The Law Office of James B. Ragan and their respective team and The Purnell Law Firm, Phipps Anderson Deacon, LLP and their respective team to represent Nueces County in legal matters that involve responsible parties who caused and contributed to an epidemic of opioid addiction in Nueces County and related matters; Discuss and consider authorizing the County Attorney to request approval of the Professional Services Agreement from the Texas Comptroller of Public Accounts and related matters.

Vote: 5 - 0 Approved

- B.** Consult with the County Attorney regarding the status of Civil Action No. 2:18-CV-60, Garcia v. Nueces County, Texas, et.al., In the United States District Court for the Southern District of Texas, Corpus Christi Division; and related matters. **No action taken.**

The Court was adjourned at 1:25 p.m. in memory of Noemi Santana-wife of Justice of the Peace Henry Santana, Venancio "Bene" Figueroa, Jr., Dr. Carlos Cruz, Humberto Chapa, Rosa Doralina Fraga, Eunice Dunn, Karele Watts, Tiny Hawn and Janice Minter. 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 10th day of May, 2018.