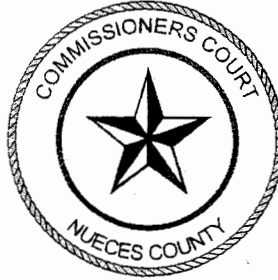


I, Kara Sands, County Clerk of Nueces County, do hereby certify that the following Commissioners Court Public Hearing Minutes are a true and correct record of the proceedings from the Commissioners Court Public Hearing on June 18, 2018.

*for Kara Sands*

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 - June 18, 2018**

BE IT REMEMBERED, that on this the 18th day of June, A.D., 2018, 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
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

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 William Pullam, P.O. Box 4211, Corpus Christi, Texas 78408.
- 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. June 6, 2018**

Motion by: Commissioner Vaughn, Second by: Commissioner Chesney  
**Motion:** Approve the Commissioners Court Minutes of June 6, 2018.

**Vote:** 5 - 0 Approved

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

- 1.** Nueces County Historical Commission was presented with the 2017 Distinguished Service Award from the Texas Historical Commission. **Comment: Kathy Weimer.**

**2. PUBLIC COMMENT:** Lance Murphy-Chief Information Officer regarding computer virus.

**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 29, 2018 to June 11, 2018.

- B.** Authorize payment of bills - regular bill summaries dated May 31, 2018, June 1, 2018, and June 8, 2018.
- C.** Authorize payment of bills - special motions list dated June 18, 2018.
- D.** Approve personnel actions of budgeted nature:
  - 1. Temp List #437
  - 2. Unfreeze List #781
  - 3. Personnel Changes Report dated June 1, 2018 and June 8, 2018.
- E.** Authorize payment of bills - group health insurance claims and fee.
- F.** Approve the Corpus Christi-Nueces-County Public Health District (County) accepting a contract amendment with the Department of State Health Services (DSHS) providing funding for Public Health Preparedness and Response Cooperative Agreement (PHPR) and the Epidemiology and Laboratory Capacity for Infectious Disease Program (ELC) activities; authorize the Director of the Corpus Christi-Nueces County Public Health District to sign on behalf of Nueces County.
- G.** Authorize agreements for use of Nueces County property as a staging site during emergencies with the United States Coast Guard.
- H.** Ratify the submission of an application for the Extraordinary Disbursement Grant Program of the Texas Indigent Defense Commission.
- I.** Ratify the acceptance of a grant award for the Emergency Food and Shelter Program Phase 35 made available through the United Way of the Coastal Bend.
- J.** Approve a DIR Contract No. DIR-TSO-2542 purchase from Insight Networking to integrate existing analogue system with IP phone system in the main jail for the IT Department.
- K.** Approve a DIR Contract No. DIR-TSO-4092 purchase with SHI Government Solutions for Microsoft Software Server Datacenter Edition and Core Edition licenses and software assurances for a 3-year term.
- L.** Accept the executed Agreement Amendment No. 1 for RFP No. 2922-12 Concession Services for Bob Hall Pier with Mikel McGrath dba MikelMays Beachside Bar & Grill as approved by the Park Board on April 5, 2018.
- M.** Approve execution of an Agreement Amendment No. 1 with Ergon Asphalt & Emulsions, Inc. for IFB No. 3051-17 HFRS-2 Emulsified Asphalt.
- N.** Approve execution of an Agreement Amendment No. 1 with Ergon Asphalt & Emulsions, Inc. for IFB No. 3049-17 AE-P Specialty Emulsions.
- O.** Approve execution of Amendment No. 2 to the agreement with Absolute Waste Services, Inc. for RFP No. 2914-12 Solid Waste Collection and Disposal Services for county residents. **Comment: Matt Eckstrom.**

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Motion by: Commissioner Chesney, Second by: Commissioner Marez

**Motion:** Approve Consent Agenda Items 3.A through 3.O with the exception of 3.L and 3.O.

**Vote:** 5 - 0 Approved

Motion by: Commissioner Gonzalez, Second by: Judge Neal

**Motion:** Table Consent Agenda Item 3.L until after Executive Session.

**Vote:** 4 - 1 Approved

Against: Commissioner Chesney

Motion by: Commissioner Marez, Second by: Commissioner Vaughn

**Motion:** Table and open for re-bid.

**Vote:** 5 - 0 Approved

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

**Motion:** Approve Consent Agenda Item 3.L.

**Vote:** 5 - 0 Approved

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**Advance to Adjournment in Memory.**

**4. REGULAR AGENDA:**

**A. AGENDA ITEMS**

1. Discuss and consider adopting an Order establishing a Community Collaborative Plan for Mental Health pursuant to the requirements of Texas Government Code Section 539.0051.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

**Motion:** Adopt an Order establishing a Community Collaborative Plan for Mental Health pursuant to the requirements of Texas Government Code Section 539.0051.

**Vote:** 5 - 0 Approved

2. Discuss and consider approving an interlocal agreement between Nueces County, the Nueces County Hospital District, and the Behavioral Health Center of Nueces County, for the provision of mental health services and funding for jail diversion programs, competency restoration, and related matters.  
**Comment: Johny Hipp-Administrator of the Nueces County Hospital District, Victoria Huerta-Associate Director of the Behavioral Health Center, Mark Hendrix-Director of Mental Health with the Behavioral Health Center, Amy Granbury-Director of Charlie's Place, Assistant Police Chief Mark Schauer and Nueces County Sheriff James Kaelin.**

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

**Motion:** Approve an interlocal agreement between Nueces County, the Nueces County Hospital District, and the Behavioral Health Center of Nueces County, for the provision of mental health services and funding for jail diversion programs, competency restoration, and related matters subject to removing Section 2.2 and amending language to Section 2.1 to narrow it to the provision of the space that the center mentioned.

**Vote:** 5 - 0 Approved

3. Receive a presentation from Rob Tully, Venture Executive, on the Gulf Coast Growth Ventures-ExxonMobil/SABIC Project.

Motion by: Judge Neal, Second by: Commissioner Marez

**Motion:** Table.

**Vote:** 5 - 0 Approved

4. Received a presentation from Jason Green, General Manager, Spectra by Comcast Spectacor, on the status of operations at the Richard M. Borchard Regional Fairgrounds.
5. Received an update on Hurricane Harvey projects submitted to FEMA for public assistance/reimbursement. **Comment: Christopher Boyce-Emergency Management Coordinator and Maria Bedia-Grants Department.**
6. Discuss and consider naming the Children's Activity Room at the Keach Family Library in honor of Ms. Laura A. Chapa, Youth Services / Reference Librarian.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

**Motion:** Approve naming the Children's Activity Room at the Keach Family Library in honor of Ms. Laura A. Chapa, Youth Services / Reference Librarian.

**Vote:** 5 - 0 Approved

7. Discuss and consider: (1) order ratifying the selection and hiring of LNV, Inc. for services related to the Hilltop Community Center Re-Roof and HVAC replacement; (2) approving payment of LNV, Inc. invoice(s) for services as approved and detailed in such order.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Motion:** Approve 1) order ratifying the selection and hiring of LNV, Inc. for services related to the Hilltop Community Center Re-Roof and HVAC replacement; (2) approving payment of LNV, Inc. invoice(s) for services as approved and detailed in such order.

**Vote:** 5 - 0 Approved

8. Discuss and consider selection of LNV, Inc. to provide architectural services for the Hilltop Community Center Re-Roof and HVAC replacement, and related matters; Authorized execution of Professional Services Contract with LNV, Inc.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Motion:** Approve selection of LNV, Inc. to provide architectural services for the Hilltop Community Center Re-Roof and HVAC replacement, and related matters; Authorized execution of Professional Services Contract with LNV, Inc.

**Vote:** 5 - 0 Approved

9. Discuss and consider: (1) order ratifying the selection and hiring of Pruitt Consulting, Inc. as Independent Licensed Architect (ILA), in accordance with the U.S. Department of Justice ADA Settlement Agreement for Project Civic; (2) approving payment of Pruitt Consulting, Inc. invoice(s) for services as approved and detailed in such order.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

**Motion:** Approve (1) order ratifying the selection and hiring of Pruitt Consulting, Inc. as Independent Licensed Architect (ILA), in accordance with the U.S. Department of Justice ADA Settlement Agreement for Project Civic; (2) approving payment of Pruitt Consulting, Inc. invoice(s) for services as approved and detailed in such order.

**Vote:** 5 - 0 Approved

10. Discuss and consider selection of Pruitt Consulting, Inc., as Independent Licensed Architect (ILA), in accordance with the U.S. Department of Justice ADA Settlement Agreement for Project Civic Access; execute professional services contract.

Motion by: Judge Neal, Second by: Commissioner Chesney

**Motion:** Table.

**Vote:** 5 - 0 Approved

11. Discuss and consider approval of Change Order No. 1, an increase of \$19,651.40 and 57 additional days for the Oilbelt Parking Renovation Project.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

**Motion:** Approve Change Order No. 1, an increase of \$19,651.40 and 57 additional days for the Oilbelt Parking Renovation Project.

**Vote:** 5 - 0 Approved

12. Discuss and consider payment of Post Hurricane Harvey Remediation services provided by Belfor to prevent further property damages.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

**Motion:** Authorize payment in the amount of \$266,878.96 for Post Hurricane Harvey Remediation services provided by Belfor to prevent further property damages.

**Vote:** 5 - 0 Approved

## **B. PURCHASING**

1. Discuss and award RFQ No. 3076-18 Engineering Services to perform a safety inspection of the Horace Caldwell Pier.

Motion by: Judge Neal, Second by: Commissioner Chesney

**Motion:** Reject all bids.

**Vote:** 5 - 0 Approved

C. AUDITOR

1. Approve Budget Change Order No. 17 for Fiscal Year 2017-2018.

Motion by: Judge Neal, Second by: Commissioner Marez

**Motion:** Approve Budget Change Order No. 17 for Fiscal Year 2017-2018.

**Vote:** 5 - 0 Approved

2. Approve Capital Project Budget Change Order No.68.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

**Motion:** Approve Capital Project Budget Change Order No.68.

**Vote:** 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 12:05 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 12:45 p.m.

- A. Consult with the County Attorney regarding an update on 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.**
- B. Consult with the County Attorney regarding the status of Case No. 17-0588, Eric D. Hillman v. Nueces County, Mark Skurka, and the Nueces County District Attorney's Office, on appeal from Cause No. 2014-DCV-6379-D, in the 105th Judicial District Court of Nueces County, Texas. **No action taken.**
- C. Consult with County Attorney regarding Coastal Impact Assistance Program (CIAP) grant related to 2010 Bob Hall Pier Pavilion expansion and related matters; discuss and consider authorizing response to CIAP's grant administrator, U.S. Fish and Wildlife.

Motion by: Judge Neal, Second by: Commissioner Chesney

**Motion:** Authorize the County Attorney to draft a letter to Coastal Impact Assistance Program (CIAP) grant related to 2010 Bob Hall Pier Pavilion expansion and related matters and authorize response to CIAP's grant administrator, U.S. Fish and Wildlife.

**Vote:** 4 - 0 Approved

Other: Commissioner Gonzalez (Absent)

- D. Consult with County Attorney regarding Wilcox Oil & Gas, Inc.'s lease under the First Colony and Calallen Acres subdivision; discuss and consider authorizing a response to Wilcox Oil & Gas, Inc.

Motion by: Judge Neal, Second by: Commissioner Vaughn

**Motion:** Authorize the County Attorney to prepare a response outlining some restrictions to Wilcox Oil & Gas, Inc. regarding a lease under the First Colony and Calallen Acres subdivision.

**Vote:** 4 - 0 Approved

Other: Commissioner Gonzalez (Absent)

- E.** Discuss and consider authorizing the payment of the judgment for Crago v. Kaelin; Case No. 17-0470 on appeal from Cause No. 2014-DCV-0432-B, in the 117th District Court, in the amount of \$159,011.56, plus post judgment interest at the rate of 5% per annum subject to the County Attorney's Office exhausting all legal remedies in the Texas Supreme Court.

Motion by: Judge Neal, Second by: Commissioner Vaughn

**Motion:** Authorize the payment of the judgment for Crago v. Kaelin; Case No. 17-0470 on appeal from Cause No. 2014-DCV-0432-B, in the 117th District Court, in the amount of \$159,011.56, plus post judgment interest at the rate of 5% per annum subject to the County Attorney's Office exhausting all legal remedies in the Texas Supreme Court.

**Vote:** 4 - 0 Approved

Other: Commissioner Gonzalez (Absent)

- F.** Discuss and Consider authorizing settlement in CAUSE NO. 2016-PR-689-4A, Nueces County v. John Thomas Crago, as Independent Executor of the Estate of David Hughes Crago, deceased, and Rose Crago, individually, and related matters.

Motion by: Judge Neal, Second by: Commissioner Chesney

**Motion:** Authorize the County Attorney to settle in CAUSE NO. 2016-PR-689-4A, Nueces County v. John Thomas Crago, as Independent Executor of the Estate of David Hughes Crago, deceased, and Rose Crago, individually, and related matters.

**Vote:** 5 - 0 Approved

**Return to Consent Agenda Item 3.L.**

The Court was adjourned at 12:50 p.m. in memory of Gerald Lerma, William Henslee Powell, Jr. and William Sheeran. 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 18th day of June, 2018.