

MINUTES
REGULAR MEETING - January 23, 2019

BE IT REMEMBERED, that on this the 23rd day of January, A.D., 2019, at 9:00 a.m., 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:

BARBARA CANALES	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 Canales called for the Invocation.
- B. County Judge Canales led the Pledge of Allegiance to the United States of America and Texas Flags.
- C. County Judge Canales called the meeting to order at 9:05 a.m. The meeting was held in the Commissioners Courtroom located at 901 Leopard on the 3rd floor of the Nueces County Courthouse. County Judge Canales called roll and certified that a quorum was present.
- D. Adopt the following Resolution(s), Proclamation(s), and/or Order(s):
 - 1. The Court approved a resolution in support of Legislation that Enhances Oyster Mariculture on the Texas Coast.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Vote: 5 - 0 Approved

- 2. PUBLIC COMMENT:** This section provides the public the opportunity to address the Commissioners Court on any issues within its jurisdiction. The Commissioners Court may not take formal action on any requests made during the Public Comment period which are not on the Agenda, but can refer such requests to County staff for review if appropriate.

Public comment was taken.

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.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

Motion: Approve Consent Agenda

Vote: 5 - 0 Approved

- A. Authorize payment of bills - regular bill summaries dated January 4, 2019, January 11, 2019, January 15, 2019, and January 18, 2019.
- B. Authorize payment of bills - manual check registers dated December 31, 2018 to January 14, 2019.
- C. Authorize payment of bills - group health insurance claims and fees:
 - 1. Boon Chapman - January 2-8, 2019
- D. Authorize payment of bills - special motions list dated January 23, 2019.
- E. Approve personnel actions of budgeted nature:
 - 1. Temp List #448
 - 2. Frozen List #58
 - 3. Unfreeze List #795
 - 4. Personnel Changes Reports dated December 28, 2018, January 4, 2019, and January 11, 2019.
- F. Ratify approval of Contract Agreement Amendment, Unit Rate, and Certifications for Home-Delivered Meals, Congregate Meals and Transportation as it relates to Title III and Title XX funding and Contract Amendment with Health and Human Services Commission pursuant to Coastal Bend Council of Government for Older Americans Act Programs.
- G. Approve retirement for Betty Arizmendi from the Nueces County Sheriff Department after 19 years of service to Nueces County.
- H. Approve a finding for the method of procurement (request of competitive bids) for the Hazel Bazemore Boat Ramp - Phase II project; and authorize the purchasing agent to publish a notice.
- I. Accept the executed Agreement Amendment No. 2 with HAC Materials, Ltd. for IFB NO. 3033-17 Hot Mix Asphaltic Concrete Type D, PG 64-22.
- J. Execute a contract with AVFuel Corporation for IFB 3089-18 Aviation Fuel for Nueces County Airport.
- K. Rescind purchase of Skid Steer and authorize Sourcewell No 032515-JDC purchase of Skid Steer 320G for Inland Parks from Ag-Pro Companies.
- L. Authorize a TASB BuyBoard State Contract No. 521-16 purchase from Caldwell Country for a 2019 Chevrolet 1500 Silverado 4x4 Crew Cab for Coastal Parks.

- M.** Authorize Sole Source purchase from Superior, LLC, a CentralSquare Company for the Application Support Provider (ASP) Contract No. 130661-1, 130661-2, 130661-4 and 130661-5 ASP ONESolution (Global Core, Financial Core, Cognos BI, Cognos DM, Stores Inventory, Procurement Card), maintenance renewals to the ONESolution financial system.
- N.** Authorize/execute FY 2018-2019 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.
- O.** Approve application procedure for Nueces County Child Welfare Board, Regional Health Awareness Board and Nueces County Library Advisory Board.

4. REGULAR AGENDA:

A. AGENDA ITEMS

- 1.** The Court received a report on the 2018 activities of the Nueces County Historical Commission from Anita Eisenhower.
- 2.** Discuss and Consider approval of Supplemental Agreement No. 1 for additional services and time extension to the Professional Service Contract with LAN Engineering for the I.B. Magee Multi-Purpose Office Building.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve Supplemental Agreement No. 1 for additional services and time extension to the Professional Service Contract with LAN Engineering for the I.B. Magee Multi-Purpose Office Building.

Vote: 5 - 0 Approved

- 3.** Discuss and consider selection of available options for the Nationwide 457(b) Employee Deferred Compensation Plan; authorize staff to explore method and timing of seeking competitive proposals from vendors for 457 Employee Deferred Compensation Plan; including the possibility of pursuing a joint plan authorized by Chapter 609 of the Texas Government Code.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

(A.) Motion: Accept option 3A

Vote: 3 - 2 Approved

Against: Commissioner Vaughn
Commissioner Marez

- 4.** Discuss and consider giving Christus-Spohn Health one or more appointments (voting or nonvoting) to the Nueces County Hospital District Board of Managers, including the possibility of seeking legislation providing for such, and related matters.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Table item

Vote: 5 - 0 Approved

5. Discuss and consider amending the Nueces County Animal Control Order of 1991, to include provisions for holding time and disposition related to rabies and animal vs. animal biting; discuss and consider a six-month review of the entire Animal Control Order.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

(A.) Motion: Amend order as written.

Vote: 5 - 0 Approved

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

(B.) Motion: Approve a six-month review of the entire Animal Control Order.

Vote: 5 - 0 Approved

6. Discuss and consider approval of license agreements for use of the Richard M. Borchard Fairgrounds Venue with 1) London and 2) Agua Dulce Independent School Districts.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Motion: Approve license agreements for use of the Richard M. Borchard Fairgrounds Venue with 1) London and 2) Agua Dulce Independent School Districts.

Vote: 5 - 0 Approved

7. Discuss and consider selection of consultant(s) for the 86th Session of the Texas Legislature, strategic planning, consulting, and governmental relations services; discuss and consider narrowing down the candidate(s) to bring back to a regular or special meeting of the Court; and/or discuss and consider appointing a selection committee, and other related matters.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

(A.) Motion: Hold a Special Meeting on Tuesday, January 29th at 9:00 a.m. to select consultant(s) for the 86th Session of the Texas Legislature.

Vote: 5 - 0 Approved

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

(B.) Motion: Form a selection committee and appoint Judge Canales, Commissioner Chesney and Tyner Little (the County Attorney will serve in an advisory role).

Vote: 5 - 0 Approved

B. GRANTS

1. Discuss and consider the execution of an interlocal agreement between the City of Corpus Christi and Nueces County for the MetroCom Dispatch Center Enhancement Project.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Motion: Approve the execution of an interlocal agreement between the City of Corpus Christi and Nueces County for the MetroCom Dispatch Center Enhancement Project.

Vote: 5 - 0 Approved

2. Discuss and consider the execution of a revised Statement of Grant Award from the Texas Indigent Defense Commission.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve the execution of a revised Statement of Grant Award from the Texas Indigent Defense Commission.

Vote: 5 - 0 Approved

3. Discuss and consider the execution of a contract with the Texas Department of State Health Services under the Hurricane Crisis Cooperative funding opportunity for traditional vector control.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Motion: Approve the execution of a contract with the Texas Department of State Health Services under the Hurricane Crisis Cooperative funding opportunity for traditional vector control.

Vote: 5 - 0 Approved

4. Discuss and consider the execution of an agreement between Nueces County and Texas A&M University, on behalf of its Colonias Program.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Motion: Bring back the final executed document.

Vote: 5 - 0 Approved

C. PUBLIC WORKS

1. Discuss and consider approval to release the Septic System Bond for The Plains Unit 4 Subdivision as per Construction Agreement for the subdivision.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

Motion: Approve releasing the Septic System Bond for The Plains Unit 4 Subdivision as per Construction Agreement for the subdivision.

Vote: 3 - 0 Approved

Other: Commissioner Marez (Absent)
Commissioner Chesney (Absent)

2. Discuss and consider approval to replace 5 of 9 Condenser Units for the Information Technology (IT) Data Center's Heating, Ventilation and Air Conditioning (HVAC) System.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

Motion: Approve replacing 5 of 9 Condenser Units for the Information Technology (IT) Data Center's Heating, Ventilation and Air Conditioning (HVAC) System.

Vote: 5 - 0 Approved

D. AUDITOR

1. The Court received a presentation on the (updated) November 2018 monthly expense report.
2. The Court approved Capital Project Budget Change Order No. 72.

Motion by: Commissioner Chesney, Second by: Commissioner Marez

Vote: 5 - 0 Approved

3. The Court approved Budget Change Order No. 07 for Fiscal Year 2018-2019.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION: PUBLIC NOTICE** is given that the Commissioners Court may elect to go into an Executive Session anytime during the meeting to discuss matters listed on the Agenda, when authorized by the provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code. In the event the Commissioners Court elects to go into Executive Session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the Executive Session will be publicly announced by the presiding officer. 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, 551.087, the Commissioners Court will hold an Executive Session 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. Upon completion of the Executive Session, the Commissioners Court may in an open session take such action as appropriate on items discussed in an Executive Session.

The Court went into Executive Session at 12:12 p.m.

The Court reconvened the Regular Meeting at 1:04 p.m.

- A. Discuss, consider, and take action regarding settlement demand from Gloria Moreno, and related matters.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Motion: Deny claim

Vote: 5 - 0 Approved

- B.** Consult with the County Attorney regarding the status of Cause No. 4704, San Patricio County, Texas, v. Nueces County, Texas, In the 135th Judicial District Court, Refugio County, Texas, and related matters.

No action taken.

- C.** Consult with the County Attorney regarding the Status of No. 18-0660, In Re Occidental Chemical Corporation, Oxy Ingleside Energy Center LLC, et al., In the Texas Supreme Court, and related matters.

No action taken.

- D.** Consult with County Attorney on the legal remedies involving the engagement letter between Nueces County and Patillo, Brown, and Hill, LLP, for auditing services including termination; discuss and consider termination of engagement letter, and provide notice.

No action taken.

6. BOARD APPOINTMENTS:

- A.** Nueces County Emergency Services District No. 3

Motion by: Commissioner Marez, Second by: Commissioner Chesney

Motion: Appoint Thaddeus Mitman to Nueces County Emergency Services District No. 3

Vote: 5 - 0 Approved

The Court was adjourned at 1:12 p.m. in memory of Ron Maples, Cayetana Martinez, Albert Perez and Martin Luther King, Jr. Judge Canales 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 23rd day of January, 2019.