

REGULAR MEETING - DECEMBER 4, 2019

BE IT REMEMBERED, that on this the 4th day of December, A.D., 2019, 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 Barbara Canales called Pastor Steve Coronado for the Invocation.
- B.** Pledge of Allegiance to the United States of America and Texas Flags was led by Commissioner Gonzalez.
- C.** County Judge called the Regular Meeting to order at 9:07 a.m. and certified that a quorum was present. The meeting was held in th Commissioners Courtroom located at 901 Leopard St., on the 3rd floor of the Nueces County Courthouse
- D.** SAFETY BRIEFING - was given by Timothy Everest.
- E.** Approve the following Minutes:
 - 1.** Commissioner's Court Minutes of November 18, 2019 and November 20, 2019.
Motion by: Commissioner Chesney, Second by: Commissioner Marez
Motion: Approve Commissioner's Court Minutes of November 18, 2019 and November 20, 2019

Vote: 5 - 0 Approved
- F.** Adopt the following Resolution(s), Proclamation(s), and/or Order(s):
 - 1.** Genevieve Cox, National Debate Team member.
Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney
Motion: W.B. Ray High School - National Debate Team Member Genevieve Cox
Vote: 5 - 0 Approved

G. BOARD APPOINTMENTS:

1. Nueces County Tax Appraisal District

Motion by: Commissioner Chesney, Second by: Commissioner Marez

Motion: Nueces County Tax Appraisal District

Vote: 5 - 0 Approved

2. Nueces County Civil Service Commission.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: To Appoint Mr. Tamez to Nueces County Civil Service Commission. Comment: Tyner Little

Vote: 5 - 0 Approved

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Motion: To Appoint Jason Floyd to Nueces County Civil Service Commission. Comment Tyner Little

Vote: 5 - 0 Approved

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

Motion: To post for third and final spot for the Nueces County Civil Service Commission.

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. Comment: Judge Canales and Elva B. Lopez.

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 Chesney

Motion: Approve all Consent Agenda Items except Items N and O.

Vote: 5 - 0 Approved

A. Authorize payment of bills - regular bill summaries dated November 15, 2019, and November 22, 2019.

B. Authorize payment of bills - manual check registers dated November 11, 2019 to November 24, 2019.

- C.** Authorize payment of bills - special motions list dated December 4, 2019.
- D.** Authorize payment of bills - group health insurance claims and fees by Boon Chapman dated November 5, 12, and 19, 2019.
- E.** Adopt a resolution nominating County Judge Barbara Canales to continue to serve on the Texas Conference of Urban Counties Policy Committee for the 2020 term.
- F.** Discuss and consider approving Budget Planning Calendar for Fiscal Year 2020-2021.
- G.** Approve the following "Outside Agency" contracts for FY 2019-2020:
 1. Corpus Christi Police Officers' Association - Total \$3,400
County Judge - \$500; Commissioner Pct. 1 - \$1,000; Commissioner Pct. 2 - \$900;
Commissioner Pct. 3 - \$500; Commissioner Pct. 4 - \$500
 2. Flour Bluff Business Association - Total \$4,500
County Judge - \$1,000; Commissioner Pct. 4 - \$3,500
 3. Hammons Education Leadership Programs Inc. (HELP) - Commissioner Pct. 4-
\$1,500
 4. London Independent School District - Commissioner Pct. 4 - \$2,000
 5. Nueces County Sheriff's Officers' Association - Total \$3,500
County Judge - \$500; Commissioner Pct. 1 - \$1,000; Commissioner Pct. 3 - \$500;
Commissioner Pct. 4 - \$1,500
 6. Port Aransas Chamber of Commerce - Total \$4,500
County Judge - \$1,000; Commissioner Pct. 4 - \$3,500
 7. South Coastal Area Health Education Center - Total \$10,400
Commissioner Pct. 2 - \$3,900; Commissioner Pct. 3 - \$2,500; Commissioner Pct. 4-
\$4,000
 8. Timon's Ministries - Commissioner Pct. 4 - \$1,500
 9. Wesley Community Center - Total - \$1,500
Commissioner Pct. 3 - \$500 (Corpus) and \$500 (Robstown); Commissioner Pct. 4-
\$500 (Corpus)
- H.** Authorize sole source purchase from Courthouse Technologies in the amount of \$41,944.50 Annual Summons Direct for the Jury Management System for FY 2019-2020.
- I.** Approve execution of an Agreement Amendment No. 1 with Wellpath, LLC for RFP No. 2993-15 Medical Services for Inmates at the Jail Facilities and residents at the Juvenile Center. (Jail only)
- J.** Authorize TASB BuyBoard State Contract No 521-16 purchase from Caldwell Country for (1) 2020 Chevrolet 3500HD Silverado 4x2 Regular Cab CC31003 for Public Works.
- K.** Rescind approval to amend Microsoft agreement (#01E73535); and Approve execution of new amendment with Microsoft for DIR-TSO-4092 purchase with SHI Government Solutions for Windows OS (Operating System) licenses.
- L.** Authorize TASB BuyBoard Contract No. 552-17 purchase with Roy C. Garrett, Inc. for the HVAC cooling tower repairs and installation of additional tower cell structural supports.
- M.** Approve execution of TASB BuyBoard Contract No. 581-19 purchase with Basic IDIQ for a fence at 5655 Bush Road.

- N. Approve a finding for the method of procurement (request for qualifications) for engineering services for hydrology infrastructure data collection and analysis services to Nueces County; and adopt an order delegating evaluation authority to a selection committee; and authorize the Purchasing Agent to publish a notice. (3120-19).

Motion by: Commissioner Marez, Second by: Commissioner Vaughn

Motion: Approve a finding for the method of procurement (request for qualifications) for engineering services for hydrology infrastructure data collection and analysis services to Nueces County; and adopt an order delegating evaluation authority to a selection committee; and authorize the Purchasing Agent to publish a notice. (3120-19). Comment: Michael Robinson

Vote: 5 - 0 Approved

- O. Approve execution of Nueces County Records Management Order.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Motion: Nueces County made various attempts to approve and submit information to Texas State Libraries and Archives Commission (TSLAC) identifying the Chief Information Officer of Nueces County as the Records Management Officer (RMO). In the latest of these attempts, TSLAC identified a flaw in the original submissions made to adopt a Records Management Policy and appoint the RMO. This flaw remained undiscovered until Nueces County attempted to change the RMO. To correct this, Nueces County needs to adopt a Records Management Policy and appoint a RMO. Comment: Lance Murphy

Vote: 5 - 0 Approved

- P. Approve the execution of the SAVNS Maintenance Grant Contract No. 2003945 with the Office of the Attorney General in relation to automated victim notification services.

- Q. Approve the execution of a Participating Entity Services Agreement for the Statewide Automated Victim Notification Service (SAVNS) with Appriss Inc.

- R. Ratify the execution of an Interlocal Agreement by and between Nueces County and the Texas A&M AgriLife Extension Service for the 2019 County Feral Hog Abatement Grant.

- S. Approve the Interlocal agreement for a period of one year beginning January 1, 2020 through December 31, 2020, between San Patricio County and Nueces County regarding sharing expenses for the Intoxilyzer Program and Technical Supervisor services.

- T. Accept for record purposes, the executed lease agreement for FY 2019-2020 at the Nueces County Airport:

1. Kevin Graf - T-12

- U. Approve application procedure for the following Nueces County Advisory Boards:

1. Beach Management Advisory Committee
2. Regional Health Awareness

- V. Approve application procedure for the following Nueces County Advisory Boards:

1. South Texas Water Authority.
2. Nueces County Animal Advisory Board.
3. Nueces Center for Mental Health and Intellectual Disabilities.

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

- 1.** Receive a presentation from John LaRue, President & Chief Executive Director of The United Corpus Christi Chamber of Commerce, on FY 2018-2019 activities related to the Texas Windstorm Insurance Association (TWIA); and approve Fiscal Year 2019-2020 contract.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Received a presentation from John LaRue, President & Chief Executive Director of The United Corpus Christi Chamber of Commerce, on FY 2018-2019 activities related to the Texas Windstorm Insurance Association (TWIA); and approved Fiscal Year 2019-2020 contract.

Comment: John LaRue

Vote: 5 - 0 Approved

- 2.** Receive a presentation from Rebecca Flanigan, Deputy Director of Litigation, Texas Rio Grande Legal Aid, on FY 2018-2019 activities.

Motion by: County Judge Canales, Second by: Commissioner Vaughn

Motion: Received a presentation from Rebecca Flanigan, Deputy Director of Litigation, Texas Rio Grande Legal Aid, on FY 2018-2019 activities. Comment: Rebecca Flanigan

Vote: 5 - 0 Approved

- 3.** Receive an update from eCivis Inc. regarding the County's cost allocation plan/negotiated indirect cost rate and related matters.

Motion: Received an update from eCivis Inc. regarding the County's cost allocation plan/negotiated indirect cost rate and related matters.

No action taken.

Comment: Maria Bedia and Aleisha Beckum

Vote: 5 - 0 Approved

- 4.** Discuss and consider the dates for Commissioners Court 2020.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

Motion: Approve dates for Commissioners Court 2020. Comment: Tyner Little

Vote: 5 - 0 Approved

- 5.** Discuss and consider additional holidays for Nueces County employees.

Motion by: Commissioner Vaughn, Second by: Commissioner Chesney

Motion: Approve additional holidays for Nueces County employees. Good Friday, April 10, 2020, added to Holiday calendar.

Vote: 5 - 0 Approved

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: Add 4 hours Holiday on Wednesday, Nov. 25, 2020 and 4 hours Wednesday, Dec. 23, 2020.

Vote: 5 - 0 Approved

6. Discuss and consider selection of Husch Blackwell, LLP as a consultant on redistricting, election legal services, and related matters.

Motion by: Commissioner Vaughn, Second by: Commissioner Chesney

Motion: Approve selection of Husch Blackwell, LLP as a consultant on redistricting, election legal services, and related matters. Comment: Laura Garza-Jimenez

Vote: 5 - 0 Approved

7. Discuss and consider adopting an Order prohibiting the use and sale of aerial fireworks in the unincorporated areas of the County during the December 2019 fireworks season.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: Adopt an Order prohibiting the use and sale of aerial fireworks in the unincorporated areas of the County during the December 2019 fireworks season. Comment: Tyner Little, Item tabled

Vote: 5 - 0 Approved

8. Discuss and consider execution of a Performance Contracting Project Development Agreement with ABM Building Services, LLC through Allied States Purchasing Cooperative Contract No. 18-7302 for a detailed evaluation study of certain Nueces County buildings, including those listed on County's Capital Improvements Program for energy conservation.

Motion by: Commissioner Chesney, Second by: Commissioner Marez

Motion: Approve execution of a Performance Contracting Project Development Agreement with ABM Building Services, LLC through Allied States Purchasing Cooperative Contract No. 18-7302 for a detailed evaluation study of certain Nueces County buildings, including those listed on County's Capital Improvements Program for energy conservation. Comment: Michael Robinson, Juan Pimental, and Joel Lopez

Vote: 5 - 0 Approved

9. Discuss and consider restructuring/organization and renaming of Nueces County Animal Control.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Motion: Approve restructuring/organization and renaming of Nueces County Animal Control. Comment: Juan Ramirez

Vote: 5 - 0 Approved

10. Discuss and consider amendment to the Nueces County Hazard Mitigation Action Plan.

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

Motion: Approve amendment to the Nueces County Hazard Mitigation Action Plan. Comment: Melissa Munguia, Kathy Ard-Blattner, and Andres Gonzalez

Vote: 5 - 0 Approved

11. Discuss and consider interlocal agreement with the City of Corpus Christi for purposes of providing engineering services for the extension of Junior Beck Drive, in an amount not to exceed \$200,000.00.

Motion by: Commissioner Vaughn, Second by: Commissioner Chesney

Motion: Approve interlocal agreement with the City of Corpus Christi for purposes of providing engineering services for the extension of Junior Beck Drive, in an amount not to exceed \$200,000.00. Comment: Juan Pimentel

Vote: 5 - 0 Approved

12. Discuss and consider Gulf Copper request to be granted Foreign Trade Zone status; and consider related agreements.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: Approve Gulf Copper request to be granted Foreign Trade Zone status; and consider related agreements. Comment: Juan Pimentel

Vote: 5 - 0 Approved

13. Discuss and Consider approval of Supplemental Agreement No. 2 for additional services and time extension to the Professional Services 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. 2 for additional services and time extension to the Professional Services Contract with LAN Engineering for the I.B. Magee Multi-Purpose Office Building. Comment: Scott Cross

Vote: 5 - 0 Approved

B. PUBLIC WORKS

1. Discuss and consider approval of Letter Agreement with M.A. Mortenson Co., related to a damages claim on a section of County Road 77.

Motion by: Commissioner Marez, Second by: Commissioner Gonzalez

Motion: Approve Letter Agreement with M.A. Mortenson Co., related to a damages claim on a section of County Road 77. Comment: Juan Pimentel

Vote: 5 - 0 Approved

2. Discuss and consider execution of a contract for Engineering Services with Hanson Professional Services for the design of the County Road 69 & 48 Road Project.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: Approve execution of a contract for Engineering Services with Hanson Professional Services for the design of the County Road 69 & 48 Road Project. Comment: Juan Pimentel

Vote: 5 - 0 Approved

3. Discuss and consider rescinding selection of Freese and Nichols, Inc. for the design of County Road 73 and select Jacobs.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez
Motion: Rescind selection of Freese and Nichols, Inc. for the design of County Road 73 and select Jacobs. Comment: Juan Pimentel
Item Tabled

Vote: 5 - 0 Approved

4. Discuss and consider approval of Change Order No. 2 for the Nueces County I.B. Magee RV Park Improvement Project.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn
Motion: Approve Change Order No. 2 for the Nueces County I.B. Magee RV Park Improvement Project. Comment: Juan Pimentel

Vote: 5 - 0 Approved

5. Discuss and consider execution of a contract for Engineering Services with **LNV, Inc.** for the design of the County Road 67 Road Project.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn
Motion: Approve execution of a contract for Engineering Services with **LNV, Inc.** for the design of the County Road 67 Road Project. Comment: Juan Pimentel

Vote: 5 - 0 Approved

6. Discuss and consider selection of Jacobs for inspection services of the Bob Hall Pier.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez
Motion: Approve selection of Jacobs for inspection services of the Bob Hall Pier. Comment: Juan Pimentel and David Cram

Vote: 5 - 0 Approved

7. Discuss and consider selection of SMITHGROUP for the proposed Nueces County Medical Examiner Study.

Motion by: County Judge Canales, Second by: Commissioner Vaughn
Motion: Approve selection of SMITHGROUP for the proposed Nueces County Medical Examiner Study. Comment: Juan Pimentel

Vote: 5 - 0 Approved

C. AUDITOR

1. Approve Budget Change Order No. 03 for Fiscal Year 2019-2020.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn
Motion: Approve Budget Change Order No. 03 for Fiscal Year 2019-2020. Comment: Dale Atchley

Vote: 5 - 0 Approved

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney
Motion: Approve Budget Change Order No. 03 for Fiscal Year 2019-2020. Comment: Dale Atchley

Vote: 5 - 0 Approved

2. Approve Capital Project Budget Change Order No.76.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve Capital Project Budget Change Order No.76. Comment: Dale Atchley

Vote: 5 - 0 Approved

3. Approve monthly expense report for the month of September 2019.

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

Motion: Approve monthly expense report for the month of September 2019. Comment: Dale Atchley

Vote: 5 - 0 Approved

4. Discuss and consider approving the Federal Equitable Sharing Agreement and Certification for Constable Pct. 3 and Constable Pct. 5.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Motion: Approve the Federal Equitable Sharing Agreement and Certification for Constable Pct. 3 and Constable Pct. 5. Comment: Dale Atchley

Vote: 5 - 0 Approved

D. HUMAN RESOURCES

1. Discuss and consider a request to create Records Management Department and reclassify Manager Record Services in department 1470 to Director, Records Management.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

Motion: Approve the Creation Records Management Department & Reclassification of Manager.

Comment: Lance Murphy

Item tabled

Vote: 5 - 0 Approved

2. Discuss and consider a Student Loan Repayment Program (SLRP) for all regular full-time Nueces County employees.

Motion by: County Judge Canales, Second by: Commissioner Marez

Motion: Approve Student Loan Repayment Program (SLRP) for all regular full-time Nueces County employees. Comment: Julie Guerra

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. Court convened into Executive Session at 12:57 p.m. and reconvened into Regular Session at 1:16 p.m.

- A. Consultation with the County Attorney on the status of the payment of interest on the refund in Case No. 18-0660, In re Occidental Chemical Corporation, Oxy Ingleside Energy Center LLC at al., In the Texas Supreme Court; ratify payment of interest, and related matters.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn
Motion: Consult with the County Attorney on the status of the payment of interest on the refund in Case No. 18-0660, In re Occidental Chemical Corporation, Oxy Ingleside Energy Center LLC at al., In the Texas Supreme Court; ratify payment of interest, and related matters.

Vote: 5 - 0 Approved

- B. Consultation with County Attorney regarding the status of outstanding Belfor Property Restoration invoice and related matters.

Motion: Consult with County Attorney regarding the status of outstanding Belfor Property Restoration invoice and related matters. No action.
Item tabled

Vote: 5 - 0 Approved

- C. Discuss and consider Grievance 111419-1; Ysidro Arismendez IV vs. Juvenile Department.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn
Motion: Approve Grievance 111419-1; Ysidro Arismendez IV vs. Juvenile Department.
Item tabled

Vote: 5 - 0 Approved

The Court was adjourned at 1:25 p.m. in memory of AC Gilmore Jr., Michael Hess and David John Picou.

There being no further business to come before the Court, it is ordered that this meeting does now stand adjourned, this the 4th day of December, 2019.

I, Kara Sands, County Clerk of Nueces County and Ex-Officio Clerk of the Commissioners Court, do hereby certify that the following Regular Meeting Minutes from December 4, 2019 are a true and correct record of the proceedings.


Kara Sands, County Clerk
and Ex-Officio, Clerk of the

