

**REGULAR MEETING - OCTOBER 7, 2020**

BE IT REMEMBERED, that on this the 7th day of October, A.D., 2020, 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:

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**1. CALL TO ORDER**

- A.** Commissioner Gonzalez led in the Invocation.
- B.** County Judge Canales led in the Pledge of Allegiance to the United States of America and Texas Flags.
- C.** County Judge Canales called the Regular Meeting to order at 9:07 a.m. and certified that a quorum was present. The meeting was held in the Commissioners Courtroom located at 901 Leopard Street, on the 3rd floor of the Nueces County Courthouse.
- D.** SAFETY BRIEFING was given by Timothy Everest.
- E.** **PUBLIC COMMENT:** Was given by Judge Missy Medary.
- F.** GENERAL INFORMATION REPORTS:
  - 1.** The Court discussed the COVID 19 response, plans for COVID 19 testing, alternative care sites, Isolation and Community Protection Sites (Isofac), amended Orders, and activities related to area economic recovery; received an update from the Nueces County Emergency Operations Center.
  - 2.** The Court discussed Hurricane and Tropical Storm recovery, including items related to Bob Hall Pier, parking lots, roads, drainage, other infrastructure; receive update and reports, including Disaster Summary Outlines and Dune Surveys from consultants, Court members, and staff.
- G.** Accept the following Minutes:
  - 1.** The Court accepted Commissioners Court Minutes of September 23, 2020.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

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

- 1.** The Court recognized October 2020 - Breast Cancer Awareness Month.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

- 2.** The Court recognized National 4-H Week - October 4 - 10, 2020.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

- 3.** The Court recognized National Disability Employment Awareness Month - October 2020.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

**Vote:** 5 - 0 Approved

- 4.** The Court recognized October 2020 - Domestic Violence Awareness and Prevention Month.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

**2. CONSENT AGENDA:**

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Motion: To approve Consent Agenda Items A, C-D, F-N, P-Z, and BB - KK.

**Vote:** 5 - 0 Approved

- A.** The Court authorized payment of bills - regular bill summaries dated September 18, 2020, September 25, 2020, September 28, 2020, and September 30, 2020.

- B.** Authorize payment of bills - manual check registers dated September 15, 2020, to September 28, 2020.

- C.** Authorize payment of bills - special motions listed dated October 07, 2020.

- D.** Authorize payment of bills - group health insurance claims and fees by Boon Chapman dated September 22, 2020.

- E.** The Court ratified Texas DIR Contract No. DIR-TSO-4005 agreement with Accenture, LLP for COVID-19 Program management services to assist with addressing COVID-19 response planning and operational implementation tasking.

Motion by: Commissioner Vaughn, Second by: County Judge Canales  
Commissioner Chesney abstained.

**Vote:** 3 - 1 Approved

Against: Commissioner Gonzalez

- F. Ratify the submission of four (4) Applications to Request for Innovative Readiness Training (IRT) Civil-Military Partnership.
- G. Ratify the execution of a grant award and terms and conditions from the Texas Division of Emergency Management for the Federal Fiscal Year (FFY) 2020 Emergency Management Performance Grant (EMPG).
- H. Ratify the acceptance of a grant award for the Emergency Food and Shelter Program Phase 37 Set-Aside award made available through the United Way of the Coastal Bend.
- I. Ratify the acceptance of a grant award for the Emergency Food and Shelter Program Phase CARES State Set-Aside award made available through the United Way of the Coastal Bend.
- J. Ratify the submission of a grant application to the Center for Tech and Civic Life COVID-19 for Elections.
- K. Adopt a resolution authorizing the submission of a grant application for the Texas Department of Agriculture, Texans Feeding Texans: Home Delivered Meals Grant Program.
- L. Adopt a resolution, per Texas General Land Office Community Development Block Grant Mitigation (CDBG-MIT) requirements, adopting a citizen participation plan and grievance procedures for the CDBG-MIT fund.
- M. Authorize the execution of a CARES Act Airport Grant Agreement with the Texas Department of Transportation's Aviation Division for the Nueces County Airport.
- N. Authorize the execution of Amendment No. 01 to the grant agreement for airport fuel facility improvements from the Texas Department of Transportation (TxDOT).
- O. The Court accepted for record purposes, the executed lease agreements for FY 2020-2021 at the Nueces County Airport:
  1. T-2 Hangar - Jay Hale
  2. T-4 Hangar - Jerry Hunsaker
  3. T-6 Hangar - Jerry Lunceford
  4. T-7 Hangar - Mark Harrison
  5. T-8 Hangar - Andrew Kirkpatrick
  6. T-9 Hangar - Wayne Hunter
  7. T-11 Hangar - Kevin Kieschnick

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

**Vote:** 5 - 0 Approved

- P. Approve purchase of fire arm(s) by Honorably Retired Peace Officer(s), as authorized by Section 614.051 of the Texas Government Code.
- Q. Approve Service Level Agreement between Nueces County and the Texas A&M AgriLife Extension for technical support provided by the Information Technology Department.

- R.** Approve the Corpus Christi-Nueces County Public Health District (CCNCPHD) to enter into a contract amendment with the Department of State Health Services (DSHS) in the amount of \$269,815.00 for the period 1/1/2021 through 12/31/2021 to treat, control, and prevent Sexually Transmitted Diseases (STDs) and HIV/AIDS; and authorize the Director of the Corpus Christi-Nueces County Public Health District to sign on behalf of Nueces County.
- S.** Approve the Corpus Christi-Nueces County Public Health District (CCNCPHD) to accept a grant contract with the Texas General Land Office (GLO) to collect and analyze recreational beach water samples for the period of October 7, 2020 through August 31, 2025 and approve work order No. C717 in the amount not to exceed \$127,000 for base water samples submitted, apportioned as \$55.00 for base samples submitted; and \$77.00 for repeat sampling required, for the period September 1, 2020 through August 31, 2021 and authorize the Director of the CCNCPHD to sign on behalf of Nueces County.
- T.** Accept the award and executed Renewal No. 2 Engagement Letter with Pattillo, Brown & Hill, L.L.P. for RFP No. 3080-18 Auditing Services as approved by the Juvenile Board for the Juvenile Department.
- U.** Accept the award and executed Renewal No. 2 Engagement Letter with Pattillo, Brown & Hill, L.L.P. for RFP No. 3080-18 Auditing Services as approved by the Board for the CSCD.
- V.** Confirm during Budget Workshops for the FY20/21 Budget year and with adoption of the FY20/21 Budget on September 23, 2020, the Court did not elect to make any changes to Nueces County's participation in the Texas County and District Retirement System for Plan Year 2021.
- W.** Authorize Goodbuy Cooperative Contract No. 7GCJCC2 purchase from Barcom Construction, Inc. for NCSO Jail Kitchen Flooring Replacement.
- X.** Approve execution of Agreement Amendment No. 2 with Aramark Correctional Services, LLC and Nueces County for food service at the Jail and CSCD per RFP No. 3017-16 Food Management Program at Nueces County Jail and CSCD.
- Y.** Authorize execution of agreement with P Squared Emulsion Plants, L.L.C. for IFB No. 3133-20 AE-P Solvent Based Emulsion Primer.
- Z.** Approve a finding for the method of procurement (request for competitive bids) for Nueces County 2019 Capital Improvement Plan (CIP) Roadway Improvements Projects for CR22 and CR49; and authorize the Purchasing Agent to publish a notice.
  1. County Road 22 from County Road 51 to State Highway 286
  2. County Road 49 from Farm To Market 2444 to Farm To Market 43
- AA.** The Court authorized execution of a Personal Services Contract with Robert Durand related to COVID 19 messaging response and social media education campaign; county emergency situations, general county information as well as other health care or safety concerns and available services within Nueces County.

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

**Vote:** 3 - 2 Approved

Against: Commissioner Vaughn  
 Commissioner Chesney

- BB.** Ratify the approval of the engagement letter with the Law Firm of Hartline Barger, LLP specifically Attorney Michael Terry, in Cause no. 220-CCV-61304-3; Moses Estrada, Maureen Mayfield, Becky Moeller, Susan Reeves, Charles Siders, and Linda White vs. Kara Sands, in her official Capacity as Nueces County Clerk and Nueces County.
- CC.** Ratify the approval of the engagement letter with the law firm Branscomb PC, specifically attorney Keith Sieczkowski to represent Nueces County, Texas, in Cause No. 2:20-cv-00191; *Ronald Elizondo, Sr. and Maria Elizondo, Individually and as the Lawful Heirs of the Estate of Ronald Elizondo, Jr. vs. Ronald Hinote; The Texas Department of Public Safety; The City of Corpus Christi; Lorraine Matthews; Nueces County, Texas; Mark Gonzalez; Michelle Putnam; Angelica Hernandez; and Sharra Rodriguez (“District Attorney Defendants”)* .
- DD.** Ratify the approval of the engagement letter with the law firm Royston Rayzor, specifically attorneys Myra Morris and Brian Miller to represent the District Attorney Defendants, in Cause No. 2:20-cv-00191; *Ronald Elizondo, Sr. and Maria Elizondo, Individually and as the Lawful Heirs of the Estate of Ronald Elizondo, Jr. vs. Ronald Hinote; The Texas Department of Public Safety; The City of Corpus Christi; Lorraine Matthews; Nueces County, Texas; Mark Gonzalez; Michelle Putnam; Angelica Hernandez; and Sharra Rodriguez (“District Attorney Defendants”)* .
- EE.** Authorize TASB BuyBoard State Contract No 592-19 purchase with Kraftsman Commercial Playgrounds & Water Parks for playground equipment at Hazel Bazemore Park.
- FF.** Ratify execution of Notification of FY 2020 Funding (Street Improvement Fund), as presented by the Regional Transportation Authority.
- GG.** Ratify approval of East Hidalgo Modification Twenty-two (22) effective July 24, 2020. Replace Modification 21 and incorporate Department of Labor Wage Determination (WD) number 2015-5245 (Rev. 11) dated 6/27/2020 effective 7/24/2020.
- HH.** Ratify approval of Fifth Amendment Detention Services Agreement between Nueces County and The GEO Group, Inc.
- II.** Ratify approval of East Hidalgo and Coastal Bend Detention Center US Department of Justice, United States Marshall Service, Detention Services Intergovernmental Agreement effective August 1, 2020.
- JJ.** Ratify approval of East Hidalgo Detention Center Per Diem Adjustment of \$71.46 by \$0.04 to \$71.50 to reflect the incorporated annual Wage Determination No. 2015-5245 (Rev. 11) dated 6/27/2020 with an effective date of August 1, 2020.
- KK.** Approve the 2020 Certification of Tax Levy for Nueces County General Fund, Nueces County Farm-to-Market, and Nueces County Hospital District as submitted by the Nueces County Tax Assessor-Collector pursuant to Section 26.09(e) of the Texas Property Tax Code.
- LL.** The Court ratified approval of agreement with Amistad Community Health Center for medical services and staffing for the Nueces County Community Care Clinic related to treatment of COVID-19 positive patients.

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

**Vote:** 5 - 0 Approved

**3. REGULAR AGENDA: Clerk's Note: The Court recessed at 10:53 a.m. and reconvened into Regular Session at 11:35 a.m.**

**A. AGENDA ITEMS**

1. The Court approved an interlocal agreement with the Robstown Independent School District, designating a portion of County CARES Act funding allocation for technology equipment and services.

Motion by: Commissioner Vaughn, Second by: Commissioner Chesney

**Vote:** 5 - 0 Approved

2. The Court approved an interlocal agreement with the Port Aransas Independent School District, designating a portion of County CARES Act funding allocation for technology equipment and services.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

3. The Court approved an interlocal agreement with the Banquete Independent School District, designating a portion of County CARES Act funding allocation for technology equipment and services.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

4. The Court adopted an order granting an exemption under Section 262.024 of the Texas Local Government Code; Discuss and consider selection of Advanced Construction Management for professional consulting services related to the Horace Caldwell Pier Expansion Project; Approved an agreement with Advanced Construction Management providing consultation, including procurement phase services, pre-construction phase services, construction phase services, and post construction warranty phase services related to the Nueces County Coastal Parks Horace Caldwell Pier Expansion Project and related matters.

Motion by: Commissioner Chesney, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

5. The Court approved Supplemental Agreement No. 3 for additional services to include bid and construction phase services and time extension to the Professional Service Contract with Lockwood, Andrews, and Newnam (LAN) Engineering for the I.B. Magee Multi-Purpose Office Building.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

**Vote:** 5 - 0 Approved

6. Discuss and consider selection of Lockwood Andrews and Newnam, Inc (LAN) to provide engineering services related Phase 2 design services for the I.B. Magee Stormwater Retention Pond and Public Access Elements; authorize execution of a Professional Services Contract with LAN.

Motion by: Commissioner Chesney, Second by: Commissioner Marez  
Motion: Item tabled until October 21, 2020.

7. The Court approved an Interlocal Agreement with the Community Supervision and Corrections Department (CSCD), effective October 1, 2020, for the purposes of Risk Assessment Services in the Nueces County Jail.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

**Vote:** 5 - 0 Approved

8. The Court approved Monthly Financial Report for the month of August 2020.

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

**Vote:** 5 - 0 Approved

9. The Court approved setting the Court Record Preservation Fee as required by Texas Government Code § 51.708 to be collected by the District Clerk.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

**Vote:** 5 - 0 Approved

10. The Court approved overtime pursuant to County policy for essential exempt employees during a declared disaster as it relates to COVID-19, and storm preparedness and response.

Motion by: Commissioner Marez, Second by: Commissioner Vaughn

**Vote:** 5 - 0 Approved

## **B. PUBLIC WORKS**

1. The Court adopted a resolution requesting the City of Corpus Christi to formally annex London Pirate Road beginning at the intersection of London Pirate Road and FM 43 and running northerly until dead end near Oso Creek.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

**Vote:** 5 - 0 Approved

2. The Court approved selection of the SmithGroup for the Nueces County Medical Examiner's Facility Phase 01 Programming Validation and Concept Design; Authorized execution of professional service agreement.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

**Vote:** 5 - 0 Approved

## **C. PURCHASING**

1. The Court awarded RFP No. 3139-20 Tax Exempt Lease Purchase Financing to Bank of America Public Capital Corp.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

**Vote:** 5 - 0 Approved

2. Discuss and award IFB No. 3129-20 Horace Caldwell Pier Observation Deck.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Item tabled until October 21, 2020.

3. The Court awarded RFP No. 3137-20 Medical Services for the Nueces County Jail and Juvenile Justice Center to Armor Correctional Health Services Inc. dba Armor Health.

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

County Judge Canales abstained.

Commissioner Vaughn abstained.

**Vote:** 2 - 1 Approved

Against: Commissioner Chesney

4. Discuss and award IFB No. 3128-20 I.B. Magee Multipurpose Facility Repairs.

#### **D. AUDITOR**

1. The Court approved Capital Project Budget Change Order No. 88.

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

**Vote:** 5 - 0 Approved

2. The Court authorized and approved Nueces County Pay Schedules A and P reflecting the adjustments discussed September 09, 2020, to be effective as of October 01, 2020.

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

**Vote:** 5 - 0 Approved

3. Discuss and consider the need to replace the current ERP (Enterprise Resource Planning)/Finance system, as well as possible funding sources for this future acquisition. NO ACTION TAKEN.

#### **E. HUMAN RESOURCES**

1. The Court approved the following position changes to the Tax Office (1200);

A. Dissolve vacant Administrative Secretary III position (21/01)

B. Dissolve vacant Intermediate Clerk (Part Time) position (11/01)

C. Reclassify Existing Positions:

- Supervisor Accounting Assistant (17/03) to Supervisor, Motor Vehicle (20/03)

- Supervisor Accounting Assistant (17/01) to Supervisor, Motor Vehicle (20/01)



- Senior Administrative Clerk (17/03) to Supervisor, Motor Vehicle (20/03)
- Senior Administrative Clerk (17-04) to Supervisor, Property Tax (20/04)
- Senior Administrative Clerk (17/06) to Supervisor, Voter Registration (18/06)

D. Create Additional position - Senior Clerk II (15/01)

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez


**Vote:** 5 - 0 Approved

4. **EXECUTIVE SESSION:** The Court convened into Executive Session at 12:44 p.m. and reconvened into Regular Session at 2:22 p.m.
  - A. Consult with county attorney on legal matters related to RFP No. 3137-20 Medical Services for the Nueces County Jail and Juvenile Justice Center.

The Court was adjourned at 2:44 p.m. in memory of Julian Camacho, Emilia Phillips, Willie Vaden, Ricky Luna and Jerry Cain.

There being no further business to come before the Court, it is ordered that this meeting does now stand adjourned, this the 7th day of October, 2020.

I, Kara Sands, County Clerk of Nueces County and Ex-Officio Clerk of the Commissioners Court, do certify that the following Regular Meeting Minutes for October 7, 2020, are a true and correct record of the proceedings.

  
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Kara Sands, County Clerk  
and Ex-Officio Clerk of the  
Commissioners Court of Nueces County, Texas

