

REGULAR MEETING - OCTOBER 21, 2020

BE IT REMEMBERED, that on this the 21st 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:

1. CALL TO ORDER

- A. County Judge Canales 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 9:13 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 Rebecca Ramirez.
- E. **PUBLIC HEARING:**
 - 1. The Nueces County Commissioners Court will conduct a public hearing to solicit the input and the participation of its residents regarding proposed infrastructure improvements application(s) for the Texas General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) competition fund.
- F. **PUBLIC COMMENT: Was given by Maria Bedia and Heide Hovda.**
- G. 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; receive 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.
- H. Approve the following Minutes:
 - 1. The Court accepted Commissioners Court Minutes from October 7, 2020 and October 12, 2020.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Vote: 5 - 0 Approved

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

1. The Court recognized United Way 2020 Campaign Kickoff.

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

Vote: 5 - 0 Approved

J. Present the following Certificate(s) of Recognition:

1. Ceremony in honor of Anita Eisenhower.
2. Receive presentation and Certificate of Recognition from the Texas Historical Commission in honor of the Nueces County Historical Commission.

K. BOARD APPOINTMENTS:

1. Nueces County Civil Service Commission- Tony Abarca was appointed.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

2. CONSENT AGENDA:

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn

Motion: To approve Consent Agenda items A-B, C1-C20, D-G, I, and K.

Vote: 5 - 0 Approved

A. Authorize payment of bills - regular bill summaries dated September 29, 2020; October 02, 2020; October 09, 2020; October 13, 2020; and October 15, 2020.

B. Authorize payment of bills - manual check registers dated September 29, 2020, to October 12, 2020.

C. Authorize payment of bills - special motions list dated October 21, 2020.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: To table item 2.C.21 until next meeting on November 4, 2020.

D. Authorize payment of bills - group health insurance claims and fees by Boon Chapman dated for the month of September and October 6, 2020.

E. Approve Newsbank Contract for Nueces County Public Libraries, related to the provision of internet-based access to articles and videos for library patrons.

- F.** Accept for record purposes, the executed lease agreements for FY 2020-2021 at the Nueces County Airport:
1. T-1 Hangar - Bayne Horne
 2. T-10 Hangar - Bayne Horne
 3. T-15 Hangar - Thomas Perrigue
 4. T-19 Hangar - Josh Hopkins
 5. T-13 Hangar - Mark Rock
 6. T-16 Hangar - Guillermo Pliego
 7. T-17 Hangar - Guillermo Pliego

G. Approve the application procedure for the South Texas Water Authority.

H. The Court ratified the execution of the First Amendment to the Assignment and Assumption agreement between the Council for Adult and Experiential Learning, Inc. (CAEL) and Nueces County, in relation to the Inclusive Development Network (IDN) Corpus Christi/Nueces County Initiative.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Vote: 5 - 0 Approved

I. Authorize the execution of interlocal agreement with the Bishop Independent School District, designating a portion of County CARES Act funding allocation for technology equipment and services.

J. The Court ratified the agreement with BCFS Health and Human Services (HHS) Emergency Management Division (EMD) for Emergency Operations Exercises and Plans Development.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn

Vote: 5 - 0 Approved

K. The Court authorized the execution of agreement with Armor Correctional RFP No. 3137-20 Medical Services for Nueces County.

Motion by: Commissioner Gonzalez, Second by: Commissioner Vaughn
Commissioner Marez was not present for vote.

Vote: 4 - 0 Approved

L. The Court ratified the Letter of Engagement Letter with Ernest Garza for professional services audit on RFP No. 3137-20.

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

Vote: 5 - 0 Approved

M. The Court ratified the professional services agreement between Nueces County and with Brad Snyder d/b/a Snyder+Associates for COVID-19 Public Health Messaging Services Request.

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

Vote: 5 - 0 Approved

- N. Ratify agreement with Crosswind Media & Communications, LLC for promoting safe voting during the COVID-19 pandemic to increase voter confidence in the safety of the process. No action required.

3. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. The Court approved the adoption of a resolution authorizing the execution and delivery of an Equipment Lease/Purchase Agreement with respect to the acquisition, financing and leasing of certain personal property; authorizing the execution and delivery of documents required in connection therewith; and authorizing and prescribing other matters related thereto.

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

Vote: 5 - 0 Approved

2. The Court approved the Supplemental Agreement No.1 to professional services agreement with Lockwood, Andrews, and Newman (LAN) Engineering for design services related to Phase 2 for the I.B. Magee Stormwater Retention Pond and Public Access Elements.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Vote: 5 - 0 Approved

3. The Court approved the Interlocal Agreement for economic development services between Nueces County for the benefit of the Nueces County Industrial Commission a/k/a Nueces County Development Commission and the Port of Corpus Christi.

Motion by: Commissioner Marez, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

4. The Court approved a personal services contract with John Breier for purposes of providing services to the Nueces County Industrial Commission AKA Nueces County Development Commission related to their Economic Development Mission in Nueces County.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

5. The Court approved the request by the Nueces County Tax Assessor-Collector (NCTAC) to lease four Registration and Title Services (RTS) workstations from the Texas Department of Motor Vehicles (TXDMV).

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

6. The Court approved the request by the Nueces County Animal Services Advisory Board to make the Animal Services Department an independent County Department under the Nueces County Commissioners Court.

Motion by: Commissioner Gonzalez, Second by: Commissioner Marez

Vote: 4 - 1 Approved

Against: Commissioner Chesney

7. The Court approved the appointment of site selection committee for Nueces County Animal Services. Commissioner John Marez, Judge Barbara Canales, Juan Ramirez, a Board Member, and a member of Shelters of America.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Vote: 5 - 0 Approved

8. The Court approved the Election Day Vote Centers for the November 3, 2020, General Election; appoint and apportion Election Judges; appointment of election judges and apportionment of election judges for voting centers per commissioner precinct pursuant to Section 32.002 of the Texas Election Code.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez

Vote: 5 - 0 Approved

9. Discuss and consider approval of 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: County Judge Canales, Second by: Commissioner Chesney

Motion: Item tabled to next Court.

B. GRANTS

1. The Court authorized the submission of grant applications to the Texas General Land Office (GLO) for the Community Development Block Grant – Mitigation (CDBG-MIT) funding program, subject to changes necessary based on any public comment received.

Motion by: Commissioner Vaughn, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

2. The Court authorized the execution of a Memorandum of Agreement between Nueces County and the Port of Corpus Christi Authority of Nueces County, Texas, in relation to the Community Development Block Grant – Mitigation (CDBG-MIT) funding available through the Texas General Land Office (GLO).

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

3. The Court authorized the execution of a Memorandum of Agreement between Nueces County and the City of Robstown, in relation to the Community Development Block Grant – Mitigation (CDBG-MIT) funding available through the Texas General Land Office (GLO).

Motion by: Commissioner Marez, Second by: Commissioner Gonzalez

Vote: 5 - 0 Approved

4. The Court authorized the execution of a Memorandum of Understanding between Aransas County and Nueces County regarding a Community Development Block Grant - Mitigation (CDBG-MIT) application to fund the design and construction of a fiber optic loop.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn
Commissioner Gonzalez was not present for vote.

Vote: 4 - 0 Approved

C. PUBLIC WORKS

1. The Court authorized the Director of Public Works to issue a Notice to Proceed to ABM Building Services, LLC for the Energy Savings Performance Contract for Capital Improvement Program Projects.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez
Commissioner Gonzalez was not present for vote.

Vote: 4 - 0 Approved

D. PURCHASING

1. The Court awarded IFB No. 3129-20 Horace Caldwell Pier Observation Deck.

Motion by: Commissioner Vaughn, Second by: Commissioner Marez
Commissioner Gonzalez was not present for vote.

Vote: 4 - 0 Approved

E. AUDITOR

1. The Court approved the Budget Change Order No. 01 for Fiscal Year 2020-2021.

Motion by: Commissioner Chesney, Second by: Commissioner Marez

Vote: 5 - 0 Approved

2. The Court approved Capital Project Budget Change Order No. 89.

Motion by: Commissioner Marez, Second by: Commissioner Vaughn

Vote: 5 - 0 Approved

F. HUMAN RESOURCES

1. The Court approved 12.5 new positions for the Veteran's Cemetery.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez
Motion: Contingent upon funding from the State.

Vote: 5 - 0 Approved

2. Discuss and consider reclassifying two engineering positions in the Public Works department. Downgrade Principal Engineer position from a pay group 42 to a pay group 40. Upgrade the Construction Engineer position from a pay group 38 to a 40. Responsibilities will be shifted.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez
Motion: Item tabled.

3. Discuss and consider supplemental pay for Commissioner Assistant for County Commissioner Precinct 2 department, #1020.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez
Motion: Tabled to next meeting on November 4, 2020, or any Special Meeting in between.

4. EXECUTIVE SESSION: The Court convened into Executive Session at 1:59 p.m. and reconvened into Regular Session at 2:22 p.m.

- A. Consult with the County Attorney on Case No. 20-40050; *Diana Bond, Individually, as Representative/Heir of the Estate of Tami Bond and as next friend for A.R.B., a minor child v. Nueces County, Texas*; In the United States Court of Appeals for the Fifth Circuit; ratify the hiring of Brian Miller with Royston Rayzor to conduct oral argument at the Fifth Circuit Court of Appeals, approve engagement letter, and related matters.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez
County Judge Canales was not present for vote.

Vote: 4 - 0 Approved

- B. Consult with the County Attorney on Case No. 2:20-CV-00028; *Armando Carrillo, Individually and as Representative of the Estate of Daniel Emilio Carrillo, deceased, and Alicia Carrillo vs. Oliver Buendia, Marcus Lopez, Thomas Lowke, Jesus Galvan; Jose Rodriguez; and Nueces County, Texas*; In the United States District Court for the Southern District of Texas; regarding demand letter from Plaintiff's counsel, John Flood, mediation, and related matters.

No action required.

Vote: 5 - 0 Approved

5. CONVENE MEETING OF ROAD DISTRICT IV: The Court convened into Meeting of Road District IV at 12:37 p.m. and reconvened into Regular Session at 12:51 p.m.

- A. Discuss and consider \$400,000 transfer of funds from Road District IV to the Nueces County Road & Bridge Fund for the construction or maintenance of roads in Road District IV.

ADJOURN MEETING OF ROAD DISTRICT IV.

Motion by: Commissioner Chesney, Second by: Commissioner Vaughn
Motion: Contingent on providing additional information to Commissioner Gonzalez. Commissioner Marez was not present for vote.

Vote: 4 - 0 Approved

The Court was adjourned at 2:25 p.m. in memory of Stephen Donald Radcliff.

There being no further business to come before the Court, it is ordered that this meeting does now stand adjourned, this the 21st 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 21, 2020, are a true and correct record of the proceedings.



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

