

REGULAR MEETING - April 10, 2013

BE IT REMEMBERED, that on this the 10TH day of April, A.D., 2013, 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:

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|---------------------|------------------------------|
| SAMUEL L. NEAL, JR. | COUNTY JUDGE |
| MIKE PUSLEY | COMMISSIONER, PRECINCT NO. 1 |
| JOE A. GONZALEZ | COMMISSIONER, PRECINCT NO. 2 |
| OSCAR O. ORTIZ | COMMISSIONER, PRECINCT NO. 3 |
| JOE MCCOMB | COMMISSIONER, PRECINCT NO. 4 |

and Diana T. Barrera, County Clerk of Nueces County, Texas, wherein the following proceedings were had, to-wit:

1. CALL TO ORDER

- A.** County Judge Neal called for the Invocation by Pastor Kevin Jennings, Mt. Olive Lutheran Church, 5101 Saratoga Blvd., Corpus Christi, Texas.
- B.** County Judge Neal led the Pledge of Allegiance to the United States of America and Texas Flags.
- C.** A Patriotic musical presentation by the Sparkling City Quartet recognized County Government Month.
- D.** County Judge Neal called the roll at 9:00 a.m., and certified a quorum of the Court with all members present.

E. Approve the following Minutes:

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley
Motion: Approve the following Commissioners Court Minutes.

Vote: 5 - 0 Approved

- 1.** December 12, 2012.
- 2.** March 27, 2013.

F. Adopt the following Resolution(s) and/or Order(s):

- 1.** Proclaiming April 2013 as Child Abuse Prevention Month in Nueces County, Texas.

Motion by: Commissioner Pusley, Second by: Commissioner McComb
Motion: Adopt a Proclamation Proclaiming April 2013 as Child Abuse Prevention Month in Nueces County, Texas.

Vote: 5 - 0 Approved

2. Proclaiming May 11, 2013 as Lemonade Day in Nueces County.

Motion by: Commissioner Gonzalez, Second by: Commissioner McComb

Motion: Adopt a Resolution Proclaiming May 11, 2013 as Lemonade Day in Nueces County.

Vote: 5 - 0 Approved

2. **PUBLIC COMMENT** None.

3. **CONSENT AGENDA:**

- A. Authorize payment of bills - manual check registers dated April 2, 2013.
- B. Authorize payment of bills - regular bill summaries dated March 15, 2013; March 22, 2013; March 29, 2013; and April 5, 2013.
- C. Authorize payment of bills - group health insurance claims and fees - TPA Check Registers March 16, 2013 through March 21, 2013.
- D. Authorize payment of bills - special motions list dated April 10, 2013.
- E. Authorize payment of Pcard purchases for the month of: February 2013.
- F. Approve Personnel Actions of a budgeted nature:
 - a. Application Temporary List No. 332
 - b. Frozen List No. 039
 - c. Unfreeze List No. 660
 - d. Personnel Changes reports dated March 22, 2013 and March 29, 2013.
- G. Approve the following "Family Protection Fee" Contracts for FY 2012-2013:
 1. Ark Assessment Center & Emergency Shelter
 2. CASA - Court Appointed Special Advocates
 3. Family Counseling Service
 4. Nueces County Children's Advocacy Center
 5. Nueces County CPS Community Partners Board
 6. Women's Shelter
- H. Accept the following "Outside Agency" & "Diabetes" Report for FY 2011-2012:
 1. North Beach Community Association, (formerly Corpus Christi Beach Association)
- I. Approve the following "Outside Agency" Contracts for FY 2012-2013:
 1. Big Brothers Big Sisters - \$2,000
 2. Court Appointed Special Advocates (CASA) - \$750
 3. Corpus Christi Hispanic Chamber of Commerce - \$4,700
 4. Corpus Christi Metro Ministries - \$700
 5. Corpus Christi Regional Economic Development Corporation - \$8,500
 6. Nueces County CPS Community Partners Board - \$600
- J. Authorize execution of a Renewal and Extension Agreement for Professional Services with Justice Benefits, Incorporated (JBI).

- K. Authorize Sole Source purchase of annual software license and support from Hart InterCivic.
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Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

Motion: Approve Consent Agenda 3.A through 3.K.

Vote: 5 - 0 Approved

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. The Commissioners Court received a presentation from the American Red Cross on the 2013 Emergency Response Vehicle (ERV) ROAD-E-O held at the Richard M. Borchard Fairgrounds.
2. The Commissioners Court received a presentation from Barry Box, President/CEO of the Buccaneer Commission, on the 2013 Buc Days Pro Rodeo and the 2013 Wild West Week at the Richard M. Borchard Regional Fairgrounds.
3. Discuss and consider authorizing execution of Interlocal Agreement between the Regional Transportation Authority (RTA) and Nueces County providing for Street Improvement Program funding in an amount of \$93,767.00.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize execution of Interlocal Agreement between the Regional Transportation Authority (RTA) and Nueces County providing for Street Improvement Program funding in an amount of \$93,767.00.

Vote: 5 - 0 Approved

4. Discuss and consider approval of the 2013-2014 Budget Planning Calendar, and related matters.

Motion by: Commissioner McComb, Second by: Commissioner Pusley

Motion: Approve the 2013-2014 Budget Planning Calendar.

Vote: 5 - 0 Approved

B. GRANTS

1. Discuss and consider authorizing execution of Cost-Share Matching Funds Commitment and Space Match Requirements for the Better Living for Texans Reimbursement Program.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Authorize execution of Cost-Share Matching Funds Commitment and Space Match Requirements for the Better Living for Texans Reimbursement Program.

Vote: 5 - 0 Approved

2. Discuss and consider authorizing execution of a Grant Adjustment Notice and Terms and Conditions with the Texas Division of Emergency Management for the FY 2011 Operation Stonegarden grant award.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize execution of a Grant Adjustment Notice and Terms and Conditions with the Texas Division of Emergency Management for the FY 2011 Operation Stonegarden grant award.

Vote: 5 - 0 Approved

Motion by: Commissioner Gonzalez, Second by: Judge Neal

Motion: Approve discussion on the FY 2011 Operation Stonegarden grant.

Vote: 5 - 0 Approved

C. PURCHASING

1. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Aggregate Type B Grade 3, LRA and authorize the Purchasing Agent to publish a notice.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Authorize making a finding for the method of procurement (request for competitive bids) for Aggregate Type B Grade 3, LRA and authorize the Purchasing Agent to publish a notice.

Vote: 5 - 0 Approved

2. Discuss and consider making a finding for the method of procurement (request for competitive bids) for PJ Marina Improvements and authorize the Purchasing Agent to publish a notice.

Motion by: Commissioner McComb, Second by: Commissioner Pusley

Motion: Authorize making a finding for the method of procurement (request for competitive bids) for PJ Marina Improvements and authorize the Purchasing Agent to publish a notice.

Vote: 5 - 0 Approved

3. Discuss and consider authorizing Protect Mechanical to install a new Tower No. 1 gearbox support structure, gearbox, shaft and rotating assembly at the McKinzie Annex.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Authorize Protech Mechanical to install a new Tower No. 1 Gearbox support structure, gearbox, shaft and rotating assembly at the McKinzie Annex.

Vote: 5 - 0 Approved

D. AUDITOR

1. Approve Budget Change Order No. 12 for Fiscal Year 2012-2013.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Approve Budget Change Order No. 12 for Fiscal Year 2012-2013.

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 10:00 a.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 10:15 a.m.

- A. Discuss status of the suit of Maria Angela Vasquez v Nueces County, Texas.
- B. Discuss and consider release of Nueces County's Judgment Lien against Daniel E. Gerlach and authorize County Judge to sign the Release of Lien document for filing among the property records of Nueces County.

Motion by: Commissioner McComb, Second by: Commissioner Pusley

Motion: to authorize County Judge to Release Judgment Lien against Daniel E. Gerlach and to sign the Release of Lien document for filing among the property records of Nueces County.

Vote: 5 - 0 Approved

- C. Discuss and consider authorizing the hiring of Keith Sieczkowski and the firm Branscomb PC to represent Sheriff Jim Kaelin in his in Individual Capacity in lawsuits CA 2:12-CV-339, Cox v. Nueces County et al and CA 2:12-CV-341, Burnside v Nueces County et al.

Motion by: Commissioner McComb, Second by: Commissioner Gonzalez

Motion: Authorize the hiring of Keith Sieczkowski and the firm Branscomb PC to represent Sheriff Jim Kaelin in his Individual Capacity in lawsuits CA 2:12-CV-339, Cox v. Nueces County et al and CA 2:12-CV-341, Burnside v Nueces County et al.

Vote: 5 - 0 Approved

6. **BOARD APPOINTMENTS:**

- A. Nueces County MHMR Community Center Board.

| | McComb | Gonzales | Neal | Ortiz | Pusley | |
|------------------|--------|----------|------|-------|--------|-----------|
| Dolores Guerrero | x | x | x | x | x | Appointed |
| John M. Kelly | x | x | x | x | x | Appointed |
| Carlos Vargas | | x | | | | |
| John E. Jackson | x | x | x | x | x | Appointed |
| Pamela L. Brower | x | | x | x | x | Appointed |

Vote: 5 - 0 Approved

The Court was adjourned at 10:20 a.m. in memory of Jane Ratliff, George Pledger, Robert (Bob) Woolsey, Raymond Rabalais, Roy Gillespie, Hector Lopez, Sr., Enrique Yopez, Ryan Garcia, Dr. Juan Francisco Huerta, Fred Muniz, Jesse Garcia, Rebecca Reese Barrera. 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 do now stand adjourned, this the day 10th of April, 2013.