

I, Diana T. Barrera, County Clerk of Nueces County, do hereby certify that the following Commissioners Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting on April 30, 2013.

Diana T. Barrera

Diana T. Barrera, County Clerk
and Ex-Officio Clerk of the
Commissioners Court of
Nueces County, Texas



Samuel L. Neal, Jr., County Judge
Nueces County, Texas

REGULAR MEETING - April 30, 2013

BE IT REMEMBERED, that on this the 30th 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:

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 Tyner Little.
- B. County Judge Neal led the Pledge of Allegiance to the United States of America and Texas Flags.
- C. County Judge Neal called the roll at 9:00 a.m., and certified a quorum of the Court with all members present.
- D. Approve the following Minutes:

Motion by: Commissioner McComb, Second by: Commissioner Pusley

Motion: Approve the following Commissioners Court Minutes:

Vote: 5 - 0 Approved

- 1. April 10, 2013.
- 2. April 17, 2013.
- E. Adopt the following Resolution(s) and/or Order(s):
 - 1. 30th year of TXU Energy Aid Program.*

***the media and public are invited to attend a press conference at 10:30 a.m., outside the doors of the Commissioners Courtroom, 3rd floor, Nueces County Courthouse, 901 Leopard, Corpus Christi, Texas.**

Motion by: Commissioner Ortiz, Second by: Commissioner Pusley

Motion: Adopt a Resolution recognizing TXU Energy on the 30th Anniversary of TXU Energy Aid.

Vote: 5 - 0 Approved

2. National Children's Mental Health Week - May 5 - 11, 2013.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Adopt a Resolution Proclaiming National Children's Mental Health Week - May 5 - 11, 2013.

Vote: 5 - 0 Approved

3. "Law Day" in Nueces County - May 10, 2013.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Adopt a Resolution Proclaiming May 10, 2013 as Law Day in Nueces County.

Vote: 5 - 0 Approved

4. Honoring Wilmerine Howard on her 99th Birthday.

Motion by: Commissioner Gonzalez, Second by: Commissioner McComb

Motion: Adopt a Proclamation Honoring Wilmerine Howard on her 99th Birthday.

Vote: 5 - 0 Approved

- F. The Commissioners Court received an update on the 83rd Session of the Texas Legislature.

2. **PUBLIC COMMENT:** None.

3. **CONSENT AGENDA:**

- A. Authorize payment of bills - manual check registers dated April 23, 2013.
- B. Authorize payment of bills - regular bill summaries dated April 12, 2013B; April 15, 2013; April 19, 2013; and April 26, 2013.
- C. Authorize payment of bills - special motions list dated April 30, 2013.
- D. Authorize payment of Pcard purchases for the month of March 2013.
- E. Approve Personnel Actions of a budgeted nature:
 - a. Application Temporary List No. 334
 - b. Frozen List No. 041
 - c. Unfreeze List No. 662
 - d. Personnel Changes reports dated April 12, 2013 and April 19, 2013.
- F. Accept the following "Outside Agency" Reports for FY2011-2012:
 1. Corpus Christi Black Chamber of Commerce.
 2. Gulf Coast Council of La Raza.
- G. Approve the following actions on "Outside Agency" contracts:
 1. Rescind contract with Al Amin Shrine Center approved by Commissioners Court March 27, 2013; approve revised contract.
 2. Approve Corpus Christi Black Chamber of Commerce contract.
 3. Approve Gulf Coast Council of La Raza contract.

- H. Authorize execution of the agreement with SWAGIT Productions, LLC for video streaming services for scheduled meetings of the Commissioners Court.
- I. Authorize/Execute Amendment No. 2 to agreement between Nueces County and Ergon Asphalt & Emulsions, Inc. extending the term of 12 months for IFB No. 2888-11 HFRS-2 Emulsified Asphalt.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley
Motion: Approve 3.A thru 3.I with the exception of 3.H.

Vote: 5 - 0 Approved

Motion by: Judge Neal, Second by: Commissioner McComb
Motion: Table 3.H.

Vote: 5 - 0 Approved

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. The Commissioners Court received a presentation from Ronnie Canales and Robert Cenci of the Nueces County Appraisal District on the 2013 property valuation outlook.
2. Discuss and consider approval of proposed 2012 and 2013 projects to be funded under the Regional Transportation Authority (RTA) Street Improvement Program.

Motion by: Commissioner Gonzalez, Second by: Commissioner McComb
Motion: Approve proposed 2012 and 2013 projects to be funded under the Regional Transportation Authority (RTA) Street Improvement Program.

Vote: 5 - 0 Approved

3. Discuss and consider approval of Change Order No. 1 for an increase of \$22,920.60 to HSC Electric Company for Bob Hall Pier Kitchen Renovations.

Motion by: Commissioner McComb, Second by: Commissioner Pusley
Motion: Authorize approval of Change Order No. 1 for an increase of \$22,920.60 to HSC Electric Company for Bob Hall Pier Kitchen Renovations.

Vote: 5 - 0 Approved

B. HEALTH DEPARTMENT

1. Discuss and consider approval of a contract amendment between the Corpus Christi-Nueces County Public Health District and the Department of State Health Services (DSHS) providing for breast and cervical cancer screening; authorize Annette Rodriguez, M.P.H., Director of the Corpus Christi-Nueces County Public Health District, to sign on behalf of Nueces County.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Approve a contract amendment between the Corpus Christi-Nueces County Public Health District and the Department of State Health Services (DSHS) providing for breast and cervical cancer screening; authorize Annette Rodriguez, M.P.H., Director of the Corpus Christi-Nueces County Public Health District, to sign on behalf of Nueces County.

Vote: 5 - 0 Approved

C. GRANTS

1. Discuss and consider authorizing submission of a grant application to the Bureau of Justice Assistance (BJA) under the FY2013 State Criminal Alien Assistance Program (SCAAP) for reimbursement of costs related to incarcerating undocumented criminal aliens.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

Motion: Authorize submission of a grant application to the Bureau of Justice Assistance (BJA) under the FY2013 State Criminal Alien Assistance Program (SCAAP) for reimbursement of costs related to incarcerating undocumented criminal aliens.

Vote: 5 - 0 Approved

2. Ratify the submission of a grant project proposal to the Coastal Bend Council of Governments for the FY2013 State Homeland Security Program (SHSP).

Motion by: Judge Neal, Second by: Commissioner McComb

Motion: Ratify the submission of a project proposal for the FY2013 Homeland Security Grant.

Vote: 5 - 0 Approved

D. PURCHASING

1. Discuss and consider making a finding for the method of procurement (request for proposals) for a Primary Network Service, Pharmacy Benefit Management (PBM), and Wellness program for the Nueces County Employee Self-Funded Group Health program; authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Authorize making a finding for the method of procurement (request for proposals) for a Primary Network Service, Pharmacy Benefit Management (PBM), and Wellness program for the Nueces County Employee Self-Funded Group Health program; authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.

Vote: 5 - 0 Approved

E. PUBLIC WORKS

1. Discuss and consider approving publication of a Public Hearing notice pursuant to Section 251.013 of the Transportation Code for the renaming of a section of River Trail Drive.

Motion by: Commissioner Pusley, Second by: Judge Neal

Motion: Approve publication of a Public Hearing notice pursuant to Section 251.013 of the Transportation Code for the renaming of a section of River Trail Drive.

Vote: 5 - 0 Approved

F. AUDITOR

1. Approve Budget Change Order No. 14 for Fiscal Year 2012-2013.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Approve Budget Change Order No. 14 for Fiscal Year 2012-2013.

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 10:20 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 10:40 a.m.

- A. Discuss status of Cause No. 2:12-CV-118, Edwin Gus Schneider v Jim Kaelin et al.
- B. Discuss and consider status of Cause No. 09-5990-C, San Patricio County, Texas v Nueces County, Texas and Nueces County Appraisal District, in the 94th Judicial District Court of Nueces County, Texas, and related matters.
- C. Discuss and consider status of Civil Action No: 2:12-cv-45, Maria Angela Vasquez v Nueces County, Texas, in the United States District Court for the Southern District of Texas (Corpus Christi Division) and related matters.
- D. Discuss and consider remedies of Nueces County against Barbara Jones DBA Rock n Roll Café, pursuant to Courthouse Coffee Shop Contract No. 20110257 RFP 2897-11, and related matters.

Motion by: Judge Neal, Second by: Commissioner McComb

Motion: Authorize County Attorney's Office to send a letter for immediate termination of the contract.

Vote: 4 - 0 Approved

Other: Commissioner Gonzalez (Absent)

6. **BOARD APPOINTMENTS:**

- A. Regional Health Awareness Board.

Motion by: Judge Neal, Second by: Commissioner McComb

Motion: Reappoint Wesley Stafford to Place 3 for a term to end January, 2016.

Vote: 5 - 0 Approved

The Court was adjourned at 10:43 a.m. in memory of Perry Calvin, Estelle Sawyer and Linda De Los Santos. 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 30th of April, 2013.