

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 June 19, 2013.



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 - June 19, 2013

BE IT REMEMBERED, that on this the 20th day of June, A.D., 2012, 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 calls for the Invocation by Deacon Nolte, Diocese of Corpus Christi, Texas.
- B.** County Judge Neal introduced Boy Scouts of America who 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 Gonzalez, Second by: Commissioner Ortiz
Motion: Approve the following Commissioners Court Meeting Minutes:

Vote: 5 - 0 Approved

1. May 22, 2013.

2. May 29, 2013.

- E.** Adopt the following Resolution(s) and/or Order(s):

- 1. Recognizing Rocky Freund and the Nueces River Authority.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez
Motion: Recognized Rocky Freund and the Nueces River Authority.

Vote: 5 - 0 Approved

2. Recognizing Tim McWha and the Nueces River Preservation Association.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Recognized Tim McWha and the Nueces River Preservation Association.

Vote: 5 - 0 Approved

3. Recognizing George Smith and Boy Scouts of America Troop 52, Troop 65, Troop 73 and Pack 73.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Recognized George Smith and Boy Scouts of America Troop 52, Troop 65, Troop 73 and Pack 73.

Vote: 5 - 0 Approved

4. Declaring June 21, 2013 as "Nueces County Coastal Parks Day."

Motion by: Commissioner McComb, Second by: Commissioner Gonzalez

Motion: Declared June 21, 2013 as "Nueces County Coastal Parks Day."

Vote: 5 - 0 Approved

F. Workshop:

1. Elsa Saenz, Purchasing Agent, presented a proposal to use vending machines for food service in the Courthouse café area. Discussion followed.
2. Steve Waterman, Director of Commissioners Court Administration, discussed the possibility of relocating the Human Services Department and Veteran's Services Department to the Regional Transit Authority's New Customer Service Center.

2. PUBLIC COMMENT: None

3. CONSENT AGENDA:

- A.** Authorize payment of bills - manual check registers dated June 11, 2013.
- B.** Authorize payment of bills - regular bill summaries dated May 24, 2013 B; May 31, 2013; June 7, 2013; and June 14, 2013.
- C.** Authorize payment of bills - group health insurance claims and fees - TPA check registers May 1 - 31, 2013.
- D.** Authorize payment of bills - special motions list dated June 19, 2013.
- E.** Authorize payment of Pcard purchases for the month of April, 2013.
- F.** Approve and accept donations (list attached) to the county in accordance with LGC 81.032.

- G.** Approve personnel actions of a budgeted nature:
- a. Application Temporary List No. 337
 - b. Frozen List No. 044
 - c. Unfreeze List No. 665
 - d. Personnel Changes reports dated May 24, 2013, May 31, 2013, and June 7, 2013.
- H.** Accept the following "Outside Agency" Reports for FY 2011-2012:
1. Coastal Bend Wellness Foundation (formerly Coastal Bend Aids Foundation)
 2. Corpus Christi Visitors Bureau
 3. Port Aransas Chamber of Commerce
 4. Refuge of Hope
- I.** Approve the following "Diabetes" Contract:
1. National Association for the Advancement of Colored People-\$600.00
- J.** Approve the following "Outside Agency" Contracts for FY 2012-2013:
1. American Red Cross Coastal Bend-Texas Chapter - \$700
 2. Amistad Community Health Center - \$1,000
 3. Coastal Bend Wellness Foundation - \$600
 4. Corpus Christi Visitors Bureau - \$1,000
 5. Port Aransas Chamber of Commerce - \$1,000
 6. Refuge of Hope - \$1,500
- K.** Designate the Tax Assessor-Collector as the official to calculate the tax rate, the rollback rate, and the notice-and-hearing limit, in accordance with Chapter 2 of the Texas Tax Code.
- L.** Approve Amendment No. 1 to Motor Vehicle License Point of Sale Sticker Lease with AN Corpus Christi T Imports, LP dba Champion Toyota.
- M.** Approve Amendment No. 2 to Motor Vehicle License Point of Sale Sticker Lease with Charlie Thomas Courtesy Ford, Ltd.
- N.** Accept an executed addendum by the Juvenile Board for a second 1-year extension of IFB No. 2855-10 Multisystemic Therapy Family Preservation Program Services contract with Liberty Resources.
- O.** Accept a donation from the General Land Office of two "Mobi-Mat RecPaths" valued at \$8,000.
- P.** Approve the application procedure for appointment to the following Advisory Boards:
- a. Regional Health Awareness Board;
 - b. Citizen's Advisory Board on Health & Welfare.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley
Motion: Approve Agenda Items A thru P with the exception of Agenda Item O.

Vote: 5 - 0 Approved

Motion by: Commissioner McComb, Second by: Commissioner Gonzalez
Motion: Approve Agenda Item O.

Vote: 5 - 0 Approved

4. REGULAR AGENDA:

A. AGENDA ITEMS

1. Received a presentation from the Nueces County Risk Manager, Lance Esswein, concerning the 2012 Texas Association of Counties (TAC) Safety Award.
2. Received a presentation from District Clerk Chief Deputy, Gerald Garza, and Information Technology Director, Michael Biddle, regarding the implementation of the new TexFile eFiling project.
3. Received an update from Tyner Little, Governmental Affairs, on the 83rd Texas Legislative Session, including House Bill 1357, Senate Bill 1035, and Senate Bill 1510, and matters related to Water Development and Transportation.
4. Discuss and consider authorizing the County Judge to execute an Airport Project Participation Agreement between the Texas Department of Transportation and Nueces County related to the implementation of improvements to the Nueces County Airport.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Authorize the County Judge to execute an Airport Project Participation Agreement between the Texas Department of Transportation and Nueces County related to the implementation of improvements to the Nueces County Airport.

Vote: 5 - 0 Approved

5. Discuss and consider execution of Interlocal Cooperation Agreement between the City of Corpus Christi, the Regional Transportation Authority, the County of Nueces, and the City of Driscoll for the Radio Communications System.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Authorize the execution of Interlocal Cooperation Agreement between the City of Corpus Christi, the Regional Transportation Authority, the County of Nueces, and the City of Driscoll for the Radio Communications System.

Vote: 5 - 0 Approved

6. Discuss and consider execution of Interlocal Cooperation Agreement between the City of Corpus Christi, the County of Nueces, and the City of Driscoll for Consolidated Emergency Dispatch Center Services (MetroCom).

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize the execution of Interlocal Cooperation Agreement between the City of Corpus Christi, the County of Nueces, and the City of Driscoll for Consolidated Emergency Dispatch Center Services (MetroCom).

Vote: 5 - 0 Approved

7. Discuss and consider adopting a resolution authorizing the County Judge to execute an agreement between the Texas Department of Transportation and Nueces County related to the County's contribution of Right of Way funding for improvements to FM 43 (Weber Road).

Motion by: Judge Neal, Second by: Commissioner Ortiz

Motion: Adopt a resolution authorizing the County Judge to execute an agreement between the Texas Department of Transportation and Nueces County related to the County's contribution of Right of Way funding for improvements to FM 43 (Weber Road).

Vote: 5 - 0 Approved

8. Discuss and consider adopting a resolution authorizing the County Judge to execute an agreement between the Texas Department of Transportation and Nueces County related to the County's contribution of Right of Way Funding for improvements to FM 2444 (So. Staples).

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Adopt a resolution authorizing the County Judge to execute an agreement between the Texas Department of Transportation and Nueces County related to the County's contribution of Right of Way Funding for improvements to FM 2444 (So. Staples).

Vote: 5 - 0 Approved

9. Discuss and consider approving a Memorandum of Understanding between the City of Corpus Christi and Nueces County related to working collaboratively in determining whether aerial spraying should be used to combat the spread of the West Nile virus.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Approve a Memorandum of Understanding between the City of Corpus Christi and Nueces County related to working collaboratively in determining whether aerial spraying should be used to combat the spread of the West Nile virus.

Vote: 5 - 0 Approved

10. Discuss and consider requiring all Volunteers and Reserve Officers to sign an Acknowledgment, Waiver and Release Agreement prior to providing service to Nueces County.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Require that all Volunteers and Reserve Officers sign an Acknowledgment, Waiver and Release Agreement prior to providing service to Nueces County.

Vote: 5 - 0 Approved

B. GRANTS

1. Authorize execution of an Interlocal Agreement between Nueces County and the City of Corpus Christi for the purpose of the Edward Byrne Memorial Justice Assistance Grant Program FY2013 Local Solicitation Award.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Authorize execution of an Interlocal Agreement between Nueces County and the City of Corpus Christi for the purpose of the Edward Byrne Memorial Justice Assistance Grant Program FY2013 Local Solicitation Award.

Vote: 5 - 0 Approved

C. PUBLIC WORKS

1. Discuss and consider approval of Supplemental Agreement No. 1 to an Engineering Services Contract with International Consulting Engineers.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

Motion: Approve the Supplemental Agreement No. 1 to an Engineering Services Contract with International Consulting Engineers.

Vote: 5 - 0 Approved

D. PURCHASING

1. Discuss/Award RFP No. 2926-13 Maintenance Services for Chillers.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Award RFP No. 2926-13 Maintenance Services for Chillers to Protech Mechanical, Inc.

Vote: 5 - 0 Approved

2. Discuss/Award IFB No. 2927-13 Upper Oso Watershed Water Quality Improvement and Habitat Education Project.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Award IFB No. 2927-13 Upper Oso Watershed Water Quality Improvement and Habitat Education Project to SafeNet Services, LLC.

Vote: 5 - 0 Approved

3. Discuss/Award IFB No. 2929-13 Armored Car Service. No action.

4. Discuss/Award IFB No. 2930-13 Motor Oil & Lubricants.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Award IFB No. 2930-13 Motor Oil & Lubricants to Arguindegui Oil Co, II, Ltd, Quality Standard Petroleum, and Sun Coast Resources, Inc.

Vote: 5 - 0 Approved

5. Discuss/Award IFB No. 2931-13 Aggregate Type B, Grade 3, LRA (Limestone Rock Asphalt).

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Reject Award IFB No. 2931-13 Aggregate Type B, Grade 3, LRA (Limestone Rock Asphalt).

Vote: 5 - 0 Approved

6. Authorize TASB BuyBoard State Contract No. 358-10 purchase of a Chevrolet Silverado Truck from Caldwell County for Vector Control; a 2005 Ford truck will be traded-in.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize TASB BuyBoard State Contract No. 358-10 purchase of a Chevrolet Silverado Truck from Caldwell County for Vector Control; a 2005 Ford truck will be traded-in.

Vote: 5 - 0 Approved

7. Authorize the purchase of a metal storage building and a beam and slab foundation from ICE-International Consulting Engineers for the Hilltop Community Center.

8. Discuss and consider a proposal from Custom Food Group for vending machines in the Courthouse café area.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Authorize a proposal from Custom Food Group for vending machines in the Courthouse café.

Vote: 5 - 0 Approved

9. Discuss and consider authorizing TASB BuyBoard State Contract No. 358-10 purchase of a Tahoe from Caldwell County for the Office of Emergency Management.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Authorize TASB BuyBoard State Contract No. 358-10 purchase of a Tahoe from Caldwell County for the Office of Emergency Management.

Vote: 5 - 0 Approved

10. Discuss and consider making a finding for the method of procurement of Group Term Life Insurance (Texas Local Government Code section 262.030 - Request for Proposals); authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.

Motion by: Judge Neal, Second by: Commissioner Ortiz

Motion: Authorize making a finding for the method of procurement of Group Term Life Insurance (Texas Local Government Code section 262.030 - Request for Proposals); authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.

Vote: 5 - 0 Approved

E. AUDITOR

- 1.** Approve Budget Change Order No. 17 for FY 2012-2013.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Approve Budget Change Order No. 17 for FY 2012-2013.

Vote: 5 - 0 Approved

- 2.** Authorize and approve Monthly Financial Report for April, 2013.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Authorize and approve Monthly Financial Report for April, 2013.

Vote: 5 - 0 Approved

- 3.** Authorize and approve Quarterly Investment Report ending March 31, 2013.

Motion by: Commissioner Ortiz, Second by: Commissioner Pusley

Motion: Authorize and approve Quarterly Investment Report ending March 31, 2013.

Vote: 5 - 0 Approved

- 4.** Receive report and management letter from the outside auditor, Ernest R. Garza, CPA, on the audit for the fiscal year ended September 30, 2012.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Received report and management letter from the outside auditor, Ernest R. Garza, CPA, on the audit for the fiscal year ended September 30, 2012.

Vote: 5 - 0 Approved

- 5. EXECUTIVE SESSION: PUBLIC NOTICE:** EXECUTIVE SESSION: The Commissioners Court entered into executive session at 12:15 p.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 12:25 p.m.

- A.** Discuss and consider claim of Eloy Nunez regarding May 18, 2012 incident.

Motion by: Judge Neal, Second by: Commissioner McComb

Motion: Deny claim regarding Eloy Nunez.

Vote: 5 - 0 Approved

- B. Discuss and consider release of Judgment Lien against Defendant/Surety Joseph Cheffo and authorize County Judge to sign Release of Lien document.

Motion by: Judge Neal, Second by: Commissioner McComb

Motion: Authorize County Judge to sign Release of Lien document against Joseph Cheffo.

Vote: 5 - 0 Approved

- C. Consult with County Attorney on status of lawsuit, CA 2:13-cv-00026, Cheek et al v. Nueces County et al.
No action.

6. BOARD APPOINTMENTS:

- A. Citizen's Advisory Board on Health & Welfare.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

Motion: Approve reappointment of the four applicants for two-year terms; consider reopening the board for applications for the remaining position:

Applicants are:

Pamela Brouillard, PhD.

Dr. Tony Diaz,

Belinda Flores, RN,

Sandra S. Heatherley.

Vote: 5 - 0 Approved

- B. Port of Corpus Christi Authority of Nueces County.

	McComb	Gonzalez	Neal	Ortiz	Pusley		
Kenneth Berry							
Barbara Canales	x	x		x		Nominated	Appointed
David Engel			x		x	Nominated	
Alex Garcia Jr							
Robert Gulley							
Alex Harris							
Reynaldo Madrigal							

Vote: 5 - 0 Approved

The Court was adjourned at 12:30 p.m. in memory of James Daniel Garza, Ola V. Tryon, Lynn Lee Dugger, Maria Velasquez Chapa, Gilberto Molina, Pearl Jean Lindsey Downey, Miguel Garcia, Basilla R. Rodriguez. 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 19th day of June, 2012.