

DRAFT

REGULAR MEETING - January 22, 2014

BE IT REMEMBERED, that on this the 22nd day of January, A.D., 2014, 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 Pastor Scott McDonald, Corpus Christi Community Church, 4833 Saratoga #25, Corpus Christi, Texas.
- 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 Gonzalez, Second by: Commissioner McComb

Motion: Approve the following Commissioners Court Minutes:

Vote: 5 - 0 Approved

- 1. January 8, 2014

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

- 1. In support of requesting the Texas Commission on Environmental Quality (TCEQ) to adopt language in the environmental flow standards for the Nueces River Basin to clarify that rules are to be applied prospectively and not affect existing water rights.

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Adopt a Resolution in support of requesting the Texas Commission on Environmental Quality (TCEQ) to adopt language in the environmental flow standards for the Nueces River Basin to clarify that rules are to be applied prospectively and not affect existing water rights.

Public Comment: Brent Clayton, City of Corpus Christi.

Vote: 5 - 0 Approved

2. PUBLIC COMMENT: Abel Alonzo.

3. APPOINTMENT: Discuss and consider appointment of County Court at Law No. 5 Judge pursuant to Section 25.0009 of the Texas Government Code, and related matters.

	McComb	Gonzalez	Neal	Ortiz	Pusley	Nominated
Martha Huerta						
James Lawrence						
Timothy McCoy						
Douglas Norman						
Linda R Schauer						
Norm Thomas		x				
Adam Rodrigue						
Amanda Torres	x		x	x	x	x
Melissa Madrigal						
Coretta Graham						
Scott Lemanski						

Motion: Appoint Amanda Torres to serve the remaining term of County Court at Law No. 5 position through the end of December.

Vote: 4 - 1 Approved

Against: Commissioner Gonzalez

4. CONSENT AGENDA:

- A.** Authorize payment of bills - manual check registers dated January 14, 2014.
- B.** Authorize payment of bills - regular bill summaries dated January 3, 2014 B; January 10, 2014 B; and January 17, 2014.
- C.** Authorize payment of bills - special motions list dated January 22, 2014.

- D. Authorize payment of bills - group health insurance claims and fees: TPA checks December 1, 2013 to December 31, 2013.
- E. Approve the monthly revenue reports in accordance with LGC 114.044 - November 2013.
- F. Approve personnel actions of a budgeted nature:
 - a. Unfreeze List No. 679
 - b. Personnel Changes reports dated January 3, 2014 and January 10, 2014.
- G. Accept the "Family Protection Fee" and "Outside Agency" Report for FY 2012/2013 from Nueces County CPS Community Partners Board.
- H. Approve the "Outside Agency" FY 2013-2014 Contract for Nueces County CPS Community Partners Board - \$500.
- I. Authorize/Execute a contract with Integrity Communications, Ltd. for IFB 2941-13 Hangar No. 1 Nueces County Williams Hangar.
- J. Authorize/Execute a contract with EPIC Aviation, LLC. for IFB 2947-13 Aviation Fuel for Nueces County Airport.
- K. Approve application procedure for appointment to the Nueces County Emergency Services District No. 3 and Nueces County Library Advisory Board.
- L. Ratify approval of a grant agreement accepting an award from the Texas Department of Agriculture Home-Delivered Meal Grant Program.
- M. Ratify the submission of a grant application for the Texas Veterans Commission Fund for Veterans' Assistance Grant Program.

Motion by: Commissioner Ortiz, Second by: Commissioner McComb

Motion: Approve Consent Agenda 4.A-4.n with the exception of 4.I.

Vote: 5 - 0 Approved

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Consent Agenda Item 4.I tabled.

Vote: 5 - 0 Approved

5. REGULAR AGENDA:

A. AGENDA ITEMS

- 1. After due notice and a public hearing conducted on December 19, 2013, the Commissioners Court will discuss and consider taking action regarding the adoption of an order creating one or more County Energy Transportation Reinvestment Zone(s), pursuant to Section 222.1071 of the Texas Transportation Code.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

Motion: Table Agenda Item.

Vote: 2 - 3 Rejected

For: Commissioner Gonzalez

Commissioner Ortiz

Motion by: Commissioner Pusley, Second by: Commissioner McComb

Motion: Adopt an Order Authorizing the creation of a County Energy Transportation Reinvestment Zone known as the Nueces County Energy Transportation Reinvestment Zone No. 1 - "Energy Transportation Area."

Vote: 4 - 1 Approved

Against: Commissioner Ortiz

2. The Commissioners Court received a report and update from the County Auditor on the migration to Sungard Public ONESolution.
3. Discuss and consider approval of Grant Adjustment Notice No. 4 from the Homeland Security Grant Program for Operation Stonegarden; ratify approval of Grant Adjustment Notice No. 3 dated December 3, 2013.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize approval of Grant Adjustment Notice No. 4 from the Homeland Security Grant Program for Operation Stonegarden; ratify approval of Grant Adjustment Notice No. 3 dated December 3, 2013.

Vote: 5 - 0 Approved

4. The Commissioners Court received a presentation from the Nueces County Sheriff's Office (NCSO), Director of Training, on the NCSO Training Academy.

B. GRANTS

1. Discuss and consider adopting a resolution authorizing the submission of a grant application to the Office of the Governor of the State of Texas, Criminal Justice Division, for Juvenile Alternative Program – Grant No. 2315205.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Adopt a resolution authorizing the submission of a grant application to the Office of the Governor of the State of Texas, Criminal Justice Division, for Juvenile Alternative Program – Grant No. 2315205.

Vote: 5 - 0 Approved

2. Discuss and consider acceptance of a grant award from the Gulf of Mexico Sea Grant Program for the Mustang and North Padre Island Tide Survey project.

Motion by: Commissioner McComb, Second by: Commissioner Gonzalez

Motion: Accept a grant award from the Gulf of Mexico Sea Grant Program for the Mustang and North Padre Island Tide Survey project.

Vote: 5 - 0 Approved

3. Discuss and consider submission of a grant application to the Texas Book Festival for the 2014 Technology Grant.

Motion by: Commissioner Gonzalez, Second by: Judge Neal

Motion: Authorize submission of a grant application to the Texas Book Festival for the 2014 Technology Grant.

Vote: 5 - 0 Approved

4. Discuss and consider submission of a grant application to the Texas Book Festival for the 2014 Literacy Initiative Grant.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

Motion: Authorize submission of a grant application to the Texas Book Festival for the 2014 Literacy Initiative Grant.

Vote: 5 - 0 Approved

5. Discuss and consider submission of a project proposal to the Coastal Bend Bays and Estuaries Program (CBBEP) for consideration of grant funding for the Nueces County Barrier Island Habitat Management Master Plan project.

Motion by: Commissioner McComb, Second by: Commissioner Pusley

Motion: Authorize submission of a project proposal to the Coastal Bend Bays and Estuaries Program (CBBEP) for consideration of grant funding for the Nueces County Barrier Island Habitat Management Master Plan project.

Vote: 5 - 0 Approved

6. Discuss and consider submission of an application to the Environmental Protection Agency (EPA) for an Environmental Education Grant.

Motion by: Commissioner McComb, Second by: Commissioner Ortiz

Motion: Table Agenda Item.

Vote: 5 - 0 Approved

C. PURCHASING

1. Discuss and consider making a finding for the method of procurement (request for proposals) for fabrication and installation of hurricane shutters at the County Courthouse Office of Emergency Management, Keach Family Library, and Richard M. Borchard Fairgrounds Conference Center; 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 (request for proposals) for fabrication and installation of hurricane shutters at the County Courthouse Office of Emergency Management, Keach Family Library, and Richard M. Borchard Fairgrounds Conference Center; authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.

Vote: 5 - 0 Approved

2. Authorize TASB BuyBoard State Contract No. 358-10 purchase of two Chevrolet 2500HD Silverado Trucks for Public Works from Caldwell Country.

Motion by: Commissioner Ortiz, Second by: Commissioner Pusley

Motion: Authorize TASB BuyBoard State Contract No 358-10 purchase for Public Works from Caldwell Country for two Chevrolet 2500HD Silverado Truck's.

Vote: 5 - 0 Approved

3. Authorize the purchase of Courthouse security cameras from Dynamark Security Centers.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

Motion: Authorize the purchase of Courthouse security cameras from Dynamark Security Centers.

Vote: 5 - 0 Approved

4. Authorize the purchase of construction services from LNV, Inc. for remodeling an area of the Calderon Building for use by the Tax Assessor-Collector's Office.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

Motion: Authorize the purchase of construction services from LNV, Inc. for remodeling an area of the Calderon Building for use by the Tax Assessor-Collector's Office.

Vote: 5 - 0 Approved

D. AUDITOR

1. Approve Budget Change Order No. 6 for Fiscal Year 2013-2014.

Motion by: Judge Neal, Second by: Commissioner Ortiz

Motion: Approve Budget Change Order No. 6 for Fiscal Year 2013-2014.

Vote: 5 - 0 Approved

2. Receive and approve Quarterly Investment Reports for periods ending June 30, 2013 and September 30, 2013.

Motion by: Commissioner Ortiz, Second by: Commissioner Gonzalez

Motion: Approve Quarterly Investment Reports for periods ending June 30, 2013 and September 30, 2013.

Vote: 5 - 0 Approved

3. Discuss and consider approving the Federal Equitable Sharing Agreement and Certification for Nueces County Sheriff's Department.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

Motion: Approve the Federal Equitable Sharing Agreement and Certification for Nueces County Sheriff's Department.

Vote: 5 - 0 Approved

4. Discuss and consider reclassifying one Community Services Cook Helper position, Pay Group/Step 11/1, to a Custodian position, Pay Group/Step 11/1; and unfreeze the reclassified position.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Reclassify one Community Services Cook Helper position, Pay Group/Step 11/1, to a Custodian position, Pay Group/Step 11/1; and unfreeze the reclassified position.

Vote: 5 - 0 Approved

6. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 11:05 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 11:45.

- A. Discuss results of physical security audit conducted on the Juvenile Justice Center; authorize purchase of security devices to upgrade and enhance the overall security of the facility.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Accept results of physical security audit conducted on the Juvenile Justice Center; authorize purchase of security devices to upgrade and enhance the overall security of the facility.

Vote: 5 - 0 Approved

- B. Meet with County Attorney to discuss and consider status of Cause No. 09-05990-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. No action.

7. **BOARD APPOINTMENTS:**

- A. County Court-at-Law Judge position on the Nueces County Bail Bond Board.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Table.

Vote: 5 - 0 Approved

8. **BOND:** Approve Bond for the Judge of County Court at Law No. 5, pursuant to Sections 25.0006(a) and 26.001 of the Texas Government Code.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Approved Bond for the Judge of County Court at Law No. 5, pursuant to Sections 25.0006(a) and 26.001 of the Texas Government Code.

Vote: 5 - 0 Approved

The Court was adjourned at 11:49 a.m. in memory of Marty Mills, Bill Woodhouse, Helio L. Perez, Raul Luna Valdez, Carmen Rodriguez Rosales, Guadalupe "Wally" Rodriguez, Josefina "Josie" Mejia; Trinidad "Trine" Carrington Guerra. 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 22nd of January, 2014.