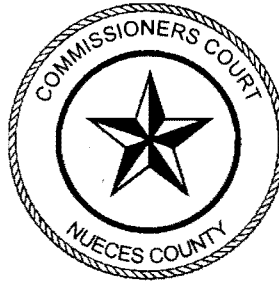


I, Kara Sands, County Clerk of Nueces County, do hereby certify that the following Commissioners Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting on February 24, 2015.



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

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

SPECIAL MEETING - February 24, 2015

BE IT REMEMBERED, that on this the 24th day of February, A.D., 2015, there was begun and held a SPECIAL 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
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 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:

1. February 4, 2015

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez
Motion: Approve the Commissioners Court Minutes of February 4, 2015.

Vote: 5 - 0 Approved

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

1. Texas Independence Day - March 2, 2015.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz
Motion: Adopt the Resolution recognizing March 2, 2015 as Texas Independence Day.

Vote: 5 - 0 Approved

- F.** Presented the following Certificates of Recognition:

- 1.** Juan Manuel Hinojosa, Nueces County Sheriff's Office, retiring after 30 years of service to Nueces County.
- 2.** Adam Maldonado, Nueces County Coastal Parks, retiring after 30 years of service to Nueces County.

2. **PUBLIC COMMENT:** None.
3. **CONSENT AGENDA:** The following Agenda Items are of a routine nature, and the Commissioners Court has received supporting materials for consideration. All of these Agenda Items will be passed with one vote without being discussed separately, unless a member of the Commissioners Court or the public requests that a particular Agenda Item be discussed. If so, that Agenda Item will be pulled from the Consent Agenda and discussed as part of the regular Agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.
- A. Authorize payment of bills - manual check register dated: February 17, 2015.
 - B. Authorize payment of bills - regular bill summaries dated: January 30, 2015; February 6, 2015; February 13, 2015 & February 20, 2015.
 - C. Authorize payment of bills - group health insurance claims and fees. TPA authorized checks: January 1-31, 2015 (monthly); February 4-12, 2015 (weekly).
 - D. Authorize payment of bills - special motions list dated: February 24, 2015.
 - E. Approve personnel actions of a budgeted nature:
 - 1. Application temporary list No. 370
 - 2. Unfreeze list No. 703
 - 3. Personnel changes report dated: January 30, 2015; February 6, 2015 and February 13, 2015.
 - F. Approve the monthly revenue reports in accordance with LGC 114.044: December 2014.
 - G. Approve changing the starting time for Commissioners Court meetings to 9:15 a.m.
 - H. Accept FY 2013-2014 Diabetes report and Approve FY 2014-2015 contract for FOCUS Foundation for the Summer Youth and Sports Program at Texas A&M University-Corpus Christi.
 - I. Approve transfer of \$16,619.87 from Emergency Management Training Fund (1373) to the Coastal Bend Council of Governments (CBCOG) to assume the fiduciary responsibility for the Coastal Bend Hurricane Conference. The account (1373) will remain open to accommodate any misrouted payments for the conference at least through the remaining fiscal year.
 - J. Approve the Corpus Christi-Nueces County Public Health District amending a contract with the Department of State Health Services (DSHS) providing for Local Public Health Preparedness and authorize the Director of the Corpus Christi-Nueces County Public Health District, to sign on behalf of Nueces County.
 - K. Approve execution of the FY2015 Resource Sharing Addendum with the Texas Conference of Urban Counties which is effective from October 1, 2014 through December 31, 2015.
 - L. Authorize Sole Source purchase from PropertyInfo Corporation system support and maintenance for the Eclipse Record Management Solution license and service agreement for the County Clerk's Office.

M. Approve application procedure for the Christus Spohn Health Board of Trustees.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Table Consent Agenda Item 3.I.

Vote: 5 - 0 Approved

Motion by: Commissioner Chesney, Second by: Commissioner Pusley

Motion: Approve Consent Agenda Items 3.A through 3.M, with the exception of Consent Agenda Item 3.I.

Vote: 5 - 0 Approved

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. Received quarterly update from the Nueces County Port Commissioner appointee, Barbara Canales, on the activities of the Port of Corpus Christi Authority of Nueces County.
2. Received a presentation from John LaRue, Interim CEO, on the FY 2013-2014 activities of the Corpus Christi Regional Economic Development Corporation.
3. Received a presentation from Amy Rhoads Granberry, BS, PHR, Director of Organizational Development, on the FY 2013-2014 activities of Charlie's Place Recovery Center; and, approved FY 2014-2015 contract. **Public Comment:** John Hogan.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Approve FY 2014-2015 contract.

Vote: 5 - 0 Approved

Advanced to Agenda Item 4.A.6.

4. Received presentation from Noe Hinojosa, Financial Advisor from Estrada Hinojosa Investment Bankers, and Jeff Kuhn, Bond Counsel with Norton Rose Fulbright, on the County's plan of finance for issuing debt.
5. Discuss and consider the adoption of a resolution by the Commissioners Court of Nueces County, Texas authorizing and approving publication of a notice of intention to issue and sell one or more series of Certificates of Obligation; in an amount not to exceed \$20,000,000 as provided pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064, for the purpose of paying contractual obligations of the County to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) acquiring, designing, constructing, renovating, repairing, and improving County roads and bridges (including any utilities relocation) and drainage incidental thereto; (2) acquiring, designing, constructing, renovating, repairing, and improving the McKinzie County Jail Annex; (3) acquiring, designing, constructing, renovating, repairing, and improving various County facilities to comply with the Americans With Disabilities Act and other federal laws; (4) acquiring,

designing, constructing, renovating, repairing, and improving various County facilities; (5) acquiring, designing, constructing, renovating, repairing, and improving the County's Airport, including a runway extension; (6) acquiring, designing, constructing, renovating, repairing, and improving the County parks system and facilities; (7) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (8) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects; and complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date and related matters.

Motion by: Judge Neal, Second by: Commissioner Ortiz

Motion: Order to approve Agenda Item 4.A.5 for a 20-year period.

Vote: 5 - 0 Approved

Advance to Agenda Item 4.A.8.

6. Received a report from Glen Sullivan-Department of Public Works and Johnson Controls on the ongoing issues related to the boiler system malfunctioning, including staffing issues concerning the maintenance and operation of the system.
7. Discuss and consider execution of Interlocal Agreement for Law Enforcement Services between Nueces County and Kleberg County, Texas.

Motion by: Commissioner Pusley, Second by: Commissioner Chesney

Motion: Authorize the execution of Interlocal Agreement for Law Enforcement Services between Nueces County and Kleberg County, Texas.

Vote: 4 - 0 Approved

Other: Commissioner Ortiz (Abstain)

Return to Agenda Items 4.A.4.

8. Received an update from Tyner Little, ADA Coordinator, on the current status of the Department of Justice "Project Civic Access" Settlement Agreement with Nueces County.
9. Discuss and consider approval of "Notice under the Americans with Disabilities Act," pursuant to Department of Justice Project Civic Access Settlement Agreement.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve the "Notice under the Americans with Disabilities Act," pursuant to Department of Justice Project Civic Access Settlement Agreement.

Vote: 5 - 0 Approved

10. Discuss and consider selection of Carroll Pruitt, of Pruitt Consulting, Inc., as Independent Licensed Architect (ILA), as approved by the U.S. Department of Justice, in accordance with the Settlement Agreement for Project Civic Access; execute professional services contract.

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Table Agenda Items 4.A.10 and 4.A.11.

Vote: 5 - 0 Approved

11. Discuss and consider selection of three architects to provide services related to upgrading county buildings and facilities to comply with the American Disability Act requirements.
12. Discuss and consider execution of a personal services agreement with Crystal Lyons, related to the Americans with Disabilities Act (ADA) and accessibility services for Nueces County.

Motion by: Commissioner Chesney, Second by: Commissioner Ortiz

Motion: Approve execution of a personal services agreement with Crystal Lyons, related to the Americans with Disabilities Act (ADA) and accessibility services for Nueces County.

Vote: 5 - 0 Approved

13. Discuss and consider approval of Nueces County Policy for the Use of Service Animals.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve the Nueces County Policy for the Use of Service Animals.

Vote: 5 - 0 Approved

B. GRANTS

1. Discuss and consider the execution of a Recipient Grant Award from the Texas Homeland Security State Administrative Agency for FY 2015 Local Border Security Program.

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: Authorize the execution of a Recipient Grant Award from the Texas Homeland Security State Administrative Agency for FY 2015 Local Border Security Program.

Vote: 5 - 0 Approved

C. PUBLIC WORKS

1. Received a presentation from Glen Sullivan from the Public Works Department on a road rehabilitation project at the landfill, including work on County Road 20, since the Representative from the City of Corpus Christi was unable to attend the Commissioners Court Meeting.
2. Authorize the County Judge to sign the "Certificate of Substantial Completion" for the Energy Savings Performance Contract (ESPC) between Johnson Controls, Inc. (JCI) and Nueces County.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

Motion: Authorize the County Judge to sign the "Certificate of Substantial Completion" for the Energy Savings Performance Contract (ESPC) between Johnson Controls, Inc. (JCI) and Nueces County.

Vote: 5 - 0 Approved

3. Discuss and consider a Supplemental Agreement for the extension of the Engineering Services Contract with Naismith Engineering, Inc., for the monitoring and sampling of storm water in the rural areas.

Motion by: Commissioner Pusley, Second by: Commissioner Chesney

Motion: Approve a Supplemental Agreement for the extension of the Engineering Services Contract with Naismith Engineering, Inc., for the monitoring and sampling of storm water in the rural areas.

Vote: 5 - 0 Approved

D. PURCHASING

1. Discuss and award RFQ 2977-14 surface water lines and connections in Cindy Park.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Award RFQ 2977-14 surface water lines and connections in Cindy Park to LNV Engineering.

Vote: 5 - 0 Approved

2. Discuss and Award IFB No. 2976-14 Padre Balli Park Entrance Project.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Reject the bid for IFB No. 2976-14 Padre Balli Park Entrance Project and start over.

Vote: 5 - 0 Approved

E. AUDITOR

1. Approve Budget Change Order No. 23 for Fiscal Year 2013-2014.

Motion by: Judge Neal, Second by: Commissioner Ortiz

Motion: Approve Budget Change Order No. 23 for Fiscal Year 2013-2014.

Vote: 5 - 0 Approved

2. Approve Budget Change Order No. 9 for Fiscal Year 2014-2015.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Approve Budget Change Order No. 9 for Fiscal Year 2014-2015.

Vote: 5 - 0 Approved

3. County Auditor is requesting approval from Commissioners Court to remove fixed assets not found in the physical inventory conducted by the Purchasing Department on December 19, 2014 for the following departments:

1. 105th District Court;
2. County Court at Law 4;
3. County Court at Law 5;
4. Justice of the Peace 2-2;

5. Justice of the Peace 3.

Motion by: Commissioner Ortiz, Second by: Commissioner Pusley

Motion: Modify the fixed asset list for each of the following departments to match what was found in the physical inventory conducted by the Purchasing Department on December 19, 2014:

1. 105th District Court;
2. County Court at Law 4;
3. County Court at Law 5;
4. Justice of the Peace 2-2;
5. Justice of the Peace 3.

Vote: 5 - 0 Approved

4. Authorize and approve monthly financial report for November 2014.

Motion by: Judge Neal, Second by: Commissioner Pusley

Motion: Approve the monthly financial report for November 2014.

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 11:20 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 11:40 a.m.

- A. Consult with County Attorney to discuss and authorize settlement of County's property damage claim against Bay Ltd. (Ace American Insurance Company).

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Authorize the County Attorney to accept the offer from Bay LTD (Ace American Insurance Company), in the amount of \$3,549.44 for property damage.

Vote: 5 - 0 Approved

- B. Consult with County Attorney to discuss and authorize settlement of County's property damage claim against Michael Carter.

Motion by: Judge Neal, Second by: Commissioner Gonzalez

Motion: Settle the County's property damage claim against Michael Carter in the amount of \$11,590.59.

Vote: 5 - 0 Approved

- C. Consult with County Attorney to discuss Case No. 13-15-00055-CV, Rose Crago v. Jim Kaelin, In the 13th Court of Appeals, on appeal from Cause No. 2014-DCV-0432-B, in the 117th Judicial District Court of Nueces County, Texas, and related matters. **Information only, no action taken.**

- D. Consult with County Attorney to discuss status of Civil Action No. 2:13-CV-178, Daniel Martinez, Rita Martinez, and Jose Martinez v. Nueces County, Texas, Edward F. Day, II, Nate Perez, John Esparza, and Ian Rosales, In the United States District Court for the Southern District of Texas, Corpus Christi Division, and related matters. **Information only, no action taken.**
- E. Discuss and consider Defendant's proposed settlement offer in Cause No. 2014-CCV-61698-4, Nueces County, Texas v Integrity Communications Ltd. and Bill Sugarek, In the Nueces County Court at Law No. 4, and related matters.

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Authorize the County Attorney to send a counter-offer in Cause No. 2014-CCV-61698-4, Nueces County, Texas v Integrity Communications Ltd. and Bill Sugarek, In the Nueces County Court at Law No. 4, and related matters.

Vote: 5 - 0 Approved

6. 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: Approve Mark Woerner to the County Court-at-Law Judge position on the Nueces County Bail Bond Board, as recommended by the Board of County Court at Law Judges.

Vote: 5 - 0 Approved

- B. Coastal Bend Council of Governments

Motion by: Commissioner Gonzalez, Second by: Commissioner Ortiz

Motion: To appoint the following to the Coastal Bend Council of Governments: Commissioner Chesney to replace former Commissioner McComb; Toby Cross to replace Oscar Soliz; Hannah Chipman to replace Josie Herro; Jennifer Dragoo to replace Melanie Cooper and Josie Herro as an alternate for Betty Jean Longoria who continues to serve.

Vote: 5 - 0 Approved

- C. Nueces County Library Advisory Board

Motion by: Commissioner Chesney, Second by: Commissioner Ortiz

Motion: Appoint Lilia Chapa Smith to the Nueces County Library Advisory Board.

Vote: 5 - 0 Approved

The Court was adjourned at 11:51 a.m. in memory of Susan Corrigan, Sid Habeeb, C.C. "Charlie" Winn, Guadalupe Benavidez Gutierrez, Guadalupe Garza Medrano, San Juan Gonzalez, Sr., Apolonio Abrego 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 does now stand adjourned, this the 24th day of February, 2015.