

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 April 20, 2016.

Kara Sands

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

REGULAR MEETING - April 20, 2016

BE IT REMEMBERED, that on this the 20th day of April, A.D., 2016, 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
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 Reverend Rusty Wright, First Christian Church, 3401 Santa Fe, Corpus Christi, Texas 78411.
- 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 9:15 a.m. and certified a quorum of the Court with all members present.
- D.** Approve the following Minutes:

1. April 5, 2016

Motion by: Commissioner Chesney, Second by: Commissioner Pusley

Motion: Approve the Commissioners Court Minutes of April 5, 2016.

Vote: 5 - 0 Approved

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

1. Children's Mental Health Awareness Week - May 1-7, 2016. Comment: Nicole Garcia-Supervisor for the Behavioral Health Center.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Proclaim May 1-7, 2016 as Children's Mental Health Week.

Vote: 5 - 0 Approved

2. Aransas Pass High School 2016 Boys Basketball Team. **Comment: Commissioner Brent Chesney.**

Motion by: Commissioner Chesney, Second by: Commissioner Ortiz

Motion: Recognize the Aransas Pass High School 2016 Boys Basketball Team for their outstanding basketball season and their performance in the State 3A Semifinals.

Vote: 5 - 0 Approved

3. Cinco de Mayo 2016 - Westside Business Association. **Comment: Ben Molina-President Westside Business Association.**

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Declare Thursday, May 5, 2016 as "2016 Cinco de Mayo Celebration Day".

Vote: 5 - 0 Approved

4. May 11, 2016 – “Law Day” in Nueces County.

Motion by: Commissioner Chesney, Second by: Commissioner Gonzalez

Motion: Proclaim May 11, 2016 as "Law Day" in Nueces County.

Vote: 5 - 0 Approved

5. April 23, 2016 - "Take a Walk on the Beachwalk Day."

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Proclaim April 23, 2016 as "Take a Walk on the Beachwalk Day."

Vote: 5 - 0 Approved

2. **PUBLIC COMMENT:** Tyner Little presented video titled "Who's Mother Is This"; Kara Sands introduced Diana Diaz with the Texas State Comptroller's Office and announced the partnership between the Nueces County Clerk's Office and the Comptroller's Office in holding the Texas Unclaimed Property Search Event April 20 -21 in the Central Jury Room; Brent Chesney recognized students from London ISD and Roxanne with the London ISD Professional Communications class.
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 registers dated March 30, 2016 to April 12, 2016.
 - B. Authorize payment of bills - regular bill summaries dated March 31, 2016, April 1, 2016, April 8, 2016, April 11, 2016 and April 15, 2016.
 - C. Authorize payment of bills - special motions list dated April 20, 2016.

- D. Authorize payment of bills - group health insurance claims and fees dated March 31, 2016 and April 4, 2016.
- E. Approve the monthly revenue reports in accordance with LGC 114.044.
- F. Approve personnel actions of a budgeted nature:
 - 1. Temp List No. 395
 - 2. Unfreeze List No. 731
 - 3. Personnel Changes reports dated April 1, 2016 and April 8, 2016
- G. Approve the application procedure for the following Nueces County Advisory Boards:
 - a. Nueces County Library Advisory Board
 - b. Nueces County Emergency Services District No. 3
- H. Ratify a TASB BuyBoard State Contract No. 430-13 purchase from Caldwell Country for a 2016 Ford Fusion car for the District Attorney's office.
- I. Approve making a finding for the method of procurement (request for proposals) for Food Management Program for Nueces County Jails; authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.
- J. Authorize Addendum 57 to Master Service Agreement for a TASB BuyBoard State Contract No. 453-14 purchase for maintenance services from Ricoh, Inc.
- K. Authorize Sole Source maintenance and support agreement with Data Works Plus, LLC for a mug shot system, safe ID system, and NIST fingerprint database system.
- L. Reappoint Commissioner Precinct No. 1 to Tax Increment Reinvestment Zone #3.

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz
Motion: Approve Consent Agenda Items 3.A through 3.L.

Vote: 5 - 0 Approved

4. REGULAR AGENDA:

A. AGENDA ITEMS

- 1. Discuss and consider approval of the Amended Nueces County District Court Judge's Plan for Selection of Prospective Jurors.

Motion by: Commissioner Pusley, Second by: Commissioner Chesney
Motion: Table.

Vote: 5 - 0 Approved

Motion by: Commissioner Gonzalez,

Motion: Schedule a workshop regarding the Amended Nueces County District Court Judge's Plan for Selection of Prospective Jurors. **Motion dies for lack of second and the motion to table took precedence as per County Attorney.**

2. Received a presentation from the Texas Department of Transportation (TxDOT) and the design-build contractor, Flatiron/Dragados, on the status of the Harbor Bridge Replacement Project. **Comment: Carol Luchin-TxDOT Strategic Contracts Management Office; Marcos Gonzalez-Perez-Project Manager for Flatiron/Dragados; Lorette Williams-Public Information Coordinator for Flatiron/Dragados; and Daryl Chambers-Traffic Engineer for Flatiron/Dragados.**
3. Received a presentation by Ida Garza from the Keach Family Library on Dia De Los Ninos and the Children's Activity Room Grand Opening.
4. Discuss and consider adopting a resolution authorizing the County Judge to execute a certificate of approval concerning the issuance of revenue bonds designated as "Danbury Higher Education Authority, Inc. Education Revenue and Refunding Bonds (Riverwalk Education Foundation, Inc.) Series 2016A and Taxable Revenue Bonds (Riverwalk Education Foundation, Inc.) Series 2016B by Danbury Higher Education Authority, Inc. in satisfaction of the requirements contained in Section 147(f) of the Internal Revenue code of 1986, as amended. **Comment: Kathleen Chang with Andrews Kurth LLP.**

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Adopt a resolution authorizing the County Judge to execute a certificate of approval concerning the issuance of revenue bonds designated as "Danbury Higher Education Authority, Inc. Education Revenue and Refunding Bonds (Riverwalk Education Foundation, Inc.) Series 2016A and Taxable Revenue Bonds (Riverwalk Education Foundation, Inc.) Series 2016B by Danbury Higher Education Authority, Inc. in satisfaction of the requirements contained in Section 147(f) of the Internal Revenue code of 1986, as amended.

Vote: 5 - 0 Approved

5. Discuss and consider approval of a Tax Foreclosure Auction of "Struck Off" properties to occur on Saturday, June 4, 2016. **Comment: Marvin Leary with Linebarger, Goggan, Blair & Sampson.**

Motion by: Commissioner Pusley, Second by: Commissioner Ortiz

Motion: Approve a Tax Foreclosure Auction of "Struck Off" properties to occur on Saturday, June 4, 2016.

Vote: 5 - 0 Approved

6. Discuss and consider authorizing premiums for June 1, 2016 – May 31, 2017 renewing for one-year Property and Casualty Insurance (RFP No. 2955-14) with Borden Insurance, Swantner and Gordon Insurance, and Texas Association of Counties. **Comment: Elsa Saenz and Lance Esswein.**

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Authorize premiums for June 1, 2016 – May 31, 2017 renewing for one-year Property and Casualty Insurance (RFP No. 2955-14) with Borden Insurance, Swantner and Gordon Insurance, and Texas Association of Counties.

Vote: 5 - 0 Approved

7. Discuss and consider authorizing agreement with First Southwest Asset Management, Inc. for arbitrage rebate compliance services.

Motion by: Commissioner Pusley, Second by: Commissioner Gonzalez

Motion: Authorize agreement with First Southwest Asset Management, Inc. for arbitrage rebate compliance services.

Vote: 5 - 0 Approved

8. Discuss and consider request by NORML - Corpus Christi (National Organization for the Reform of Marijuana Laws) by Kyle Hoelscher for the use of the Courthouse Main Entrance for the purpose of collecting petition signatures. **No action taken.**

B. GRANTS

1. Discuss and consider the acceptance of a public assistance subaward #PA-06-TX-4223-PW01259 from the Texas Division of Emergency Management (TDEM).

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Authorize the acceptance of a public assistance subaward #PA-06-TX-4223-PW01259 from the Texas Division of Emergency Management (TDEM) in the amount of \$49,919.03 for County Road 6.

Vote: 5 - 0 Approved

2. Receive information regarding the Melanoma Foundation of New England's Practice Safe Skin Program and its award of sunscreen dispensers to the Nueces County Coastal Parks Department.

Motion by: Commissioner Chesney, Second by: Commissioner Pusley

Motion: Accept award of sunscreen dispensers to the Nueces County Coastal Parks Department from the Melanoma Foundation of New England's Practice Safe Skin Program.

Vote: 5 - 0 Approved

C. PUBLIC WORKS

1. Discuss and consider the acceptance of the road (Banquete Drive) constructed in the Plains Unit 4 subdivision.

Motion by: Judge Neal, Second by: Commissioner Ortiz

Motion: Authorize the acceptance of the road (Banquete Drive) constructed in the Plains Unit 4 subdivision.

Vote: 5 - 0 Approved

D. AUDITOR

1. Approve Budget Change Order No. 12 for Fiscal Year 2015-2016.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve Budget Change Order No. 12 for Fiscal Year 2015-2016.

Vote: 5 - 0 Approved

2. Presentation of Annual Financial Report for Fiscal Year ended September 30, 2015.

Motion by: Commissioner Gonzalez, Second by: Commissioner Chesney

Motion: Approve the Annual Financial Report for Fiscal Year ended September 30, 2015.

Vote: 5 - 0 Approved

3. Monthly Financial Report for the month of February 2016.

Motion by: Commissioner Gonzalez, Second by: Commissioner Pusley

Motion: Approve Monthly Financial Report for the month of February 2016.

Vote: 5 - 0 Approved

5. **EXECUTIVE SESSION:** The Commissioners Court entered into executive session at 11:00 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 11:20 a.m.

- A. Discuss and consider authorizing County Attorney to pursue legal remedies concerning damages to LyondellBasell fields.

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Authorize the County Attorney to pursue legal remedies concerning damages to LyondellBasell fields.

Vote: 5 - 0 Approved

- B. Discuss and consider the ratification of setting aside security to suspend enforcement of the judgment during appeal and filing a notice of appeal in Cause N. 2014-DCV-0432-B, Rose Crago v. Jim Kaelin and David Crago, in the 117th Judicial District Court of Nueces County, Texas.

Motion by: Judge Neal, Second by: Commissioner Chesney

Motion: Ratify the setting aside security to suspend enforcement of the judgment during appeal and filing a notice of appeal in Cause N. 2014-DCV-0432-B, Rose Crago v. Jim Kaelin and David Crago, in the 117th Judicial District Court of Nueces County, Texas.

Vote: 5 - 0 Approved

The Court was adjourned at 11:25 a.m. in memory of Dusty Durrill, Eldridge B. Snead, Ted Turner, Sr., Adrian Nicholas Perez, Manuel Gallegos, Carmen Saenz, Eugenia H. Garcia, Margaret "Grandma" Rodriguez and Kollyn Barton. 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 20th day of April, 2016.