

COMMISSIONERS COURT
Aransas County, Texas
Ray A. Garza, County Judge

Jack Chaney
Commissioner, Pct 1-1A

Leslie Casterline
Commissioner, Pct 2



Pat Rousseau
Commissioner, Pct 3

Robert Dupnik
Commissioner, Pct 4-4A

NOTICE OF REGULAR MEETING AND AGENDA

Notice is hereby given that a **Regular Meeting** of the above named Commissioners Court will be held on the **23rd DAY of DECEMBER, 2024 at 9:00 A.M. IN THE COUNTY COURT AT LAW COURTROOM IN THE ARANSAS COUNTY COURTHOUSE, 2718 HWY. 35 N., ROCKPORT, TEXAS, 78382.** Persons with disabilities who plan to attend this meeting and who may need assistance should contact the County Judge's office at (361) 790-0100 two working days prior to the meeting so that appropriate arrangements can be made. **To watch the meeting, visit:** here <https://www.youtube.com/channel/UCTxprR-CFvaZfapOVcLeDWQ/live>. The following subjects will be discussed at this meeting:

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGES**
- IV. ROLL CALL AND CONFIRMATION OF QUORUM**
- V. CITIZENS TO BE HEARD**

At this time, comments will be taken from the audience on any subject matter that is not on the Agenda. To address the Commissioners, please sign the Public Participation Form located at <https://actxgov.seamlessdocs.com/w/ccpublicparticipation> or sign the Public Participation Form located on the table outside of the County Courtroom and deliver to the County Clerk before the meeting begins. Citizens who wish to speak on a matter included in this Agenda will be invited to speak when that particular matter is being deliberated by the Commissioners Court. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Please note, in accordance with the Open Meetings Act, Commissioners may not discuss or take action on any item that is not on the agenda.

VI. PRESENTATIONS AND PROCLAMATIONS

Presentations are scheduled in advance of the meeting and limited to fifteen (15) minutes unless other arrangements have been made with the Court.

VII. CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the Commissioners Court and will be enacted by one motion and no separate discussion of these items will occur unless a

Commissioner or the County Judge so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

1. Discuss, approve or disapprove the Minutes from the December 9, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
2. Acknowledge receipt of and record in the minutes of Commissioners Court the District Judge’s Salary Order for the County Auditor and Auditor staff for Fiscal Year 2025 – Jacky Cockerham/Judge Garza
3. Set Terms for Commissioners Court for 2025 [2nd and 4th Mondays (or Tuesday for Monday holiday) of each month, except for August when Court will be held every Monday] – Judge Pro-Tem Casterline/Judge Garza
4. Set Terms for Statutory County Court for 2025 (two terms – January to June and July to December) – Judge Bianchi/Judge Pro-Tem Casterline/Judge Garza
5. Set Terms for JP (Justice of the Peace) Courts for 2025 (one month terms beginning the fourth Monday of each month) – Judge Dupnik/Judge McGinnis/Judge Pro-Tem Casterline/Judge Garza
6. Acknowledge receipt of and record in the minutes of Commissioners Court the 2024 Continuing Education Transcript of Completion and Compliance with Texas Property Tax Code Section 6.23(d) for Anna Marshall, Tax Assessor-Collector – Anna Marshall/Judge Garza
7. Acknowledge and accept the following donations for Aransas County Animal Care:
 - Women’s Club - Donation of animal supplies – Estimated Value of \$67.00
 - E&J Towing - Donation of animal supplies – Estimated Value of \$136.00
 - Cindy’s - Donation of animal supplies – Estimated Value of \$54.00
 - Melany - Donation of animal supplies – Estimated Value of \$118.96
 - Carolyn Terrell – Donation in the amount of \$100.00
 - Fisher Family – Donation in the amount of \$500.00
 - Michelle Gardineer – Donation of feral cat traps – Estimated Value of \$579.00Caitlan Frasier/Judge Garza

VIII. COUNTY REPORTS, ORDERS AND RESOLUTIONS

8. Discuss, approve or disapprove Order #O-26-2024, an Order accepting maintenance of roads and drainage detailed on Exhibit “A” and Exhibit “B” within the Lucas Ranch Subdivision – Kat Comeaux/Judge Garza
9. Discuss, approve or disapprove allowing the airport to participate as a venue in support of the Smithsonian Exhibit scheduled for January 25 through March 9, 2025 – Mike Geer/Judge Garza

IX. COUNTY ROADS AND FLOODPLAIN – NONE

X. CONTRACTS AND GRANTS

10. Discuss, approve or disapprove authorizing the County Judge to sign necessary documents to replace our current end-of-life/end-of-support Xerox Multi-Function devices with new models, at a rate of \$3,206/month for 60 months governed under pre-negotiated contract PACE Purchasing Coop number P00230 - Collin Jackson/Judge Garza
11. Discuss, approve or disapprove engagement of services provided by the law firm of Allison, Bass & Magee LLP for assistance in the preparation of documents related to the City of Rockport's Tax Increment Reinvestment Zone (TIRZ) #1 and other legal services as needed, and authorize the County Judge to execute a retainer agreement for such services – Commissioner Rousseau
12. Discuss, approve or disapprove DLF Two's, Inc Change Order No. 8 for the Aransas County Community Building/Plaza/Parking Lot, General Land Office (GLO) Community Development Block Grant – Disaster Recovery (CDBG-DR) Contract #20-065-098-C270 – Adding 19 Days. The new project's substantial completion date will be January 19, 2025 – Elle Morales/Judge Garza
13. Discuss, approve or disapprove DLF Two's Inc. Change Order No. 9 for the Aransas County Community Building/Plaza/Parking Lot General Land Office (GLO) Community Development Block Grant – Disaster Recover (CDBG-DR) Contract #20-065-098-C270 – adding \$129,002.72 to the contract for a total contract price with all approved change orders to \$4,616,856.32. The new project's substantial completion date will be January 19, 2025 – Elle Morales/Judge Garza
14. Discuss, approve or disapprove requesting a Contract Amendment No. 6 for Community Development Block Grant – Disaster Recovery (CDBG-DR) General Land Office (GLO) Contract #20-065-098-C270. The amendment is to extend the grant end date from February 2025 to August 2025 to allow for construction grant closeout – Jacky Cockerham/Judge Garza
15. Discuss, approve, or disapprove a Memorandum of Understanding (MOU) with the U.S. Marshals Service in which the Marshals Service agrees to reimburse Aransas County for up to \$21,741 in overtime expenses related to Aransas County Deputies serving warrants – Jacky Cockerham/Judge Garza
16. Discuss and Acknowledge the County Attorney's SB22 Rural Prosecutor's Office Salary Assistance Grant for Fiscal Year 2025 in the amount of \$175,000 – Jacky Cockerham/Judge Garza
17. Discuss and Acknowledge the County Attorney's SB22 Rural Sheriff's Office Salary Assistance Grant for Fiscal Year 2025 in the amount of \$350,000 – Jacky Cockerham/Judge Garza
18. Discuss Grant Project Summary – Jacky Cockerham/Judge Garza

19. Discuss, approve or disapprove request to solicit Request for Qualifications (RFQ) for Engineering Services for Shell Ridge Road Grant Project to be Funded by the Texas Department of Emergency Management (TDEM) as a sub-grant from the Hazard Mitigation Grant Program (HMGP), DR-4332-16, Hurricane Harvey and Local Funds – Jacky Cockerham/Judge Garza
20. Discuss, approve or disapprove hiring Lloyd Gosselink, Attorneys at Law, to represent Aransas County with respect to the matter regarding T2J Partners LLC, and authorizing the County Judge to sign all necessary documents – Amanda Oster/Judge Garza
21. Discuss, approve or disapprove the Engagement Agreement with Lloyd Gosselink to represent the County in Cause No. 24-0099, Oldcastle Building Envelope v. Sharp Glass, LLC, where the County is named as a third-party defendant – Amanda Oster/Judge Garza
22. Discuss, approve or disapprove authorizing the County Attorney to hire a Utah Civil Litigation Attorney to defend Aransas County in iWorQ Systems, Inc. contract dispute in Civil No. 240100226 – Amanda Oster/Judge Garza
23. Discuss, approve or disapprove the Termination Agreement between the County and T. Baker Smith for the Detention Center Water Tank Project and to authorize the County Judge to sign the necessary documents – Adela C. Martinez/Judge Garza
24. Discuss, approve or disapprove renewing the Interlocal Agreement for Municipal Court Representation Services by the Aransas County Attorney’s Office between Aransas County and the City of Rockport and to authorize the County Judge to sign the necessary documents – Adela C. Martinez/Judge Garza
25. Discuss, approve or disapprove Change Order No. 9 of construction contract for Southeast Aransas County Drainage Improvements in the County’s General Land Office (GLO) Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270. Brizo Construction, LLC requests a decrease in the contract amount by \$68,250. No increase in time is requested – Darrell Seibert/Judge Garza
26. Discuss, approve or disapprove bids received in response to the FY2025 Road Materials Invitation for Bids – Darrell Seibert/Judge Garza

XI. PLANNING AND BUDGET

27. Discuss, approve, or disapprove the November 2024 Treasurer’s Report– Alma Cartwright/Judge Garza
28. Discuss, approve or disapprove appointing Darrell Seibert the Interim County Engineer – Judge Garza
29. Discuss, approve or disapprove Job Description for Contracts and Procurement Specialist – Jacky Cockerham/Judge Garza
30. Discuss, approve or disapprove updated job description for Deputy Treasurer Payroll Clerk. No new monies – Alma Cartwright/Desiree Upton/Judge Garza

31. Discuss, approve, or disapprove the Budget Line Items
Jacky Cockerham/Judge Garza
32. Discuss, approve, or disapprove Accounts Payable and Payroll/Payroll Liabilities –
Jacky Cockerham/Judge Garza

**XII. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS, AND
DEPARTMENT HEADS – NO ACTION WILL BE TAKEN**

At this time, Commissioners will provide reports or updates on committee assignments and Elected Officials and Department Heads may provide reports or updates related to advisory boards, fee reports, and more.

**XIII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST – NO ACTION WILL
BE TAKEN**

At this time, Commissioners Court will receive reports and updates from Commissioners, County Judge, and County staff related to items of community interest such as: expressions of thanks, congratulations, or condolences; information regarding holiday schedules or closures; honorary or salutatory recognition of a public official, employee, or a citizen; reminders about upcoming events; reports on public events attended by Commissioners, County officials, and/or employees; and any announcement involving an emergency or imminent threat to public health and safety that arose after the posting of this Agenda.

XIV. CLOSED SESSION

33. Convene into a Closed Session to consult with counsel and receive legal advice about pending or contemplated litigation or other attorney-client privileged matters, including insurance matters related to Aransas County's projects and insurance claims from Hurricane Harvey, various contract disputes, and the Wendt Services, Inc. Public Information Act Request:
 - i. *Aransas County Texas v. Endurance American Specialty Insurance Company, et al*, Aransas County District Court Cause No. 23-0021; and
 - ii. *Northstar Recovery Service, Inc. v. Aransas County Independent School District and Aransas County*, Aransas County, District Court Cause No. 23-0066 consolidated with *Northstar Recovery Services, Inc. v. HR&R, LLC, et al*, Aransas County District Court Cause No. 20-0159; and
 - iii. *Western Steel Company v T2J Partners, LLC DIE/A FPS Recovery, LLC and Aransas County, Texas; Cause No. 24-0072*, in the 36th District Court of Aransas County, Texas; and
 - iv. *Oldcastle Building Envelope, Inc. dba Graham Architectural Products v. Sharp Glass, LLC, et.al.*, Aransas County District Court Cause No. 24-0099; and

v. iWorQ Systems, Inc., a Utah Corporation v Aransas County, Texas Case No. 240100226, in the District Court of the First Judicial District County of Cache, Utah; and

vi. Report on the status of the formal alternative dispute resolution occurring between the County and Teal Construction Company for the Downtown Anchor Project, regarding the various pending matters as noticed for the September 23, 2024, Regular Meeting Closed Session, including but not limited to, contemplated litigation, alternative dispute resolution, termination of the contract, changes to the scope of work, and various requested and proposed contract amendments to the Contract Sum and Contract Time; and

vii. Wendt Services, Inc. Public Information Act request.

pursuant to Section 551.071 of the Texas Open Meetings Act, which authorizes closed sessions for a governmental body to consult with its attorney(s) regarding advice on legal matters pertaining to "Pending or Contemplated Litigation; or a Settlement Offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with" the Open Meetings Act –Adela Martinez/Amanda Oster/Judge Garza

XV. OPEN SESSION

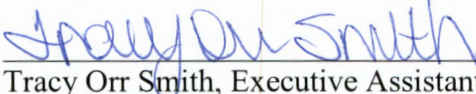
34. Reconvene into Open Session

35. Discuss, approve or disapprove taking action or issuing instructions to the County Attorney's Office to act on the County's behalf regarding any of the pending matters identified for Closed Session and authorizing County Attorney's Office to act accordingly – Amanda Oster/ Adela Martinez/Judge Garza

XVI. ADJOURNMENT

CERTIFICATION

It is hereby affirmed that this **NOTICE OF MEETING and AGENDA** was duly posted at the Aransas County Courthouse at least seventy-two (72) hours preceding the scheduled time of said meeting on enclosed bulletin boards outside of the Courthouse that are readily accessible to the general public twenty-four (24) hours each day and also on the Aransas County website, in compliance with the Texas Open Meetings Act and Texas Government Code §551.043.


Tracy Orr Smith, Executive Assistant
Aransas County Judge's Office
Tel: 361-790-0100

FILED FOR RECORD
AT 11:33 A.M.
POSTED 11:50 A.M.
DEC 19 2024