

**NOTICE OF REGULAR MEETING OF THE COMMISSIONERS' COURT
ARANSAS COUNTY, TEXAS**

AGENDA

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE ABOVE NAMED COMMISSIONERS' COURT *V.T.C.A. GOVERNMENT CODE, SECTION 551.001(4)*, WILL BE HELD ON THE **22ND** DAY OF **JULY, 2013** AT **9:00 A.M.** IN THE COMMISSIONERS' COURTROOM IN THE COUNTY COURTHOUSE, 301 N. LIVE OAK, ROCKPORT, TEXAS, AT WHICH TIME THE FOLLOWING SUBJECTS WILL BE DISCUSSED, TO-WIT:

I. CALL TO ORDER & PLEDGES

II. INVOCATION

III. DECLARE QUORUM

IV. 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 on the table in front of the pews 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. In accordance with the Open Meetings Act, Commissioners may not discuss or take action on any item which has not been posted on the agenda.

V. PRESENTATIONS:

Presentations are limited to fifteen (15) minutes unless other arrangements have been made with the Court.

VI. ITEMS FOR DELIBERATION AND/OR ACTION:

1. DISCUSS, APPROVE, OR DISAPPROVE **MINUTES** FROM THE **PUBLIC HEARING AND THE REGULAR MEETING OF JULY 8, 2013, AND WORKSHOP MEETING OF JULY 12, 2013** – FRIEBELE/MILLS
2. DISCUSS, APPROVE, OR DISAPPROVE **DECLARING AS SURPLUS THE LIBRARY'S COPIER AND DONATING SAME TO THE ARANSAS COUNTY HISTORICAL SOCIETY** – IRIS SANCHEZ/KIRK/MILLS
3. DISCUSS, APPROVE, OR DISAPPROVE **2012 FISCAL YEAR COMPREHENSIVE FINANCIAL AUDIT OF ARANSAS COUNTY AS PRESENTED BY MICHAEL A. ARNOLD, CPA** – ARNOLD/KIRK/MILLS
4. DISCUSS, APPROVE, OR DISAPPROVE **THE ROCKPORT CENTER FOR THE ARTS SECOND QUARTER 2013 HOTEL OCCUPANCY TAX FUNDS EXPENDED** – JOHN KIDWELL/MILLS
5. DISCUSS, APPROVE, OR DISAPPROVE **ROCKPORT-FULTON CHAMBER OF COMMERCE SECOND QUARTER 2013 HOTEL OCCUPANCY TAX FUNDS EXPENDED** – DIANE PROBST/MILLS
6. DISCUSS, APPROVE, OR DISAPPROVE **REQUEST FROM ROCKPORT-FULTON CHAMBER OF COMMERCE FOR THE ECONOMIC DEVELOPMENT COMMITTEE (EDC) 2014 FUNDING** – DIANE PROBST/MILLS
7. DISCUSS, APPROVE, OR DISAPPROVE **THE AQUARIUM AT ROCKPORT HARBOR, INC., SECOND QUARTER 2013 HOTEL OCCUPANCY TAX FUNDS EXPENDED** – THOMPSON/MILLS
8. DISCUSS, APPROVE, OR DISAPPROVE **ENTERING INTO A CONTRACT WITH RICHARD DIAS CONSTRUCTION COMPANY AND AUTHORIZING COUNTY JUDGE TO SIGN THE FINAL CONSTRUCTION CONTRACT FOR IMPROVEMENTS AND RENOVATIONS TO THE BRUHL-PAUL-JOHNSON HOUSE/ARANSAS COUNTY HISTORY CENTER UPON COMPLETION OF CONTRACT MATTERS SATISFACTORY TO THE COUNTY PROJECT MANAGER AND COUNTY ATTORNEY** – THOMPSON/BIANCHI/MILLS

9. DISCUSS, APPROVE, OR DISAPPROVE ENTERING INTO A CONTRACT WITH **NAISMITH ENGINEERING** AND AUTHORIZING COUNTY JUDGE TO SIGN THE **FINAL CONTRACT FOR ENGINEERING, PROCUREMENT AND CONSTRUCTION OF THE TULE CREEK WEST PROJECT IN THE AMOUNT OF \$18,000.00 UPON COMPLETION OF CONTRACT MATTERS SATISFACTORY TO THE COUNTY PROJECT MANAGER AND COUNTY ATTORNEY** [SEE ATTACHED EXECUTIVE SUMMARY] – MCLALLEN/CALLAN/THOMPSON/BIANCHI/MILLS
10. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE COUNTY JUDGE TO SIGN A **CONTRACT WITH CJ'S SIGN & CRANE SERVICE** FOR FABRICATION AND INSTALLATION OF A DOUBLE-SIDED SIGN AT THE **LINDA S. CASTRO BIRD AND NATURE SANCTUARY**, AN ARANSAS PATHWAY'S PROJECT – THOMPSON/BIANCHI/MILLS
11. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE THE COUNTY TO **ADVANCE FIFTY PERCENT (50%) OF CJ'S SIGN & CRANE SERVICE** CONTRACTED PRICE FOR FABRICATION OF SIGN TO PURCHASE MATERIAL – THOMPSON/BIANCHI/MILLS
12. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE COUNTY JUDGE TO SIGN **COASTAL BEND COUNCIL OF GOVERNMENTS (RPC) INTERLOCAL AGREEMENT** WITH ARANSAS COUNTY FOR **E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES** – BIANCHI/MILLS
13. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE COUNTY JUDGE TO SIGN **ARANSAS COUNTY PUBLIC LAW LIBRARY CONTRACT** WITH **THOMSON REUTERS (WESTLAW)** FOR LAW LIBRARY BOOKS SUBSCRIPTION FOR 24 MONTHS (2 YEARS) – BIANCHI/MILLS
14. CONSIDER, ACCEPT, OR REJECT **BIDS FOR THE PURCHASE OF A USED RUBBER TIRE EXCAVATOR/GRADALL** – VYORAL/MILLS
15. DISCUSS, APPROVE, OR DISAPPROVE ALLOWING **MIKE BURRIS, PRESENT LEASEHOLDER, TO SUBLET A PORTION OF EXISTING AIRPORT HANGAR LEASE TO TEXAS DEPARTMENT OF PUBLIC SAFETY (DPS)** FOR STORAGE AND OFFICE SPACE – GENE JOHNSON/MILLS
16. DISCUSS, APPROVE, OR DISAPPROVE REQUEST OF **SHERIFF TO DECLARE SEIZED AND CONFISCATED PROPERTY AS SURPLUS FOR SALE BY PUBLIC AUCTION** [SEE ATTACHED LIST] – SHERIFF BILL MILLS/MILLS
17. DISCUSS, APPROVE, OR DISAPPROVE ALLOWING **GOLF CARTS ON ROADS IN THE UNINCORPORATED AREAS OF THE COUNTY** IN ACCORDANCE WITH NEW LEGISLATION – STILES
18. DISCUSS, APPROVE, OR DISAPPROVE SUBMISSION OF A **GRANT APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** REQUESTING FUNDING FOR **PHASE THREE OF THE TULE CREEK RESTORATION PROJECT** AND AUTHORIZING COUNTY JUDGE TO ACT ON BEHALF OF ARANSAS COUNTY IN ALL MATTERS RELATED TO THE APPLICATION AND GRANT CONTRACT – GREG HARLAN-THE GRANT CONNECTION/MILLS
19. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE COUNTY JUDGE TO SIGN **PROJECT CONSULTANT CONTRACT** WITH **THE GRANT CONNECTION** FOR PREPARATION OF A **GRANT APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** REQUESTING FUNDING FOR **PHASE THREE OF THE TULE CREEK RESTORATION PROJECT** AND TO ADMINISTER THE GRANT IF IT IS SELECTED FOR FUNDING – GREG HARLAN-THE GRANT CONNECTION/MILLS
20. DISCUSS, APPROVE, OR DISAPPROVE CHANGING ARANSAS COUNTY'S **JUVENILE BOARD SUPPLEMENT FROM \$3,666.00 TO \$4,000.00** TO BE EFFECTIVE EITHER SEPTEMBER 1, 2013, OR JANUARY 1, 2014 – KIRK/MILLS
21. DISCUSS, APPROVE, OR DISAPPROVE A **SALARY GRIEVANCE COMMITTEE** TO BE COMPOSED OF THE COUNTY JUDGE, SHERIFF, COUNTY TAX ASSESSOR-COLLECTOR, COUNTY TREASURER, COUNTY CLERK, DISTRICT CLERK, COUNTY ATTORNEY, AND MEMBERS OF THE VOTING PUBLIC TO BE DETERMINED IN ACCORDANCE WITH **SECTIONS 152.014 & 152.015 OF THE LOCAL GOVERNMENT CODE** – KIRK/MILLS

22. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE COUNTY JUDGE TO SIGN BEE COMMUNITY ACTION AGENCY AMENDMENT NO. 2 TO SUBCONTRACT NO. 61130001565-A COMMUNITY SERVICES BLOCK GRANT ESTABLISHING THIRD QUARTER FUNDING – CARTWRIGHT/MILLS
23. DISCUSS, APPROVE, OR DISAPPROVE RESCINDING APPROVAL (FROM MEETING OF JULY 8, 2013) OF APPOINTMENT OF CHIEF DEPUTY TREASURER, SUSAN WOODLEY TO THE BEE COMMUNITY ACTION AGENCY RURAL TRANSIT DISTRICT GOVERNING BOARD (INCORRECT BOARD) AND, INSTEAD, DISCUSS, APPROVE, OR DISAPPROVE APPOINTMENT OF CHIEF DEPUTY TREASURER, SUSAN WOODLEY TO THE BEE COMMUNITY ACTION AGENCY ADMINISTERING BOARD (CORRECT BOARD) – CARTWRIGHT/MILLS
24. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE COUNTY JUDGE TO SIGN A MERCHANT SERVICES AGREEMENT WITH OFFICIAL PAYMENTS CORPORATION FOR CREDIT CARD PROCESSING SERVICES – WOODLEY/CARTWRIGHT/MILLS
25. DISCUSS, APPROVE, OR DISAPPROVE INCREASE IN COUNTY CLERK RECORDS ARCHIVE FEE FROM \$5.00 TO \$7.00 EFFECTIVE JANUARY 1, 2014, IN ACCORDANCE WITH HB 1513 – FRIEBELE/MILLS
26. DISCUSS, APPROVE, OR DISAPPROVE ORDER #O-24-2013 APPOINTING ELECTION JUDGES AND ALTERNATES – FRIEBELE/MILLS
27. REPORT RECEIPT OF AND RECORD IN COMMISSIONERS' COURT MINUTES THE 36TH, 156TH & 343RD JUDICIAL DISTRICTS COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT BIENNIUM BUDGET FOR FISCAL YEAR 2014-2015 – FRIEBELE/MILLS
28. DISCUSS, APPROVE, OR DISAPPROVE PUBLIC OFFICIAL BONDS ON KRISTIN GUERRA, DEPUTY TAX ASSESSOR-COLLECTOR, AND MICHELE M. BENNETT, DEPUTY ELECTIONS CLERK/VOTING ASSISTANT; AND BOND CONTINUATION CERTIFICATE ON JUSTIN D. COOK, IT DIRECTOR – FRIEBELE/MILLS
29. DISCUSS, APPROVE, OR DISAPPROVE COUNTY TREASURER'S QUARTERLY INVESTMENT REPORT – CARTWRIGHT/MILLS
30. DISCUSS, APPROVE, OR DISAPPROVE BUDGET LINE ITEM TRANSFERS – KIRK/MILLS
31. DISCUSS, APPROVE, OR DISAPPROVE ACCOUNTS PAYABLE - KIRK/MILLS
32. DISCUSS 2014 PRELIMINARY BUDGET – KIRK/MILLS
33. DISCUSSION AND ACTION, IF ANY, ON 2013-2014 PLAN YEAR RENEWAL RATES FOR HEALTH INSURANCE AS PROPOSED BY TEXAS ASSOCIATION OF COUNTIES-HEALTH AND EMPLOYEE BENEFITS POOL (TAC-HEBP) – ROUSSEAU/CARTWRIGHT/MILLS

VII. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS & DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN: *“At this time, County Commissioners will report/update on all committee assignments which may include the following: Aransas Pathways Steering Committee; Cedar Bayou; County Storm Water Advisory Committee; Coastal Bend Council of Governments; Coastal Bend Bays & Estuaries; Economic Development; Live Oak Tree Committee; Navigation District; Personnel Committee; Rural Rail District; Rockport Community Park/Swimming Pool Committee; and Tiger Field. Elected Officials & Department Heads reports include but are not limited to the following: Airport Advisory Board Updates; County Auditor—Read Fee Reports of county & precinct offices; County Treasurer—Healthy County Wellness Programs.”*

VIII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST REGARDING WHICH NO ACTION WILL BE TAKEN: *“At this time, Commissioners' Court will hear reports/updates from Commissioners or County Staff about items of community interest including (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen; (4) a reminder about an upcoming event organized or sponsored by the Court; (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the Commissioners' Court that was attended or is scheduled to be attended by a Commissioner or an official or employee of the County; and (6) announcements involving an imminent threat to the public health and safety of people in the County that has arisen after the posting of the agenda.”*

IX. PRESS QUESTIONS:

At this time, the Commissioners' Court will accept questions from the press on items related to Agenda items which need clarification or further response. This item is provided as a courtesy to keep the citizens of Aransas County informed.

X. CLOSED SESSION:

1. COMMISSIONERS' COURT WILL MEET IN CLOSED SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 TO DISCUSS REAL ESTATE NEGOTIATIONS, INCLUDING PATHWAYS PROJECTS
2. COMMISSIONERS' COURT WILL MEET IN CLOSED SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.072 TO DISCUSS AND REVIEW CURRENT LITIGATION ISSUES

XI. OPEN SESSION:

COMMISSIONERS' COURT WILL RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN CLOSED SESSION

XII. ADJOURNMENT

DATED THIS THE 18TH DAY OF JULY, 2013.

NOTES TO THE AGENDA:

- 1) THE COMMISSIONERS' COURT RESERVES THE RIGHT TO RETIRE INTO EXECUTIVE CLOSED SESSION CONCERNING ANY OF THE ITEMS LISTED ON THIS AGENDA, WHENEVER IT IS CONSIDERED NECESSARY AND LEGALLY JUSTIFIED UNDER THE *OPEN MEETINGS ACT*.
- 2) 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.

FILED
AT 3:50 P. M.

JUL 18 2013

*Posted
4:00 P*

Peggy L. Friebele

PEGGY L. FRIEBELE
COUNTY CLERK, ARANSAS CO., TEXAS

COMMISSIONERS' COURT, ARANSAS COUNTY, TEXAS

I, the undersigned, County Clerk, do hereby certify that the Notice of the above named Commissioners' Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board in the courthouse lobby of Aransas County, Texas on the ___ day of _____, 2013, and said Notice remained so posted continuously for at least seventy-two (72) hours preceding the scheduled time of said Meeting.

COUNTY CLERK, ARANSAS COUNTY, TEXAS

COMMISSIONERS' COURT AGENDA ITEM NO. 9 ATTACHMENT

**EXECUTIVE SUMMARY
NAISMITH CONTRACT (TULE CREEK WEST PROJECT)**

The original Contract amount covers foreseeable costs associated with engineering, administration and construction management. Costs for the bridge and kiosk and trails will be developed through solicitation of bids and presentation to the Court for approval. Upon Court approval, the Naismith Contract amount will be increased to cover the cost of these individual procurement actions. The estimated final value of this Contract is \$205,000. In the event that separate contracts are issued by the County to cover purchase of project components, the Naismith Contract value will be unchanged.

COMMISSIONERS' COURT AGENDA ITEM NO. 16

Seized Property to Be Declared Surplus and Auction for Sale by Commissioners Court on July 22, 2013

1. 2 Metal Wagon Wheels – 3 2013-2777-JC
2. Honda XR Dirt Bike- 3 2013-2779-JC
3. 7 Assorted Bicycles- 3 2013-2780 – JC
4. 8 Assorted Bicycles -3 2013-2778-JC
5. 9 Assorted Bicycles – 3 2013-2775- JC
6. 11 Assorted Bicycles- 3 2013-2776-JC