

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

Jack Chaney
Commissioner, Pct. 1-1A



Pat Rousseau
Commissioner, Pct. 3

Leslie Casterline
Commissioner, Pct. 2

Robert Dupnik
Commissioner, Pct. 4

AMENDED 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 **22nd DAY of MAY, 2023 at 9:00 A.M. IN THE COMMISSIONERS COURTROOM IN THE ARANSAS COUNTY COURTHOUSE, 2840 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. ROLL CALL AND CONFIRMATION OF QUORUM**
- III. PLEDGES**
- IV. INVOCATION**
- 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, which has not been posted 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.

1. Discuss, approve, or disapprove the issuance of Proclamation P-09-2023 declaring June 2023 as “Elder Abuse Prevention Month” in Aransas County – Judge Garza

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.

2. Discuss, approve, or disapprove the Minutes from the May 8, 2023 Regular Meeting – Misty Kimbrough/Judge Garza
3. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a Certificate of Continuing Education for Alma Cartwright from V.G. Young Institute of County Government, Texas A&M AgriLife Extension Service, for a total of 30 hours – Alma Cartwright/Judge Garza
4. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a Certificate of Continuing Education for Patricia Randall from V.G. Institute of County Government, Texas A&M AgriLife Extension Service, for a total of 34 hours – Alma Cartwright/Judge Garza
5. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a Certificate of Continuing Education for Brandy Mygatt from V.G. Institute of County Government, Texas A&M AgriLife Extension Service, for a total of 12 hours – Alma Cartwright/Judge Garza
6. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a Certificate of Continuing Education for Lauren Collins from V.G. Institute of County Government, Texas A&M AgriLife Extension Service, for a total of 24 hours – Alma Cartwright/Judge Garza
7. Acknowledge and record in the minutes of the Commissioners Court a donation from Cat Tails Rescue for the following services to Aransas County Animal Care: covered expenses for spay/neuter surgeries (\$1,833.50), medical tests, and vaccinations (\$1,833.50) to enable rehoming cats through partnering with no-kill shelters outside of Aransas County. The total value of donated services in April 2023: \$3,187.90 – Commissioner Rousseau
8. Acknowledge and record in the minutes of the Commissioners Court a donation from Another Chance RFT for the following services to Aransas County Animal Care: veterinary care including spaying/neutering, vaccines, heartworm preventative, rabies shots, flea and tick preventative, and heartworm treatments (\$4,582.00) plus transportation, supplies, cremations, and boarding (\$1,609.00). The total value of donated services in April 2023: \$6,191.00 and 250 volunteer hours – Commissioner Rousseau

9. Discuss, approve, or disapprove Resolution #R-12-2023, a Resolution approving the Aransas County Investment Policy (No changes – Annual Review and Adoption) – Alma Cartwright/Judge Garza
10. Discuss, approve, or disapprove Resolution #R-13-2023, a Resolution appointing Alma Cartwright, County Treasurer, and Patricia Randall, Chief Deputy Treasurer, as Investment Officers to invest Aransas County’s funds in accordance with the Aransas County Investment Policy – Alma Cartwright/Judge Garza
11. Discuss, approve, or disapprove Resolution #R-14-2023, a Resolution acknowledging the Broker/Dealers List as being authorized to provide investment services to Aransas County – Alma Cartwright/Judge Garza
12. Discuss, approve, or disapprove Resolution #R-15-2023, a Resolution Amending Authorized Representatives of the TexPool Investment Pool, to add Patricia Randall as an additional authorized representative – Alma Cartwright
13. Discuss, approve, or disapprove authorizing the County Judge to execute the Authorized Representative Add Form with Lone Star Investment Pool, adding Patricia Randall as an authorized representative and removing all prior inactive representatives – Alma Cartwright/Judge Garza

VIII. COUNTY REPORTS

14. Discuss, approve, or disapprove the Rockport Cultural Arts District 1st Quarter Report for 2023 – Jennifer Day/Judge Garza

IX. COUNTY ROADS AND FLOODPLAIN

15. Discuss, approve, or disapprove Mott MacDonald’s recommendation to award construction contract for Holiday Beach Road Improvements in the County’s General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270 to LCR Total Transport in the amount of \$3,499,825.70; Authorizing County Judge to execute all necessary documents – David Reid/Judge Garza
16. Discuss, approve or disapprove Mott MacDonald’s recommendation to award construction contract for Southwest Aransas County Drainage Improvements in the County’s General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270, to LCR Total Transport in the amount of \$3,990,785.00; authorizing County Judge to execute all necessary documents – David Reid/Judge Garza

17. Discuss and approve correcting contract amount awarded to Gerke Excavating at the Commissioners Court meeting on March 27, 2023; Price on the March 27, 2023 agenda was listed as \$1,553,883.04; Actual Contract Price is \$2,265,183.19; Project is for Linden Street Drainage Improvements from the General Land Office (GLO) Community Development Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270 – David Reid/Jacky Cockerham,/Judge Garza
18. Discuss, approve, or disapprove the adoption of Resolution R-16-2023, a Resolution of the Commissioners Court of Aransas County, Texas, Selecting and Hiring Contractors to Perform Work Necessary for eight Drainage and Road Improvement Projects funded through the General Land Office Community (GLO) Community Development Block Grant Disaster Relief (CDBG-DR) Contract #20-065-098-C270; Authorizing the County Judge to Execute Necessary Documents; Providing for Severability; and Confirming Compliance with the Texas Open Meetings Act – David Reid/Judge Garza
19. Discuss, approve, or disapprove a request for variance on County subdivision regulations on minimum lot size requirements to replat 1609 S. Terry St. from two lots into one lot – Katherine Comeaux/Judge Garza
20. Discuss, approve, or disapprove partnering with Aransas First Land Trust Development and submitting a pre-proposal to seek National Oceanic and Atmospheric Administration (NOAA)-based Gulf of Mexico Energy Security Act (GOMESA) funds – Katherine Comeaux/Judge Garza

X. CONTRACTS AND GRANTS

21. Discuss, approve, or disapprove Resolution R-10-2023, a Resolution approving an Interlocal Cooperation agreement between Aransas County and the Harris County Department of Education (HCDE) enabling the County to participate in HCDE's Choice Partners National Cooperative, a Purchasing Cooperative; authorizing the County Judge to execute all necessary documents; providing for repealer and severability; confirming compliance with the Texas Open Meetings Act; and establishing an effective date – Jacky Cockerham/Judge Garza
22. Discuss, approve, or disapprove Resolution R-11-2023, to select and hire Mammoth Foundation Repair for the American Rescue Plan Act (ARPA) Diesel Generator Project to supply and install equipment to serve the Animal Care and AgriLife buildings for the amount of \$187,523.60; and Authorizing the County Judge to Execute Necessary Documents – Jacky Cockerham/Judge Garza
23. Discuss, approve, or disapprove Amendment #2 to the Airport Drainage Project Agreement with the Texas Department of Transportation (TxDOT), CSJ Number 2116RCKPT, to reconstruct a drain and repair a sinkhole to increase the total grant award from \$327,000.00 to \$644,263.00, with a local match requirement of \$4,797.00 that is within the airport's Fiscal Year Grant Projects budget – Mike Geer/Judge Garza

24. Discuss, approve or disapprove authorizing the County Judge to sign the Airport Coronavirus Response Grant Program (ACRGP) Agreement with the Federal Aviation Administration (FAA), which program is funded through the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) authorized by Congress in 2020, and which program will reimburse the Aransas County Airport up to \$13,000 for qualified operational expenses – Mike Geer/Judge Garza
25. Discuss, approve, or disapprove the issuance of a Request for Proposals (RFP) for Construction Services for the Bay Shore Drive Shoreline Stabilization Project, which is funded by a grant award from the U.S. Department of the Treasury and administered through the Texas Commission on Environmental Quality (“TCEQ”) as set forth in Grant Contract #582-21-22184 – John Strothman/Judge Garza
26. Discuss, approve, or disapprove use of available Aransas County Gulf of Mexico Security Act (GOMESA) funds to pay for the local match required for the Coastal Erosion Planning and Response Act (CEPRA) Cycle 13 Application for Regulatory Assistance to support a Cedar Bayou U.S. Army Corps of Engineers (USACE) Permit Amendment which, if approved, will create an upland dredge material placement area enabling the beneficial use of dredged materials to help mitigate shoreline erosion, using materials dredged from Aransas National Wildlife Refuge, Cedar Bayou, and Vincent Slough – Commissioner Casterline
27. Discuss, approve or disapprove entering into a Memorandum of Understanding with AEP Texas to participate in the 2023 SCORE/CitySmart Program, an incentive program to improve energy efficiency in County facilities, at no cost to the County, and authorize the County Judge to sign all necessary documents – Jacky Cockerham/Rene Butler/Judge Garza
28. Discuss, approve or disapprove the purchase of a Skid Steer and mulching head attachment from P&D Trucking in the amount of \$75,000, consisting of \$60,000 base for the Skid Steer and \$15,000 for the mulching head attachment, and authorizing the County Judge to execute necessary documents – David Reid/Judge Garza
29. Discuss, approve or disapprove authorizing the County Judge to sign a MOU Agreement with AvFuel Corp. for the use of a refuel truck during the Airport’s Memorial Day Fly-In Event– Mike Geer/Judge Garza
30. Discuss, approve, or disapprove Resolution R-17-2023 to select and hire T. Baker Smith, LLC for the American Rescue Plan Act (ARPA) Aransas County Detention Center Water Tank Project to provide necessary Engineering and Architectural Services; and Authorizing the County Judge to Execute Necessary Documents – Sheriff Mills/Rene Butler/Judge Garza

XI. PLANNING AND BUDGET

31. Discuss, approve, or disapprove the April 2023 Treasurer's Report – Alma Cartwright/Judge Garza
32. Discuss, approve, or disapprove authorizing the Aransas County Treasurer to sign a Promissory Note and Disbursement Request and Authorization for a one year extension ending on May 31, 2024, of the Irrevocable Standby Letter of Credit #1973 issued through Prosperity Bank covering the financial assurance of the Aransas County Transfer Station in the amount of \$10,200.00, which is required by the Texas Commission on Environmental Quality (TCEQ) – Alma Cartwright/Judge Garza
33. Discuss, approve, or disapprove the Budget Line Item - Transfers for the 2022 Budget – Jacky Cockerham/Judge Garza
34. 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

The Commissioners Court will consider convening into a Closed Session to:

35. Consult with counsel and receive legal advice about insurance matters related to Aransas County's projects and insurance claims from Hurricane Harvey, including the following pending litigation:
 - a. Aransas County Texas v. Endurance American Specialty Insurance Company, et al, Aransas County District Court Cause No. 23-0021; and,

- b. Northstar Recovery Services, Inc. v. Aransas County Independent School District and Aransas County, Aransas County, District Court Cause No. 23-0066; and,
- c. Aransas County v. Kathleen Hicks, in her official capacity as Director of the Regional Pool Alliance, Aransas County District Court Cause No. 23-0069,

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 –Jennifer O’Steen/Judge Garza

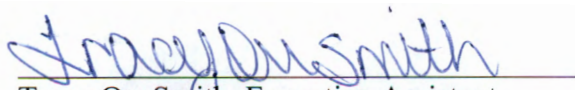
XV. OPEN SESSION

- 36. Reconvene into Open Session
- 37. Discuss and take action on matters discussed in closed session – Jennifer O’Steen/ 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 3:58 p.m.
MAY 18 2023

MISTY KIMBROUGH
COUNTY CLERK, ARANSAS CO., TEXAS
Posted By 4:10p