

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 **25th DAY of SEPTEMBER, 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 & PLEDGES**
- II. INVOCATION**
- III. ROLL CALL AND CONFIRMATION OF 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 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.

V. 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. Presentation by Public Power Pool (P3), an Aggregation Coop for Electric Power for the Public Sector – Jacky Cockerham/Judge Garza
2. Presentation by Rockport Humane Society and Adoption Center – Betty Hattman

3. Presentation by Tree Committee – Debbie Griffith, Betty Stiles, Shelly Steckler

VI. 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.

4. Discuss, approve or disapprove the Minutes from the September 5, 2023 Public Hearing for the 2024 Budget – Misty Kimbrough/Judge Garza
5. Discuss, approve or disapprove the Minutes from the September 5, 2023 Public Hearing for the 2023 Tax Rate – Misty Kimbrough/Judge Garza
6. Discuss, approve or disapprove the Minutes from the September 11, 2023 Public Hearing for the 2024 Budget – Misty Kimbrough/Judge Garza
7. Discuss, approve or disapprove the Minutes from the September 11, 2023 Public Hearing for the 2023 Tax Rate – Misty Kimbrough/Judge Garza
8. Discuss, approve or disapprove the Minutes from the September 11, 2023 Regular Meeting – Misty Kimbrough/Judge Garza
9. Acknowledge receipt of, and record in the minutes of Commissioners Court, a list of salaries for Aransas County’s elected officials in 2024 – Commissioner Rousseau
10. Acknowledge receipt of, and record in the minutes of Commissioners Court, a Certificate of Completion for Judge Garza for meeting his education requirements with 52.5 hours during the fiscal year reporting period - Judge Garza
11. Acknowledge receipt of, and record in the minutes of Commissioners Court, a Certificate of Completion for Commissioner Pat Rousseau for a total of 20 hours earned from the 2023 Annual South Texas County Judges and Commissioners Association of Texas (CJCA) Conference – Commissioner Pat Rousseau
12. Acknowledge receipt of, and record in the minutes of Commissioners Court, a Certificate of Completion for Commissioner Casterline for a total of 17 hours earned from the 2023 Annual South Texas County Judges and Commissioners Association of Texas (CJCA) Conference – Commissioner Casterline
13. Acknowledge receipt of and record in the minutes of Commissioners Court, a letter dated September 8, 2023, of official notification that Aransas County Public Library is accredited and will be a fully qualified member of the Texas Library System for the State Fiscal Year 2024, which is September 1, 2023 through August 31, 2024 – Iris Sanchez/Judge Garza

DONATIONS

14. Acknowledge and accept a Donation of dog food from Todd Kocian for Aransas County Animal Care – Lori Cesar/Judge Garza
15. Acknowledge and accept a Donation of \$25 from Catherine Mann for the Aransas County Animal Care – Lori Cesar/Judge Garza
16. Acknowledge and accept a Donation of kitten supplies from Karen Small for the Aransas County Animal Care – Lori Cesar/Judge Garza

VII. COUNTY REPORTS, PROCLAMATIONS, AND RESOLUTIONS

17. Discuss, approve or disapprove Order #O-20-2023, an Order of the Commissioners Court of Aransas County, Texas, entitled “Prohibiting Outdoor Burning for a Period of up to Thirty Days due to the Existence of Conditions that have Created a Public Safety Hazard” that would be exacerbated by outdoor burning – Judge Garza
18. Discuss, approve or disapprove Order #O-21-2023, an Order of Special Election for the November 7, 2023, replacing Order O-18-2023 due to a change in a polling location– Kevin Stroud/Judge Garza
19. Discuss, approve or disapprove Order #O-22-2023, an Order setting the 2024 Sheriff/Constable Fees with no change from the 2023 fees – Misty Kimbrough/Judge Garza
20. Discuss, approve, or disapprove Resolution R-26-2023, a Resolution joining the Public Power Pool (P3), an Aggregation Coop for Electric Power for the Public Sector and Authorizing the County Judge to sign a contract for power when rates are favorable – Jacky Cockerham/Judge Garza
21. Discuss, approve, or disapprove Resolution #R-27-2023, a Resolution Supporting the recent passage of Senate Bill 29 Relating to Prohibiting Governmental Entity Implementation or Enforcement of a Vaccine Mandate, Mask Requirement, or Private Business or School Closure to Prevent the Spread of COVID-19 – Commissioner Rousseau
22. Discuss, approve or disapprove Proclamation #P-14-2023, proclaiming October 2023 as “Texas Archeology Month” – Doreen Bronner/Judge Garza
23. Discuss, approve or disapprove Joint Proclamation #JP-15-2023, proclaiming October 6th, 7th and 8th, 2023 as the 48th Annual Rockport-Fulton SeaFair Festival – Judge Garza
24. Discuss, approve, or disapprove the 2nd Quarter 2023 Report of the Texas Maritime Museum – Justin Parkoff/Judge Garza

VIII. CONTRACTS AND GRANTS

25. Discuss, approve or disapprove entering into a Real Estate Purchase and Sale Agreement between Rockport Property Entity, LLC, EVC-CC Land Holdings, LLC and Aransas County, Texas for the purchase of approximately 972.952 acres of land out of the A6 Joseph Fessenden Survey, J Smith Survey , and A14 Anselmo Bergara Survey, near Cape Valero and 1751 FM in Aransas County, for Two Million Three Hundred and Fifty Thousand Dollars (\$2,350,000.00), contingent upon the award and receipt of grant funds from the GOMESA Program CMP Cycle 29 for Projects of Special Merit and authorize the County Judge to execute necessary documents –Kat Comeaux/Judge Garza
26. Discuss, approve, or disapprove County Auditor signing the Non-Federal Sponsors Self-Certification of Financial Capability for Agreements Form for the County to participate in the CAP 204 program with Texas Parks & Wildlife Department, General Land Office and U.S. Army Corp of Engineers in the implementation of the Aquatic Ecosystem Restoration at Goose Island State Park – John Strothman/Judge Garza
27. Discuss, approve or disapprove County Judge signing a letter from the County to participate in the CAP 204 program with Texas Parks & Wildlife Department, General Land Office and U.S. Army Corps of Engineers in the implementation of the Aquatic Ecosystem Restoration at Goose Island State Park – John Strothman/Judge Garza
28. Discuss, approve or disapprove authorizing County Judge to enter into a contract with CDW Government, an authorized re-seller under Texas Department of Information Resources (TX DIR) Cooperative purchasing agreement number DIR-TSO-4315; for professional services to implement a next generation software security service on county computers for a cost not to exceed \$51,868.07 – Collin Jackson/Judge Garza
29. Discuss, approve or disapprove authorizing County Judge to enter into a contract with CDW Government; a Fortigate authorized re-seller; under Texas Department of Information Resources (TX DIR) Co-Operative Purchasing Agreement Technology Sourcing Office (TSO) contract number DIR-TSO-4315; for replacement of physical network security infrastructure components; in the amount of \$58,954.594 – Collin Jackson/Judge Garza
30. Discuss, approve or disapprove authorizing County Judge to execute a professional services contract with CDW Government; an authorized re-seller of FortiNet; Under the Sourcewell Cooperative Purchasing Agreement #081419; to implement, configure and deploy the new network security infrastructure; pending successful negotiations with the County Attorney's office; and for an amount not to exceed \$21,000.00 – Collin Jackson/Judge Garza

IX. PLANNING AND BUDGET

31. Discuss, approve, or disapprove the August 2023 Treasurer's Report – Alma Cartwright/Judge Garza
32. Discuss, approve, or disapprove updating the Aransas County Court Calendar and List of Paid Holidays to include Juneteenth in 2024 – Desiree Upton/Judge Garza

33. Discuss, approve or disapprove allowing the Healthy County Coordinator (Human Resources Director) to spend up to \$2,580.00 of the Healthy County & Fair Funds on incentives and other expenditures incurred for the Annual Aransas County Employee Health Fair in anticipation of receiving funds back from Texas Association of Counties (TAC) Healthy County Program - Desiree Upton/Judge Garza
34. Discuss, approve, or disapprove a Job Description and Title for a Felony Prosecutor for the County Attorney's office – Amanda Oster/Judge Garza
35. Discuss, approve or disapprove authorizing the County Judge to sign the Texas Association of County's (TAC) Workers Compensation Renewal Agreement and Questionnaire for Plan Year 2024 – Desiree Upton/Judge Garza
36. Discuss, approve, or disapprove authorizing the County Judge to sign the Texas Association of County's (TAC) Liability Renewal Agreement and Questionnaire for Plan Year 2024 - Jacky Cockerham/Judge Garza
37. Discuss, approve, or disapprove the Budget Line Item - Transfers for the 2023 Budget – Jacky Cockerham/Judge Garza
38. Discuss, approve, or disapprove Accounts Payable and Payroll/Payroll Liabilities – Jacky Cockerham/Judge Garza

X. 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.

XI. 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.

XII. CLOSED SESSION

39. Convene into a Closed Session to 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:

- 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. *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

XIII. OPEN SESSION

40. Reconvene into Open Session
41. Discuss and take action on matters discussed in closed session – Jennifer O’Steen/ Judge Garza

XIV. 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 1:40 P.M.

SEP 20 2023

MISTY KIMBROUGH
COUNTY CLERK, ARANSAS CO., TEXAS
Posted at 1:55pm