

**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**

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Notice is hereby given that a **Regular Meeting** of the above named Commissioners Court will be held on the **14th DAY of OCTOBER, 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:

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- 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.*

1. Issuance of Proclamation P-19-2024 – National 4-H Week – Megan Glidden/Virginia Easton-Smith

2. Issuance of Proclamation P-20-2024 – Declaring October 2024 as Archeology Month – Judge Garza
3. Issuance of Proclamation P-21-2024 – Declaring October 2024 as National Breast Cancer Month – Judge Garza
4. Presentation by the Texas Maritime Museum announcing new expansion project - Executive Director Michael Ables/Board of Trustees Capt. Tom Rodino/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.*

5. Discuss, approve or disapprove the Minutes from the September 23, 2024 Amended Regular Meeting – Misty Kimbrough/Judge Garza
6. Discuss, approve or disapprove the Minutes from the September 23, 2024 Special Meeting – Misty Kimbrough/Judge Garza
7. Discuss, approve or disapprove the Minutes from the October 3, 2024 Special Meeting – Misty Kimbrough/Judge Garza
8. Discuss, approve or disapprove the Minutes from the October 7, 2024 Workshop Meeting – Misty Kimbrough/Judge Garza
9. Discuss, approve or disapprove the Minutes from the October 8, 2024 Special Meeting – Misty Kimbrough/Judge Garza
10. Acknowledge and accept the following donations:
  - a. Gary Sanders - \$50.00
  - b. Sandy Oaks kennels adoption swag bags. Estimated amount of \$300.00
  - c. Rabies Clinic Donations - \$40.00Caitlan Frazier/Judge Garza

## VIII. COUNTY REPORTS AND RESOLUTIONS

11. Discuss, approve or disapprove the Rockport Center for the Arts Report for 3<sup>rd</sup> Quarter 2024 – Luis Purón/Judge Garza
12. Discuss, approve or disapprove Resolution R-24-2024 for the Indigent Defense Grant Program – Jacky Cockerham/Judge Garza
13. Discuss, approve or disapprove request for Animal Control Officers to be recognized as First Responders – Caitlan Frazier/Judge Garza

**IX. COUNTY ROADS AND FLOODPLAIN**

14. Discuss, approve or disapprove authorizing solicitation of Request for Proposals (RFP) for road materials for the County of Aransas and authorize the County Judge to sign all necessary documents – David Reid/Judge Garza

**X. CONTRACTS AND GRANTS**

15. Discuss, approve or disapprove FEMA Disaster Recovery Project No. DR-4332-0015-TX, Hurricane Harvey Phase II, Texas Division of Emergency Management (TDEM) Sub-Grant Award for a Hazard Mitigation Grant Program (HMGP), for the Aransas County Lamar Beach Road Flood Protection project authorizing the County Judge to sign and execute all necessary documents – Elle Moralez/David Reid/Judge Garza
16. Discuss, approve or disapprove accepting and approving as-built drawings for Linden Drainage Improvements, in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270 and authorize County Judge to sign a letter of as-built approval – David Reid/Judge Garza
17. Discuss, approve or disapprove Change Order No. 5 for construction contract for East Linden in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270, with Gerke Excavating Inc. The contractor requests an additional 24 days on the contract time – David Reid/Judge Garza
18. Discuss, approve or disapprove accepting Linden Drainage Improvements in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270 as complete and authorize County Judge to sign a Certification of Construction Completion – David Reid/Judge Garza
19. Discuss, approve or disapprove Change Order No. 7 of construction contract for Southeast Aransas County Drainage Improvements in the County's General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270. Brizo Construction, LLC requests an increase in the contract amount by \$34,130.25 and an increase in time by an additional 30 days – David Reid/Judge Garza
20. Discuss, approve or disapprove Change Order No. 4 for construction contract for Holiday Beach in the County's General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270, to LCR Total Transport, LLC. This change order increases the contract time by thirty (30) days – David Reid/Judge Garza
21. Discuss, approve or disapprove accepting and approving as-built drawings for Loop 1781 Road Improvements, in the County's General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270 and authorize County Judge to sign a letter as as-built approval – David Reid/Judge Garza
22. Discuss, approve or disapprove accepting Loop 1781 in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270, as complete and authorize County Judge to sign a Certificate of Construction Completion – David Reid/Judge Garza

23. Discuss, approve or disapprove accepting and approving as-built drawings for Rattlesnake Point Road in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270 and authorize County Judge to sign a letter of as-built approval – David Reid/Judge Garza
24. Discuss, approve or disapprove accepting Rattlesnake Point Road in the County's General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270 as complete and authorize County Judge to sign a Certificate of Construction Completion – David Reid/Judge Garza
25. Discuss, approve or disapprove authorizing the County Judge to sign agreement with The Solco Group to Prepare a Disadvantaged Business Enterprise Plan and Triennial Goal Methodology for Aransas County at the cost of \$8,600.00, to be paid from the Airport Fund, and which is 90% reimbursable through the Routine Airport Maintenance Program (RAMP) Grant – Mike Geer/Judge Garza

#### **XI. PLANNING AND BUDGET**

26. Discuss, approve or disapprove the August 2024 Treasurer's Report – Alma Cartwright/Judge Garza
27. Discuss, approve or disapprove the Aransas County Indigent Health Care Report for September 2024 – Alma Cartwright/Judge Garza
28. Discuss, approve or disapprove adoption of the revised Aransas County Procurement Policy - Adela C. Martinez/Judge Garza
29. Discuss, approve or disapprove and authorize County Judge to sign the Texas Association of Counties' Workers Compensation Renewal Agreement and Questionnaire for Plan Year 2025 – Desiree Upton/Judge Garza
30. Discuss, approve or disapprove the September 2024 Auditor's Monthly Report – Jacky Cockerham/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 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. *Western Steel Company v T2J Partners, LLC DIE/A FPS Recovery, LLC and Aransas County, Texas*; Aransas County Cause No. 24-0072, in the 36<sup>th</sup> district Court of Aransas County, Texas;

iv. *Discuss the status of the formal alternative dispute resolution occurring between the County and Teal Construction Company for the Downtown Anchor Project and review of a proposed negotiated agreement 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,*

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 –Amanda Oster/Adela C. Martinez/Judge Garza

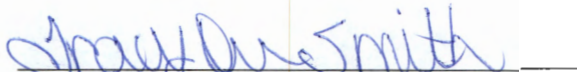
**XV. OPEN SESSION**

- 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 the pending matters between the County and Teal Construction Company for the Downtown Anchor Project and Authorizing the County Attorney's Office to act accordingly –  
Amanda Oster/Adela C. 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

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**FILED FOR RECORD**

AT 4:01 P.M.

**OCT 10 2024**

**MISTY KIMBROUGH**  
COUNTY CLERK, ARANSAS CO., TEXAS

Posted By: 420P