

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 **9th 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.

1. Family and Community Health Program Updates –
Megan Glidden, Aransas County Extension Agent - Family & Community Health

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 November 22, 2024 Workshop Meeting – Misty Kimbrough/Judge Garza
3. Discuss, approve or disapprove the Minutes from the November 25, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
4. Acknowledge and accept the following donations for Aransas County Animal Care:
 - Anonymous Donation of \$7.00
 - Laura McCorkle in the amount of \$25.00
 - Noell Myska donated animal supplies in the amount of \$117.97
 - Todd Kocian donated animal supplies in the amount of \$148.68
 - Elma Valdez in the amount of \$100.00
 - Gary Sanders in the amount of \$50.00
 - Pat Olle Elder donated a gift card in the amount of \$10.00
 - Caitlan Frasier/Judge Garza
5. Discuss, approve or disapprove accepting donations in memory of Elaine Albin in the amount of \$460.00 from the following:
 - Vicki L. Pitluk
 - Susan Austin
 - Rita A. Gilbert
 - Martha A. Pearson
 - Diane H. Rome
 - Sara A. Baldwin
 - Mary Lynn Rhodes
 - Janet K. Sutter Revocable Trust
 - Iris Sanchez/Judge Garza
6. Discuss, approve or disapprove allowing the Aransas County Public Library to donate one hundred seventy seven (177) discarded books/dvds/cds to the Friends of the Aransas County Public Library for their book sale – Iris Sanchez/Judge Garza

VIII. COUNTY REPORTS, ORDERS, AND RESOLUTIONS

7. Discuss, approve, or disapprove 3rd Quarter Report from the Rockport-Fulton Chamber of Commerce – Alyssa Massingill/Judge Garza
8. Acknowledge the update from Cody Stewart regarding the recent Warbirds Over South Texas event which occurred at the Aransas County Airport November 15-17, 2024 – Commissioner Rousseau

9. Discuss, approve or disapprove the participation of Aransas County in an Interlocal Agreement with the City of Rockport regarding the Tax Increment Reinvestment Zone (TIRZ) #1. Such an agreement will be written with knowledgeable counsel to include a split of 50% to County's general fund and 50% to TIRZ fund of incremental revenue from ad valorem taxes brought into the TIRZ by new development initiated from Development Plans approved by the TIRZ Board. County requests to be represented by a minimum of two seats on the 7-member board – Commissioner Rousseau

IX. COUNTY ROADS AND FLOODPLAIN - NONE

X. CONTRACTS AND GRANTS

10. Discuss, approve or disapprove renewing an Interlocal Agreement with San Patricio County to provide a Technical Supervisor to inspect and service the County's Intoxilyzer equipment and to be available to testify as a witness if necessary for the cost of \$14,000 for one year, beginning on January 1, 2025 – Sheriff Mills/Judge Garza
11. Discuss, approve, or disapprove authorizing the County Judge to sign necessary documents to renew our GovOS Seamless Documents contract for another one (1) year term, no new monies; renewal Cost is \$27,658.18 and is in the 2025 budget – Collin Jackson/Judge Garza
12. Discuss, approve or disapprove authorizing the County Elections Administrator to upgrade our current Hart InterCivic Voting equipment from Verity Version 2.5 to Verity Version 2.7 – Kevin Stroud/Judge Garza
13. Discuss, approve or disapprove a Contract extension of time with The Grant Connection extending the term from December 31, 2024 until the earlier of January 31, 2025 or until the Project is completed and administratively closed for a fee not to exceed \$3,750.00 - Community Development/County Auditor/Judge Garza
14. Discuss, approve or disapprove Change Order No. 2 for construction contract for Ruby Allen & Traylor Ditch Improvements in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270, to Anderson Columbia Co.- increase the contract amount by an additional \$169,739.00. This change order will increase the total contract amount from \$5,562,662.22. The Change order is for additional work needed to relocate an existing luminaire in conflict with construction as well as mitigating washouts around headwalls - Darrell Siebert/Judge Garza
15. Discuss, approve or disapprove pursuing Engineer to replace Mott MacDonald – Jacky Cockerham/Judge Garza
16. Discuss, approve or disapprove requesting statements of qualifications (RFQ) from architects or respondents with substantial experience designing aquarium facilities to assist Aransas County in developing the new Aquarium at Rockport Harbor – Elle Moralez

17. Discuss, approve or disapprove an Engagement Agreement between Aransas County and Earl & Associates, P.C., for the firm to serve as special counsel to provide legal services on an as-needed basis and, if approved, authorize the County Judge to execute the Agreement – Judge Garza

XI. PLANNING AND BUDGET

18. Discuss, approve, or disapprove the Aransas County Indigent Health Care Report for November 2024 – Alma Cartwright/Judge Garza
19. Discuss, approve or disapprove the use of remaining American Rescue Plan Act Fund [tabled 11/12/2024] [tabled 11/25/2024] – Jacky Cockerham/Judge Garza
20. Discuss, approve or disapprove updated job description for Public Facilities & Maintenance full-time Administrative Assistant. No new monies – Desiree Upton/Judge Garza
21. Discuss, approve or disapprove the 2025 Grant and Financial Policies as presented: Section 3 and Economic Policy, Aransas County Civil Rights Policy-Responding to Discrimination Complaints for Federal and State Grant Programs, Code of Conduct, Fraud Detection, Fixed Asset Methodology, Aransas County Environmental Grant, Fund Balance, Excessive Force, Aransas County Financial Policy and Procedures, Cash Handling, GASB 34 Uncollectible Receivables Policies – Jacky Cockerham/Judge Garza
22. Discuss, approve or disapprove the November 2024 Auditor’s Monthly Report – Jacky Cockerham/Judge Garza
23. Discuss, approve, or disapprove the Budget Line Items Jacky Cockerham/Judge Garza
24. 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

25. 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; 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

- 26. Reconvene into Open Session

- 27. Discuss and take action on matters discussed in closed session –
Adela C. Martinez /Amanda Oster/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 11:29 **A.M.**

DEC 05 2024

MISTY KIMBROUGH
COUNTY CLERK, ARANSAS CO., TEXAS
Posted By 11:45A.