

COMAL COUNTY COMMISSIONERS COURT

July 9, 2009

REGULAR SESSION

AGENDA RESULTS

Danny Scheel, County Judge

Donna Eccleston, Commissioner Pct #1

Jay Millikin, Commissioner Pct. #2

Gregory Parker, Commissioner Pct #3

Jan Kennady, Commissioner Pct #4

PLEASE NOTE - The following minutes are NOT the official and approved minutes of the Commissioners Court meeting. For official minutes, please contact Cynthia Jaqua in the Comal County Clerk's Office @ 830-221-1235

8:15 a.m. ACTION AGENDA The following subjects will be discussed, considered, and acted upon:

1. Approve Claims. **APPROVED**
2. Public Hearing prior to submission of Edward Byrne Justice Assistance Grant application for First Responder Personal Protective Equipment. **NO COMMENT**
3. Consider and approve application for Edward Byrne Justice Assistance Grant for First Responder Personal Protective Equipment, and authorize County Judge to sign. No matching funds required. **APPROVED**
4. Consider and approve Estoppel Certificate for Chapter 381 Economic Development Agreement by and between Comal County, Texas and Investor Grossbacher Partnership detailing the completion of Oak Run Parkway and Independence Drive, and authorize the County Judge to sign. **APPROVED**
5. Consider and approve contract between Comal County and Freese & Nichols, Inc. for Engineering Inspection Services related to the proposed Comal County Dry Comal Creek Flood Retarding Structure. **APPROVED**
6. Consider and approve Interlocal Agreement between the Comal County Sheriff's Office and Comal Independent School District for the provision of Law Enforcement Services (School Resource Officers) for 2009-2010, and submit two original copies for the County Judge to sign. **APPROVED**
7. Consider and approve proposal for modification of District Court holding cells to meet minimum Jail Standards as required by the Texas Commission on Jail Standards, and authorize Purchasing Agent to act accordingly. **APPROVED**

WORKSHOP AGENDA:

1. Presentation by the Sheriff's Office on the Junior Deputy Academy.
2. Discuss Keetch-Byrum Drought Index and drought conditions in Comal County.
3. Reports from Citizens.

ACTION AGENDA CONTINUED:

8. **EXECUTIVE SESSION:** as authorized by Government Code Section 551.071 Consultation with Attorney – Receive legal advice regarding pending or contemplated litigation. **N/A**
9. **If necessary,** discuss and take appropriate action on any and all items or matters discussed in Executive Session.

SUPPLEMENTAL ACTION AGENDA

10. Terminate the agreement between Comal County and CH2MHill for professional engineering services associated with the Dry Comal Creek Flood Retarding Structure, for cause, and authorize the Comal County Criminal District Attorney to initiate legal proceedings necessary to enforce the provisions of the contract and file a claim with CH2MHill's insurance carrier. Said failure to perform is due to CH2MHill's failure to substantially perform, through their refusal to reimburse Comal County \$429,299 for engineering fees owed to the County and CH2MHill did not commence correction of such performance within 5 days of written notice. **APPROVED**
11. Authorize the County Purchasing Director to proceed with a Request for Qualifications for construction phase engineering services related to the proposed Dry Comal Flood Retarding Structure. **APPROVED**

Commissioners Court reserves the right to hear any of the above described agenda items that qualify for an executive session in an executive session by publicly announcing the applicable section number of the Open Meetings Act (Chapter 551 of the Texas Government Code) that justifies executive session treatment.

RECESS