

**County
of
Nueces**



**COMMISSIONERS
COURT
AGENDA**

**LOYD
NEAL**

Nueces County Judge
(361) 888-0444

**PEGGY
BAÑALES**

Commissioner, Precinct 1
(361) 888-0245

**BETTY JEAN
LONGORIA**

Commissioner, Precinct 2
(361) 888-0294

**OSCAR
ORTIZ**

Commissioner, Precinct 3
(361) 387-1151

**H.C. "CHUCK"
CAZALAS**

Commissioner, Precinct 4
(361) 888-0268

DIANA T. BARRERA
Nueces County Clerk
(361) 888-0580

LAURA GARZA JIMENEZ
Nueces County Attorney
(361) 888-0391

MARGARET HAYES
Nueces County Auditor
(361) 888-0556

DATE: Monday, January 8, 2007

9:00 a.m. Commissioners Court Meeting

SPECIAL NOTES

Information on procedures followed on Public Comment and other Commissioners Court meeting components are presented on the next page. Members of the Public are encouraged to review them before attending the Commissioners Court meeting in the Commissioners Courtroom, Nueces County Courthouse.

Next Meeting: Wednesday, January 24, 2007, at 9:00 a.m.
(tentative setting)

901 Leopard Street, Third Floor, Corpus Christi, Texas 78401

INFORMATION ON THE COMMISSIONERS COURT AGENDA

CONSENT AGENDA: At most meetings, the Commissioners Court establishes a Consent Agenda. It consists of those Agenda Items which are routine or non-controversial, and which neither a member of the Commissioners Court nor the public has asked to be pulled for discussion. Once the Commissioners Court has established the Consent Agenda, Agenda Items included on it will be voted upon in one vote, and will not be discussed separately unless requested by the County Judge, Commissioner, or a citizen..

EXECUTIVE SESSION: The Commissioners Court may go into Executive Session to discuss those matters listed anywhere on the Agenda or as otherwise permitted by law.

PUBLIC COMMENT: Members of the public will have the opportunity to address the Commissioners Court during this section on any Agenda Item or any subject within its jurisdiction except a matter related to pending litigation. Each speaker should sign in on the Public Comment Sheet available at the rear of the Courtroom at least five (5) minutes before commencement of the Commissioners Court meeting. Speakers should limit their comments to two (2) minutes. The County Judge may, if he deems it necessary, limit both the number of speakers and the time allotted to each speaker. Under the law, the Commissioners Court may only take action on items specifically listed on the Agenda. Subject matter presented which is not part of the Agenda will be referred to the appropriate department for review and subsequent action. Materials submitted during public hearings will not be returned unless prior arrangements have been made through the County Clerk, with the approval of the County Judge. At least seven (7) copies of any document to be used by any speaker should be available for distribution. The speaker's name and, if applicable, Agenda Item number should be clearly marked on such documents. Public Comment for items not on the Agenda will normally be held at the end of the meeting.

ADJOURNMENTS IN MEMORY: The Commissioners Court may adjourn the meeting in memory of deceased community leaders, County employees, and other distinguished persons. Requests for Adjournment in Memory may be made through any County Commissioner or the County Judge.

AUXILIARY AIDS OR SERVICES: Persons with disabilities who plan to attend this meeting of the Commissioners Court, and who may need special assistance, services or auxiliary aids, should contact the Office of the Nueces County Judge (361-888-0444) at least forty-eight (48) hours ahead of the meeting so that appropriate arrangements can be made.

The Nueces County Commissioners Court will meet in the Commissioners Courtroom in the Nueces County Courthouse in Corpus Christi, Nueces County, Texas, to consider the following:

- A. County Judge calls meeting to order
 - B. Invocation
 - C. Pledge of Allegiance
 - D. County Judge will call the roll, note date, time, and location of meeting, and certify a quorum is present
 - E. Approve the minutes of the November 17, 2006, Commissioners Court Meeting
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- 1. **GENERAL INFORMATION REPORTS:** Members of the Commissioners Court may communicate information to the public and Commissioners Court concerning pertinent County-related issues or projects. The Commissioners Court may not take formal action on any matter discussed under general information reports.
 - 2. **CONSENT AGENDA:** The following Agenda Items are of a routine nature, and the Commissioners Court has received supporting materials for consideration. All these Agenda Items will be passed with one vote without being discussed separately, unless a member of the Commissioners Court or the public requests that a particular Agenda Item be discussed. If so, that Agenda Item will be pulled from the Consent Agenda and discussed as part of the regular Agenda at the appropriate time. One vote will adopt the remaining items on the Consent Agenda.
 - a. Authorize payment of bills and claims certified by the County Auditor, including regular bill summaries dated December 18 (2), December 20, December 27 (2), 2006, January 1, and January 3, 2007, and manual checks dated January 4, 2007.
 - b. Approve Special Motions List dated January 8, 2007.
 - c. Accept \$500.00 donation to the credit of the Constable Precinct #5 Asset Forfeiture Fund.
 - d. Authorize payment of 216 hours of accumulated vacation leave credit to Cora Goding.
 - e. Approve the following contracts:
 - i. Westside Business Association.
 - ii. Big Brothers Big Sisters.
 - iii. Coastal Bend Alcohol and Drug Rehabilitation Center.

REGULAR AGENDA

- 3. Discuss and consider approval of Commissioners Court meeting schedule for 2007.

4. Receive presentation from the Coastal Bend Alcohol and Drug Rehabilitation Center (Charlie's Place), on its activities within Nueces County in 2006.
5. Receive presentation from the Commanding Officer of the Corpus Christi Army Depot.
6. Discuss and consider the Nueces County Legislative Agenda for the 80th Legislative Session of the State of Texas.
7. Discuss and consider execution of agreement with Mental Health and Mental Retardation of Nueces County (MHMR), related to the transport of inmates to state facilities and the County's access to MHMR's statewide database.
8. Discuss and consider ratification of permit for entering park property at Padre Balli Park to LNV Engineering for purposes of Utility Lines.
9. Discuss and consider accepting the donation of real property from Banquete Independent School District by donation deed for park purposes.
10. Discuss and consider execution of amendment to ACH agreement with First National Bank.
11. Discuss and consider items related to the implementation of the Office of Rural and Community Affairs (ORCA) Texas Community Development Block Grant (TxCDBG) contract # 726115 for the San Petronila Estates Unit II Colonia.
12. Approve budget transfers as recommended by the County Auditor, including, Budget Change Order No. 35 for FY 2005/2006, Budget Change Order No. 4 for FY 2006/2007; and Capital Projects Budget Change Order No. 15.
13. Consider personnel actions of a budgeted nature including actions necessary by Order on Page 7 of County Budget:
 - a. Approve Application Temporary and Contract List No. 189 and Unfreeze List No. 502.
 - b. Personnel Changes Reports through December 19, and December 26, 2006; and other personnel or travel related matters.
 - c. Create and Unfreeze position in the Office of County Judge; reclassify executive secretary position to administrative secretary.
 - d. Reclassify Sign Management Clerk Position (#11) to Intermediate Clerk-Public Works.

14. **EXECUTIVE SESSION: PUBLIC NOTICE** is given that the Commissioners Court may elect to go into an Executive Session anytime during the meeting to discuss matters listed on the Agenda, when authorized by the provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code. In the event the Commissioners Court elects to go into Executive Session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the Executive Session will be publicly announced by the presiding officer. In accordance with the authority of the Government Code, Vernon's Texas Codes, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.076, 551.086, the Commissioners Court will hold an Executive Session to consult with attorney(s) including matters related to litigation; deliberate regarding real property, prospective gift(s), personnel matters, including termination, county advisory bodies, security devices, and/or economic development negotiations and other matters that may be discussed in an Executive Session. Upon completion of the Executive Session, the Commissioners Court may in an open session take such action as appropriate on items discussed in an Executive Session.
 - a. Johnny Martinez Claim.
 - b. Kurt Chadwell; Civil Action No. 2-06-CV-00199.
 - c. San Patricio County vs. Nueces County.
 - d. Fulton Coastcon Construction, et.al. vs. Nueces County.
 - e. Omega Contracting, Inc. (OCI) Claim.
 - f. Sylvia Cantu Claim.
 - g. Steve Schwerin vs. Nueces County Juvenile Board.
15. Approve board appointments, including Emergency Services District #1 and #2.
16. **PUBLIC COMMENT:** This section provides the public the opportunity to address the Commissioners Court on any issues within its jurisdiction. The Commissioners Court may not take formal action on any requests made during the Public Comment period which are not on the Agenda, but can refer such requests to County staff for review if appropriate.

Adjournment in Memory (upon request)*