

**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: Wednesday, January 24, 2007

8:30 a.m. Commissioners Court Meeting*

***preceded by Workshop**

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, February 7, 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:

Workshop

- A. County Judge calls for Invocation
- B. County Judge calls workshop to order
 - South Texas Jail Diversion Program presented by Grants Administration Department

Regular Commissioners Court Meeting

- 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 22, November 29, December 11, December 13, and December 20, 2006, Commissioners Court Meetings
1. **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.
 2. **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.
 3. **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 January 8, January 9, January 10, January 11, January 15, January 16, January 17, and January 22, 2007, and manual checks dated January 22, 2007.
 - b. Authorize payment of Pcard purchases for the month of December 2006.
 - c. Approve Special Motions List dated January 24, 2007.

- d. Approve monthly revenue report for November 2006, as presented by the County Auditor in accordance with Section 114.044 of the Texas Local Government Code.
- e. Approve Change Order No. 1 for Van Fleet Construction in the amount of \$13,285.25, related to the Nueces County Juvenile Justice Center Addition and Renovation (no net increase).
- f. Approve Change Order No. 1 for Ram-Bro Contracting, Inc., in the amount of \$42,420.00, related to the 12" waterline for service to the fairgrounds (no net increase in grant).
- g. Ratify/approve substantial completion of Phase 1a of the Richard M. Borchard Regional Fairgrounds Project.
- h. Approve Federal Annual Certification Report for the Nueces County Sheriff.
- i. Authorize the County Judge to execute a contract with the State of Texas for beach cleaning reimbursement.
- j. Approve Master Plan Document and Plan Description of the Nueces County Employee Health Benefit Plan.
- k. Approve execution of a contract amendment to the Office of Rural and Community Affairs (ORCA) Texas Community Development Program (TCDP) contract #724135 for the Rose Acres Colonia project extending the contract period for six months (from December 8, 2006 to June 8, 2007).
- l. Approve Sheriff's recommendation for Project Director for the Substance Abuse and Mental Health Services Administration (SAMHSA) - South Texas Jail Diversion Program.

REGULAR AGENDA

- 4. Receive presentation from the Nueces County Junior Livestock Show Cook-off Alumni.
- 5. Discuss and consider approval of the strategic plan, budget, and memorandums of understanding in relation to the Substance Abuse and Mental Health Services Administration (SAMHSA) - South Texas Jail Diversion Program.
- 6. Discuss and consider authorizing the submission of a grant application to the Texas Health Institute for a Mental Health Transformation Community Collaborative Project in partnership with Mental Health and Mental Retardation of Nueces County (MHMR) and authorize a resolution designating MHMR to be the lead agency and fiscal agent for the grant.
- 7. Receive presentation from the Texas Department of Transportation (TxDOT) related to the feasibility of a trucking lane between the Port of Laredo and Port of Corpus Christi.

8. Receive report from Jail Consultant, Art Contreras, on conditions in the Nueces County Jail.
9. Adopt a resolution supporting legislation that would provide the Nueces County Hospital District with an assignment of subrogation rights from indigent care program recipients.
10. Adopt a resolution relating to the Appointments and Reappointments to the Board of Directors of the Nueces County Housing Finance Corporation.

SPECIALLY SET ITEM: 10:30 A.M. – Recess for a meeting of the **Nueces Housing Finance Corporation**, after which the Commissioners Court will reconvene.

- Consideration and appropriate action regarding a Resolution Authorizing Nueces County Housing Finance Corporation Multifamily Housing Revenue Bonds (GNMA Collateralized Mortgage Loan-Gulfway Manor Apartments Project) Series 2007; and Other Matters in Connection Therewith.

Reconvene to regular Commissioners Court Meeting.

11. Discuss and consider adopting a resolution providing for the designation of voting members of the Executive Council of the Coastal Bend Redevelopment Planning Committee, related to Base Realignment and Closure (BRAC).
12. Discuss and consider adopting a resolution related to the designation of a Local Redevelopment Authority and defining its powers, related to Base Realignment and Closure (BRAC), and other related matters.
13. Discuss request of the Justices of the Peace for reclassification of Senior Clerk positions to Court Managers, and related matters.
14. Discuss and consider execution of agreement with Fulton/Coastcon Construction Corporations for construction of IFB No. 2689-06, the Nueces County Jail Elevator Modernization – Phase II Project.
15. Discuss and consider selection and execution of contract with Terry Orf for services related to Inland Park Restroom Projects.
16. Discuss and consider accepting the donation of real property from Banquete Independent School District by donation deed for park purposes.
17. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:

- a. Authorize State Contract purchase from Dell, Inc. for 51 Computers for Juvenile Justice Center to be paid from Dept. 1317 funds.
 - b. Authorize State Contract purchase from Windham Motor Company for (1) 2007 Tahoe Police Package for Constable Pct. 5, to be paid with Pct. 5 Drug Funds. (\$26,700.00)
 - c. Authorize advertisement for the following:
 - i. Juvenile Justice Alternative Education Program
 - ii. Agenda Management System
 - iii. Road Materials Annual Contracts:
 1. AE-P Specialty Emulsion
 2. CRS-2 Emulsified Asphalt
 3. HFRS-2P Emulsified Asphalt
 4. SS-1 Emulsified Asphalt
 5. Flexible Base Type A Grade 1
18. Approve budget transfers as recommended by the County Auditor, including, Budget Change Order No. 5 for FY 2006/2007.
19. 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. 190 and Unfreeze List No. 503.
 - b. Personnel Changes Reports through January 9, and January 16, 2007; and other personnel or travel related matters.
 - c. Discuss and consider creation and unfreezing of administrative accountant position, elimination of 1st assistant auditor position, reclassify accounting supervisor position to chief accountant; and adjust pay for A/P supervisor, internal audit supervisor, and internal auditors.
20. 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. Kurt Chadwell; Civil Action No. 2-06-CV-00199.
 - b. Interview applicant and discuss and consider selection of County Librarian.
 - c. Discuss and consider contract with Tighe, Patton, Armstrong, & Teasdale, PLLC.
 - d. Fulton*Coastcon Construction, a Joint Venture, Fulton Construction Corporation, Coastcon Corporation, and James w. Barnette v. Nueces County, Texas – Cause No. 06-6834-E.
21. Approve board appointments, including Nueces County Bail Bond Board, Nueces County Board of Park Commissioners, and Coastal Bend Council of Governments (and alternates).

Adjournment in Memory (upon request)*