

**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, May 16, 2007

9:00 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, May 30, 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 for Invocation
 - B. Pledge of Allegiance
 - C. County Judge calls for Workshop
 - Discuss IFP No. 2706-07 – Property and & Casualty Insurance.
 - Discuss Allocation and Project Budget Changes for the Coastal Impact Assistance Program (CIAP).
 - Discuss guidelines/policies of Nueces County Commissioners Court agenda development.
 - 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 March 30, and April 4, 2007, Commissioners Court meetings.
 - F. Adoption of a Memorial Day Proclamation.
 - G. Adoption of a Hurricane Awareness Week Proclamation.
 - H. Recognize receipt of Gold Star Award for safety from the Texas Association of Counties.
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- 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 April 24, May 2, May 3 (2), May 7, May 9, and May 14, 2007, and manual checks dated May 14, 2007.
 - b. Approve Special Motions List dated May 16, 2007.

- c. Discuss and consider approval of Change Order No. 3, in the amount of \$12,535.00, for remedial repairs to existing built-up roof areas, funded out of contingency for no net increase in contract amount, related to the Nueces County Juvenile Department Renovations Project.
- d. Discuss and consider approval of Change Order No. 1, in the amount of \$10,150.00, related to the Courthouse Atrium Elevators and Stairs Construction Project.
- e. Adopt resolutions related to Valero and Flint Hills Buffer Zone Homeland Security Grants.

REGULAR AGENDA

- 4. Discuss and consider approval of guidelines/policies of Nueces County Commissioners Court agenda development.
- 5. Discuss the request to name the Nueces County Law Library the "Honorable Noah O. Kennedy, Jr. Memorial Law Library."
- 6. Receive semi-annual report on the activities of the Coastal Bend Alcohol and Drug Rehabilitation Center (Charlie's Place).
- 7. Discuss and consider selection of Bank Depository for Nueces County, and selection of Bank Depository for the Nueces County Clerk and District Clerk Trust Funds.
- 8. Discuss/Award IFP No. 2706-07 Property & Casualty Insurance.
- 9. Receive presentation by Talma Benavidez, County Extension Agent, Family & Consumer Sciences on the closing celebration for the Walk Across Texas.
- 10. Discuss and consider authorizing the donation of 36 obsolete personal computers and 34 monitors to the Head Start Program as authorized by the Texas Local Government Code, Section 263.152(a)(4)(A)-(C).
- 11. Discuss and consider execution of supplemental agreement to the personal services contract with Jennifer M. Smith-Engle for additional compensation in administering the Nueces County Beach Management Plan.
- 12. Discuss and consider changes to selected pre-application projects to reflect the new allocation of funds for the Coastal Impact Assistance Program (CIAP).
- 13. Receive presentation (1st Year Status Report) on the South Texas Jail Diversion Program (SAMSHA) and introduce the new Program Administrator, Deborah Dumesnil.

14. Discuss and consider selection of Meyers, Villa & Associates, Inc. for professional services, in association with the South Texas Jail Diversion Program (SAMSHA); and execution of contract for professional services with Meyers, Villa & Associates, Inc.
15. Discuss and consider execution of an Interlocal Agreement with Mental Health and Mental Retardation (MHMR) Center of Nueces County in association with the South Texas Jail Diversion Program (SAMSHA).
16. Discuss and consider submission of a grant application to the Texas General Land Office for a Coastal Management Program (CMP) Cycle 13 project.
17. Discuss and consider approving the 2007/2008 Budget Planning Calendar.
18. Discuss and consider designating the Tax Assessor/Collector as the official to calculate the effective tax rate, the rollback rate, and the notice-and-hearing limit, in accordance with Chapter 26 of the Texas Tax Code.
19. Discuss and consider appointment of a Committee for a “Buy a Book Campaign.”
20. Discuss and consider approval of assigned parking at the Sheriff’s Department parking lot on the Lipan Street entrance.
21. 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).
22. Discuss and consider execution of amendment No. 1 to contract with Ron Park, CPA, for financial analysis services related to the I.B. Magee Park Multipurpose Building and Island Park Restroom Projects.
23. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
 - a. Authorize agreements with Holt Cat and/or Caterpillar Financial Services for long-term rental of a Caterpillar 928GZ Wheel Loader through the Texas Association of School Boards TASB (BuyBoard) to include an extended warranty, maintenance, and repurchase agreements and application survey; discuss and consider resolution approving documents related to rental of Caterpillar 928GZ Wheel Loader and all other action necessary to carry out such transaction.

- b. Discuss and consider authorizing the purchases for one 2007 Ford Extended Cab truck from Sames Crow Ford (Total: \$16,877.00) for Island Park Office. New truck will be added to fleet but it will not increase the fleet size. To be paid from Dept. 180-Island Park Fund.
24. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 13 for FY 2006/2007.
25. Consider personnel actions of a budgeted nature including actions necessary by Order on Page 9 of County Budget:
 - a. Application Temporary and Contract List No. Unfreeze List No. 512.
 - b. Personnel Changes Reports through April 17, and April 24, 2007; and other personnel or travel related matters.
 - c. Discuss and consider transfer of witness coordinator position from the Office of Court Administration to the District Attorney's Office; authorize unfreeze.
 - d. Create and unfreeze Jail Diversion Program Technician, Pay Group 14.
26. 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. Discuss and consider granting authority to the County Attorney to file a lawsuit for damages against Mr. Robert Rickard, owner of Austin Woods.

Adjournment in Memory (upon request)*