

**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, June 13, 2007**

**9:00 a.m. Commissioners Court Meeting\***

**\*preceded by Workshop**

**10:00 a.m. Specially Set Item**

**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, June 20, 2007, at 2:00 p.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 will call the roll, note date, time, and location of meeting, and certify a quorum is present.
- D. Adoption of resolutions in recognition of recent Monsignor honors in the Diocese of Corpus Christi.
- E. County Judge will recess regular meeting and call for Workshop –
  - Receive presentation from the City-County Health Department related to the Diabetes Screening and Monitoring of County Employees

**SPECIALLY SET ITEM: 10:00 A.M.** – County Judge will close the Workshop for a meeting of the **Nueces County Housing Finance Corporation**, after which the Commissioners Court will reconvene.

- F. Approve the minutes of the May 2, 2007, Commissioners Court meeting.
  - G. Adoption of a “National Clean Beaches Week” Proclamation.
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 May 24, May 30, May 31 (2), June 4, June 6, and June 11, 2007, and manual checks dated June 11, 2007.
    - b. Approve Special Motions List dated June 13, 2007.

- c. Approve Change Order No. 1 to Winship Construction in the amount of \$62,653.00, related to the Nueces County I.B. Magee Multipurpose Facility Project.
- d. Discuss and consider option to extend the term of the Solid Waste Collection and Disposal Services Agreement with Absolute Waste for a period of one year.
- e. Discuss and consider execution of contract with the Hispanic Women's Network of Texas.

### **REGULAR AGENDA**

- 4. Receive presentation from Chris Cisneros, Program Director, American Heart Association, related to the "Start Walk " program.
- 5. Receive presentation related to Crosstown Commons Project.
- 6. Receive presentation related to Padre Staples Mall Expansion and Renovation Project.
- 7. Discuss and consider execution of amendment to contract with Zachry Construction Corp. related to Phase 1, Parts A & B, Completion of the Richard M. Borchard Regional Fairgrounds Complex.
- 8. Consider the following items related to the designation of depository pursuant to Chapters 116 and 117 of the Texas Local Government Code:
  - a. Discuss and consider qualification of Frost National Bank as depository for the County and the County and District Clerk Trust Funds.
  - b. Discuss and consider resolution and order designating Frost National Bank as depository for the County and the County and District Clerk Trust Funds.
  - c. Discuss and consider resolution designating signatories pursuant to proposed security agreement(s) with Frost National Bank.
  - d. Discuss and consider execution of depository agreements(s), security agreement(s) and related agreements for the County and the County and District Clerk Trust Funds with Frost National Bank.
- 9. Receive presentation on the Nueces County Quarterly Investment Report.
- 10. Receive briefing related to the 80<sup>th</sup> Texas Legislative Session as it relates to Nueces County.

11. Discuss and consider approving amendments to the Indigent Care, Master, and Lease Agreements between Nueces County Hospital District and Christus Spohn Health System:
  - a. First Amendment to the Revised and Restated Indigent Care Agreement relating to Nueces Aid Program eligibility criteria and base enrollment;
  - b. Fourth Amendment to the Master Agreement relating to eligibility criteria and required capital expenditures; and
  - c. May 2007 Amendment to the Lease Agreement relating to required capital expenditures and associated expenditure averaging period and pool segregation.
12. Pursuant to the management agreement between Nueces County and the Metropolitan Planning Organization, discuss and consider inflation adjustment to the fixed annual amount paid to Nueces County.
13. Discuss and consider approval of plans and specifications for the Briscoe King Pavilion Rehabilitation Project.
14. Discuss and consider approval of pricing changes related to an Interlocal Agreement with the City of Corpus Christi for Lifeguard Services.
15. Discuss and consider a revision to the procedures for reimbursement under the Nueces County Tuition Reimbursement Program.
16. Discuss and consider approving two (2) Easements and Right of Way to A.E.P. Texas Central Company (W.R. #13621054) within the bounds of the I.B. Magee Jr. Beach Park located in Port Aransas, Texas.
17. Discuss and consider submission of a grant application to the Texas General Land Office for a Coastal Management Program (CMP) Cycle 13 project.
18. Discuss and consider application procedure for appointment to the Intergovernmental Commission on Drug and Alcohol Abuse Board and the Nueces County Community Action Agency.
19. Receive presentation from the Nonstop Program related to childhood obesity and diabetes in Nueces County.
20. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
  - a. Authorize annual maintenance agreement with Time Warner Cable-Southwest Division of Commercial Services for High Speed Internet Connection at the Keach Family Library. (\$18,430.92)

- b. Authorize Sole Source purchase from Sungard Bi-Tech for annual support agreements for the County's financial software system and for application support in the amounts of \$33,768.36 and \$115,588.56.
  - c. Discuss/Award IFB No. 2711-07 Nueces County 5<sup>th</sup> Floor Renovations.
  - d. Discuss/Award IFB No. 2714-07 Motor Oil and Lubricants.
  - e. Discuss and consider making a finding for the method of procurement (Texas Local Government Code section 262.025 - Request for competitive bid); discuss and consider authorizing the purchasing agent to publish a notice for competitive bids for the following:
    - i. Briscoe King Pavilion Renovations.
    - ii. Pre-Coated Aggregate type PB Grade 3, 4, & 5.
    - iii. Un-Coated Aggregate type B Grade 3, 4, & 5.
    - iv. Re-bid the removal of ceiling insulation from four Jail pods.
  - f. Discuss and consider making a finding for the method of procurement (Texas Local Government Code section 262.030 - Request for Proposals for Group Term Life Insurance; and
    - i. authorizing publishing a notice;
    - ii. approve order delegating evaluation authority to an evaluation committee.
  - g. Recommend a finding for the method of procurement (Texas Local Government Code section 262.0295 - Request for proposals); and
    - i. authorize publishing a notice;
    - ii. approve order delegating evaluation authority to an evaluation committee for Jail Food Service for the County Jail & CSCD.
21. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 15 for FY 2006/2007; and Capital Projects Change Order No. 18.
22. 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. 198 and Unfreeze List No. 514.
  - b. Personnel Changes Reports through May 29, and June 5, 2007; and other personnel or travel related matters.
23. 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. Manuelita Perez Claim.
- b. Discuss settlement options of Austin Woods Claim.
- c. Discuss and consider hiring legal representation on legal matters relating to Civil Action Case No. 2:07- cv-00238, In the United States District Court for the Southern District of Texas, Corpus Christi Division, Edward Wernecke, et.al. v. Nueces County, et.al.

**Adjournment in Memory (upon request)\***