

**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, August 22, 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, August 29, 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 will call the roll, note date, time, and location of meeting, and certify a quorum is present.
 - D. Approve the minutes of the June 11, 2007, Commissioners Court meetings.
 - E. Recognize Karen R. Vaughan for 26 years of service.
 - F. Adopt a proclamation in honor of Harvey L. Buehring.
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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 August 2, August 6, August 9 (2), August 10, August 16, and August 17, 2007, and manual checks dated August 20, 2007.
 - b. Authorize payment of Pcard purchases for the month of July 2007.
 - c. Approve Special Motions List dated August 22, 2007.
 - d. Approve the following Tax Deeds:
 - i. Lot 4, Block 2, Extension of South End Addition, in the amount of \$2,000.00.
 - ii. Lots 27 and 28, Block 14, Chamberlain Addition, in the amount of \$2,000.00.
 - iii. Lot 4, Block 3, Bay View No. 2, in the amount of \$2,000.00.
 - iv. Lot 5-C, Block 9, Extension of South End Addition, in the amount of \$2,000.00.

- v. The North 60 ft. of the West 29.808 feet of the West 57.808 ft. of Lots 4 & 5, Block 9, Extension of South End Addition, in the amount of \$2,000.00.
- e. Approve Change Order No. 2, granting additional working days to the contractor for the Nueces County Courthouse New Elevator and Stairs Project.
- f. Ratify Amendment No. 1 for Architectural Services (JEC Architects, Inc.) for renovations to the Briscoe King Pavilion for extension of time.
- g. Ratify Facility Lease Agreement with the Federal Emergency Management Agency for use of Hilltop Community Center (11425 Leopard St., Corpus Christi, Texas), for disaster response activities.
- h. Discuss and consider execution of Contract Amendment No. 1 with the Robstown Area Development Commission for the purpose of promoting diabetes prevention and awareness that will benefit Nueces County.
- i. Approve Victim Information and Notification Everyday (VINE) Annual Maintenance Grant Contract for Fiscal Year 2008.
- j. Approve acceptance of \$1,000 donation from Devon Energy for the benefit of Precinct #5 Constable.

REGULAR AGENDA

- 4. Discuss and consider Amendment to the Nueces County Personnel Manual to address the issue of Emergency/Disaster Employee Leave policy.
- 5. Receive briefing from Don Lee, Executive Director of the Texas Conference of Urban Counties, related to recent legislation (HB 3732) with potential implications involving industrial plant valuations.
- 6. Discuss and consider the following related to a Court Administration System for Nueces County;
 - a. Discuss and consider execution of an Interlocal Agreement with the Conference of Urban Counties for the purpose of participating in the Urban Counties TechShare Program.
 - b. Discuss and consider execution of the TechShare Resources Sharing Addendum for the common Integrated Justice System (CIJS) to be granted a sublicense from the Urban Counties to acquire and implement the Court Administration System.
 - c. Discuss and consider authorizing payment in the amount of \$17,400 and travel expenses not to exceed \$2,000 to Tyler Technologies for the purpose of developing an Implementation Plan for the Court Administration System.
 - d. Discuss and consider execution of the Participation Agreement with Tyler Technologies and the Conference of Urban Counties for the purpose of becoming a Participating Member County and

- Party to the Master Agreement and, acquire the development, installation, and training services from Tyler Technologies with respect to the Court Administration System.
7. Discuss and consider approval of a Tax Abatement Agreement for Nueces Hotel Holdings, L.P., (Red Roof Inn).
 8. Discuss and consider execution of an agreement for Forensic Pathologist Services.
 9. Receive presentation from the City-County Health District related to diabetes screening and education for Nueces County employees.
 10. Receive presentation from Karen Vaughan related to “Do Well, Be Well with Diabetes” Program.
 11. Receiving briefing from the Nueces County Juvenile Department related to the Texas Juvenile Probation Commission State Financial Assistance Contract for the FY 2008-2009 Biennium.
 12. Discuss and consider execution of Funds Transfer Agreement with depository Frost National Bank; Discuss and consider resolution authorizing County Judge to execute Funds Transfer Agreement, and related documents and Designating County Judge and his designee as authorized representative.
 13. Consider the following items related to the designation of subdepositories pursuant to Chapter 116 of the Texas Local Government Code:
 - a. Discuss and consider qualification of Wells Fargo and American Bank as subdepositories for the County.
 - b. Discuss and consider resolution designating Wells Fargo and American Bank as subdepositories for the County.
 - c. Discuss and consider execution of subdepository agreements with Wells Fargo and American Bank for County funds.
 14. Discuss and consider revising the maximum annual voluntary employee Health Care Reimbursement contribution under the County’s Flexible Benefit Plan from \$2,400 to \$3,600 per year.
 15. Discuss and consider amendments to the Nueces County Employee Health Insurance Plan.
 16. Discuss and consider ratification of contract amendment #2 to the Office of Rural and Community Affairs (ORCA) Texas Community Development Program (TCDP) contract #724135 for the Rose Acres Colonia project.

17. Discuss and consider approval of the Advance Funding Agreement #2 for the Up River Road Project.
18. Discuss and consider selection of an engineering consultant and approval of an Engineering Services Contract for the Up River Road Project.
19. Discuss and consider approval of an agreement with the Texas Department of Transportation (TxDOT) and a Resolution and Order authorizing the County Judge to execute the agreement, related to Right-of-Way Acquisition for bridge replacement at Farm to Market Road 70 at Pintas Creek.
20. Discuss and consider approval of 05/06 and 06/07 budgets for Purchase of Service Contracts through the Texas Department of Family and Protective Services; authorize County Judge to execute.
21. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
 - a. Accept the award and executed agreement for IFB No. 2713-07 Meal Service – Juvenile Department to Smith DeMart Smith, Inc. as approved by the Juvenile Board on July 26, 2007.
 - b. Authorize/Execute an Interlocal Agreement with the City of Corpus Christi to purchase Library Books.
 - c. Authorize Sole Source purchase to Hart InterCivic for the annual software license and support for the County’s eSlate Electronic Voting System in the amounts of \$90,623.00.
 - d. Discuss and consider making a finding for the method of procurement (Texas Local Government Code section 262.0295 - Request for Proposals and Request for Qualifications under Chapter 2254 of the Texas Government Code); discuss and consider authorizing the Purchasing Agent to publish a notice; and adopt an Order delegating evaluation authority to a selection committee for services related to development of a Master Drainage Plan.
 - e. Discuss and consider authorizing the purchasing agent to make purchases pursuant to Section 262.024 (a) (1) & (2) of the Texas Local Government Code, “Discretionary Exemptions” for items related to public health, safety, and to preserve and protect property of citizens and the County, including fuel, water, food, and other items as needed for emergency purposes.
22. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 20 for FY 2006/2007.
23. Consider personnel actions of a budgeted nature including actions necessary by Order on Page 9 of County Budget:
 - a. Application Temporary & Contract List No. 202; Unfreeze List No. 519.

- b. Personnel Changes Reports through August 7, and August 14, 2007; and other personnel or travel related matters.
 - c. Discuss and consider approval of Job Description for the Director, Department of Public Works.
24. 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 an option to buy agreement with the heirs of the Hinze property.
 - b. Stephanie Floyd claim.
25. Approve board appointments, including the Nueces County Child Welfare Board, Nueces County Hospital District Board of Managers, Regional Transportation Authority Board, Nueces County Special Task Force of Adult Protective Services.

Adjournment in Memory (upon request)*