

**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, October 3, 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, October 17, 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. Workshop
 - Discuss term length and limits to the extent permitted by statute, rule, or interlocal agreement for the various boards appointed by the Nueces County Commissioners Court
 - 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 August 8, 17, 20, 22, and 24, 2007, Commissioners Court meetings.
 - F. Adopt a proclamation declaring October 2007 as “Czech Heritage Month” in Nueces County.
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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 September 14, September 20 (2), September 21, September 27, and September 28, 2007, and manual checks dated October 1, 2007.
 - b. Approve Special Motions List dated October 3, 2007.

- c. Approve Certificate of Substantial Completion for the Nueces County I.B. Magee Multipurpose Facility, 321 North on the Beach, Port Aransas, Texas.
- d. Approve Certificates of Substantial Completion for the Jail Lock System Upgrade Project.
- e. Approve the following Tax Deeds:
 - i. Lots 7 and 8, Block 6, Robstown Original Townsite, in the amount of \$1,000.00.
 - ii. Lot 24, Block 4, A.P. Portela Addition, in the amount of \$1,000.00.
 - iii. Lot 11, Block 3, Flores Addition, in the amount of \$900.00.
- f. Approve contract with the Robstown Area Development Commission.

REGULAR AGENDA

- 4. Presentation of candidate to fill the County Extension Agent - Family and Consumer Sciences position.
- 5. Receive presentation from John Michael of Naismith Engineering on the Equestrian Center at the Richard M. Borchard Regional Fairgrounds.
- 6. Discuss and consider adopting a resolution providing for term length and limits to the extent permitted by statute, rule, or interlocal agreement for the various boards appointed by the Nueces County Commissioners Court.
- 7. Discuss and consider ratifying Contract Amendment No. 1 with the Antonio E. Garcia Arts & Education Center – Texas A&M University-Corpus Christi for the purpose of promoting diabetes prevention and awareness that will benefit Nueces County.
- 8. Discuss and consider execution of an interlocal cooperation contract with the Division of Emergency Management, Office of the Governor, related to Border Security Enhancement Operations.
- 9. Discuss and consider ratification of agreement with the Texas Department of Aging and Disability Services for the preparation and delivery of Title XX Meals on Wheels by Nueces County Community Services.
- 10. Discuss and consider submittal of a grant application for the Task Force on Indigent Defense Grant Program.
- 11. Discuss and consider authorizing Sue Morrison, Accounting Assistant to be set up as an additional bank user through Frost Bank in order to allow her access to all necessary County bank accounts for

the completion of various accounting functions in the Treasury Section.

12. Discuss and consider execution of a listing agreement for the sale of a portion of Lot 1, Lot 2 and Lot 3, and a portion of Lot 10, Block 21 of Bluff Portion, Corpus Christi, Nueces County, Texas.
13. Discuss and consider execution of an agreement with Three Dimensional Development, L.L.C., for services related to a County Strategic Planning Retreat.
14. Discuss and consider approval of the reimbursement of expenses for committee member of the Beach Management Advisory Committee.
15. Discuss and consider the request to adopt new Continuance Pay Policy for the Nueces County Personnel Manual.
16. Discuss and consider approval of Amendments #1, #9, and #10 and applicable resolutions to the Nueces County Medical Reimbursement Plan.
17. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
 - a. Motion to discuss and reconsider the order for IFP NO 2737-07 Robstown Parks Concession Stands Service
 - i. Discuss and consider rescinding order of September 19, 2007, to re-advertise the Robstown Parks Concession Stands Service.
 - ii. Discuss and consider establishing the method and procedure of procuring operational services at concession stands through a sealed-proposal procedure authorized by Chapter 262 of the Texas Local Government Code;
 - iii. Discuss and consider Order establishing the method and procedure in procuring concession stand services at the Robstown Parks, authorizing the Purchasing Agent to publish a notice, and delegate evaluation authority to a selection committee.
 - b. Discuss and consider making a finding for the method of procurement (Texas Local Government Code section 262.023 - Request for competitive bid); discuss and consider authorizing the purchasing agent to publish a notice for competitive bid for the following:
 - i. Penning Equipment
 - ii. Grandstands and bleachers
 - c. Authorize Texas Building and Procurement Commission (TBPC) purchase for the Fairgrounds from Mission Restaurant for Kitchen equipment.

- d. Authorize TXMAS State Contract No 3-23V040 purchase for Public Works from John Deere Company for a John Deere 6430 Cab Tractor in the amount of \$73,307.75
 - e. Authorize Sole Source purchase of Full Court case management systems maintenance and support for 70 user licenses for nine (9) Justices of the Peace offices (\$44,467.00).
 - f. Authorize Sole Source purchase of hardware and software maintenance and support for the mainframe system from Hewlett-Packard (\$38,874.42).
 - g. Accept a donation from Regional Transportation Authority (RTA) of seven Ford E-450 Eldorado Buses. Three buses will replace Unit # 85, Unit #195, and Unit # 501 in the Sheriff's office. One bus will replace a 1998 Ford Taurus (County No. 47891) in Community Services. Three will be placed in county surplus and will not be issued to any department at this time. These buses will replace existing vehicles and will not increase the fleet size in either department.
 - h. Authorize issuing to the Sheriff's Office Unit 18 turned in by Constable Precinct 2 and is currently in the Warehouse Surplus.
18. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 24 for FY 2006/2007; Budget Change Order No. 1 for FY 2007-2008.
19. Consider personnel actions of a budgeted nature, including actions necessary by Order on Page 9 of the County Budget:
- a. Application Temporary and Contract List No. 205 and Unfreeze List No. 522.
 - b. Personnel Change Reports through September 18, and September 25, 2007.
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. Discuss and consider authorizing the execution of the purchase agreement with Dolphin Ventures, I, L.L.C., for the purchase of the 45 acres, and related matters.
21. Approve board appointments, including the Nueces County Appraisal District Board.

Adjournment in Memory (upon request)*