

**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 17, 2007**

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

**\*Workshop scheduled for 11:00 a.m.**

**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 31, 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 will call the roll, note date, time, and location of meeting, and certify a quorum is present.
  - D. Approve the minutes of the August 29, and September 5, 2007, Commissioners Court meetings.
  - E. Adopt a proclamation declaring November 2007 as “Home Care and Hospice Month” in Nueces County.
  - F. **At approximately 11:00 a.m.**, the Commissioners Court will go into Workshop with representatives from the Texas General Land Office (GLO), to discuss activities of the GLO, including the Coastal Impact Assistance Program.
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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 28, October 4, October 5 (2), October 11, and October 12, 2007, and manual checks dated October 15, 2007.
    - b. Approve Special Motions List dated October 17, 2007.
    - c. Approve monthly revenue report for August 2007, as presented by the County Auditor, in accordance with Section 114.044 of the Texas Local Government Code.

- d. Approve Contract Amendment No. 2 for Architectural Services Contract (JEC Architects, Inc.) for renovations to the Briscoe King Pavilion.
- e. Discuss and consider concurrence related to Christus Health System Financing by the Tarrant County Cultural Education Facilities Finance Corporation.
- f. Authorize the County Judge to execute an agreement with Direct Energy for a preliminary assessment of an energy efficiency program for Nueces County facilities.
- g. Discuss and consider execution of a resolution authorizing the submittal of a grant application for the Task Force on Indigent Defense Grant Program.
- h. Discuss and consider adopting a “No Change” Order for Nueces County’s participation in the Texas County and District Retirement System for Plan Year 2008.
- i. Discuss and consider authorizing a \$50.00 increase in the Juvenile Probation Department’s Change Fund for a total of \$150.00.

### **REGULAR AGENDA**

4. Discuss and consider authorizing disbursement of funds in the Family Protection Account; authorize execution of the following outside agency contracts:
  - a. Court Appointed Special Advocates.
  - b. Nueces County Children’s Advocacy Center.
  - c. Women’s Shelter of the Corpus Christi Area, Inc.
5. Discuss and consider approval of Memorandum of Understanding with the United States Marshals Service, related to the establishment of a fugitive task force.
6. Authorize the Director of Island Parks to apply for a Dune Protection Permit pursuant to Section II(H)(2) of the Nueces County Beach Management Plan, and a Beach Front Construction Certificate from the City of Corpus Christi, related to public road right-of-way maintenance.
7. Authorize the Director of Island Parks to apply for a Dune Protection Permit pursuant to Section II(H)(2) of the Nueces County Beach Management Plan, related to seaweed disposal.
8. Discuss and consider execution of a Personal Services Contract with Tomas Duran for consulting services related employee benefits management.
9. Discuss and consider execution of Contract Amendment #1 with Nueces County Emergency Services District #2 for fire protection services in the unincorporated areas of Nueces County.

10. Discuss and consider granting \$5,000 to the Ingleside Local Redevelopment Authority; approve agreement.
11. Discuss and consider execution of a Personal Service Contract with Dr. Jennifer Smith-Engle, for services on dune protection issues related to administering the Nueces County Beach Management Plan.
12. Discuss and consider adoption of the Beach Management Advisory Committee's Memorandum dated July 23, 2007, as a response to the Texas General Land Office (GLO) letter dated April 25, 2007, related to the Mariner's Watch Subdivision, Mariners Drive, City of Corpus Christi, Nueces County, Texas; authorize the County Judge to forward to the GLO.
13. Discuss and consider authorizing the submittal of a grant application and execution of a resolution for the Texas Department of Agriculture, Texans Feeding Texans: Home Delivered Meal Grant Program.
14. Discuss and consider authorizing the submittal of a grant application to the AT&T Competitive Grant Program.
15. Discuss and consider execution of an Engineering Services Contract with Stridde, Callins & Associates, Inc., for design work necessary to replace deteriorated piping at the Juvenile Justice Center.
16. Discuss and consider the application procedure for appointment to the Christus-Spohn Board of Trustees, the Nueces County Civil Service Commission, the Nueces County Child Welfare Board, and the Port of Corpus Christi Authority of Nueces County.
17. Discuss and consider approval of List of Vehicle Replacements for FY 2007-2008, as recommended by the Purchasing Agent.
18. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
  - a. Authorize/Execute a contract for IFB No. 2716-07 Renovations for Briscoe King Pavilion Project.
  - b. Discuss/Award IFB No. 2734-07 Regional Fairgrounds Electrical Distribution Equipment.
  - c. Authorize a DIR State Contract No DIR-VPC-03-036 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).
  - d. Authorize a DIR State Contract No DIR-BUSOP-178 purchase of hardware and software maintenance and support for the mainframe system from Hewlett-Packard (\$38,874.42).

19. Discuss and consider approval of Amendment #1 to the Business Associate Agreement with Flex Corp.
20. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 25 for FY 2006/2007; Budget Change Order No. 1 for FY 2007-2008.
21. 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. 206 and Unfreeze List No. 523.
  - b. Personnel Change Reports through October 2, and October 9, 2007.
  - c. Reclassifying Supervisor, Accounting Assistant from Pay Group 17/1 to 18/1, and Accounting Assistant II, from Pay Group 18/1 to 17/1, in the Office of Nueces County Clerk, Treasury Section.
22. 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 offer of settlement in Cause No. 01-60576-2, The State of Texas vs. Bobby Barber, Principal and David Jones, Attorney at Law.
  - b. 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.
  - c. Discuss and consider Sal-Con's claims arising out of construction of restroom facilities at Equistar Park and Bobby Ray & Opal Younts Park, and related matters.
  - d. Discuss and consider a settlement offer from Affirmative Insurance Services related to the I.B. Magee Park maintenance shop damage claim, and related matters.

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