

**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 31, 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, November 14, 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 September 19, October 3, and October 11 (2), 2007, Commissioners Court meetings.
 - E. Adopt a resolution in support of locating a National Oceanic and Atmospheric Administration (NOAA) weather observation and research station in Nueces County.
 - F. Adopt a resolution proclaiming “National Weatherization Day” in Nueces County.
 - G. Adopt a resolution recognizing Dr. David J. Secord, DPM, for his service to Nueces County during the Diabetes Awareness and Wellness Fairs.
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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 October 12, October 18, October 19 (2), October 25, and October 26, 2007, and manual checks dated October 29, 2007.
 - b. Approve Special Motions List dated October 31, 2007.
 - c. Authorize payment of Pcard purchases for the month of September 2007.

- d. Approve monthly revenue report for September 2007, as presented by the County Auditor, in accordance with Section 114.044 of the Texas Local Government Code.

REGULAR AGENDA

4. Receive presentation related to the “Change a Light, Change the World” Program, and introduce a County-wide challenge.
5. Discuss and consider approval of the 2007 Certification of Tax Levy for Nueces County and the Nueces County Hospital District, pursuant to Section 26.09(e) of the Texas Property Tax Code.
6. Accept and approve the Nueces County quarterly investment report for the period ended September 30, 2007.
7. 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.
8. Receive report from Josefina Villarreal, Independent Accountant, on applying agreed-upon procedures for events managed by Global Spectrum at the Richard M. Borchard Regional Fairgrounds
9. Receive report on status of insurance claim, related to the fire damage of October 8, 2006, to the Johnny Calderon Building, 712 E. Main Street, Robstown, Texas, and related matters.
10. Discuss and consider approval of contracts with Nueces County Emergency Services Districts #1 & #2 for fire protection, emergency services, and/or emergency medical services in the unincorporated areas of Nueces County, and related matters.
11. Discuss and consider the application procedure for appointment to the Nueces County Emergency Services District #2.
12. Discuss and consider the application procedure for appointment to the Nueces County Rural Rail Transportation District.
13. Discuss and consider extending Notice of Pending Appointments to the Nueces County Beach Management Advisory Committee to November 6, 2007.
14. Discuss and consider acceptance of the Routine Airport Maintenance Program (RAMP) for annual maintenance of the Automated Weather Observation System at the County Airport.

15. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
 - a. Discuss/Award RFP No. 2731-07 Oso Creek Watershed On-site Sewage Facility.
 - b. Discuss/Select RFP No. 2725-07 CSJ No. 0916-35-149 Management Services for the Nueces County Master Drainage Plan.
 - c. Authorize/Execute a contract for IFB No. 2726-07 New Hawk Watch Platform Hazel Bazemore Park Project.
 - d. Authorize/Execute a contract for IFB No. 2734-07 Regional Fairgrounds Electrical Distribution Equipment.
 - e. 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. Dual-Fuel Articulating Boom
 - ii. Laundry Supplies for the Jail
 - iii. Courthouse Indoor Vegetative Plant Maintenance
 - f. Discuss and consider making a finding for the method of procurement (Texas Local Government Code Section 262.0295 - Request for Proposals); discuss and consider authorizing the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee and delegating authority to issue addenda to the Purchasing Agent for Courthouse Security Services.
 - g. Discuss and consider approving an order regarding the development of the Historic Nueces County Courthouse located along Interstate Highway 37, at 1101 Mesquite Street:
 - i. Make a finding of the method of procurement (Texas Local Government Code Section 263.007 (a),(b)(1)-(4) for the sale or lease of real property through a sealed-proposal procedure;
 - ii. Adopt a sealed proposal procedure for the sale or lease of real property as set out in this Order and authorize the purchasing agent to carry out the Proposal Procedure and take such other action needed in her opinion to carry out this procedure;
 - iii. Authorize the purchasing agent or her designee to order an appraisal of the real property through a licensed appraiser if a sale;
 - iv. Authorize the purchasing agent to publish notice for sealed proposals under Section 263.007 of the Texas Local Government Code;
 - v. Authorize the purchasing agent to issue addenda, when needed, in this Request for Proposals;
 - vi. Appoint an evaluation committee for sealed proposals under Section 263.007 of the Texas Local Government Code as the

designated representative to evaluate the proposals submitted for the RFP.

- h. Authorize TXMAS State Contract No. 7-78060 purchase for the Regional Fairgrounds from John Deere Company for two John Deere HPX 4X4 Gator Utility Vehicle in the amount of \$13,828.42.
 - i. Authorize a purchase for the Regional Fairgrounds from Corpus Christi Cycle Plaza for two Kawasaki Mule 3010 Tran 4X4 in the amount of \$19,415.90.
 - j. Authorize TXMAS State Contract No 4-56040 purchase for the Regional Fairgrounds from American Material Handling, Inc., for a Toyota Model 8FGU25 Industrial Forklift Truck LP in the amount of \$26,155.00.
 - k. Authorize a purchase for the Regional Fairgrounds from H&E Equipment Services for 2007 JLG 2646ES Electric Scissor in the amount of \$14,262.00.
 - l. Authorize TXMAS State Contract No 3-23V040 purchase for the Regional Fairgrounds from John Deere Company for:
 - i. John Deere 6330 Open Station Tractor in the amount of \$40,883.50.
 - ii. 6430 Comfortgard Premium Cab Tractor 95 HP in the amount of \$51,904.50.
 - m. Authorize a Tarrant County Cooperative purchase for the Sheriff's Office for a 2007 Chevrolet Tahoe from Windham Motor Company in the amount of \$27,506.08. This vehicle will replace Unit #53249.
 - n. Authorize a TASB Buy Board State Contract No 208-04 purchase for nine 2007 Chevrolet Impala 9C1 from Caldwell Country Chevrolet in the amount of \$170,383.00. Each vehicle will replace an existing police package unit.
 - o. Authorize Sole Source purchase for an 8' Model 1300 TR3 Arena Rake, Kiser Dragmaster, and 1,000 Gallon Kiser Water Wagon from Absolute Innovations (\$31,235.00).
 - p. Authorize issuing to the Community Services/Inland Parks a 1997 Ford 15 Passenger Van turned in by the Juvenile Department and is currently in the Warehouse Surplus for a 1999 Ford Van.
16. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 26 for FY 2006/2007; Budget Change Order No. 2 for FY 2007-2008; and Capital Project Budget Change Order.
17. 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. 207 and Unfreeze List No. 524.
 - b. Personnel Change Reports through October 16, and October 23, 2007.

18. 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. Tracy Wright Claim.
 - b. Discuss and consider authorizing the execution of the purchase agreement with Dolphin Ventures, I, L.L.C., related to the sale of the 45 acres, and related matters.
 - c. Discuss and consider authorizing the County Judge to execute the Certificate of the County related to the sale of 45 acres at the Richard M. Borchard Regional Fairgrounds, and related matters.
 - d. 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.

Adjournment in Memory (upon request)*