

**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, November 14, 2007**

**8:00 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, November 28, 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 proposal for a Magistrate Court/Drug (DWI) Court Program
  - 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 October 17, 2007, Commissioners Court meeting.
  - F. Adopt a resolution proclaiming November 14, 2007, as “World Diabetes Day.”
  - G. Adopt a proclamation declaring November 2007, as “National Alzheimer’s Disease Awareness Month” in Nueces County.
  - H. Adopt a proclamation commemorating the Texas 4-H Centennial.
  - I. Adopt a resolution in recognition of Roberto Hernandez, Community Supervision and Corrections Department.
  - J. Recognize Robert (Matt) Lowe, County Auditor Assistant, Executive Accountant, for successfully completing the requirements of certification as a County Investment Officer (CIO).
  - K. Adopt a proclamation recognizing Nueces County native, Tomas “Tonka” Velasquez, as a 2007 Tejano Roots Hall of Fame inductee.
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 30, November 1, November 2 (2), November 8, and November 9, 2007, and manual checks dated November 9, 2007.
- b. Approve Special Motions List dated November 14, 2007.
- c. Authorize creation of a change fund for the County Library in Robstown in the amount of \$20.00 and at the Bishop Branch in the amount of \$5.00.
- d. Approve amended 2008 Holiday Calendar.
- e. Approve Change Order No. 2 deducting labor cost of \$992.00, related to the Courthouse Window Renovation Project.
- f. Approve Change Order No. 3 for the Courthouse 5<sup>th</sup> Floor Renovations, in the amount of \$3,002.67.
- g. Approve Change Order No. 6 for the Nueces County Juvenile Justice Center, for no net change in total contract amount.
- h. Approve Change Order No. 1 for the Hilltop Renovations of Wing "F", in the amount of \$6,206.00.
- i. Approve Certificate of Substantial Completion for Hilltop Renovations to Wing "F" Project.
- j. Approve Certificate of Substantial Completion to Nueces County Community Center Project in Robstown.
- k. Approve contract amendment No. 2 for Architectural Services (JEC Architects, Inc.) for renovations to the Briscoe King Pavilion.
- l. Authorize the Nueces County Judge to execute amendment to original Contract with the Department of State Health Services (DSHS) providing control and prevention of Sexually Transmitted Disease and HIV/AIDS in the amount of \$12,445.00 for the period of January 1, 2007, through December 31, 2007.
- m. Accept the Juvenile Justice Alternatives Grant #1470909 awarded from the Criminal Justice Division, Office of the Governor, in the amount of \$39,265.00.
- n. Accept Juvenile Accountability Incentive Block Grant #1336309 awarded from the Criminal Justice Division, Office of the Governor, in the amount of \$19,762.00.
- o. Adopt a Resolution to be delivered to the General Land Office to encourage federal and state funds for Nueces County beach maintenance activities.
- p. Authorize execution of a contract amendment to the agreement between Nueces County and Charlie's Place in association with the South Texas Jail Diversion Program (SAMHSA).
- q. Authorize acceptance of a grant award for the Office of Justice Programs (OJP) Bureau of Justice Assistance (BJA) 2007 Bullet Proof Vests Partnership program.
- r. Approve agreement with Treasury Law Enforcement Agencies and Local, County and State Law Enforcement Agencies for Reimbursement of Expenses.
- s. Approval 3<sup>rd</sup> and final year of independent financial audit of Patillo, Brown, and Hill, L.L.P., for fiscal year ended September

- 30, 2007, in accordance with governmental auditing standards; authorize County Judge to sign engagement letter.
- t. Authorize Release in Full of All Claims and Rights regarding Claim No. PA0007416981, related to a County Vehicle accident claim; and related matters.
  - u. Approve the following “Outside Agency” agreements:
    - i. Coastal Bend Alcohol & Drug Rehabilitation Center.
    - ii. Bishop Chamber of Commerce.
    - iii. Palmer Drug Abuse Program.

## **REGULAR AGENDA**

- 4. Canvass and declare the results of the November 6, 2007, Constitutional Amendment Election and Election for the Adoption of Chapter 174 of the Texas Local Government Code Entitled “The Fire and Police Relations Act,” in accordance with Section 67.003 of the Texas Election Code.
- 5. Discuss and consider resolution of the Council of District Judges increasing the per diem paid to contract court interpreters from \$100 per day to \$160 per day, and from \$50 per half day to \$80 per half day.
- 6. Presentation of candidate to fill County Extension Agent, Agriculture Coordinator position.
- 7. Receive presentation related to the recently adopted Strategic Plan of the Corpus Christi Regional Economic Development Corporation.
- 8. Receive report from Coastal Bend Alcohol and Drug Rehabilitation Center (Charlie’s Place), on its activities in the previous report period.
- 9. Discuss and consider approving and executing the Concession Agreement for the Richard M. Borchard Regional Fairgrounds between Global Spectrum, LP, a Delaware Limited Partnership, and Global Spectrum of Texas, LLC and related matters.
- 10. Discuss and consider approving and executing Letter Agreement between Global Spectrum, LP and Nueces County regarding the obligations of Global Spectrum LP to Nueces County in connection with the Concession Agreement for the Richard M. Borchard Regional fairgrounds and related matters.
- 11. Discuss and consider approving and executing the Commercial Rights Marketing Agreement for the Richard M. Borchard Regional Fairgrounds between Front Row Marketing Services, L.P., a Pennsylvania Limited Partnership, and Global Spectrum L.P., and related matters.

12. Discuss and consider approving and executing a Seismic Permit Agreement with Buffalo Natural Gas Ltd., and related matters.
13. Discuss and consider giving notice to the lessee, Lance Young of Young Ranch, of the seismic survey to be conducted by Buffalo Natural Gas Ltd. and related matters.
14. Discuss and consider selection of an engineering firm for the design of improvements to Lyondell Park.
15. Discuss and consider selection of an engineering firm to prepare plans and specifications for the fourth phase of the Bobby Ray and Opal Younts Park – Agua Dulce, Texas.
16. Discuss and consider selection of an engineering firm in association with the Office of Rural and Community Affairs (ORCA) Texas Community Development Block Grant (TxCDBG) contract # 724135 - Rose Acres Colonia for water, wastewater, roadway and drainage improvements.
17. Discuss and consider the application procedure for appointment to the Mental Health and Mental Retardation (MHMR) Board of Directors.
18. Discuss and consider the application procedure for appointment to Nueces County Special Task Force of Adult Protective Services.
19. Discuss and consider adopting an order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.
20. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
  - a. Discuss/Award IFB No. 2721-07 Uncoated Aggregate Type B, Grade 3, 4, & 5.
  - b. Discuss/Award IFB No. 2722-07 Pre-coated Aggregate Type PB, Grade 3, 4, & 5.
  - c. Discuss/Award IFB No. 2727-07 Nueces County Hilltop Community Center Wing “F” Re-roof.
  - d. Discuss/Award IFB No. 2738-07 Regional Fairgrounds Grandstands and Bleachers Phase A&B.
  - e. Authorize the County Judge to execute a contract for IFB No. 2738-07 Regional Fairgrounds Grandstands and Bleachers Phase A&B.
  - f. Discuss/Award IFB No. 2739-07 Regional Fairgrounds Penning Equipment Phase A&B.
  - g. Authorize the County Judge to execute a contract for IFB No. 2739-07 Regional Fairgrounds Penning Equipment Phase A&B.

- h. Authorize/Execute a contract for RFP No. 2731-07 Oso Creek Watershed On-site Sewage Facility.
- i. Discuss and consider approving an order related to the lease of 121.63 acres of farmland adjacent to the Robstown Airport:
  - i. make a finding of the method of procurement (Texas Local Government Code-Section 263.007 (a),(b)(1)-(4)) for the lease of real property through a sealed-bid procedure;
  - ii. adopt a sealed bid procedure for this lease of real property as set out in this Order and authorize and direct the purchasing agent to carry out the Bid Procedure and take such other action needed in her opinion for carrying out this procedure;
  - iii. authorize the purchasing agent to publish notice for sealed bid under Section 263.007 of the Texas Local Government Code;
  - iv. appoint the purchasing agent as the designated representative to evaluate the bids submitted under Section 263.007 of the Texas Local Government Code.
- j. Authorize TASB BuyBoard State Contract No 271-07 purchases for Public Works for an Etnyre Pressure Sprinkler from Cooper Equipment in the amount of \$34,897.00.
- k. Authorize DIR State Contract No DIR-SDD-236 TBA purchase for Information Technology Department of annual Maintenance Agreement for CISCO equipment from Calence in the estimated annual cost of \$55,809.45.
- l. Authorize TASB BuyBoard State Contract No 225-05 purchase for the Regional Fairgrounds from John Deere Company for a 332 Skid Steer Loader in the amount of \$32,466.02.
- m. Discuss and consider authorizing the purchases for one 2007 Ford E35M XL Super Duty Extended Wagon from Sames Crow Ford (Total: \$19,900.00) for the Sheriff's Office. This vehicle will replace Unit #506.
- n. Authorize removing from inventory a 2005 Chevy Impala (County Id No 57915) assigned to Constable Pct 4 and release the vehicle to Hartford Insurance Company for a settlement amount of \$12,851.18.
- o. Authorize Tarrant County Cooperative purchases from Sam Pack's Five for the following vehicles:
  - i. for Sr. Community Services for a 2008 Ford E-350 Super (Extended Body) 15 Passenger Wagon in the amount of \$20,213.00.
  - ii. for Agriculture Dept for a 2008 Ford F-250 XL Trim, Crewcab in the amount of \$18,867.00.
  - iii. for Island Parks for a 2008 Ford F-150 Supercab in the amount of \$15,400.00.

21. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 26 for FY 2006/2007; Budget Change Order No. 3 for FY 2007-2008.
22. 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. 208 and Unfreeze List No. 525.
  - b. Personnel Change Reports through October 30, and November 6, 2007.
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. Discuss and consider approving and executing the "Certificate of the County" related to Commercial Marketing Agreement and Concession Agreement for tax purposes, and related matters.
  - b. Discuss and consider Daniel Garza claim and related matters.
  - c. Discuss and consider acquiring management for Aviator Stadium.
24. Approve board appointments, including the Nueces County Beach Management Advisory Committee, Port of Corpus Christi Authority of Nueces County, Nueces County Child Welfare Board, and Christus Spohn Health System Board of Trustees, and Nueces County Civil Service Commission.

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