

**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: Tuesday, November 27, 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, December 12, 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. Adopt a resolution proclaiming Saturday, December 1, 2007, as “World AIDS Day” 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 November 15, November 16 (2), and November 21, 2007, and manual checks dated November 26, 2007.
 - b. Authorize payment of Pcard purchases for the month of October 2007.
 - c. Approve Special Motions List dated November 27, 2007.
 - d. Approve Change Order No. 1 to the Fire Alarm System Upgrade Project, related to new 5th floor office space additions.
 - e. Approve Certificate of Substantial Completion for the Courthouse 5th Floor Office Renovations.
 - f. Approve the following “Outside Agency” agreements:
 - i. American Heart Association.
 - ii. Women’s Shelter of the Corpus Christi Area, Inc.
 - iii. Padre Island Business Association.
 - iv. South Texas Substance Abuse Recovery Services, Inc.
 - v. Coastal Bend Council on Alcohol & Drug Abuse.

- vi. Northwest Business Association.
- vii. Gulf Coast Council of La Raza.

REGULAR AGENDA

4. Discuss and consider adoption of an Order implementing a plan for a Magistrate Court and Drug Court Program, setting the number of Magistrates and Salary pursuant to Chapter 54 of the Texas Government Code, and providing for personnel, and related matters.
5. Receive an update on the Diabetes Program for Nueces County employees.
6. Discuss and consider approval of Change Order No. 3 related to the Keach Family Library.
7. Discuss and consider approval of the Commissioners Court meeting schedule for 2008.
8. Discuss and consider execution of an agreement with Keefe Commissary Network, L.L.C., for processing deposits into Jail Inmate Commissary Accounts.
9. Discuss and consider designation of the Chairman of the Nueces County Civil Service Commission.
10. Discuss and consider execution of Memorandum of Understanding with the Coastal Bend Community Foundation for donor services related to the "Buy a Book" Campaign, and related matters.
11. Discuss and consider adoption of a resolution opting out of the Intrastate Freeport Tax Exemption.
12. Discuss and consider approval of the Federal Annual Reports on the asset forfeiture accounts of the Sheriff, District Attorney, and Constables Precincts No. 3 and No. 5; authorize signature of County Judge.
13. Discuss and consider approval of the budgets associated with the 2007/2008 Title IV E Child Welfare Board Administrative Services Contract and the Legal Services Contract; authorize signature of County Judge.
14. 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.

15. 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.
16. 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.
17. Discuss and consider adoption of a resolution authorizing the submission of a grant application to the Coastal Bend Council of Governments 2008 Municipal Solid Waste Grants Program.
18. Discuss and consider acceptance of a grant award from the Criminal Justice Division (CJD) for a Child Abuse Prosecutor.
19. Discuss and consider procedure for appointment to the Intergovernmental Commission on Drug and Alcohol Abuse.
20. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act; and related matters:
 - a. Discuss/Award RFP No. 2719-07 Food Services Program for Nueces County Jails
 - b. Discuss and consider approving an order regarding the development of 4.26 acres of county property:
 - i. make a finding of the method of procurement (Texas Local Government Code-Section 263.007 (a),(b)(1)-(4)) for the sale of real property through a sealed-proposal procedure;
 - ii. adopt a sealed proposal procedure for this sale of land as set out in this Order and authorize and direct the purchasing agent to carry out the Proposal Procedure and take such other action needed in her opinion be necessary for carrying out this procedure;
 - iii. authorize the purchasing agent or her designee to order an appraisal of the land through a licensed appraiser;
 - 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.

- c. 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 Library Security systems for the Keach Library.
 - d. Authorize issuing a 1999 Ford E-350 Van, County Id # 45435, turned in by Public Works Department to the Sheriff's Office to replace a 1999 Crown Victoria Police Interceptor, County Id # 45862.
 - e. Authorize TASB BuyBoard State Contract No 281-07 purchase from Philpott Motors Ltd. for the following:
 - i. One (1) 2008 Ford Cargo Van in the amount of \$22,254.00 (Sheriff's Office)..
 - ii. One (1) 2008 Mechanic Truck Ford F350 Cab/Chassis SRW in the amount of \$36,885.00 (Public Works).
 - iii. One (1) 2008 Tire Truck Ford F350 Cab/Chassis SRW in the amount of \$30,711.00 (Public Works).
21. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 4 for FY 2007-2008, and Capital Projects Budget Change Order No. 21.
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. 209 and Unfreeze List No. 526.
 - b. Personnel Change Reports through November 13, 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 ratifying the hiring of Denise Cheney, Attorney with Bickerstaff Health Delgado Acosta, LLP, to represent Nueces County in all legal matters related to a real estate matter involving approximately 4.26 acres a the Richard M. Borchard Regional Fairgrounds, and related matters.
- c. Discuss and consider legal means (through license or lease agreement) by which to grant a baseball league use of the County baseball stadium and related matters.

Adjournment in Memory (upon request)*