

**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, December 12, 2007**

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

**\*preceded by Workshop**

**10:00 a.m. Public Hearing on Goods-in-Transit  
Tax Exemption**

At the conclusion of Commissioners Court, Court members will attend a tour of the Keach Family Library and Equestrian Center at the Richard M. Borchard Regional Fairgrounds\*\*

**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 19, 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. Recognition of Patricia Yanez for 14 years of service, Human Services Department.
  - D. Recognition of Pat Larsen for 24 years of service, Community Supervision and Corrections Department.
  - E. **Workshop**
    - **Strategic Planning Workshop as follow up to the October 19, 2007, Strategic Planning Retreat**
    - **Discuss information related to Federal Inmate reimbursement rates, and related jail matters**
  - F. County Judge will call the roll, note date, time, and location of meeting, and certify a quorum is present.
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 29, November 30, December 6, and December 7, 2007, and manual checks dated December 7, 2007.
    - b. Approve Special Motions List dated December 12, 2007.
    - c. Approve the monthly revenue report for October 2007, as presented by the County Auditor in accordance with 114.044 of the Texas Local Government Code.
    - d. Approve increase in Nueces County Airport Change Fund from \$25.00 to \$100.00.

- e. Authorize and approve acceptance of donations for the Buy a Book Campaign totaling \$37,118.00.
- f. Authorize and approve acceptance of donation from Commissioner H. C. “Chuck” Cazalas in the amount of \$1,445.00.
- g. Approve the following Tax Deeds:
  - i. Lots 37 and 38, Block 6, Steele Addition, in the amount of \$2,500.00.
  - ii. Lot 7, Block 2, Leary Addition, in the amount of \$8,000.00.
  - iii. Lot 16, Block 2, Loma Alta Subdivision, in the amount of \$3,500.00.
  - iv. Lot 48, Country Club Place, in the amount of \$7,777.71.
  - v. Lot 50, Country Club Place, in the amount of \$7,800.00.
- h. Approve the following “Outside Agency” agreements:
  - i. Operation Clean Sweep, Neighborhood Visions, Inc.
  - ii. Hispanic Chamber of Commerce.
  - iii. Big Brothers Big Sisters

### **PUBLIC HEARING**

**10:00 a.m. The Nueces County Commissioners Court will hold a Public Hearing related to House Bill 621 of the 80<sup>th</sup> Texas Legislative Session, the “goods-in-transit” tax exemption.**

### **REGULAR AGENDA**

- 4. Discuss and consider adoption of a resolution/order opting out of tax exemption for “goods-in-transit” for Nueces County, Nueces County Farm to Market, and Nueces County Hospital District.
- 5. Receive presentation regarding a grant through the Coastal Bend Community Foundation from the J. Kelly & Nell Loving Cain Fund to assist the elderly of Nueces County, to be administered through the Department of Human Services; authorize acceptance of grant.
- 6. Receive a briefing from Halliburton Energy Services, Inc., regarding application for foreign-trade zone subzone status; consider approval of letter of support for Halliburton Energy Services’ application for foreign-trade zone subzone status.
- 7. Receive a briefing from Nueces County Mental Health and Mental Retardation (MHMR).
- 8. Receive a presentation from the Nueces County Children’s Advocacy Center.
- 9. Discuss and consider execution of an interlocal agreement with San Patricio County for providing the services of an Intoxilizer Technical

Supervisor as an adjunct of the law enforcement responsibilities of the parties, and related matters.

10. Discuss and consider approval of RTA Street Improvement Fund Projects for all RTA allocated funds through December 2007.
11. Discuss and consider execution of a new interlocal agreement related to Worker's Compensation Insurance for Nueces County.
12. Discuss and consider entering into a Personal Services Contract with Anna M. Flores related to training and voter outreach on Help America Vote Act.
13. Discuss and consider adoption of a resolution for nomination of a Nueces County Commissioner to serve on the Texas Conference of Urban Counties-Policy Committee.
14. Discuss and consider appointment of Chairman of the Nueces County Beach Management Advisory Committee.
15. Discuss and consider the adoption of an order prohibiting aerial fireworks in the unincorporated areas of Nueces County for the December fireworks season, pursuant to Chapter 352, of the Texas Local Government Code.
16. Discuss and consider acceptance of a grant award for the FY 2007 State Criminal Alien Assistance Program (SCAAP).
17. Discuss and consider execution of a resolution authorizing the submittal of a grant application to the Coastal Bend Council of Governments for a 2008 Municipal Solid Waste Grant.
18. Discuss and consider execution of an engineering services contract with Naismith Engineering, Inc., in association with the Office of Rural and Community Affairs (ORCA) Texas Community Development Block Grant (TxCDBG) contract # 724135 - Rose Acres Colonia for water and wastewater improvements.
19. Discuss and consider execution of an engineering services contract with Naismith Engineering, Inc., in association with the Office of Rural and Community Affairs (ORCA) Texas Community Development Block Grant (TxCDBG) contract # 724135 - Rose Acres Colonia for roadway and drainage improvements.
20. Discuss and consider execution of a contract amendment to an Interlocal Agreement between Nueces County and MHMR in association with the South Texas Jail Diversion Program (SAMHSA).

21. Discuss and consider authorizing the submittal of a grant application to the Texas Book Festival for a Library Technology Grant.
22. Receive presentation from the City of Corpus Christi on a proposed Tax Increment Financing (TIF) Zone for Downtown Corpus Christi.
23. Discuss and consider application procedure for Emergency Services District Nos. 1 and 4.
24. 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/Award IFB No. 2722-07 Pre-coated Aggregate Type PB, Grade 3, 4, & 5.
  - c. Authorize/Execute a contract for IFB No. 2721-07 Uncoated Aggregate Type B, Grade 3, 4, & 5.
  - d. Authorize/Execute a contract for IFB No. 2727-07 Nueces County Hilltop Community Center Wing "F" Re-roof.
  - e. 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 order delegating evaluation authority to a selection committee for the following:
    - i. Drug Testing for Juveniles.
    - ii. Family Preservation Program Services for the Juvenile Department.
  - f. Authorize/Execute an Interlocal Agreement and Membership application with Dallas County for the purchase of D-MED's – Indigent Screening for Court appointed Attorney's.
25. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 27 for FY 2006-2007 and Budget Change Order Nos. 1-A and 5 for FY 2007-2008.
26. 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. 210 and Unfreeze List No. 527.
  - b. Personnel Change Reports through November 20, November 27, and December 4, 2007.
27. 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 ratifying the hiring of Keith Sieczkowski, Branscomb, PC, to represent Patsy Perez, Gerald Garza, and Jim Kaelin, in their individual capacities in all legal matters in cases CA-C-07-405, CA-C-407, and related matters.
28. Approve board appointments, including Nueces County Mental Health and Mental Retardation (MHMR) and the Nueces County Special Task Force of Adult Protective Services.

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

**\*\*At the conclusion of Commissioners Court, the Court members will meet at the Richard M. Borchard Regional Fairgrounds to tour the Keach Family Library at the intersection of Terry Shamsie Blvd. and Highway 77, and the Equestrian Center of the Richard M. Borchard Regional Fairgrounds at the intersection of County Road 40 (East Main Street) and Highway 77, both in Robstown, Texas.**