

**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, January 23, 2008**

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

**\*Beginning with 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, February 6, 2008, 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 to the United States of America and Texas Flags
  - C. Workshop
    - Discuss Capital Improvement Projects List
  - D. County Judge will call the roll, note date, time, and location of meeting, and certify a quorum is present.
  - E. Adopt a resolution in honor of Disabled American Veterans.
  - F. Recognize Nueces County citizens achieving the rank of Eagle Scout.
  - G. Adopt a proclamation honoring Technical Sgt. Robert “Bob” Heiner.
  - H. Recognize Robert Rather for 26 years of service to Nueces County.
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 January 11 (2), January 15, January 17, and January 18, 2008, and manual checks dated January 18, 2008.
  - b. Approve Special Motions List dated January 23, 2008.
  - c. Authorize payment of Pcard purchases for the month of December 2007.
  - d. Approve Substantial Completion for Phase I-B (Equestrian Center) of the Richard M. Borchard Regional Fairgrounds.
  - e. Approve Change Order No. 1 for the New Hawk Watch Platform at Hazel-Bazemore Park.
  - f. Approve “Outside Agency” agreement with the following:

- i. Texas State Guard.
- ii. Fighting to Rid Gangs in America.
- iii. Bishop Economic Development Corporation.

## **REGULAR AGENDA**

4. Discuss and consider approval of License Agreement for use of the Baseball Stadium at the Richard M. Borchard Regional Fairgrounds.\*

### **\*RECESS FOR PRESS CONFERENCE RELATED TO THE 2008 BASEBALL SEASON (Outside Commissioners Courtroom).**

5. Strategic Goals and Objectives Update:
  - a. Veteran's Cemetery.
  - b. Magistrate/Drug Court.
  - c. Ribbon Cuttings.
  - d. Outlet Mall
6. Discuss and consider amending the Mobile Voting Calendar to add the South Texas Lighthouse for the Blind in place of the Corpus Christi Athletic Club on Thursday, February 28, 2008.
7. Receive a presentation from Big Brothers Big Sisters of South Texas and adopt a resolution proclaiming January as "National Mentoring Month."
8. Receive a presentation from the Texas Department of Transportation (TxDOT) on Draft Environmental Impact Study (DEIS) results for I-69 Trans-Texas Corridor.
9. Commissioner Ortiz to clarify "position letter related to County issues" of June 20, 2007.
10. Discuss and consider execution of contract with LNV Engineering for design of the Bobby Ray and Opal Younts Park in Agua Dulce, Texas.
11. Discuss and consider First Amendment to Sale and Development Agreement with Dolphin Ventures I, LLC, to include the purchase of the 4.26 acres at the Fairgrounds, and related matters.
12. Discuss and consider the following items related to the Nueces County Hospital District:
  - a. Approve Hospital District's First Amendment to Lease Agreement with T2 Building, LP reducing existing administrative office square footage effective January 13, 2008, and extending current lease through May 13, 2013, Commissioners Court approval pursuant to Texas Health and Safety Code, Section 281.050.

- b. Adopt a Resolution approving Nueces County Hospital District's nomination to the Texas Conference of Urban Counties for appointment to the Tobacco Settlement Permanent Trust Account Investment Advisory Committee, District's nomination pursuant to Texas Government Code, §403.1042(b)(4) and Commissioners Court's approval pursuant to §403.1042(c).
  - c. Adopt a Resolution approving Nueces County Hospital District's nomination to the Texas Conference of Urban Counties for appointment to the Tobacco Settlement Permanent Trust Account Administration Advisory Committee, District's nomination pursuant to Texas Health and Safety Code, §12.137(b)(4) and Commissioners Court's approval pursuant to §12.137(c).
  - d. Adopt a Resolution accepting the Nueces County Hospital District's Conflict of Interest Disclosure form in lieu of that utilized by Commissioners Court for its Conflict of Interest and Nepotism policy adopted on September 13, 2006.
13. Discuss and consider execution of Amendment to Sticker Lease Agreement between Nueces County, Nueces County Tax Assessor-Collector, and HEB Grocery Company, related to point of sale for Motor Vehicle Stickers.
14. Discuss and consider execution of Amendment to Sticker Lease Agreement between Nueces County, Nueces County Tax Assessor-Collector and Automobile Dealership Sub-Contractors, related to point of sale for Motor Vehicle Stickers.
15. Discuss and consider authorizing the Juvenile Probation Department to change the job title for a Legal Secretary I (pay group 16) to an Accounting Assistant (pay group 16).
16. Discuss and consider adoption of a resolution and authorize submission of a grant application for the Juvenile Accountability Block Grant (JABG).
17. Authorize the Director of Public Works to apply for a Dune Protection Permit pursuant to Section II(H)(2) of the Nueces County Beach Management Plan, to allow for disposing of seaweed on the back side of the dune line.
18. Discuss and consider execution of Interagency Sharing Agreement with the Corpus Christi Independent School District, related to the sharing of juvenile information.
19. Discuss and consider approval of a request by Absolute Waste for a rate increase for residential solid waste collection services.

20. Discuss and consider execution of Purchase Agreement and Deed for sale of property, pursuant to Section 263.008 of the Texas Local Government Code, located at the intersection of Buffalo and Tanchua Street in Corpus Christi, Texas.
21. Discuss and consider the purchase of a van for transportation of enrolled Jail Diversion Program consumers.
22. Discuss and consider execution of an Interlocal Contract Amendment No. 1 for the CIT training of City of Corpus Christi law enforcement officers in relation to the South Texas Jail Diversion Program.
23. Approve/ratify personal services agreement for magistrate services with Linda Rhodes-Shauer.
24. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act, and related matters:
  - a. Discuss/Award IFB No. 2728-07 N.C. Hilltop Community Center Central Corridor Re-roof.
  - b. Discuss/Award IFB No. 2740-07 Laundry Supplies for Nueces County Jail.
  - c. Discuss/Award IFB No. 2742-07 Vegetative Plant Maintenance.
  - d. Discuss/Award IFB No. 2748-07 Keach Library Book Security System.
  - e. Discuss/Reject RFP No. 2724-07 Water improvement project for San Petronila Estates, Unit II.
  - f. Authorize/Execute a contract for IFB No. 2744-07 Farmland for Lease – County Airport.
  - g. Authorize/Execute a contract for IFB No. 2743-07 Dual-Fuel Articulating Boom.
  - h. 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 resurfacing and striping the Nueces County Parking Lot (IFB-2747-07).
  - i. Discuss and consider an order establishing the method and procedure of procuring operational services at the Courthouse for cafeteria food services through a sealed-proposal procedure authorized by Chapter 262 of the Texas Local Government Code, authorizing the Purchasing Agent to publish a notice, and delegate evaluation authority to a selection committee.
  - j. Authorize/Execute a Resolution, Interlocal Agreement and Membership application with Dallas County for the purchase of D-MED's – Indigent Screening for Court appointed Attorneys.
  - k. Authorize Sole Source maintenance agreement from Data Works Plus, LLC for a mug shot system, safe ID system and NIST finger print database system (\$38,964.20).

- l. Authorize a DIR State Contract No DIR-SDD-236 purchase for Network Switches and Wireless Access Points for the Keach Library from Calence in the amount of \$16,068.40.
  - m. Authorize releasing to El Paso County a 2001 Ford Crown Victoria purchased for the Coastal Bend Auto Theft Task Force with funds from the Automobile Theft Prevention Authority.
25. Approve Capital Improvement Project List.
26. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 8 for FY 2007-2008; approve Capital Project Budget Change Orders.
27. 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. 213 and Unfreeze List No. 530.
  - b. Personnel Change Reports through January 8, and January 15, 2008.
28. 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.
29. Approve board appointments, including the Nueces County Emergency Services District No. 1.

**Adjournment in Memory (upon request)**