

**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, February 20, 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: Tuesday, March 11, 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
 - Receive presentation from Red Hawk, related to the new Courthouse Fire Alarm
 - 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 December 27, 2007, and January 9, 2008, Commissioners Court meetings.
 - F. Adopt a resolution declaring February 24, through March 1, 2008, as “Severe Weather Awareness Week” in 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 30, February 7, February 8 (2), February 14, and February 15, 2008, and manual checks dated February 15, 2008.
 - b. Approve Special Motions List dated February 20, 2008.
 - c. Approve Pcard purchases for the month of January 2008.
 - d. Approve the grant closeout summary reports.
 - e. Accept donations from various donors in accordance with Section 81.032 of the Texas Local Government Code; including those for the benefit of the Keach Family Library.
 - f. Accept donation of trees and plants from Fox Nursery to the Nueces County Juvenile Probation Department.

- g. Accept certificate of substantial completion for the New Hawk Watch Platform at Hazel Bazemore Park.
- h. Approve Change Order Nos. 1 and 2, for the Briscoe King Pavilion Renovation Project.
- i. Ratifying the execution of the Jail Food Contract with Aramark Corporation, and related matters.
- j. Approve the following Tax Deeds:
 - i. Lots 9 and 10, Block 3, West End Addition, in the amount of \$2,000.00.
 - ii. Lots 11 and 12, Block 3, West End Addition, in the amount of \$2,000.00.
 - iii. The East ½ of Lot 9 and all of Lot 10, Block 4, West End Addition, in the amount of \$2,000.00.
 - iv. Lot 11, and the West ½ of Lot 12, Block 4, West End Addition, in the amount of \$2,000.00.
 - v. Lots 12 and 13, Block 2, Original Townsite of Robstown, in the amount of \$6,500.00.
 - vi. Lots 31, 32, and the West ½ of Lot 30, Block 26, Original Townsite of Robstown, in the amount of \$6,000.00.

REGULAR AGENDA

- 4. Presentation from State Representative Abel Herrero; accept book donation from Royston, Rayzor, Vickery, & Williams, LLP.
- 5. Receive educational presentation on Smart Growth principles.
- 6. Strategic Goals and Objectives Update:
 - a. Magistrate/Drug Court.
 - b. Ribbon Cuttings.
- 7. Discuss and consider the sale/donation of real property to the Texas Department of Public Safety for the purposes of constructing a new Crime Laboratory.
- 8. Discuss and consider submission of grant application for Juvenile Justice and Delinquency Prevention (JJDP). Funding under JA – Juvenile Alternative via the Office of the Governor “eGrants” web site; adopt resolution.
- 9. Discuss and consider submission of grant application for State Criminal Justice Planning (421) Fund for a Juvenile Probation Officer Training Coordinator, via the Office of the Governor “eGrants” web site; adopt resolution.
- 10. Discuss and consider submission of grant application for a Juvenile Drug Court Program, via the Office of the Governor “eGrants” web site; adopt resolution.

11. Discuss and consider authorizing the submission of a grant application for the Drug Court Grant Program, to the Criminal Justice Division (CJD) of the Governor's Office; adopt resolution.
12. Discuss and consider authorization of a grant application to the Criminal Justice Division (CJD) Fund 421 for a Child Abuse Prosecutor; adopt resolution.
13. Discuss and consider submitting an Intent Application to the Texas Task Force on Indigent Defense, for a discretionary grant.
14. Discuss and consider a request to close three County maintained roadways (Sigmore Road, Texaco Road, and Avenue F – in the Port Area).
15. Discuss and consider the application procedure for appointment to the Nueces County Child Welfare Board and Nueces County Mental Health and Mental Retardation (MHMR).
16. Discuss and consider approving a Second Amendment to the Sale and Development Agreement Between Dolphin Ventures, I, LLC and Nueces County at the Richard Borchard Fairgrounds to modify the feasibility period provisions, and related matters.
17. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act, and related matters:
 - a. Authorize/Execute a contract for IFB No. 2728-07 N.C. Hilltop Community Center Central Corridor Re-roof.
 - b. Authorize/Execute a contract for IFB No. 2742-07 Vegetative Plant Maintenance.
 - c. Authorize/Execute a contract for IFB No. 2722-07 Pre-coated Aggregate Type PB, Grade 3, 4, & 5.
 - d. Discuss and consider making a finding for the method of procurement (Texas Local Government Code section 262.030 - Request for Proposals); discuss and consider authorizing the Purchasing Agent to publish a notice; and order delegating evaluation authority to a selection committee for Property & Casualty Insurance.
 - e. 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).
18. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 10 for FY 2007-2008 and 2004 Certificate of Obligation Capital Projects Change Order No. 23.
19. 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. 215 and Unfreeze List No. 532.
 - b. Personnel Change Reports through February 5, and February 12, 2008.
20. 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 settlement of Dora and Roberto Garza's lawsuit: 07-5577-H, in the 347th District Court, and related matters.
21. Approve board appointments, including the Nueces County Rural Rail Transportation District.

Adjournment in Memory (upon request)