

**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, March 19, 2008**

**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, April 2, 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. County Judge will call the roll, note date, time, and location of meeting, and certify a quorum is present
  - D. Adopt a proclamation declaring April 6, through April 12, 2008, as “County Government Week in Nueces County”
  - E. Adopt a resolution proclaiming April 2008, as “Child Abuse Prevention Month”
  - F. Eagle Scout Recognition(s)
  - G. Adopt a resolution related to Cesar Chavez, Unity Marcha, March 30, 2008.
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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 March 7, March 13, and March 14, 2008; and manual checks March 14, 2008.
    - b. Approve Special Motions List dated March 19, 2008.
    - c. Approve Change Order No. 2 for the Up River Road Rehabilitation Project.
    - d. Approve Change Order No. 1 for the Nueces County Jail Elevator Modernization – Phase II.
    - e. Approve Certificate of Substantial Completion for the Nueces County Jail Elevator Modernization Project – Phase II.

## **REGULAR AGENDA**

4. Receive a presentation from the American Diabetes Association and adopt a resolution proclaiming March 25, 2008, as “American Diabetes Alert Day.”
5. Discuss and consider approval of the following for the upcoming April 8, 2008, Nueces County Democratic Runoff Election:
  - a. Early Voting Substations
  - b. Mobile Voting Calendar
6. Discuss and consider adopting a resolution updating the Nueces County Guidelines and Criteria for authorizing temporary tax abatement.
7. Discuss and consider adopting resolutions authorizing execution of the following Tax Abatement Agreements:
  - a. Barney M. Davis, LP, 4301 Waldron Rd., Corpus Christi, TX
  - b. Nueces Bay WLE, LP, 2002 Navigation Blvd, Corpus Christi, TX
8. Discuss and consider the approval of an interlocal agreement with the Nueces County Bishop Driscoll Drainage District No. 3 for the replacement of a bridge on County Road 77, south of Farm to Market Road 3354.
9. Discuss and consider approval of an agreement with the City of Corpus Christi and adoption of a resolution providing for a Mutual Aid Law Enforcement Task Force.
10. Discuss and consider adopting a resolution pertaining to collective bargaining (1) recognizing the Nueces County Sheriff’s Officer’s Association as the bargaining agent for eligible employees, (2) authorizing proceeding with collective bargaining (3) authorizing the Director of Commissioners Court Administration and others to collective bargain on behalf of Nueces County in open deliberation (4) directing the Director of Commissioners Court Administration to maintain the Commissioners Court informed and to formulate and implement procedures for collective bargaining negotiations and (5) other matters relating to collective bargaining in accordance with Chapter 174 of the Texas Local Government Code.
11. Discuss and consider execution of a contract agreement with South Texas Recovery Services, Inc. (STSARS), in association with the South Texas Jail Diversion Program (SAMSHA).
12. Discuss and consider authorization to submit a grant application to the Texas Parks and Wildlife Department (TPWD) for a Texas Recreation and Parks Accounts Program (TRPA).

Approximately 10:15 a.m. (next item)

13. Presentations on the proposed Wind Farm in Kenedy County.
14. Discuss and consider application procedure for appointment to the Board of South Texas Water.
15. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act, and related matters:
  - a. 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 the following:
    - i. Banquete Park Phase I
    - ii. Uniform Rentals, Floor Maps & Shop Towels, etc
    - iii. Type D HotMix Asphaltic Concrete
    - iv. Personnel Services/Contract Labor
  - b. Authorize an Interlocal agreement between the County and CSCD to have food service provide to the CSCD facility under the Nueces County Jail Food Service contract.
16. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 12 for FY 2007-2008.
17. 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. 217 and Unfreeze List No. 534.
  - b. Personnel Change Reports through March 4, and March 11, 2008.
18. 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 Boyd Liska claim.
19. Approve board appointments, including the Nueces County Mental Health and Mental Retardation Board of Trustees, and the Nueces County Child Welfare Board.

**Adjournment in Memory (upon request)**