

**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, April 16, 2008**

**Amended\*\***

**9:00 a.m. Commissioners Court Meeting\***  
**\*with Workshop and Public Hearing**

**\*\*Add Item 16(g)**

**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 30, 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. Approve the minutes of the March 11, and March 19, 2008, Commissioners Court meetings.
  - E. Receive presentation(s)/accept donation(s) for the benefit of the Keach Family Library
  - F. **PUBLIC HEARING:** with respect to Allied Waste North America, Inc. and its subsidiaries or affiliates projects.
  - G. Workshop
    - Discuss possible county efforts to coalesce various community diabetes programs. Discussion with Diabetes Community Coalition participants on possible Nueces County next step and path forward addressing diabetes in the county
    - Discuss request from Tortuga Harbor Project for use of Packery Channel Park as a mitigation site to include a one acre fresh water pond and related park improvements
    - Receive report related to Energy Efficiency Assessment performed by Direct Energy, as authorized by the Court on October 17, 2007.
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 31 (2),

- April 3, April 4 (2), April 10, and April 11, 2008; and manual checks dated April 14, 2008.
- b. Approve Special Motions List dated April 16, 2008.
  - c. Approve/ratify acceptance of a notice of grant award from the Governor's Division of Emergency Management for the FY '08 Local Border Security Program in the amount of \$160,135.42.
  - d. Approve/ratify license agreement with Keeter Aerial Spraying, Inc.
  - e. Approve/ratify agreement with Department of Information Resources, related to telecommunication services.

### **REGULAR AGENDA**

4. Discuss and consider the adoption of an Order with respect to Allied Waste North America, Inc. and its subsidiaries or affiliates project approving the issuance of revenue bonds by the Mission Economic Development Corporation.
5. Discuss and consider adoption of a resolution in support of Mitigation and Park Improvements by Tortuga Harbor Project at Packery Channel Park.
6. Discuss and consider amending the Nueces County Beach Management Plan to certify pier fees as Beach User Fees (B.U.F.) revenue and use it to maintain the expenses associated with providing beach-related services and facilities.
7. Receive an update related to Strategic Goals and Objectives, Capital Projects, Intergovernmental Relations, and preparations for the 81<sup>st</sup> Legislative Session.
8. Receive Financial Report on Fiscal Year Ended September 30, 2007, from the Nueces County Auditor, pursuant to Section 114.025 of the Texas Local Government Code.
9. Accept and approve the Nueces County quarterly investment report for the period ended March 31, 2008.
10. Receive report by the Nueces County Risk Manager on the results of the safety program in place as it relates to Workers Compensation for year ended December 31, 2007.
11. Discuss and consider execution of personal services agreement with Dr. William W. Burgin, Jr., M.D., for services to the City-County Department of Public Health in the capacity of the County's Health Authority.

12. Discuss and consider execution of Amendment No. 1 to the license agreement for use of the Baseball Stadium at the Richard M. Borchard Regional Fairgrounds.
13. Discuss and consider selection of an engineering consultant and approval of an Engineering Services Contract, related to the preparation of plans and specifications for the Juvenile Justice Center HVAC Project.
14. Discuss and consider selection of architect and approval of an Architectural Service Contract, related to the 8<sup>th</sup> and 9<sup>th</sup> Floor Courtroom Renovations Project.
15. Discuss and consider application procedure for appointment to the Nueces County Island Park Board.
16. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act, and related matters:
  - a. Discuss/Award RFP No. 2741-07 Courthouse Security Services
  - b. Discuss/Award IFB No. 2759-08 Replacing Fire Pumps No. 1 & No. 2
  - c. Discuss/Award IFB No. 2762-08 SS-1 Emulsified Asphalt
  - d. Discuss and consider re-advertising IFB No. 2760-08 HFRS-2P Emulsified Asphalt
  - e. Authorize/Execute a contract for RFP No. 2757-08 Water Distribution System Improvements, San Petronilla Estates 2, Phase I.
  - f. Authorize returning to the Coastal Bend Auto Theft Task Force Grant inventory to the Texas Department of Transportation with funds from the Automobile Theft Prevention Authority.
  - g. Authorize the purchase of 13 Digital Patroller 2 Mobile Digital Recording Systems from Motorola, Inc. for use in the Sheriff's Patrol Units.
17. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 14 for FY 2007-2008.
18. 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. 219 and Unfreeze List No. 536.
  - b. Personnel Change Reports through April 1, and April 8, 2008.
  - c. Discuss and consider establishing two (2) positions in Public Health Preparedness, Grant #2697.
19. 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 claim by Alfonzo Atkinson for tree and fence damage caused by County employees.
  - b. Discuss and consider authorizing the County Attorney to file suit to recover damages resulting from automobile accident caused by Richard Fenner.
20. Approve board appointments, including the South Texas Water Authority Board of Directors.

**Adjournment in Memory (upon request)**