

**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 30, 2008**

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

**\*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, May 14, 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 for National Children's Mental Health Awareness Day, May 8, 2008.
  - E. Workshop
    - Discuss the discount prescription card program sponsored by the National Association of Counties
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 April 15, April 17, April 18 (2), April 24, and April 25, 2008; and manual checks dated April 25, 2008.
    - b. Approve Pcard purchases for the month of March 2008.
    - c. Approve Special Motions List dated April 30, 2008.
    - d. Approve monthly revenue report for the month of March 2008, as presented by the County Auditor, in accordance with Section 114.044 of the Texas Local Government Code.
    - e. Approve/ratify JEC Architect Contract Amendment No. 3 for the Briscoe King Pavilion Renovation Project.
    - f. Approve agreement for professional services with Justice Benefits, Inc., for the State Criminal Alien Assistance Program (SCAAP).

## REGULAR AGENDA

4. Receive presentation for National Volunteer Week.
5. Receive a presentation on a proposed community visioning project involving Texas A&M University – Corpus Christi and Del Mar College; approve funding.
6. Discuss and consider approving the 2008/2009 Budget Planning Calendar.
7. Discuss and consider amending Nueces County’s Order Adopting Rules of Nueces County, Texas, for On-Site Sewage Facilities and related matters.
8. Discuss and consider execution of Amendment to Nueces County Regional Fairgrounds Pre-Opening Services and Management Agreement between Nueces County and Global Spectrum, LP; Discuss and consider approval of Amendment to Concession Agreement between Global Spectrum, LP (Operator) and Global Spectrum of Texas, LLC (Concessionaire); discuss and consider approval of Amendment to Commercial Rights Marketing Agreement between Front Row Marketing Services, LP (Front Row) and Global Spectrum, LP, on behalf of the Nueces County Fairgrounds, (Operator); discuss and consider authorizing County Judge to execute TABC required form entitled “Landlord’s Affidavit,” and related matters.
9. 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.
10. Discuss and consider execution of a contract with the Department of State Health Services (DSHS) providing control and prevention of Sexually Transmitted Diseases (STD’s) and HIV/AIDS in the amount of \$46,688.00; authorize the Acting Director of the Public Health District to sign on behalf of Nueces County.
11. Discuss and consider execution of a lease agreement for use of the Armory Building located at the old Showbarn location, with the Texas Department of Agriculture, related to the Boll Weevil Eradication Program; terminate Memorandum of Understanding with the Nueces County Showbarn Trustees related to management and use of the Armory Building; rescind facility use guidelines.

12. Discuss and consider adopting an order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.
13. Discuss and consider authorizing submission of an application to the Bureau of Justice Assistance (BJA), U.S. Department of Justice, for a Justice and Mental Health Collaboration Program Grant.
14. Discuss and consider authorizing submission of a grant application to the Texas Comptroller of Public Accounts for a Tobacco Compliance Grant.
15. Discuss and consider authorizing submission of a grant application to the Bureau of Justice Assistance (BJA) under the FY 2008 State Criminal Alien Assistance Program (SCAAP) for reimbursement of costs related to incarcerating undocumented criminal aliens.
16. Discuss and consider acceptance of a grant award from the Texas Book Festival in the amount of \$4,899.00.
17. Discuss and consider application procedure for appointment to the Citizens' Advisory Health Board.
18. Authorize, open, discuss and award bids and purchases in accordance with the County Purchasing Act, and related matters:
  - a. Discuss/Award IFB No. 2761-08 CRS-2 Emulsified Asphalt.
  - b. Discuss/Award or Reject bids and authorize a state contract for IFB No. 2764-08 Uniform Rentals, Floor Mats, Shop Towels, Linens, Scrubs.
  - c. Discuss/Award RFP No. 2766-08 Third Party Administration and Fully Insured Health option.
  - d. Discuss and consider re-advertising IFB-2747-07 Resurfacing and striping the Nueces County Parking Lot .
  - e. Accept the executed order for RFP No. 2745-07 Family Preservation Program Services as approved by the Juvenile Board to reject all bids.
  - f. Accept the one year extension to the agreement for RFP No. 2696-07 Juvenile Justice Alternative Education Program with University Health Service, Inc. Keystone Schools as approved by the Juvenile Board.
  - g. 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. Boiler for the Courthouse.
    - ii. Janitorial Service.
    - iii. Agua Dulce Parking Lot and Fencing Improvements.

- iv. Nueces County Juvenile Detention Facility Underground HVAC Piping Replacement.
- h. Discuss and consider approving an order regarding the lease of a 5,229 square foot hanger building (“County Williams Hangar”) and a 200 square foot portable building located at the 3983 Wings Drive, Robstown, Texas:
  - i. make a finding of the method of procurement (Texas Local Government Code-Section 263.007 (a),(b)(1)-(4)) for the lease of real property through a sealed-bid procedure;
  - ii. adopt a sealed bid procedure for this lease of county property as set out in this Order and authorize and direct the purchasing agent to carry out the Bid Procedure and take such other action needed in her opinion be necessary for carrying out this procedure;
  - iii. authorize the purchasing agent to publish notice for sealed bid under Section 263.007 of the Texas Local Government Code;
  - iv. appoint the purchasing agent as the designated representative to evaluate the bids submitted under Section 263.007 of the Texas Local Government Code.
- i. Authorize Sole Source purchase from PSI Petroleum Solutions Inc. for a Non Standard fueling system and aboveground Skid Tank for the Regional Fairgrounds in the amount of \$24,813.00.
- j. Authorize issuing a 1999 Ford ¾ ton truck, County Id # 47898, to Inland Parks from the Warehouse Surplus; Authorize the transfer of a 1998 Ford ½ ton truck, County Id # 47892 from Inland Parks to the Warehouse Surplus.
- k. Authorize returning the following items of the Coastal Bend Auto Theft Task Force Grant to the Automobile Theft Prevention Authority, Texas Department of Transportation:
  - a. 2001 Ford Crown Victoria 4 DR N#2FAFPY1W41X159419 (mileage 90,647)
  - b. Dell 3100 MP Video Projector #2G4C811
  - c. Dell Inspiron 8200 Laptop computer-Service Tag#1CHF221
  - d. Dell Inspiron 8200 Laptop computer-Service Tag #GBHF221
  - e. Dell Inspiron 8200 Laptop computer-Service Tag #JCHF221
  - f. HP Pavilion Desktop Computer-Ser#SP135AA-Model 8750
  - g. HP 950C Printer Ser#MY02T1FONP
  - h. HP Monitor Ser#LH01402807
  - i. HP Pavilion M-50 – Ser# TH-03604385-Model D5258A
  - j. HP 8750 C – Ser#MX02507070 – Support #15-1334-0006-0250-7070
  - k. HP Desk Jet 952C – Ser#MY0381F1M2
  - l. Kodak EasyShare P850 – Serial # KCYEV539H5667
  - m. Kodak EasyShare P850 – Serial # KCYEV539H5613
  - n. MarkNGard256 Ser#SA0106H43G
  - o. MarkNGard257 Ser#10HA14107WVE

19. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 15 for FY 2007-2008; approve Capital Projects Budget Change Order No. 24.
20. 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. 220 and Unfreeze List No. 537.
  - b. Personnel Change Reports through April 15, and April 22, 2008.
  - c. Discuss and consider selection of Director of Human Services.
21. 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 Courthouse Security matters to include deployment, or specific occasions for implementation, of security personnel or devices; and security assessment information.
  - b. Sexually Oriented Business Permit request by Juan Vela.

**Adjournment in Memory (upon request)**