

**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, June 11, 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, June 18, 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.
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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 June 6, 2008; and manual checks dated June 9, 2008.
    - b. Approve Special Motions List dated June 11, 2008.
    - c. Approve grants closeout summary report.
    - d. Approve Engineering Services Contract with Direct Energy related to energy savings projects.
    - e. Approve Change Order No. 3 to Agreement between Intergraph and Nueces County, related to the Jail Management System Project.
    - f. Approve acceptance of donation in the amount of \$7,697.77 for the Buy a Book Campaign; and contribution in the amount of \$3,457.56 to the Precinct 4 Special Revenue Fund.
    - g. Approve the following Tax Deeds:
      - i. Lots 15 and 16, Block 2, Carver Addition, in the amount of \$4,000.00.
      - ii. Lot 8, Block 4, Harlem Park Addition, in the amount of \$1,800.00.

- iii. Lot 11, Block B, P.R. Smith Addition, in the amount of \$1,800.00.
- iv. Lot 20, Block C, Reynolds Addition, in the amount of \$1,800.00.
- v. Lot 11, Reynolds Addition No. 2, in the amount of \$1,800.00.
- vi. Lot 4, Block 5, Greenwood Park Unit 1, in the amount of \$1,800.00.
- vii. Lot 2, Block 1, La Reina Addition, in the amount of \$1,800.00.
- viii. Lot 11, Block 12, Airport Park Addition, in the amount of \$1,800.00.
- ix. Lot 34, Block 1, Washington Addition, in the amount of \$1,800.00.
- x. Lot 23, Block 1, La Pascua Addition No. 2, in the amount of \$1,800.00.
- xi. Lot 24, Block 1, La Pascua Addition No. 2, in the amount of \$1,800.00.
- xii. Lot 1, Block 10, Airport Park Addition, in the amount of \$1,800.00.
- xiii. Lot 15, Block 8, La Pascua Addition No. 2, in the amount of \$1,800.00.
- xiv. Lot 4, Block 4, Carver Addition, in the amount of \$2,000.00.
- xv. Lot 13, Block 2, Van Cura Addition, in the amount of \$3,200.00.
- xvi. Lot 14, Block 2, Van Cura Addition, in the amount of \$3,400.00.
- xvii. Lot 26, Block 2, Coronado Addition, in the amount of \$2,500.00.
- xviii. Lot 7, Block 2, Leary Addition, in the amount of \$5,000.00.
- xix. Lot 13, Block 6, La Arboleda Addition, in the amount of \$3,000.00.
- xx. Lot 29, Block 2, Coronado Addition, in the amount of \$3,500.00.
- xxi. Lot 20, Block 2, Santa Elena Addition, in the amount of \$2,500.00.
- xxii. Lot 10, Block 52, Bluff Portion, in the amount of \$2,000.00.
- xxiii. The South ½ of Lot 9, Block 11, Highway Village Section 2, in the amount of \$12,000.00.
- xxiv. The North ½ of Lot 6, Block 9, Colonia Hidalgo, in the amount of \$2,000.00.
- xxv. Lot 3, Block 18, Segrest Addition, in the amount of \$8,500.00.
- xxvi. Lot 4, Block 9, Segrest Addition, in the amount of \$6,000.00.

xxvii. Lot 5, Block 4, Wiess Addition, in the amount of \$5,000.00.

## **REGULAR AGENDA**

4. Discuss and consider approval of (i) a Development Plan Agreement between Nueces County and Dolphin Ventures I, LLC, (ii) an amendment to the Purchase Contract extending the time to complete the Development Plan Agreement, and (iii) an amendment to the Purchase Contract modifying the terms of the Feasibility Period, as these terms relate to the purchase of approximately 49.4 acre tract of the Richard M. Borchard Fairgrounds and related matters.
5. Discuss and consider termination of 2006 Interlocal Cooperation Agreement for Lifeguard Beach Services with the City of Corpus Christi.
6. Discuss and consider approval of new Interlocal Cooperation Agreement for Lifeguard Beach Services with the City of Corpus Christi.
7. Discuss and consider approving and executing a Resolution and Order for the implementation of corrective actions for damage of dunes and dune vegetation at Lot 19, Beach View Estates.
8. Discuss and consider approving and executing an Agreement to Compensate for damage to Dunes and Dune Vegetation between Nueces County and Ron Wolfe, and related matters.
9. Discuss and consider adoption of an Order prohibiting aerial fireworks in the unincorporated areas of Nueces County for the Fourth of July fireworks season, pursuant to Chapter 352, of the Texas Local Government Code.
10. Discuss and consider establishing a schedule of fines and fees for Library books and materials that are not returned in a timely manner.
11. Discuss and consider approval of the following:
  - a. A Resolution and Order in support of a project to construct additional hangars at the Nueces County Airport.
  - b. Designation of Nueces County's authorized representative.
  - c. Designation of the Texas Department of Transportation as the agent for selection of a design consultant.
  - d. Certification of the project funds.
12. Discuss and consider the designation of "No Parking Zones" at various locations at the Courthouse/Jail complex.

13. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 18 for FY 2007-2008.
14. Consider personnel actions of a budgeted nature, including actions necessary by Order on Page 5 of the County Budget:
  - a. Discuss and consider creation of an Election Clerk position in the Contract for Election Services Department (1316), Pay Group/Step 13/1.
  - b. Application Temporary and Contract List No. 223 and Unfreeze List No. 540.
  - c. Personnel Change Reports through June 3, 2008.
  - d. Discuss and consider reclassification of two (2) Truck Driver I positions, Pay Group 13, to Truck Driver II positions, Pay Group 16; and, approve deletion of one (1) vacant Assistant Mechanic position, Pay Group 13.
15. 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.
16. Approve board appointments, including the Nueces County MHMR Community Center Board.

**Adjournment in Memory (upon request)**