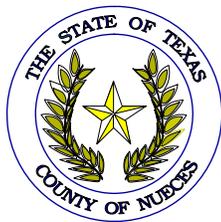


**County
of
Nueces**



**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) 888-0296

**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, August 6, 2008

**AMENDED AGENDA - ITEM # 6 to include
the Hospital District**

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, August 20, 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. Introduction of Marisela Rosales of the United States Census Bureau.
 - E. Introduction of Ariel Natalie Monte, the new 49th Feria de las Flores Queen for 2008-2009.
-
- 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 of 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 July 24, July 25(2), July 31, and August 1, 2008.
 - b. Approve Special Motions List dated August 6, 2008.
 - c. Approve the monthly revenue report for June 2008, as presented by the County Auditor in accordance with Section 114.044 of the Texas Local Government Code.
 - d. Approve grant closeout summary report.
 - e. Accept donations to the County in accordance with Section 81.032 of the Texas Local Government Code.
 - f. Approve/ratify creation of a reinvestment zone within the City of Robstown, related to the Outlets at Corpus Christi Bay.
 - g. Approve "Outside Agency" agreement with Lead First for Diabetes Awareness/Health Fair on August 16, 2008.

REGULAR AGENDA

4. Receive presentation from Amy Rhoads Granberry, PHR, Director of Organizational Development from Charlie's Place Coastal Bend Alcohol & Drug Rehabilitation Center on status of relocation and expansion campaign, and related matters.
5. Receive a presentation on colonia initiatives in Nueces County from David Preister, Assistant Attorney General; Pete Rodriguez, Investigator Natural Resources Division from the Office of the Attorney General; and Sinoel Contreras, Nueces County Ombudsman from the Office of the Secretary of State.
6. Discuss and consider proposal for 2008-2009 tax rate for Nueces County and the Nueces County Hospital District that exceeds the effective tax rate; take record vote; and authorize publishing appropriate notices.
7. Discuss and consider approval of a revised fee schedule for charges in the office of the Nueces County Medical Examiner.
8. Discuss and consider adoption of a resolution requesting the State Legislature to discontinue the diversion of transportation revenues to non-transportation uses.
9. Discuss and consider execution of a corrected special warranty deed between Robstown Area Development Commission and the County of Nueces, Texas recorded under Document No. 2002043558 in the real property records, and related matters.
10. Discuss and consider a request for execution of (i) a Reciprocal Easement Agreement between Nueces County, Texas and Dolphin Ventures I, LLC ("Developer"), in connection with the Purchase Agreement and Development Plan Agreement between the County and Developer for the purchase and development by the Developer of a portion of the County's property near the Richard M. Borchard Fairgrounds for development of an outlet mall, and (ii) one or more amendments to the Purchase Agreement and/or Development Plan Agreement as may be necessary to reflect the provisions of the Reciprocal Easement Agreement and/or modifications to the time line for the Project, and related matters.
11. Discuss and consider authorizing the Corpus Christi-Nueces County Public Health District to enter into an amended contract with the Department of State Health Services (DSHS) for Title V Family Planning Fee for Services in the amount of \$49,266.00 for the period of September 1, 2007, through August 31, 2008; authorize Acting Director of the Public Health District to sign on behalf of Nueces County.

12. Discuss and consider authorizing the Corpus Christi-Nueces County Public Health District to enter into an amended contract with the Department of State Health Services (DSHS) for Title XX Family Planning Fee for Services in the amount of \$175,636.00 for the period of September 1, 2007, through August 31, 2008; authorize Acting Director of the Public Health District to sign on behalf of Nueces County.
13. Discuss and consider authorizing the Corpus Christi-Nueces County Public Health District to enter into a contract with the Department of State Health Services (DSHS) providing for Local Public Health Preparedness in the amount of \$229,188.00 for the period of August 1, 2008, through July 31, 2009; authorize Acting Director of the Public Health District to sign on behalf of Nueces County.
14. Authorize the County Judge to execute an amendment to original contract with the Department of State Health Services providing for control and prevention of Sexually Transmitted Diseases (STD's) and HIV/AIDS in the amount of \$1,500.00 for the period of September 1, 2007, through August 31, 2008.
15. Discuss and consider execution of a modification to the lease agreement with Palm Drive Limited for the Records Warehouse located at 611 Palm Drive for the transfer of responsibility for utilities to Nueces County.
16. Discuss and consider selection of HDR Engineering and execution of contract with HDR Engineering, Inc., for preparation of a permit application for beach cleaning activities to be presented to the United States Army Corps of Engineers, related to I.B. Magee Jr. Beach Park in Port Aransas, Texas.
17. Discuss and consider selection of Meyers, Villa & Associates, Inc. for continuation of professional services, in association with the South Texas Jail Diversion Program (SAMSHA); execute contract for professional services with Meyers, Villa & Associates, Inc.
18. Discuss and consider termination of grant with the Texas Water Development Board Research and Planning Fund - "Flood Protection Planning Grant" and return contributions of participating local entities.
19. Discuss and consider approval of the following:
 - a. Authorize/Execute a contract for IFB 2778-08 Nueces County Juvenile Detention Facility Underground HVAC Piping Replacement Project
 - b. Authorize/Execute three contracts for IFB 2763-08 Personnel Services

- c. Authorize/Execute a contract for IFB 2771-08 HFRS-2P Emulsified Asphalt
 - d. Authorize/Execute a contract for RFP No. 2709-07 Agenda Management Software
 - e. 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. Solid Waste Disposal (Dumpsters) County properties only
 - ii. Morgue Transport
 - iii. Law Enforcement Uniforms
 - f. Authorize/Execute a Interlocal Agreement for leased vehicle service between Nueces County and Harris County
 - g. Authorize/Execute a Municipal Lease-Purchase Plan between Nueces County and GMAC
20. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 22 for FY 2007-2008.
21. Consider personnel actions of a budgeted nature, including actions necessary by Order on Page 5 of the County Budget:
 - a. Application Temporary and Contract List No. 227 and Unfreeze List No. 544.
 - b. Personnel Change Reports through July 22, and July 29, 2008.
22. 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 Donna Clement's Claim.
 - b. Discuss and consider demand for settlement for *Lydia Elizondo v. Nueces County and Patsy Perez*; Cause No. 2:07-cv-405.

- c. Discuss and consider demand for settlement for *San Juanita Suarez v. Nueces County, Texas, and Sheriff Jim Kaelin*; Cause No. 2:07-cv-407.
 - d. Discuss and consider demand for settlement for Mario Sanchez Nazario's claim.
 - e. SemMaterials – various materials contracts.
23. Approve board appointments, including the Nueces County Child Welfare Board.

Adjournment in Memory (upon request)