

**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, August 27, 2008**

**9:00 a.m.**

Public Hearing on proposed  
2008-2009 Budgets; followed by  
the adoption of the Tax Rates  
and Budgets for 2008-2009\*

\*followed by 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, September 10, 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
- C. County Judge will call the roll, note date, time, and location of meeting, and certify a quorum is present.

1. **PUBLIC HEARING:**

The Commissioners Court will conduct a public hearing on the proposed 2008-2009 Nueces County and Nueces County Hospital District Budgets.

**FOLLOWING THE PUBLIC HEARING:**

- 2. Discuss and consider adoption of an Order approving the 2008 tax roll for Nueces County, setting tax rates for the County, and authorizing exemptions.
- 3. Discuss and consider adopting an Order rescinding prior year's budget resolutions and orders.
- 4. Discuss and consider adoption of Orders and Resolutions related to the proposed 2008-2009 Nueces County Budget.
- 5. Discuss and consider adoption of the 2008-2009 Nueces County Budget.
- 6. Discuss and consider adoption of an Order approving the 2008 tax roll for the Nueces County Hospital District, setting the tax rate for the Hospital District, and authorizing exemptions.
- 7. Discuss and consider adoption of the 2008-2009 Nueces County Hospital District Budget.

**Regular Commissioners Court Meeting**

- 8. **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.

9. **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.
  
10. **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 August 15, August 21, and August 22(2), 2008; and manual checks dated August 22, 2008.
  - b. Approve Special Motions List dated August 27, 2008.

### **REGULAR AGENDA**

11. Discuss and consider the following as it relates to conveyance of real estate ("Property") owned by Flint Hills LP located at Interstate Highway 37 and Carbon Plant Road for purposes of establishing a State veterans' cemetery:
  - a. Execution of Memorandum of Agreement with the State of Texas, General Land Office and the City of Corpus Christi regarding transfer of Property from County to State upon County's acquisition and related matters.
  - b. Ratification of Purchase and Sales (Donation) Agreement with Flint Hills, LP for conveyance of Property from Flint Hills, LP to County.
  - c. Execution of Indemnification Assignment and Remediation Obligation Agreement between the County and the State of Texas as it relates to transfer of Property.
  - d. Authorize the County Judge to:
    - (i.) Accept Property conveyance from Flint Hills, LP.
    - (ii.) Execute Special Warranty Deed to State.
  
12. Discuss and consider submission of Coastal Impact Assistance Program (CIAP) grant allocation applications to the Texas General Land Office (GLO).
  
13. Discuss and consider items related to the implementation of the Office of Rural Community Affairs (ORCA) under the Texas Community Development Block Grant Program (TxCDBG) for the Twin Lakes colonia (Contract No. 728125):

- a. Selection of Carlos Colina-Vargas, for personal services, in association with the implementation of the Twin Lakes colonia grant project.
  - b. Approval and execution of personal services contract with Carlos Colina-Vargas, for services related to the implementation of the Twin Lakes Colonia grant project.
14. Discuss and consider a request for execution of:
- 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.
  - b. Resolution accepting the Developer’s Notice of second extension to the purchase agreement and related matters.
  - c. 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.
15. 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 HIV Surveillance in the amount of \$46,216.00, for the period of September 1, 2008, through August 31, 2009; authorize Acting Director of the Public Health District to sign on behalf of Nueces County.
16. Discuss and consider employing services of Virtus Energy Research Associates, Inc. to conduct feasibility study on use of wind turbines to reduce energy purchases at the Nueces County Fairgrounds.
17. Discuss and consider approval of the following:
- a. Authorize/Execute a contract for RFP No. 2754-08 Alcohol, Controlled Substances and Blood Specimen Testing Program with The Doctors Center.
  - b. Discuss and consider making a finding for the method of procurement (Texas Local Government Code section 262.0295 - Request for Proposals and Request for Qualifications under Chapter 2254 of the Texas Government Code); discuss and consider authorizing the Purchasing Agent to publish a notice; and adopt an Order delegating evaluation authority to a selection committee for engineering services related to Twin Lake colonia grant project TCDP Contract No. 718125 with the Office of Rural Community Affairs (ORCA) under the Texas Community Development Block Grant Program.
  - c. Authorize/Execute a contract for RFP No. 2766-08 –Third Party Administration with Boon-Chapman.

18. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 24 for FY 2007-2008.
19. Consider personnel actions of a budgeted nature, including actions necessary by Order on Page 5 of the County Budget:
  - a. Unfreeze List No. 546.
  - b. Personnel Change Reports through August 19, 2008.
20. 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 Donna Clement's claim.

**Adjournment in Memory (upon request)**