

**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, September 24, 2008

9:00 a.m. Commissioners Court Meeting

10:00 a.m. Press Conference*

* Nueces County Free Discount Prescription Card

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, October 8, 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 July 23, 2008, Commissioners Court meeting.
 - E. Introduce Legislative “Go” Team for the upcoming 81st Legislative Session.
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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 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 September 12, September 18, and September 19, 2008; and manual checks dated September 19, 2008.
 - b. Approve Special Motions List dated September 24, 2008.
 - c. Approve Pcard purchases for the month of August 2008.
 - d. Approve/ratify sole source purchase from the US Postal Service for postage in the amount of \$30,000.00.
 - e. Approve the following renewals of personal services contracts:
 - i. Dr. William W. Burgin, Jr. – Health Dept. Authority
 - ii. Tomas Duran – Employee Benefits Management
 - iii. Linda Rhodes-Shauer – Magistrate Services

REGULAR AGENDA

4. Receive a presentation from Peggy May, R.N., Wellness Counselor with CHRISTUS Spohn Wellness Services Department, regarding diabetes screening at the Nueces County Diabetes Awareness and Wellness Fairs
5. Receive a presentation on the completion of Phase 1 of the BoldFuture of the Coastal Bend.
6. Receive updates on impacts of Hurricane Ike to pier, beach and associated areas from the Nueces County Park Director.
7. Discuss and consider continuance/adoption of a disaster declaration order related to Hurricane Ike.
8. Receive briefing on DWI Court Program.
9. Discuss and consider adoption of a resolution in support of the Air Permit Application of Las Brisas Energy Center with the Texas Commission on Environmental Quality.
10. Approve the Corpus Christi-Nueces County Public Health District to terminate an agreement with the Nueces County Medical Education Foundation (“NCMEF”) and to approve such agreement with C.H Wilkinson Physician Network d/b/a Christus Medical Group for the provision of health care services for the Title V Maternal-Child Health Grant; authorize Annette Rodriguez, M.P.H., Acting Director of the Corpus Christi-Nueces County Public Health District, to sign on behalf of Nueces County.
11. 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 breast and cervical cancer screening in the amount of \$116,009.00 for the period of July 1, 2008, through June 30, 2009; authorize Acting Director of the Public Health District to sign on behalf of Nueces County.
12. For purposes of establishing a State veterans’ cemetery as it relates to conveyance of real estate (“Property”) owned by Flint Hills LP located at Interstate Highway 37 and Carbon Plant Road:
 - a. Discuss and Consider 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. Discuss and Consider execution of Indemnification Assignment and Remediation Obligation Agreement between

the County and the State of Texas as it relates to transfer of Property.

- c. Discuss and consider authorizing the County Judge to:
 - i. Accept Property conveyance from Flint Hills, LP
 - ii. Execute Special Warranty Deed to State

10:00 a.m. Press Conference*

*At approximately 10:00 a.m., the Commissioners Court will recess to participate in a press conference to announce the County-wide rollout of a free discount prescription card for County residents.

- 13. Discuss and consider submittal of a grant application for the Task Force on Indigent Defense Formula Grant Program.
- 14. Discuss and consider acceptance of a grant award from the Texas State Library and Archives Commission (TSLAC) Loan Star Libraries Grant.
- 15. Discuss and consider acceptance of a grant award from the National Endowment for Humanities for the *Picturing America* Grant Program.
- 16. Discuss and consider acceptance of a grant award from the Criminal Justice Division (CJD) State Criminal Justice Planning (421) Fund for a Child Abuse Prosecutor.
- 17. Discuss and consider execution of an amendment to the agreement with Texas Department of Aging and Disability Services Meals on Wheels Title XX program.
- 18. Receive update regarding Nueces County Strategic Goals and Objectives for 2008.
- 19. Approve acceptance of the Routine Airport Maintenance Program Grant with the Texas Department of Transportation.
- 20. Discuss and consider approval of the following:
 - a. Discuss/Award RFP No. 2785-08 Stop Loss Insurance.
 - b. Discuss/Rescind the award of RFP No. 2780-08 to Health-Smart for Network Services-out-of-network, Wellness program, Pre-Certification/Utilization Programs, and COBRA/HIPPA administration; discuss and award the Network Services-out-of-network, Wellness program, Pre-Certification/Utilization Programs, and COBRA/HIPPA administration to Parker Group.
 - c. Authorize/Execute a contract for RFP No. 2780-08 Network Services, Pharmacy Services, Disease Management, Wellness Programs, Pre-Certification/Utilization Programs, and COBRA/HIPPA Administration for the following service:
 - i. Christus Spohn Hospital for Network Services-in-area.

- ii. Parker Group for Network Services-out-of-area, Wellness Program, Pre-Certification/Utilization programs, and COBRA/HIPPA administration.
 - iii. Script Care for Pharmacy Services/Prescription Drugs.
 - d. Authorize Sole Source purchase from Avaya Communications for an annual phone maintenance agreement for the County's software support to maintain our telephone system that consists of 80 ports, audix and other connectors in the amounts of \$38,956.80.
 - e. Authorize Sole Source purchase for four Master III Conventional Repeater stations communication equipment from Dailey-Wells.
- 21. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 26 for FY 2007-2008.
- 22. 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. 230 and Unfreeze List No. 548.
 - b. Personnel Change Reports through September 9, and September 16, 2008.
 - c. Adopt salary schedules A, B, and Misc, respecting the 3% cost of living increase in accordance with the 2008/2009 budget.
- 23. 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.

Adjournment in Memory (upon request)