

**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, October 22, 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, November 12, 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 September 10, 2008, regular and emergency Commissioners Court meetings.
 - E. Adopt a proclamation declaring November 2008 as “Home Care and Hospice Month” in Nueces County.
 - F. Adopt a proclamation declaring October as “Human Resources Awareness Month” in Nueces County.
 - G. Adopt a proclamation declaring October 5-11, 2008, as National 4-H Week in Nueces County.
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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 October 3, October 9, October 10, October 16, and October 17, 2008; and manual checks dated October 17, 2008.
 - b. Approve Special Motions List dated October 22, 2008.
 - c. Reappoint the County Judge to Reinvestment Zone No. Two Board, pursuant to Section 311.009(a) of the Texas Tax Code.

- d. Accept donations to the County in accordance with Section 81.032 of the Texas Local Government Code.
- e. Ratify/approve two grant adjustment notices for the Local Border Security Program FY08: (1) extension of time to August 15, 2009, and (2) \$40,000 grant increase.
- f. Approve Change Order No. 1, providing for a project cost credit associated with asbestos-containing material removal and disposal, participation in contractor provided umbrella insurance, related to Project IFB No. 2776-08, Steam Boiler No. 2 replacement.

REGULAR AGENDA

4. Receive donation from The Daughters of the American Revolution benefiting the Keach Family Library.
5. Discuss and consider approval of the 2008 Certification of Tax Levy for Nueces County, Nueces County Farm-to-Market, and Nueces County Hospital District.
6. Discuss and consider execution of a contract amendment for Naismith Engineering, Inc. services related to the implementation of the Office of Rural and Community Affairs (ORCA) Texas Community Development Program (TCDP) contract #726115 for the San Petronila Estates Unit 2 Colonia.
7. Discuss and consider authorizing the submittal of a grant application and execution of a resolution for the Texas Department of Agriculture, Texans Feeding Texans: Home Delivered Meal Grant Program; approve resolution in support of the City of Corpus Christi's participation in the program.
8. Discuss and consider ratification of a resolution authorizing the submittal of a grant application for the Task Force on Indigent Defense Grant Program.
9. Discuss and consider opening an account with County Depository, Frost Bank, designated for health insurance funds and, approving a resolution designating authorized signors for account.
10. Discuss and consider approval of the following:
 - a. Authorize/Execute a contract for RFP No. 2785-08 Stop Loss Insurance.
 - b. Authorize/Execute a contract for RFP No. 2780-08 Network Services, Pharmacy Services, Disease Management, Wellness Programs, Pre-Certification/Utilization Programs, and COBRA/HIPAA Administrations for the following service:

- i. Parker Group for Network Services-out-of-area, Wellness Program, Pre-Certification/ Utilization programs, and COBRA/HIPPA administration.
 - ii. Script Care for Pharmacy Services/Prescription Drugs
 - c. Authorize/Execute a contract for IFB No. 2783-08 Solid Waste Collection & Disposal Service (Dumpsters) County Properties only.
 - d. 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 Equistar Park Lighting Improvements.
 - e. Authorize TASB BuyBoard State Contract No 281-07 purchases for Constable Precinct 5 for a 2009 Chevrolet Tahoe from Caldwell Country. (Funded by Precinct 5 Drug Forfeiture Fund)
 - f. Authorize TASB BuyBoard State Contract No 281-07 purchases for Public Works for two Sterling LT9500 Tractors from Grande Truck Center.
 - g. Authorize TASB BuyBoard State Contract No 268-07 purchases for Public Works from Cooper Equipment Company for:
 - i. Two (2) LB-232 Live Bottom Trailers.
 - ii. Two (2) 7000 Gallon Vertical Asphalt Emulsion Storage Tanks.
 - h. Authorize Sole Source purchase for the renewal of a Maintenance/Service Agreement with DISCORP.
 - i. Authorize the following TASB BuyBoard State Contract No. 281-07 purchases from Caldwell Country:
 - i. Seven (7) 2009 Chevrolet Impalas with Police Packages for various departments.
 - ii. One (1) 2009 Chevrolet Impala without Police Package for the Sheriff's Office.
 - iii. One (1) 2009 Ford Chassis Cab F20 for Animal Control.
 - iv. One (1) 2008 Chevrolet Express 15 Passenger Van for Sr. Community Service
 - j. Authorize/Execute a contract for IFB No. 2773-08 Janitorial Services.
11. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 28 for FY 2007-2008 and Budget Change Order No. 2 for FY 2008-2009.
12. 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. 232 and Unfreeze List No. 550.
 - b. Personnel Change Reports through October 7, and October 14, 2008.

13. 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 authorizing and executing an agreement with MGT of America, Inc., to provide expert witness testimony and litigation support in the Christina Campos, et. al. Civil Action No. 2:08-cv-288, and related matters.

Adjournment in Memory (upon request)