

**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: Monday, November 24, 2008

9:00 a.m. Commissioners Court Meeting*

***preceded by Workshop**

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, December 17, 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. **Workshop:**
 - 1) Discuss possible approval of contracts with Emergency Services Districts and the City of Robstown for fire protection and emergency rescue services in the unincorporated areas of Nueces County outside District and City boundaries, and related matters.
 - 2) Receive presentation on the City of Corpus Christi's proposed Tax Increment Financing (TIF) District for Downtown Corpus Christi.
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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.
 - a. Commissioner Bañales – presentation on recipient of the National Medal of Arts.
 - b. Commissioner Longoria – “Time for Hope” announcement.

 - 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 November 13, November 14 (2), November 17, November 20, and November 21, 2008; and manual checks dated November 20, 2008.
 - b. Authorize payment of bills for group health insurance claims, fees, and check registers, including Third Party Administrator

- (TPA) Check Register for November 1 to November 7, 2008, TPA Check Register for November 10 to November 14, 2008, and TPA Check Register for November 17 to November 21, 2008; and County Register for November 10 to November 21, 2008.
- c. Authorize payment of Pcard purchases for the month of October 2008.
 - d. Approve Special Motions List dated November 24, 2008.
 - e. Approve and accept donations to the county in accordance with Section 81.032 of the Texas Local Government Code.
 - f. Discuss and consider approval of "Outside Agency" contract with the American Heart Association in the amount of \$1,000.00.
 - g. Approve the following contracts for Diabetes Awareness and Prevention Services:
 - i. American Heart Association (\$10,000).
 - ii. Hispanic Women's Network (\$5,000).
 - h. Approve bond of appointed Judge of County Court at Law #5.

REGULAR AGENDA

- 4. Discuss and consider approval of contracts with (1) Emergency Services District #2 and (2) the City of Robstown for the provision of fire protection and emergency rescue services in the unincorporated areas of Nueces County outside of District and City boundaries, and related matters.
- 5. Discuss and consider approval of the proposed Commissioners Court meeting schedule for calendar year 2009.
- 6. Approve resolutions related to the 81st Texas Legislative Session in accordance with the Commissioners Court Legislative Agenda.
- 7. Discuss and consider approving and executing an extension of seismic permit agreement between Buffalo Natural Gas Ltd. and Nueces County and related matters.
- 8. Discuss and consider giving notice to lessee, Lance Young of Young Ranch, about the extension of the seismic survey to be conducted by Buffalo Natural Gas Ltd. and related matters.
- 9. Discuss and consider selection of an engineering firm to prepare plans and specifications for the I.B. Magee, Jr., Beach Park Drainage Study in Port Aransas, Texas; authorize the County Judge to execute a Professional Services Contract with LNV Engineering for the project.
- 10. Discuss and consider authorizing the submission of a contract extension request to the Texas Community Development Block Grant Program for the Rose Acres Colonia Contract #724135.

11. Discuss and consider execution of Hangar Lease with Fredrick Sternberg, for use of Hanger M-5 at the Nueces County Airport.
12. Discuss and consider adoption of an Order prohibiting aerial fireworks in the unincorporated areas of Nueces County for the December fireworks season, pursuant to Chapter 352 of the Texas Local Government Code.
13. Discuss and consider the application procedure for appointment to Emergency Services Districts Nos. 1, 2, 3, & 4.
14. Discuss and consider execution of Lease Agreement with the Nueces County Community Action Agency Head Start, for use of office space at the Agua Dulce Community Center.
15. Discuss and consider adoption of a resolution and approval of Amendments #1, #2, and #3 to the Group Health Master Plan Document and Plan Description of Nueces County effective October 1, 2006, for Amendment #1; October 1, 2007, for Amendment #2; and October 1, 2008, for Amendment #3.
16. Discuss and consider approval of the following:
 - a. Discuss/Award IFB No. 2782-08 Copy Paper, Fine Papers, Computer Paper NCR Paper, Envelopes.
 - b. Discuss/Award IFB No. 2791-08 Courthouse Renovations for 8th & 9th Floors.
 - c. Discuss and consider executing/ratifying documents related to RFP No. 2785-08 Stop Loss Insurance coverage with ING: (1) Disclosure Form (2) Request for Amendment (3) Third Party Administrator Acknowledgement form.
 - 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 the following:
 - i. McKenzie Annex Sewage Grinder System.
 - ii. McKenzie Annex Miscellaneous Construction
 - e. Ratify the emergency award and contract for IFB No. 2790-08 Padre Balli Park Parking Lot Emergency Repairs.
17. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 30 for FY 2007-2008; Budget Change Order No. 4 for FY 2008-2009; and Capital Projects Budget Change Order No. 27.
18. 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. 234 and Unfreeze List No. 552.

- b. Personnel Change Reports through November 11, and November 18, 2008.
19. 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 approval of Robert Volkman Claim.
20. Approve joint City-County board appointment of one member to the Citizens Advisory Health Board.

Adjournment in Memory (upon request)