



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

The Nueces County Commissioners Court will meet on Wednesday, December 17, 2008, at 9:00 a.m. in the Commissioners Courtroom, 3rd floor, Nueces County Courthouse, 901 Leopard, Corpus Christi, Texas.

SAMUEL L. NEAL, JR.
PEGGY BAÑALES
BETTY JEAN LONGORIA
OSCAR O. ORTIZ
H. C. "CHUCK" CAZALAS

COUNTY JUDGE
COMMISSIONER, PRECINCT NO. 1
COMMISSIONER, PRECINCT NO. 2
COMMISSIONER, PRECINCT NO. 3
COMMISSIONER, PRECINCT NO. 4

DIANA T. BARRERA, CLERK OF THE COURT

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.

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- 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 October 8, October 22, November 12, and November 24, 2008, Commissioners Court Meetings.
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 – County Road 52
 - b. Commissioner Longoria – Receive Donation for the Benefit of the Keach Family Library
 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 26 (3), December 4, December 11, and December 12 (2), 2008; and manual checks dated December 12, 2008.

- b. Authorize payment of bills, group health insurance claims and fees: including County Register for November 24 to December 12, 2008; and Third Party Administrator (TPA) Check Register(s) for November 18 to November 21, 2008; November 24 to November 26, 2008; December 1 to December 5, 2008; November 25, 2008; and November 26, 2008.
- c. Approve Special Motions List dated December 17, 2008.
- d. Approve monthly revenue report for October 2008, as presented by the County Auditor in accordance with Section 114.044 of the Texas Local Government Code.
- e. Approve grant closeout summary reports.
- f. Approve Contract Amendment No. 1 and Change Order No. 2, in the amount of \$2,500, related to the Steam Boiler No. 2 Replacement Project.
- g. Discuss and consider amending RFP No. 2753-08 Courthouse Cafeteria Food Service Contract.
- h. Approve the following bonds of elected officials:
 - Commissioner, Precinct 1
 - Commissioner, Precinct 3
 - County Attorney
 - Assessor-Collector of Taxes
 - Sheriff
 - Constable Precincts 1, 2, 3, 4, and 5
 - Justice of the Peace Pct. 1, Place 1
 - Justice of the Peace Pct. 2, Place 1
 - Justice of the Peace Pct. 5, Place 1

REGULAR AGENDA

4. Receive an update from Nueces County Mental Health and Mental Retardation (MHMR) on its activities in Nueces County.
5. Receive updated presentation from the Texas Commission on Environmental Quality (TCEQ), related to the East Ballard Pit.
6. Receive presentation from Jeff Stapper, County Extension Agent, on 2008 Nueces County Agriculture and Texas AgriLife Extension Service Education Programs.
7. Discuss and consider adoption of the following resolutions related to the 81st Texas Legislative Session, in account with the Commissioners Court Legislative Agenda:
 - a. In Opposition to House Bill 337, related to school districts not being obligated to pay certain election costs.
 - b. In Support of Senate Bill 294, related to optional increases in motor vehicle registration fees.
8. Discuss and consider approving First Amendment to the Revised and Restated Nueces County Jail Facilities Health Services Agreement with the Nueces County Hospital District and Christus Spohn Health System Corporation; consider amending Agreement

Section 1.2.11 relating to the definition of Psychiatrist to provide for use of a “board-admissible” Psychiatrist; amendment to be effective January 1, 2009; and authorize the County Judge to execute related documents.

9. Discuss and consider approving Robstown Neighbor Care Center Lease Addendum and Amendment between the Nueces County Hospital District and Christus Spohn Health System Corporation relating to the Master and Lease Agreements, as amended.
 - a. Add the Replacement Robstown Neighbor Care Center real property and improvements as an additional leased parcel, effective September 1, 2008; property described as Nueces County Hospital District, Lot 1, Block 1 in Robstown, Nueces County, Texas, located at 1038 Texas Yes Boulevard (County Road 40) in Robstown, Nueces County, Texas; and,
 - b. Remove the former Robstown Neighbor Care Center real property and improvements as a leased parcel, effective December 1, 2008; property described as Robstown Town Sites Lots 30 and 31, Block 38, located at 403 Main Avenue East at Fourth Street South in Robstown, Nueces County, Texas.
10. Discuss and consider approving the sealed bid sale of Nueces County Hospital District-owned real property described as Robstown Town Sites Lots 30 and 31, Block 38, located at 403 Main Avenue East at Fourth Street South in Robstown, Nueces County, Texas, the former Robstown Neighbor Care Center, with minimum acceptable bid to be not less than the fair market value determined by an appraisal obtained by the Hospital District; and sale pursuant to Texas Health and Safety Code, §281.050 and Texas Local Government Code, Chapter 272.
11. Discuss and consider acceptance of the Juvenile Justice Alternatives Grant #1470910 awarded from the Criminal Justice Division, Office of the Governor, in the amount of \$49,591.00.
12. Receive updates on Twin Lakes Colonia Grant Project and Nueces River Cleanup Committee.
13. Discuss and consider authorizing the submittal of a grant application to the International City/County Management Association (ICMA) for a Public Library Innovation Grant.
14. Discuss and consider execution of contract amendment #4 to the Office of Rural and Community Affairs (ORCA) Texas Community Development Program (TCDP) contract #724135 for the Rose Acres Colonia project.
15. Discuss and consider execution of an interlocal agreement with San Patricio County for providing the services of an Intoxilizer Technical Supervisor as an adjunct of the law enforcement responsibilities of the parties, and related matters.
16. Authorize the transfer of \$120,000 from Drainage Project to the North West Little Miss Kickball/Oilbelt Little League Field Development Project.

17. 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 control and prevention of Sexually Transmitted Diseases (STD's) and HIV/AIDS in the amount of \$52,187.00 for the period of January 1, 2009, through December 31, 2009; authorize Acting Director of the Public Health District to sign on behalf of Nueces County.
18. Discuss and consider execution of a contract with the State of Texas for the purchase and installation of audio equipment in the Nueces County Courthouse, related to the 2008 Homeland Security Grant, in the amount of \$65,000.
19. 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.
20. Discuss and consider request from Arguindegui Oil Co. II, LTD, to terminate an agreement with Nueces County and authorizing the County Attorney to send a notice of termination to Arguindegui Oil Co. II, LTD and related matters.
21. Discuss and consider adopting an amended Courthouse usage policy.
22. Discuss and consider execution of a Managed Prescription Drug Program Agreement between Script Care, Ltd., and Nueces County.
23. Discuss and consider approval of the following:
 - a. Discuss/Award IFB No. 2735-08 Armored Car Service.
 - b. Discuss/Award IFB No. 2782-08 Copy Paper, Fine Papers, Computer Paper NCR Paper, Envelopes.
 - c. Discuss/Award IFB No. 2786-08 Morgue Transport.
 - d. Discuss/Award IFB No. 2787-08 Law Enforcement Uniforms.
 - e. Discuss/Award IFB No. 2788-08 Equistar Park Lighting Improvements.
 - f. Discuss/Award RFP No. 2789-08 Implementation of Water Improvements Project, Twin Lakes Colonia.
 - g. Discuss/Award RFP No. 2781-08 Auditing Services.
 - h. Discuss and consider making a finding for the method of procurement (request for competitive bids); and authorize the Purchasing Agent to publish a notice for competitive bids for motor oil and lubricants.
 - i. Discuss and consider making a finding for the method of procurement (request for proposals); authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee for Concessionaire Services at Bob Hall Pier.
24. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 5 for FY 2008-2009; and Capital Projects Budget Change Order No. 28.

25. 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. 235 and Unfreeze List No. 553.
 - b. Personnel Change Reports through December 2, and December 9, 2008.

26. 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 the County Attorney to pursue any legal remedy against Michael, Armando, and Norma J. Hinojosa, and related matters.
 - b. Discuss and consider settlement demand for Civil Action No. 2:08-217, *Jesse Suarez v. Nueces County, Texas*.

27. Approve board appointments, including Christus Spohn Health System Board of Trustees, Nueces County Historical Commission, Nueces County Park Board, Port of Corpus Christi Authority of Nueces County, and Emergency Services Districts 1, 2, 3 and 4.

Adjournment in Memory (upon request)