



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

The Nueces County Commissioners Court will meet on Thursday, January 22, 2009, at 9:00 a.m. in the Commissioners Courtroom, 3rd floor, Nueces County Courthouse, 901 Leopard, Corpus Christi, Texas.

SAMUEL L. NEAL, JR.
MIKE PUSLEY
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 ten (10) 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 December 17, 2008, Commissioners Court meeting.
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 Longoria – “Maintain No Gain Program,” Programs for Homeless Veterans
 - b. Commissioner Cazalas – Conference of Urban Counties Meeting Report (Austin)
 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 December 31, 2008, January 8, January 9 (2), and January 15 (2), 2009; and manual checks dated January 16, 2009.
 - b. Authorize payment of bills, group health insurance claims and fees, including County Register for December 15, 2008 through January 21, 2009; and Third Party

- Administrator (TPA) Check Register(s) for December 1 through December 5, 2008, December 8 through December 12, 2008, December 15 through December 19, 2008, December 22 through December 26, 2008, December 29 through December 31, 2008, January 1 & 2, 2009, and January 5 through January 9, 2009.
- c. Approve Pcard purchases for the month of December 2009.
 - d. Approve Special Motions List dated January 22, 2009.
 - e. Approve monthly revenue report for the month of November 2008, as presented by the County Auditor in accordance with Section 114.044 of the Texas Local Government Code.
 - f. Reappoint Judge John Martinez to the Nueces County Bail Bond Board.
 - g. Approve Change Order No. 3 for the Steam Boiler No. 2 Replacement Project in the amount of \$4,050.00.
 - h. Approve Change Order No. 2, for the removal of spoil material in the amount of \$41,890.00, related to the Padre Balli Park Parking Lot Emergency Repairs Project.
 - i. Approve/Ratify contract with the Texas Parks and Wildlife Department (TPWD) for a Texas Recreation and Parks Accounts Program (TRPA) Grant.
 - j. Approve/Ratify 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.
 - k. Approve "Outside Agency" agreement with Big Brothers Big Sisters.

REGULAR AGENDA

- 4. Receive a presentation from Naismith Engineering on USDA Rural Development Internal Audit Team visit of January 14, 2009, regarding the Nueces County Fairgrounds grant project.
- 5. Receive a briefing on the 2009 Workers' Compensation Premium.
- 6. Discuss and consider execution of a lease agreement between Nueces County, the City of Corpus Christi, and War-Cat Football League for the use of Equistar Park football fields.
- 7. Discuss and consider execution of Statement of Grant Award for the FY2009 Formula Grant Program of the Task Force on Indigent Defense.
- 8. Discuss and consider authorization to submit a grant application to the National Endowment for Humanities for a *We the People Bookshelf Project*.
- 9. Discuss and consider authorization to submit a grant application to the National Endowment for Humanities for a *Small Grants to Libraries – Lincoln: The Constitution and the Civil War* exhibit.
- 10. Receive presentation on the proposed City of Robstown's Tax Increment Financing (TIF) District related to the proposed Outlet Mall Project.

11. Discuss and consider approval of the following:
 - a. Authorize/Execute a contract for IFB No. 2787-08 Law Enforcement Uniforms with Lone Star Uniforms, Inc.
 - b. Authorize/Execute a contract for IFB No. 2788-08 Equistar Park Lighting Improvements with Rabalais I&E Constructors.
 - c. Authorize TASB BuyBoard State Contract No 281-07 purchase for Constable Pct. 5 for two 2009 Chevrolet Impala police packages from Caldwell Country Chevrolet in the amount of \$40,484.00, to be funded with Pct. 5 Asset Forfeiture Funds.
12. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 7 for FY 2008-2009.
13. 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. 237 and Unfreeze List No. 555.
 - b. Personnel Change Reports through January 6, and January 13, 2009.
14. 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 ratifying the hiring of outside counsel in the civil action no. 2:08-cv-00288, Christina Campos, et.al. v. Nueces County, et.al. as follows:
 - i. Myra Morris, Attorney At Law with Royston, Rayzor, Vickery & Williams, L.L.P. to represent Pedro Cavazos III and Conrad Guzman, in their individual capacity;
 - ii. David Klein, Attorney At Law, for Javier Cano, Edward Nunez, Rebecca Bailey, Jennifer Hartman, in their individual capacity, and related matters.

Adjournment in Memory (upon request)