



## **NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA**

### **NOTICE OF PUBLIC MEETING**

The Nueces County Commissioners Court will meet on Wednesday, February 4, 2009, at 9:00 a.m. in the Commissioners Courtroom, 3<sup>rd</sup> 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.

- 
- A. County Judge calls for the 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.
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 – Meeting with Office of Rural Community Affairs (ORCA).
    - b. Judge Neal – Report on Veterans’ Cemetery
  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 January 22, January 23, and January 29, 2009; and manual checks dated January 30, 2009.

- b. Authorize payment of bills, group health insurance claims and fees, including Third Party Administrator (TPA) Check Register(s) for January 12 through January 16, 2009, and January 19 through January 23, 2009; and County Check Register for January 22 through February 4, 2009.
- c. Approve Special Motions List dated February 4, 2009.
- d. Approve/Ratify contract with the Texas Parks and Wildlife Department (TPWD) for a Texas Recreation and Parks Accounts Program (TRPA) Grant.
- e. Approve Certificate of Substantial Completion for the Padre Balli Park Parking Lot Emergency Repairs.
- f. Approve Certificates of Substantial Completion for the Juvenile Justice Center Addition and Renovation Project.
- g. Approve/Ratify the Kansas Bank Agreement and Caldwell Country Chevrolet Agreement for the lease of a vehicle in the District Attorney's Office.
- h. Approve "Outside Agency" agreement with Al Amin Shrine Center.

### **REGULAR AGENDA**

- 4. Discuss and consider completion of one or more of the following projects:
  - a. Construction of a new multi-purpose equestrian arena "Heritage Center" at the RMB Fairgrounds.
  - b. Construct, repair or upgrade one or more of the following items at the RMB Fairgrounds: parking lots, storage buildings, RV park, air condition one exhibition hall, and/or new fencing.
  - c. Purchase, construct, and implement one or more software and/or equipment improvement projects related to Information Technology.
  - d. Renovation of one or more areas within the main jail.
  - e. Renovation of one or more areas within the McKinzie Annex Complex.
  - f. Repair roof at the Juvenile Justice Center.
  - g. Renovate & expand CR-52 in conjunction with the MPO.

Discuss and consider allocation/reallocation of 2007 certificates of obligation funds to the approved projects;

Authorize the implementation of the necessary steps to complete the approved projects, and related matters.

- 5. Adopt a resolution proclaiming February 7 through 14, 2009, as "National Marriage Week" in Nueces County.
- 6. Receive presentation from Dr. Ridge Hammons related to "On Site Career Mentoring Program."
- 7. Discuss and consider the following related to the 81<sup>st</sup> Texas Legislative Session:
  - a. Adopt a resolution in support of legislation related to the appointment and duties of the Official Court Reporters for the District Courts of Nueces County.

- b. Adopt resolutions supporting legislation authorizing hospital districts to (i) recover the value of fraudulently-obtained health care services; and (ii) obtain subrogation rights for costs of services provided to persons whose injury was caused by another person's negligence or wrong.
8. Discuss and consider approving Fifth Amendment to Master Agreement between the Nueces County Hospital District and Christus Spohn Health System Corporation; Amendment adds Section 10.5(c) relating to the process of nominations to the Health System's Board of Trustees; and Amendment to be effective February 1, 2009.
9. Accept and approve the Nueces County quarterly investment report for the period ended September 30, 2008.
10. Discuss and consider approving an amendment to the Nueces County Investment Policy authorizing the use of Certificate of Deposit Account Registry Service (CDARS) for investing public funds, in accordance with Section 2256.010 of the Government Code.
11. Discuss and consider executing the following with Frost National Bank:
  - a. Certificate of Deposit Account Registry Service (CDARS) Deposit Placement Agreement.
  - b. Custodial Agreement.
12. Discuss and consider approval of an addendum to the Federal Economic Stimulus Request (American Recovery and Reinvestment Act of 2009), letter dated January 22, 2009, related to various infrastructure projects in Nueces County.
13. Discuss and consider the adoption the following resolutions related to Banquete Community Park:
  - a. Dedicating a two (2) acre natural area/open space.
  - b. Restricting mining and surface drilling.
14. Discuss and consider employing the services of CLK Architects to design and develop specifications for renovations to the Nueces County Commissioners Courtroom.
15. Discuss and consider adopting a resolution increasing the membership of the Nueces County Library Board from 5 to 7 members.
16. Discuss and consider the application procedure for appointment to the Nueces County Library Board.
17. Discuss and consider appeal of denial of renewal application to operate a sexually oriented business submitted by Juan M. Vela.

18. Discuss and consider approval/ratification of action to cancel windstorm insurance coverage effective January 31, 2009 and to rewrite windstorm coverage at the current rates for the period January 31, 2009, through January 31, 2010.
19. Discuss and consider ratification of request for Amendment and 90-Day Extension to Dune Protection Permit for Dune Walkover Construction at Sunrise Shores Lot 3 Block 1 Mustang Island (Nueces County DPP#1105-02), and related matters.
20. Discuss and consider adopting an order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.
21. Discuss and consider creating a special revenue account for the benefit of the Community Supervision and Corrections Department (CSCD) for revenue collected in lieu of Community Services.
22. Discuss and consider authorizing the County Attorney to draft an Interlocal Agreement with the Nueces County Council of Judges for the purpose to assign a Credit Union Checking/Savings Account under the County's Federal ID for the benefit of the Nueces County Council of District Judges.
23. Discuss and consider approval of the following:
  - a. Award IFB No. 2795-08 McKinzie Annex Sewage Grinder System.
  - b. Award IFB No. 2796-08 McKinzie Annex Miscellaneous Construction.
  - c. Authorize/Execute a contract for IFB No. 2735-08 Armored Car Service with Triple D Security.
  - d. Authorize/Execute a contract for IFB No. 2782-08 Copy Paper, Fine Papers, Computer Paper, NCR Paper, Envelopes with A&W Office Supply, Inc. and Western Paper Company.
  - e. Authorize/Execute a contract for IFB No. 2786-08 Morgue Transport with G. I. Transport.
24. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 8 for FY 2008-2009.
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. 238 and Unfreeze List No. 556.
  - b. Personnel Change Reports through January 20, and January 27, 2009.
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.

**Adjournment in Memory (upon request)**