



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

The Nueces County Commissioners Court will meet on Wednesday, February 18, 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 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.
 - D. Approve the minutes of the January 7, 2009, 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 – Donation(s) for the Keach Family Library; Go Red Luncheon; Employee Wellness Program.
 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 29, January 30, February 2, February 5, February 6, and February 12, 2009, and manual checks dated February 13, 2009.

- b. Authorize payment of bills, group health insurance claims and fees, including Third Party Administrator (TPA) Check Register(s) for January 26 through January 30, 2009, and February 1 through February 6, 2009; and County Check Register for February 5 through February 18, 2009.
- c. Authorize payment of Pcard purchases for the month of January 2009.
- d. Approve grant close out summary report(s).
- e. Accept donations in accordance with Local Government Section 81.032.
- f. Approve Special Motions List dated February 18, 2009.
- g. Approve Change Order No. 1 in the amount of \$1,875.00 related to the San Petronila Estates No. 2, Phase 1, Water Distribution Project
- h. Approve Certificate of Substantial Completion for the San Petronila Estates No. 2, Phase 1, Water Distribution Project.
- i. Approve Change Order No. 4, in the amount of \$16,500.00 for the Steam Boiler No. 2 Replacement in the Courthouse.
- j. Approve the following Tax Deeds:
 - i. Lots 20 and 21, Block 74, West End Addition, in the amount of \$600.00.
 - ii. Lot 3, Block 11, Dan L. Messer Addition, in the amount of \$1,700.00.
 - iii. 0.1389 acres, more or less, situated in Block 65, Banquete Townsite, in the amount of \$3,500.00.
 - iv. The North one-half of Lot 21, Block 61, West End Addition, in the amount of \$500.00.
 - v. Lots 29 and 30, Block 7, Robstown Original Townsite, in the amount of \$1,000.00.
 - vi. Lots 15 and 16, Block 3, Las Delicias Addition, in the amount of \$1,000.00.
 - vii. Lot 34, Block 1, Las Delicias Addition, in the amount of \$500.00.

REGULAR AGENDA

- 4. Receive presentation from Vangie Chapa on the upcoming 2010 United States Census.
- 5. Discuss and consider naming the 6th floor Lawyer's Lounge, the "Doug Tinker Memorial Lounge."
- 6. Discuss and consider Dune application permit for a Large Scale Dune Protection Permit for Tract 55 & 56 (11.64 Acres) Mustang Island Section 2, Nueces County (DNP#0708-03 and GLO BDNC#09-0008), and related matters.
- 7. Discuss and consider execution of contract with Texas RioGrande Legal Aid, Inc., for the provision of legal services to the poor; authorize disbursement of funds pursuant to the contract.
- 8. Discuss and consider the adoption of the following resolutions related to Banquete Community Park:
 - a. Dedicating a two (2) acre natural area/open space.

- b. Restricting mining and surface drilling.
9. Discuss and consider execution of a resolution for the submission of a grant application to the Office of Rural Community Affairs (ORCA) for a Renewable Energy Pilot Program.
 10. Discuss and consider the submission of an amendment request to the Office of Rural Community Affairs (ORCA) for the San Petronila Estates Unit 2 Colonia (contract #7261150) for additional beneficiaries.
 11. Discuss and consider execution of a contract with the Texas General Land Office for reimbursement for beach cleaning services under the State Beach Cleaning Program.
 12. Discuss and consider execution of an interlocal agreement with the City of Port Aransas for Lifeguard services.
 13. Discuss and consider approving a per voting machine cost in the amount of \$160.00 for the leasing of electronic voting equipment to governing bodies for use in their elections.
 14. Discuss and consider the following related to Title IV E Child Welfare Services:
 - a. Approval of Budgets.
 - b. Execution of Contracts.
 - c. Execution of Certification regarding Federal Lobbying.
 15. Discuss and consider reallocation of 2004 Certificates of Obligation Project Funds and 2007 Certificates of Obligation Project Funds.
 16. Discuss and consider approval of the following:
 - a. Making a finding for the method of procurement (request for competitive bids); and authorize the Purchasing Agent to publish a notice for the following:
 - i. Banquete Park Lighting Improvements for two Baseball Fields
 - ii. Horace Caldwell Pier Parking Lot Renovations
 - iii. Fueling system and aboveground Skid Tanks for Public Works
 - b. Making a finding for the method of procurement (Texas Local Government Code section 262.030 - Request for Proposals); discuss and consider authorizing the Purchasing Agent to publish a notice; and order delegating evaluation authority to a selection committee for Property, Casualty, and Auto Liability Insurance.
 - c. Accept as County property five Dell desktop computers purchased with Chapter 19 funds by the Tax Office Voter Registrar.
 - d. Authorize Texas DIR Contracts DIR-SDD-223, DIR-SDD-890, and DIR-SDD-192 purchases for the IT Department for the purchase of 7 computers, 8 monitors, and related software in the amount of \$29,968.24.
 17. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 9 for FY 2008-2009 and Capital Projects Change Order No. 29.

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. 239 and Unfreeze List No. 557.
 - b. Personnel Change Reports through February 3, and February 10, 2009.

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. Authorize the hiring of Barbara Tarin of Tarin Real Estate, as an expert professional in Cause #08-6032-F, Nueces County vs. Horn Chen, et al.
 - b. Authorize the County Judge to execute agreement with Barbara Tarin of Tarin Real Estate, as an expert in Cause #08-6032-F, Nueces County vs. Horn Chen, et al.

Adjournment in Memory (upon request)