



**NUECES COUNTY, TEXAS
COMMISSIONERS COURT AGENDA**

NOTICE OF PUBLIC MEETING

The Nueces County Commissioners Court will meet on Wednesday, March 4, 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 22 and February 4, 2009, Commissioners Court meetings.
 - E. **Workshop**
 - **Discuss a Public Defender System and related matters**
 - **Discuss Capital Project needs and funding sources to include, allocation/reallocation of Capital Project Funds.**
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 – Walk Across Texas 2009 program, Austin Legislature
 - b. Commissioner Pusley – Texas Open Meetings Act.
 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 February 19, February 20, and February 26, 2009, and manual checks dated February 27, 2009.
- b. Authorize payment of bills, group health insurance claims and fees, including Third Party Administrator (TPA) Check Register(s) for February 9 through February 13 2009, and February 16 through February 20, 2009; and County Check Register for February 19 through February 27, 2009.
- c. Approve Special Motions List dated March 4, 2009.
- d. Approve monthly revenue reports for the months of December 2008 and January 2009, as presented by the County Auditor in accordance with Section 114.044 of the Texas Local Government Code.
- e. Approve Contract Change Order No. 7 with Van Fleet Construction providing for a \$15,183.22 decrease in the contract cost and a 10 calendar day decrease in the contract time, related to the Juvenile Justice Center construction project.
- f. Approve Contract Change Order No. 1 with Bay Area Contracting & Construction, Inc. providing for a \$990.00 increase in the contract cost for the 105th District Court, related to renovation of the 8th and 9th floor Courtrooms.
- g. Approve “Outside Agency” contracts with Teen Court, the Bishop Chamber of Commerce, the Flour Bluff Business Association, the Westside Business Association, and the Padre Island Business Association.
- h. Approve the following Tax Deeds and highest minimum opening bid to date:
 - 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. Discuss and consider adopting a resolution in support of TxDOT’s Request for Information (RFI) to develop future freight transportation systems that minimize environmental impact, specifically technology with low carbon emissions.
5. Receive a presentation from Zachry American Infrastructure and the Corpus Christi Metropolitan Planning Organization on the US 77/I-69 Transportation Infrastructure Improvement Project.
6. Receive a progress report from Linebarger, Goggan, Blair, and Sampson, LLP, on Delinquent Tax Collections.

7. Receive a report related to proposed legislation that may have an impact on tax revenue.
8. Receive a presentation from the Food Bank of Corpus Christi on the Neighborhood Diabetes Education Program expenditures.
9. Discuss and consider approval of an amended budget for the Neighborhood Diabetes Education Program.
10. Discuss and consider terminating the Master Interlocal/Cooperative Purchasing Agreement with Dallas County related to the Automated Indigent Screening Agreement between Dallas County and D-Med Corporation.
11. Discuss and consider the following to assist the County Clerk Fine Collections Department in their attempts to increase collections of fines and costs:
 - a. Hire a temporary Warrant Officer for a period of six months at a Pay Group 19 to interact with defendants through the Courts and out in the field.
 - b. Enter into a contract between Nueces County and Global Connect for the purpose of installing an automated phone dialing system at a cost not to exceed \$6,500 annually.
 - c. Enter into a contract between Nueces County and Lexis Nexis (Accurint for Govern Solutions) related to providing tools to help locate people and assist in other matters related to collecting monies due the County.
12. Discuss and consider adoption of the following resolutions related to the 81st Texas Legislative Session:
 - a. In support of House Bill 107, related to the ability of a defendant in a correctional institution to plead guilty in absentia (without being present).
 - b. In opposition of Senate Bill 320 and House Bill 29, related to the requirement that Justice of the Peace be licensed to practice law in the State of Texas.
13. Discuss and consider acceptance of the Juvenile Drug Court Grant No. 2045301 award from the Office of the Governor, Criminal Justice Division, in the amount of \$44,000.00.
14. Discuss and consider adoption of a resolution authorizing the submission of a grant application for the Juvenile Justice and Delinquency Prevention Program (Juvenile Justice Alternatives).
15. Discuss and consider adoption of a resolution authorizing submission of a grant application for the Juvenile Accountability Block Grant Program, related to funding the Probation Rules Enforcement Program.
16. Discuss and consider adoption of a resolution authorizing submission of a grant application to the Office of the Governor, Criminal Justice Division, for the State Criminal Justice Planning (421) fund.

17. Discuss and consider adoption of a resolution authorizing submission of a grant application to the Office of the Governor, Criminal Justice Division, for the Drug Court Program (Juvenile Dept.).
18. Discuss and consider authorizing execution of an agreement between Nueces County and the Regional Health Awareness Board (RHAB) related to providing funding support to the RHAB.
19. 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.
20. Discuss and consider capital improvement project needs and funding sources to include, the allocation/ reallocation of capital project funds.
21. Discuss and consider submission of grant pre-applications to the Coastal Bend Council of Governments for Disaster Recovery Funds (non-housing funds).
22. Discuss and consider submission of a grant application to the U.S. Department of Homeland Security (DHS) for the FY 2009 Operation Stonegarden (OPSG-09) grant program.
23. Discuss and consider submission of an appropriations application for the South Texas Jail Diversion Program and Mental Health Court Project.
24. Discuss and consider submission of a grant application to the U.S. Office of Justice Programs for the Justice and Mental Health Collaboration Program
25. Accept and approve the Nueces County quarterly investment report for the period ended December 31, 2008.
26. Discuss and consider application procedure for appointment to the MHMR Community Center Board.
27. Discuss and consider establishment of a new GIS Administrator position, Pay Group 34, in the Department of Public Works.
28. Discuss and consider authorizing execution of Modification of Food Services Agreement between Nueces County and Aramark Correctional Services, LLC related to Re-determination of Prices pursuant to section 11.0 of the Food Services Agreement.
29. Discuss and consider approval of the following:
 - a. Authorize/execute a contract for IFB No. 2795-08, McKinzie Annex Sewage Grinder System, with Garrett Construction.

- b. Authorize/execute a contract for IFB No. 2796-08, McKinzie Annex Miscellaneous Construction, with A.M.S.R. Inc. dba AM Services.
 - c. Accept the award and executed agreement with Glenn Laskowski dba Pirate's Landing, for RFP No. 2797-08, Concession Service for Bob Hall Pier as approved by the Park Board.
 - d. Authorize Sole Source purchase of Ballot Now Software and Equipment, and four-month license and support, from Hart Intercivic, for the County Clerk Elections Department.
 - e. Authorize Sole Source purchase and execution of an agreement with NewsBank, Inc. for an annual Newspaper database subscription for the Keach Family Library.
 - f. Accept as County property a 2005 Chevrolet Trailblazer and a 2005 Chevrolet Silverado which were purchased by the District Attorney's Officer through an IRS agreement on the South Texas Asset Forfeiture Task Force.
30. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 10 for FY 2008-2009; and Capital Project Budget Change Order No. 30.
31. 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. 240 and Unfreeze List No. 558.
 - b. Personnel Change Reports through February 17, and February 24, 2009.
32. 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 settlement offer of \$360,000 for the Padre Balli bathhouse claim and authorize the County Judge to execute the Full Compromise, Settlement, and Release Agreement for this claim, and related matters.

Adjournment in Memory (upon request)