



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

The Nueces County Commissioners Court will meet on Wednesday, March 25, 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 February 18, 2009, Commissioners Court meeting.
 - E. Recognize County Employees completing the 2009 Texas A&M University-Corpus Christi “Certified Public Manager” Program.
 - F. Recognize county employee Robert Matt Lowe for earning his license as a Certified Public Accountant, CPA.
 - G. Recognize Harvey Buehring for 26 years of service to Nueces County.
 - H. Adopt a resolution recognizing the Coastal Bend Central Labor Council “Cesar Chavez Unity Marcha,” on March 28, 2009.
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 – Comments on recent visit to Washington, D.C.
 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 March 5, March 6, March 12, March 19, and March 20, 2009, and manual checks dated March 20, 2009.
- b. Authorize payment of bills, group health insurance claims and fees, including Third Party Administrator (TPA) Check Register(s) for February 23 through February 27, March 2 through March 6, March 9 through March 13, 2009; and County Check Register for March 2 through March 20, 2009.
- c. Approve Special Motions List dated March 25, 2009.
- d. Approve monthly revenue reports for the month of February 2009, as presented by the County Auditor in accordance with Section 114.044 of the Texas Local Government Code.
- e. Accept donations in accordance with Section 81.032 of the Texas Local Government Code.
- f. Discuss and consider approval of Contract Change Order No. 2 with King Isles, Inc. for additional days related to the Rose Acres Colonia Project.
- g. Approve/ratify Local Border Security Program for an additional \$100,000 in reimbursement for Sheriff's Office overtime.
- h. Approve "Outside Agency" contracts with the following:
 - i. Northwest Business Association.
 - ii. Coastal Bend Council on Alcohol and Drug Abuse.
 - iii. Hispanic Chamber of Commerce.

REGULAR AGENDA

4. Discuss and consider approval/ratification of Detention Services Intergovernmental Agreement (IGA) with the United States Marshals Service related to housing federal inmates at the Nueces County Jail, LCS La Villa Facility, and LCS Coastal Bend Facility, and related matters.
5. Discuss and consider a) selection of an architectural consultant and b) approval of an architectural services contract, related to the Jail 48 Bed Pod Refurbishment Project at the McKinzie Annex.
6. Receive an update from Tyler Technologies related to the implementation of the Odyssey Case Management System.
7. Discuss and consider execution of Interlocal Cooperation Contract with the City of Corpus Christi, San Patricio County, and the City of Ingleside for establishment of a Defense Base Development Authority, related to the Local Redevelopment Authority (LRA).
8. Discuss and consider allocation/reallocation of 2007 Certificates of Obligation funds to eligible projects including: infrastructure, facilities, equipment and machinery at the

Richard Borchard Regional Fairgrounds, McKinzie Jail Annex, Main Jail, County Road 52, Juvenile Justice Center, and Information Technology Systems.

9. Discuss and consider approval of Dune Protection Permit for Dune Walkover-Lot 37 & Lot 40 Block 1 La Concha Estates, Mustang Island, Nueces County (DPP#0708-01 and BDNC-09-0029, and related matters.
10. Discuss and consider approval of Mentoring Agreement with Hammons Education Leadership Programs (HELP”), and related matters.
11. Discuss and consider approval of update to current contract with Sames Crow Ford related to increase in surety bond, increase in point of sale sticker receipts, and passenger/truck license plates, and form 31 receipts.
12. Discuss and consider authorizing the Tax Assessor-Collector to issue beer, wine, and liquor license or permit for a two-year term.
13. Discuss and consider approval of Addendum to the Interlocal Cooperation Contract with the City of Corpus Christi for Lifeguard Beach Services.
14. Discuss and consider execution of interlocal agreement with the City of Corpus Christi for the provision of playground equipment to be located at the north end of Corpus Christi Beach, 4801North Shoreline Blvd., Corpus Christi, Texas.
15. Discuss and consider execution of the interlocal agreement with the City of Corpus Christi and Port of Corpus Christi Authority of Nueces County continuing the Local Emergency Response Planning Committee (LEPC) specific to extremely hazardous substances.
16. Discuss and consider renewing existing bank depository contracts for county public funds, trust, and court registry funds with Frost Bank for an additional two-year term pursuant to Texas Local Government Code 116.021 and 117.021; and, authorize the County Judge to negotiate terms of proposed renewal subject to final approval of Commissioners Court.
17. Discuss and consider approval of the following contracts to assist the County Clerk Fine Collections Department in their attempts to increase collections of fines and costs:
 - a. Global Connect for the purpose of installing an automated phone dialing system at a cost not to exceed \$6,500.00 annually.
 - b. Lexis Nexis (Accurint for Govern Solutions), for people location, fraud detection, identity verification, and other due diligence.
18. Discuss and consider a) selection of architect and b) approval of an architectural services contract, related to the Waco Street Jail Rehabilitation Project(s).

19. Discuss and consider voiding Dune Protection Permit #0506-01 and issue a letter advising the property owner that the permit is void, due to among other things, material changes in originally approved construction.
20. Discuss and consider a) selection of an engineer and b) approval of a resolution authorizing execution of an engineering services contract, related to the Nueces County Master Drainage Plan.
21. Discuss and consider execution of contract with Naismith Engineering, Inc., for engineering services related to the Office of Rural Community Affairs (ORCA) Community Development Block Grant Program Contract No. 728125 for a water distribution system for the Twin Lakes Colonia.
22. Discuss and consider execution of amendment to interlocal agreement with San Patricio County, and the City of Corpus Christi to provide funding for the Regional Health Awareness Board.
23. Discuss and consider transfer of funds from Hilltop Special Revenue Fund (1356) in the amount of \$15,500.00 to Regional Health Awareness Board (RHAB) for funding the period April 1, 2009, to September 30, 2009.
24. Discuss and consider allocation of funds to clean-up and dispose of tires at Hazel Bazemore Park.
25. Receive update on departmental meeting regarding technology upgrades held on Friday, March 6, 2009.
26. Discuss and consider submitting a Request for Amendment of two (2) Coastal Commercial Leases to the State of Texas General Land Office (GLO Leases No. LC920027 and GLO Lease No. 920028) to facilitate expansion of pier decks at Horace Caldwell and Bob Hall Piers, and related matters.
27. Discuss and consider application procedure for appointment to the South Texas Water Authority Board.
28. Discuss and consider adoption of the following resolutions related to the 81st Texas Legislative Session:
 - a. In support of Support of Senate Bill 855, related to the inclusion of Nueces County in the list of counties eligible for local option funding of transportation projects.
 - b. In opposition to Senate Bill 1597, related to requiring the Metropolitan Planning Organization to monitor greenhouse gas emissions.
29. Discuss and consider approval of the following:

- a. Discuss/Award RFB No. 2794-08 Cable/Satellite Television Service for Nueces County Jail & Annex.
 - b. Discuss/Award IFB No. 2801-09 Horace Caldwell Parking Lot Renovations.
 - c. 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 the following:
 - i. Juvenile Justice Alternative Education Program.
 - ii. Juvenile Justice Center HVAC Rehabilitation and Smoke Purge.
 - iii. McKinzie Jail Annex Parking Lot Lighting Replacement.
 - d. 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 Meal Service – Juvenile Department.
 - e. Authorize agreements with Holt Cat and/or Caterpillar Financial Services for long-term rental (with addendum) of a Caterpillar Motor Grader for Island Parks Department through the TASB Buyboard to include sales order (with addendum), extended warranty, maintenance, and repurchase agreement, application survey; discuss and consider resolution approving documents related to rental of Caterpillar Motor Grader, authorize the County Judge to execute documents, and all other action necessary to carry out such transactions.
 - f. Authorize TASB BuyBoard State Contract No 281-07 purchase for the Public Works Department from Philpott Motors Ltd. for:
 - i. Ford F150 Pickup XL Series short bed.
 - ii. Ford F450 Cab/Chassis Regular Cab
 - g. Authorize Sole Source maintenance agreement with Data Works Plus, LLC for a mug shot system, safe ID system and NIST finger print database system.
 - h. Authorize Sole Source purchase and execute an agreement for a Newspaper database annual subscription with NewsBank, Inc., for the Keach Family Library.
 - i. Authorize issuing the following vehicles currently in the Warehouse Surplus:
 - i. 2005 Chevrolet Silverado Truck to Community Services/Inland Parks; a 1999 Ford Crown Victoria, Unit 39, to be turned in by Community Services/Inland Parks
 - ii. 2005 Chevrolet Trailblazer to the County Clerks for use by the Collections Warrant Officer.
 - j. Discuss and consider accepting as county property three Dell desktop computers, 3 Fujitsu scanners, a convection oven, and a steam table purchased through Inmate Benefit funds by the Sheriff's Office.
30. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 31 for FY 2007-2008; and Budget Change Order No. 11 for FY 2008-2009.
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. 241 and Unfreeze List No. 559.
 - b. Personnel Change Reports through March 3, March 10, and March 17, 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 demand received from William Berry regarding Lydia Elizondo vs Nueces County et.al., Cause No. 2:07-cv-405.
 - b. Discuss and consider ratifying the hiring of Doug Chaves and Jim Wray with Chaves, Resendez & Riviro, L.L.P. to represent the interest of Nueces County in all legal matters related to the lawsuit filed by San Patricio County vs. Nueces County, Cause No. 4704 on February 20, 2009.
 - c. Discuss and consider ratifying the hiring of Jorge Rangel with the Rangel Law Firm, P.C. to represent the interests of Sheriff Jim Kaelin in his individual capacity, and ratifying the hiring of Augustin Rivera with the law firm Dunn, Weathered, Coffey, Rivera and Kasperitis, P.C., in Juan M. Vela d/b/a Reveal "IT" v. Jim Kaelin, Individually and in His Official Capacity as Sheriff of Nueces County, Texas, and the Nueces County Commissioners Court, Case No. 09-CV-36.
33. Approve board appointments, including Nueces County Child Welfare Board and Nueces County Library Advisory Board.

Adjournment in Memory (upon request)