



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

The Nueces County Commissioners Court will meet on Wednesday, April 1, 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. **9:00 a.m. - Public Hearing:**
The Nueces County Commissioners Court will have a public hearing to obtain input to develop a plan to distribute Disaster Recovery Funds for damage caused by Hurricanes Dolly and Ike during 2008.
 - E. Adopt a proclamation declaring April 2009 as “Child Abuse Prevention and Awareness Month” in Nueces County.
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.
 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 26, 2009, and manual checks dated March 27, 2009.
- b. Authorize payment of bills, group health insurance claims and fees, including Third Party Administrator (TPA) Check Register(s) for March 16 through March 20; and March 23 through March 27, 2009.
- c. Approve Special Motions List dated April 1, 2009.
- d. Approve Pcard purchases for the month of February 2009.
- e. Approve Change Order No. 1, reducing the total Zachry GMP construction cost by \$336,159.00, related to the Richard M. Borchard Regional Fairgrounds Phase I Project.
- f. Approve Substantial Completion for the replacement of Fire Pumps 1 & 2 in the Nueces County Courthouse.

REGULAR AGENDA

4. Receive presentation from Dr. Laurie Haws, Principal Health Specialist, Tox Strategies, on recent reporting from USA Today and local organizations on the benzene levels in Nueces County.
5. Discuss and consider implementation planning for the tire cleanup at Hazel Bazemore Park.
6. Discuss and consider approving Continental Baseball League's Request for termination of the License Agreement with Nueces County, and related matters.
7. Discuss and consider entering into an agreement with John Bryant dba Coastal Bend Professional Baseball Club, LLC, non-incorporated, for use of the baseball stadium at the Richard M. Borchard Regional Fairgrounds; authorize execution of license agreement with John Bryant dba Coastal Bend Professional Baseball Club, LLC, non-incorporated, and related matters.
8. Discuss and consider selection of engineer related to Padre Balli Bathhouse Repair and Reconfigurations; execute an engineering services contract and designate Public Works Director as contract administrator.
9. Discuss and consider executing a license agreement with Nueces Electric Cooperative, Inc., to stage equipment at the Richard M. Borchard Regional Fairgrounds in the event of disaster recovery operations.
10. 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).

11. Discuss matters of general interest related to the 81st Legislative Session, including House Bill 911 & Senate Bill 14.
12. Discuss and consider authorizing the Tax Assessor-Collector to collect beer, wine, and liquor license or permit fees for every two years, instead of every year to correspond with TABC license/permit approvals, and other related matters.
13. Discuss and consider the following related to the Bureau of Justice Assistance Grant (JAG) Program:
 - a. Authorization to submit a joint grant application for separate entity funding to the FY2009 Justice Assistance Grant Program (JAG), and;
 - b. Execute an Interlocal Agreement between Nueces County and the City of Corpus Christi for the purpose of the JAG program.
14. Discuss and consider authorizing the submission of grant application to the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS) for a COPS Hiring Recovery Program (CHRP) grant.
15. Discuss and consider authorizing the submission of grant pre-applications to the U.S. Department of Agriculture – Rural Development Program.
16. Discuss and consider acceptance of the dedicated roads in the Santa Maria Acres Subdivision.
17. Discuss and consider adoption of a resolution establishing a method of distribution to be submitted to the Office of Rural Community Affairs, related to *Disaster Recovery Funds* (non-housing funds).
18. Discuss and consider approval of the following:
 - a. Discuss/Award IFB No. 2800-09 Motor Oil and Lubricants.
 - b. 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 three mid-sized sedans and 2 vans for CSCD.
 - c. 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 Juvenile Justice Alternative Education Program.
 - d. Authorize Sole Source purchase from Hart InterCivic for Ballot Now.
 - e. Authorize Sole Source purchase to Sungard Bi-Tech for annual support agreements for the County's financial software system and application support.
19. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 12 for FY 2008-2009.

20. Consider personnel actions of a budgeted nature, including actions necessary by Order on Page 5 of the County Budget:
 - a. Unfreeze List No. 560.
 - b. Personnel Change Reports through March 24, 2009.
 - c. Discuss and consider reclassification of two Senior Clerk Positions as Intermediate Clerk Positions in the Office of District Clerk.
 - d. Discuss and consider increase in salary of Chief Deputy Position in the Office of District Clerk.
 - e. Discuss and consider increase in salary of Chief Deputy Position in the Office of Constable Precinct No. 5.

21. 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 claim for damages by JoAnn Rios for tire damage and related matters.

22. Approve board appointments, including the Coastal Bend Council of Governments and Nueces County Mental Health and Mental Retardation Board.

Adjournment in Memory (upon request)