



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

The Nueces County Commissioners Court will meet on Thursday, April 16, 2009, at 8:00 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 March 4, 2009, Commissioners Court meeting.
 - E. **Workshop**
 - Discuss BiTech Purchasing System, purchasing procedures/law, and related matters.
 - Discuss Nueces County Commissioners Court Policy on meetings, agenda development, deadlines.
 - Discuss Commissioners Courtroom Renovations.
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 – report on donations received for the Nueces County Keach Family Library and Library’s “Dia de Los Ninos Event” to be held on April 25, and April 30, 2009.
 - b. Commissioner Cazalas – report on trip to Austin for CUC Meetings and related matters.
 - c. Judge Neal – report on legislative matters of general interest, including windstorm issues, other matters affecting Nueces County.

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 April 2, April 3, April 9, and April 14, 2009, and manual checks dated April 10, 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 30 through April 3, 2009.
 - c. Approve Special Motions List dated April 15, 2009.
 - d. Approve/ratify terms and conditions from RedHawk to tie new fire pumps for the Courthouse and Jail into their respective Fire Alarm Panels.
 - e. Approve "Outside Agency" contract with the Bishop Economic Development Corporation.
 - f. Discuss and consider approval of an order terminating the extension of the Disaster Declaration for Hurricane Ike.

REGULAR AGENDA

4. Receive presentation from the Antonio E. Garcia Arts & Education Center on past and future activities on diabetes and education and awareness programs at the center; authorize execution of contract for diabetes prevention and awareness.
5. Receive Presentation on progress of the BoldFuture of the Coastal Bend Activities.
6. Discuss and consider execution of the Reformation of the Cooperative Agreement to Operate a Public Health District with the City of Corpus Christi, and related matters.
7. Discuss matters of general interest related to the 81st Legislative Session, adopt the following resolutions:
 - a. In opposition to House Bill 4733 & Senate Bill 14 related to Windstorm Insurance.
 - b. In support of House Bill 1906 and Senate Bill 1323 related to authorizing a Magistrate to reduce the amount of surcharge for a person that has successfully completed a Drug/DWI Court Program.
 - c. In support of House Joint Resolution (HJR) 84 for a constitutional amendment prohibiting unfunded mandates on Texas counties.
8. Discuss and consider approval of Dune Protection Permit for Small Scale Permit for construction at Mayan Princess Fire Pump Room, Mustang Island – Lot 2, Block 1 La Concha Subdivision (DPP #0209-01 and GLO BDNC-09-060), and related matters.

9. Discuss and consider approval of Dune Protection Permit for Large Scale Permit for Nueces County Island Parks Department Seaweed Disposal behind Dune Line, I.B. Magee Jr. Beach Park, Port Aransas, Texas (DPP #1107-02 and GLO BDNC-08-0020), and related matters.
10. Discuss and consider execution of an engineering services contract for preparation of the plans and specifications for the renovation of the Padre Balli Bathhouse and offices.
11. Discuss and consider selection of an architect and approval of an architectural services contract related to preparation of plans and specifications for the McKinzie Annex Roofing Project.
12. Discuss and consider authorizing submission of a grant application for grant funding under the Recovery Act, State and Local Law Enforcement Assistance Program, for the combat of criminal narcotic activity stemming from the southern border of the United States.
13. Discuss and consider selection of an engineer and approval of an engineering services contract for inspection services at Bob Hall Pier.
14. Discuss and consider selection of an engineer and approval of an engineering services contract for approved improvement projects at the Richard M. Borchard Regional Fairgrounds.
15. Discuss and consider selection of an engineer and approval of an engineering services contract for preparation of plans and specifications for modification of the courthouse computer room Heating, Ventilation, and Air Conditioning (HVAC).
16. Discuss and consider approval of agreement for professional services with Justice Benefits, Inc., for the State Criminal Alien Assistance Program (SCAAP).
17. Discuss and consider acceptance of a grant award from the Office of the Governor's Criminal Justice Division (CJD) - State Criminal Justice Planning (421) Fund for the Nueces County Drug/DWI Court.
18. Discuss and consider execution of a personal services contract with Carlos Colina-Vargas for services related to the Rose Acres Colonia Project (#724135).
19. Discuss and consider acceptance of a grant award revision extending the grant period and approving carry-over monies for the South Texas Jail Diversion Program.
20. Discuss and consider the application process for appointment to the Nueces County Mental Health and Mental Retardation Board of Trustees.

21. Discuss and consider amending RFP No. 2753-08 Courthouse Cafeteria Food Service Contract with amendment 2.
22. Discuss and consider approval of the following:
 - a. Authorize/Execute a contract for IFB No. 2801-09, Horace Caldwell Parking Lot Renovations with Island Construction.
 - b. Discuss and consider making a finding for the method of procurement (request for competitive bids) for the Jail Fire Alarm System; and authorize the Purchasing Agent to publish a notice.
 - c. Authorize Sole Source purchase from Hart InterCivic for software license and support for County's eSlate Electronic Voting System, Ballot Now, additional equipment, and Demo Units.
 - d. Authorize issuing Unit No 39 (County No 49036), a 1999 Ford Crown Victoria turned in by Community Service Department, to Constable Pct 1 in exchange for a 2001 Ford Crown Victoria Unit No 19 (County No 52391).
23. Discuss and consider reallocation of 2004 Certificate of Obligation (CO) Capital Project Funds.
24. Approve budget transfers as recommended by the County Auditor, including Budget Change Order No. 12 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. 242 and Unfreeze List No. 561.
 - b. Personnel Change Reports through March 31, and April 7, 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.
 - a. Discuss and consider settlement offer in Cause No. 2:07-cv-405; Lydia Elizondo vs. Nueces County and Patsy Perez.

- b. Discuss and consider hiring Tom McBath with Prehn & McBath, P.C., Attorneys at Law, to provide legal services in obtaining clear title on the 1914 Historic Courthouse property, and related matters.
- c. Campos et.al. vs. Nueces County, et.al. Cause No. 2:08-cv-288

Adjournment in Memory (upon request)