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**NUECES COUNTY, TEXAS
COMMISSIONERS COURT AGENDA**

NOTICE OF PUBLIC MEETING

JULY 8, 2009

The Nueces County Commissioners Court will meet on the above date 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.

1. **CALL TO ORDER**

- 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 roll, note date, time, and location of meeting, and certify a quorum is present.
- D. Approve the Minutes of the May 20, 2009 Commissioners Court Meeting(s).
- E. Adopt the following Resolution(s) and/or Order(s):
 - 1. Resolution recognizing W.G. West.

2. **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.

3. **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 - 2010 Census Kickoff
- B. Commissioner Longoria - Nueces County Library Advisory Board
- C. Commissioner Cazalas - Report on Nueces County's Public Power Pool membership.
- D. Tyner Little - Update on the NACO Nueces County Prescription Card Program.

4. **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 - Manual check registers dated: 7/1/09
- B. Authorize payment of bills - Regular check registers dated: 6/19/09, 6/25/09, 6/26/09, 7/2/09
- C. Authorize payment of bills- group health insurance claims and fees:
TPA Check Registers: 6/15/09 - 6/19/09
- D. Authorize payment of PCard purchases for the month of: May 2009.
- E. Authorize payment of bills - special motions list dated: 7/8/09.
- F. Approve and accept donations (list attached) to the county in accordance with LGC 81.032.

5. **REGULAR AGENDA**

A. **AGENDA ITEMS**

1. Discuss and consider the appointment of Election Judges and Alternates for the November 3, 2009, Constitutional Amendment Election.
2. Discuss and consider approval of Dune Permit application for a Dune Walkover, Tract 56, Mustang Island (DPP # 0608-02), and related matters.
3. Discuss and consider application to enter the Supplemental Environmental Project (SEP) Funding with Texas Commission on Environmental Quality.
4. Discuss and consider execution of an Easement Agreement between AEP Texas Central Company for the purpose of providing electric distribution for the Banquete Park.
5. Discuss and consider execution of Contract with the Boys & Girls Clubs of Corpus Christi and Robstown for diabetes education and awareness.
6. Discuss and consider re-establishment of an Airport Advisory Committee for the Nueces County Airport.
7. Discuss and consider execution of an Energy Efficiency Agreement with TXU Energy to allow Nueces County Human Services to provide low income TXU Energy customers with energy efficient window air conditioning units and box fans.
8. Discuss and consider application procedure for appointment to the Citizen's Advisory Board on Health and Welfare.
9. Discuss and consider execution of an Interlocal Agreement with the City of Friendswood, Texas, allowing Nueces County to use Crowder-Gulf Inc., for debris removal in the event of disaster.
10. Discuss and consider execution of Second Amendment to the Interlocal Agreement with the

City of Corpus Christi and Kleberg County, for the Integrated Alert Notification and Information System.

B. GRANTS

1. Discuss and consider ratification of R-06 Service Agreement Renewal Notice with Appriss Inc., related to the Victim Information and Notification Everyday (VINE) Program.
2. Discuss and consider selection of Meyers, Villa & Associates, Inc. for professional services, in association with the South Texas Jail Diversion Program (SAMSHA) Year 4; and execution of contract for professional services with Meyers, Villa & Associates, Inc.
3. Discuss and consider execution of a contract agreement between Nueces County and Charlie's Place in association with the South Texas Jail Diversion Program (SAMSHA).

C. HEALTH DEPARTMENT

1. Discuss and consider approval of amendment to contract with the Department of State Health Services providing for Title V Family Planning Services in the amount of \$23,510.00; authorize the Acting Director of the Health District to sign on behalf of Nueces County.

D. PURCHASING

1. Discuss/Award IFB No. 2813-09 Hazel Bazemore Park Restrooms Renovations
2. Discuss/Award IFB No. 2814-09 Nueces County Padre Balli Bath House/Ranger Station Renovations
3. Authorize/Execute a contract for IFB No. 2812-09 HFRS-2 Emulsified Asphalt with Ergon Asphalt & Emulsions, Inc.
4. Discuss and consider making a finding for the method of procurement (Texas Local Government Code section 262.030 - Request for Proposals) authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee for Group Term Life Insurance

E. AUDITOR

1. Personnel actions of a budgeted nature:
 - a. Application Temporary & Contract No. 249.
 - b. Unfreeze List No. 568.
 - c. Personnel Changes reports dated: 6/23/09 and 6/30/09.
2. Budget Change Order No. 19 for Fiscal Year 08/09.

6. **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 in the Estella Gomez claim.
 - B. Discuss and consider ratifying the execution of a fee agreement with Fred McCutcheon, attorney at law, and Wood, Boykin and Wolter, P.C. for legal services in the Jesus Jesse Suarez case, and related matters.
 - C. Discuss and consider ratifying the hiring of Fred McCutcheon, Attorney at Law and the Lawfirm of Wood, Boykin, and Wolter, P.C., to represent the interests of Nueces County in all legal matters related to a lawsuit of Jesus Jesse Suarez v. Nueces County Civil Action No. C-08-217; in the United States District Court, Southern District of Texas, Corpus Christi Division, and related matters.
 - D. Discuss and consider the claim of Ruth Bodine.
 - E. Discuss and consider the claim of Jacob Reyna.
 - F. Discuss and consider Joseph Chaffin claim.
7. Approve Board Appointments, Including the Following;
- A. Emergency Services District No. 3.

Adjournment in Memory (upon request)