



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

Doc# 2009880523
Pages 5
07/31/2009 10:30AM
Official Records of
NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK

AUGUST 5, 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. Adopt the following Resolution(s) and/or Order(s):
 - 1. Order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.

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.

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: 7/30/09
- B. Authorize payment of bills - regular check registers dated: 7/17/09, 7/23/09, 7/24/09, 7/30/09.

- C. Authorize payment of bills - group health insurance claims and fees: TPA Check Registers: 7/13/09-7/24/09.
- D. Authorize payment of bills - special motions list dated: 8/5/09.
- E. Approve grant closeout summary report.
- F. Ratify/approve DSHS Contract for purchase of Tamiflu.
- G. Consider approval of Contract amendment No. 1 to engineering services contract with NRG Engineering related to upgrades to the Information Technology Computer Room air conditioning.

REGULAR AGENDA

- A. Agenda Items
 - 1. Receive presentation from Regional Health Awareness Board (RHAB) Chair, Dr. James Mobley.
 - 2. Receive presentation on wind farm energy generation from Mr. Skip Butler representing land owners in the Chapman Ranch area.
 - 3. Receive a report from the Robstown Area Development Commission (RADC) on its activities in Fiscal Year 2009.
 - 4. Discuss and consider proposal for 2009-2010 tax rate for Nueces County and the Nueces County Hospital District that exceeds the effective tax rate; take record vote; and authorize the publishing of appropriate notices.
 - 5. Discuss and consider adopting a Commissioners Court Resolution approving the sale of Nueces County Hospital District-owned real property, the former Robstown Neighbor Care Center, to the City of Robstown, Texas; property legally described as Robstown Town Sites Lots 30 and 31, Block 38, Original Town Site of Robstown, Nueces County, Texas, located at 403 Main Avenue East in Robstown, Texas; Commissioners Court approval pursuant to Texas Health and Safety Code, §281.050.
 - 6. Discuss and consider approval of Tax Resale List as presented by Linebarger, Goggan, Blair & Sampson, LLP.
 - 7. Receive a report from Naismith Engineering, Inc., on Tasks 4-7 of Phase I of the Nueces County Master Drainage Plan.
 - 8. Discuss and consider: (1) resolution/order ratifying the selection and hiring of Naismith Engineering, Inc. for services related to the proposed Multipurpose/Equestrian Arena, also known as the Heritage Center; (2) approving payment of Naismith Engineering, Inc. invoice for services as approved and detailed in such resolution/order.
 - 9. Receive update briefing from Naismith Engineering, Inc., on the status of the facility improvement projects at the Richard M. Borchard Fairgrounds.
 - 10. Discuss and consider County purchasing policy/procedures for expenditures in the amount

of \$50,000 or less; consider adopting an amount up to \$50,000 as the maximum level for which expenditures may be made without the use of competitive procurement procedures pursuant to the Texas Local Government Code.

11. Discuss and approve submission of Voluntary Cleanup Program (VCP) Agreement to Texas Commission on Environmental Quality (TCEQ) for Hazel Bazemore Park project.
12. Accept and approve the Nueces County Quarterly Investment Report for quarter ended 6/30/09.
13. Discuss and consider the application procedure for appointment to the Regional Health Awareness Board (RHAB).

B. PURCHASING

1. 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. Pre-Coated Aggregate Type PB Grade 4
 - ii. Bucking Shoots and Penning Equipment
2. Discuss/Award IFB No. 2816-09 Nueces County Jackie Eden Field (Hilltop)

C. AUDITOR

1. Budget Change Order No. 21 for Fiscal Year 08/09.
2. Personnel actions of a budgeted nature:
 - A. Application Temporary & Contract No. 251.
 - B. Unfreeze List No. 570.
 - C. Personnel Changes reports dated: 7/21/09, 7/28/09.

D. SHERIFF

1. Discuss and consider award modifications to Grant Agreement #I8PHNP518Z with the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA)/Texas Coastal Corridor Initiative:
 - a. Ratifying first award modification reprogramming funds to benefits and overtime.
 - b. Accepting second award modification awarding an additional \$10,000.
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.

7. Approve Board Appointments, Including the Following;
 - A. Citizen's Advisory Board on Health and Welfare.

Adjournment in Memory (upon request)