



# NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

9/10/09  
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## NOTICE OF PUBLIC MEETING

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Official Records of  
NUECES COUNTY  
DIANA T. BARRERA  
COUNTY CLERK  
Fees \$0.00

**September 16, 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.**

**COUNTY JUDGE**

**MIKE PUSLEY**

**COMMISSIONER, PRECINCT NO. 1**

**BETTY JEAN LONGORIA**

**COMMISSIONER, PRECINCT NO. 2**

**OSCAR O. ORTIZ**

**COMMISSIONER, PRECINCT NO. 3**

**H.C. "CHUCK" CAZALAS**

**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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1. **CALL TO ORDER**

- A. County Judge call 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 July 22, August 5, August 17, August 19, and August 21, 2009, Commissioners Court Meeting(s).
- E. Adopt the following Resolution(s) and/or Order(s):
  - 1. Renewable wind energy.
  - 2. Recognizing Mrs. Glenda Bailey, the late Mr. James E. Bailey & Family for their 3,000 plus book donation to the Nueces County Keach Family Library.
  - 3. Proclamation for National 4-H Week.
- 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 register dated: 9/10/09
- B. Authorize payment of bills - regular check registers dated: 8/21/09a, 8/21/09b, 8/21/09c, 8/27/09, 8/28/09, 9/3/09, 9/4/09a, 9/4/09b, and 9/10/09
- C. Authorize payment of bills - group health insurance claims and fees:  
TPA Check Register: 8/10/009 - 8/28/09
- D. Authorize payment of bills - Special Motions list dated 9/16/09.
- E. Approve Grant Closeout Summary Report.
- F. Approve a contract between Nueces County and Tuloso-Midway Independent School District for the funding of diabetes-related projects and supplies for students and the school community.
- G. Approve outside agency contract between Nueces County and the Refuge of Hope (Northwest Nueces County) for their "Earn While You Learn" program.
- H. Approve contract amendment No. 1 for The Ark, representing a reallocation of \$500.
- I. Approve the following renewals of personal services contracts:
  - i. Melissa Madrigal - Magistrate Services
  - ii. Linda Rhodes-Shauer - Magistrate Services
  - iii. Tomas Duran - Employee Benefits Management
- J. Approve contract amendment No. 1 for Dr. William W. Burgin, Jr. to provide professional services for the Corpus Christi-Nueces County Public Health District.

5. **REGULAR AGENDA**

A. **AGENDA ITEMS**

- 1. Adopt a Proclamation for Nueces County United Way Campaign Kickoff Event for 2009.
- 2. Discuss and consider acceptance of Justice of the Peace, Precinct 1, Place 1 resignation; appointment of Justice of the Peace, Precinct 1, Place 1 to fill vacancy, pursuant to Section 87.041 of the Texas Local Government Code; establishing an effective date; and related matters.
- 3. Receive a status report on the Odyssey Case Management System project by the IT Department.
- 4. Receive presentation from Coastal Bend Bays and Estuaries Program, Inc., on its activities for Fiscal Year 2008-2009.
- 5. Discuss and consider executing a Memorandum of Understanding with the City of Corpus Christi Retired Senior Volunteer Program (RSVP), on behalf of Senior Community

Services.

6. Discuss and consider acceptance for the Juvenile Accountability Block Grant No. 1336311 awarded from the Criminal Justice Division, Office of the Governor for \$21,307.
7. Discuss and consider execution of Westlaw Subscription Agreement and Special Offer Amendment for continuation of the Sole Source agreement for legal research services.
8. Discuss and consider execution of renewal of Excess Risk Insurance Policy and related Request for Amendment, with ING Employee Benefits.

B. HEALTH DEPARTMENT

1. Discuss and consider execution of a contract with the Department of State Health Services providing for HIV Surveillance in the amount of \$46,216.00 for the period of September 1, 2009, through August 31, 2010; authorize the Acting Director to sign on behalf of Nueces County.

C. PUBLIC WORKS

1. Discuss and consider approval of Change Order No. 5 for Nueces County Courthouse Renovations for 8th & 9th Floors.
2. Discuss and consider acceptance of the Routine Airport Maintenance Program Grant (RAMP) for annual maintenance of the Automated Weather Observation System at the County Airport and other miscellaneous maintenance.
3. Discuss and consider adopting an Order authorizing the installation of traffic signs prohibiting the use of wireless communication devices in school zones in the unincorporated areas of Nueces County.

D. SHERIFF

1. Discuss and consider Replacement Memorandum of Understanding between the United States Marshal and Nueces County for a District Fugitive Task Force/Regional Fugitive Task Force for Fiscal Year 2009 superseding and replacing Memorandum of Understanding executed in April 2009; Discuss and consider execution of Memorandum of Understanding Notice obligating \$25,000 for the purchase of purchasing a vehicle for state and local investigators pursuant to replacement Memorandum of Understanding between the United States Marshal and Nueces County for a District Fugitive Task Force/Regional Fugitive Task Force for Fiscal Year 2009.
2. Discuss and consider approval of the Sheriff's and Constable's Fees for 2010, pursuant to Section 118.131 of the Texas Local Government Code.
3. Discuss and consider execution of renewal of maintenance agreement with DISCORP, Inc. related to the security electronic systems in the Nueces County Jail (Sole Source purchase).
4. Discuss and consider execution of a grant adjustment notice from the Governor's Division of Emergency Management for the FY08/09 Local Border Security Program which extends the grant period through August 31, 2010.

E. PURCHASING

1. Authorize TASB BuyBoard State Contract No 269-07 purchase for the Richard M. Borchard Fairgrounds for eight 10X24 portable bleachers and two transport kits with jacks from The PlayWell Group.
2. Authorize the purchase of labor and materials to upgrade the controls of the Juvenile Justice Center HVAC system from ProTech Mechanical, Inc., for Public Works.
3. Discuss/Award IFB No. 2799-08 Inmate Coinless & Public Coin Telephone Service.
4. Discuss and consider an order by Commissioners Court delegating the process for purchases between \$25,000 to \$50,000.
5. Authorize the purchase of a law enforcement training system from LaserShot for the Sheriff's Office.
6. Authorize/Execute a contract for IFB No. 2806-09 Juvenile Justice Center HVAC Rehabilitation & Smoke Purge with Miller and Miller Mechanical Contracting Company, Inc.
7. 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. Nueces County Commissioners Courtroom Renovations
  - ii. Nueces County Waco Street Jail Expansion Tower Roof Replacement
  - iii. Nueces County Waco Street Jail Floor Tile Removal and Restoration
  - iv. Nueces County Waco Street Jail Replacement of Exterior Wall Joint Sealants
  - v. Improvements Package No 1 to provide a new air condition for the Animal Exhibition Building 1, additional pavement along the west side of the building, a sidewalk between the parking lot and the main fairgrounds concourse, flag lights and steel trench covers.
8. Authorize TCPN State Contract No R4795 purchases for the Emergency Management Department for digital video equipment, flat panel monitors, wireless receiver, Securetech wave system, microphones and accessories from LearnSafe.
9. Authorize Sole Source purchase of law enforcement radios with Daily-Wells Communications.
10. Authorize the purchase of service to remove and dispose of asbestos floor tile/mastic/carpet from the Community Supervision & Correction Department from J&J Insulation and Acoustic, Inc., for Public Works.
11. Authorize a donation of obsolete and broken electronic equipment to Goodwill Industries of South Texas and approve a resolution.

F. AUDITOR

1. Budget Change Order No. 24 for Fiscal Year 08/09.
2. Personnel actions of a budgeted nature:

- a. Application Temporary & Contract No. 254.
- b. Unfreeze List No. 573.
- c. Personnel Changes reports dated: 8/25/09 and 9/1/09

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 claim of Gabriel Brambila.
7. Approve Board Appointments, Including the Following;
- 1. Nueces County Airport Advisory Board.
  - 2. Regional Health Awareness Board.

**Adjournment in Memory (upon request)**