



**NUECES COUNTY, TEXAS
COMMISSIONERS COURT AGENDA**

NOTICE OF PUBLIC MEETING

9/24/09
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NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK
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September 30, 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 August 26, 2009, Commissioners Court Meeting(s).
- E. Adopt the following Resolution(s) and/or Order(s):
 - 1. Order designating Wednesday as the day of the week the Court will meet in regular term for fiscal year 2009-2010, pursuant to Section 81.005 of the Texas Local Government Code.
 - 2. Order authorizing a change to the Texas County and District Retirement System for the 2010 Plan Year which makes members eligible to retire at age 60 or older if they have at least 8 years of service.
 - 3. Proclamation - World Mental Health Day 2009
 - 4. Order making a determination, in accordance with Chapter 352 of the Texas Local Government Code, that public safety hazards to outdoor burning no longer exist in Nueces County, for purposes of lifting the current Outdoor Burn Ban in Nueces County.

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 9/24/09.
 - B. Authorize payment of bills - regular check registers dated: 9/11/09, 9/17/09, 9/18/09a, 9/18/09b, and 9/27/09.
 - C. Authorize payment of bills - group health insurance claims and fees: TPA Check Registers: 8/31/09 to 9/18/09.
 - D. Authorize payment of bills - Special Motions list dated 9/30/09.
 - E. Authorize payment of Pcard purchases for the month of August 2009.
 - F. Approve the monthly revenue reports in accordance with LGC 114.044: August 2009.
 - G. Approve Grant Closeout Summary Report.
 - H. Approve Bond for Justice of the Peace Precinct 1, Place 1, pursuant to Section 27.001 of the Texas Government Code.

5. **REGULAR AGENDA**

A. **AGENDA ITEMS**

- 1. Receive presentation from Texas A & M University-Corpus Christi-National Youth Sports and Wellness Program (NYSWP) Activity Director Raul Munoz on the results of the 2009 NYSWP.
- 2. Discuss and consider Contract Amendment No. 1 with the Antonio E. Garcia Arts & Education Center-Texas A & M University Corpus Christi for the purpose of promoting diabetes prevention and awareness that will benefit Nueces County.
- 3. Discuss and consider execution of a contract with Texas A & M Health Science Center for the purpose of promoting diabetes prevention and awareness that will benefit Nueces County.
- 4. Discuss and consider approval of contract with Calallen Independent School District and Nueces County for the funding of diabetes-related projects and supplies for students and the school community.
- 5. Discuss and consider Personal Services Contract with Dr. Jennifer Smith-Engle regarding beach management/dune protection issues.
- 6. Discuss and consider approval of Dune Protection Permit for Small Scale Dune Permit for City of Corpus Christi for Packery Channel Park Phase 2 & 4 (DPP#0709-01 AND GLO

7. Discuss and consider a Beach Cleaning and Maintenance Assistance Agreement with the General Land Office (GLO Contract No. 10-320-004-3936).
8. Discuss and consider granting the City of Corpus Christi Utility Easements located on County-owned Held Industrial Tract adjacent to Corpus Christi Naval Air Station, and related matters.
9. Discuss and consider execution of an Interagency Information Sharing Agreement with the Corpus Christi Independent School District (CCISD) authorizing internet based access to certain CCISD and Justice of the Peace records.
10. Discuss and consider execution of Annual Review Checklist for Non-Reimbursable Support Agreements related to the 2008 Memorandum of Understanding between the Nueces County Medical Examiner, the Naval Health Clinic, and the Armed Forces Institute of Pathology which determines jurisdiction of autopsy authority of deaths occurring on Corpus Christi Naval Air Station.
11. Discuss and consider Agreement with Nueces County and Nueces County Emergency Services District No. 2 for fire and emergency services in the unincorporated areas.
12. Discuss and consider execution of contracts with the Coastal Bend Council of Governments (Texas Department of Human Services) and the Texas Department of Aging and Disabilities Services for the Delivery of Title III and Title XX Meals on Wheels by Nueces County Community Services.
13. Receive Clarifying Order by the District Judges of the 94th, 105th, 117th, 319th and 347th District Courts setting the amount of annual compensation of the District Court Reporters for fiscal year 2009-2010.
14. Discuss and consider approving the following for the upcoming November 3, 2009 Nueces County Constitutional Amendment Election:
 - a. Early Voting Substations
 - b. Mobile Calendar
 - c. Election Day Polling Places
 - d. Appointment of Joel Yowell as Judge of Early Voting Ballot Board
15. Discuss and consider execution of Westlaw Subscription Agreement and Special Offer Amendment for continuation of the Sole Source agreement for legal research services.
16. Discuss and consider application process for Nueces County Rural Rail Transportation District.
17. Discuss and consider application procedure for appointment to Nueces County Animal Control Board (4 vacant positions).
18. Discuss and consider execution of Modification of Intergovernmental Agreement No. 1 with the United States Department of Justice, United States Marshals Service, related to the provision of certain transportation services.

B. HEALTH DEPARTMENT

1. Discuss and consider execution (or ratification) of a contract with the Department of State Health Services (DSHS) providing for Local Public Health Preparedness/Public Health Emergency Response (PHER) FY09-10 in the amount of 287,545.00; authorize the Acting Director of the Corpus Christi-Nueces County Public Health District, to sign on behalf of Nueces County.

C. GRANTS

1. Discuss and consider acceptance of a grant award from the Texas State Library and Archives Commission (TSLAC) Loan Star Libraries Grant.
2. Discuss and consider authorizing the submittal of a grant application and execution of a resolution for the Texas Department of Agriculture, Texans Feeding Texans: Home Delivered Meal Grant Program; approve resolution in support of the City of Corpus Christi's participation in the program.
3. Discuss and consider execution of a contract with King Isles, Inc. for the Rose Acres Colonia Project (IFB No. 2665-06 Water & Wastewater System Improvements).
4. Discuss and consider authorizing the submission of a grant application to the Texas General Land Office for the Texas Coastal Management Grant Program, Grant Cycle #15, for The Captain Crab Clean Beach Media/Education Campaign and Puppet Show.
5. Discuss and consider authorizing the submission of a grant application to the Texas General Land Office for the Texas Coastal Management Grant Program, Grant Cycle #15, for Aransas Channel in Nueces County Phase II project.

D. PUBLIC WORKS

1. Discuss and consider approval of Contract Amendment No. 1 to an Engineering Services Contract with Naismith Engineering, Inc., related to the Nueces County Master Drainage Plan.
2. Discuss and consider approval of Change Order No. 6 for Nueces County Courthouse Renovations for the 8th and 9th floors.

E. PURCHASING

1. Discuss/Award IFB 2819-09 Water Distribution System Improvements for San Petronila Estates 2, Phase 2.
2. Authorize TASB BuyBoard State Contract No 255-06 purchase for the IT Department for Web TMA Base Module, Management and support from CDW-G.
3. Authorize DIR State Contract No DIR-SDD-236 purchase for the IT Department for switches, switch additions and installation from Calence.
4. Discuss/Award IFB 2820-09 Regional Fairgrounds Bucking Chutes & Penning Equipment.
5. Authorize the renewal of internet access from October 1, 2009 to September 30, 2010 with

Education Service Center, Region 2.

6. Authorize Sole Source purchase for the renewal of annual hardware and software maintenance and support agreement for the IT Department with CBM Archives.
7. Authorize Sole Source purchase for the renewal of the annual software maintenance and support agreement from October 1, 2009 to September 30, 2010 with Justice Systems.

F. AUDITOR

1. Budget Change Order No. 25 for Fiscal Year 08/09, and Budget Change Order No. 1 for Fiscal Year 09/10.
2. Personnel actions of a budgeted nature:
 - a. Application Temporary & Contract No. 255.
 - b. Unfreeze List No. 574.
 - c. Personnel Changes reports dated: 9/15/09 and 9/22/09.
3. Receive presentation on Employee Online from County Auditor and Director of Human Resources.
4. Authorize and approve the maximum fleet size of 226 vehicles as assigned to each department according to the Vehicle Maintenance Report as of April 30, 2009.
5. Discuss and consider authorizing the Juvenile Probation Department to reclassify the following three (3) Grant/Special Revenue positions: Data Coordinator pay group 21 to Micro Computer Specialist pay group 25; Delinquency Prevention Specialist pay group 11 to pay group 16; Intermediate Clerk pay group 11 to Receptionist/Secretary pay group 14.
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.

Adjournment in Memory (upon request)