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NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

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NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK
Fees \$0.00

November 18, 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.

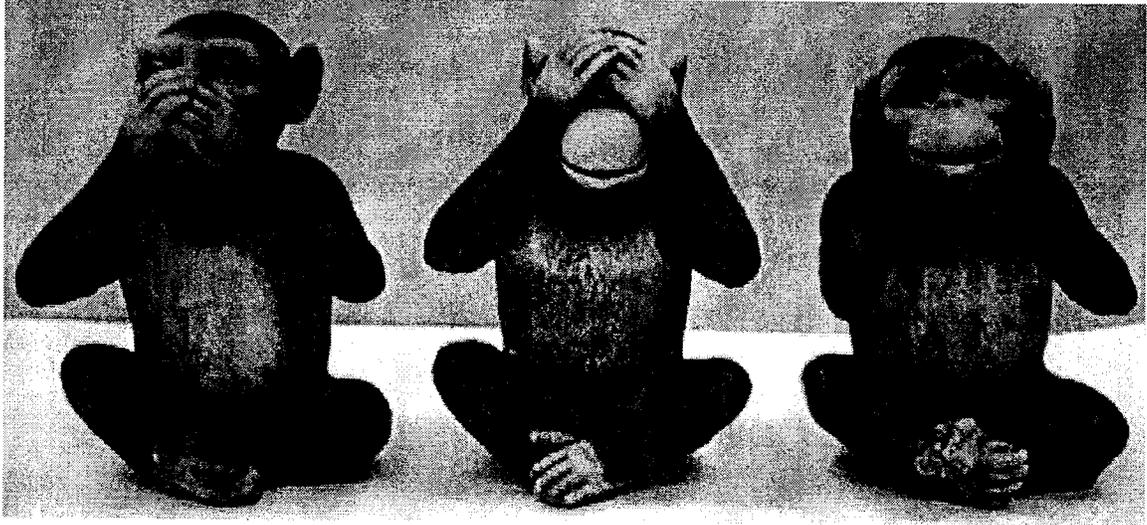
1. **CALL TO ORDER**

- 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 October 14, 2009 Commissioners Court Meeting(s).
- E. Adopt the following Resolution(s) and/or Order(s):
 - 1. Reading of Coastal Bend Day of Giving Proclamation.
 - 2. Resolution - 2009 Home Care and Hospice Month
 - 3. Resolution recognizing the Westside Business Association (WBA) for 30 years of service to the Corpus Christi community.
 - 4. 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:**



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 11/9/09.
 - B. Authorize payment of bills - regular check registers dated: 10/23/09, 10/29/09, 10/30/09, 10/30/09A, 11/5/09, 11/6/09, and 11/12/09.
 - C. Authorize payment of bills - group health insurance claims and fees: TPA Check Register 10/12/09 through 10/30/09.
 - D. Authorize payment of bills - Special Motions list dated 11/18/09.
 - E. Approve Grant Closeout Summary Report.
 - F. Discuss and consider authorizing execution of a contract with Family Counseling Service related to distribution of Family Protection Fee funds.
 - G. Approve the following "Outside Agency" contracts:
 - i. Bishop Chamber of Commerce

- ii. Coastal Bend Alcohol and Drug Rehabilitation Center (Charlie's Place)
- iii. Flour Bluff Business Association
- iv. Women's Shelter
- v. Texas State Guard
- vi. Palmer Drug Abuse Program
- vii. Coastal Bend Council on Alcohol and Drug Abuse
- viii. South Texas Substance Abuse Recovery Services (STSARS)

5. **REGULAR AGENDA**

A. **AGENDA ITEMS**

1. Receive a presentation related to the 75th Annual Nueces County Junior Livestock Show.
2. Receive a presentation and update on Coastal Park Projects.
3. Discuss and consider accepting four beach wheelchairs purchased by Texas General Land Office for the Coastal Parks Department.
4. Discuss and consider funding the Nueces County Neighborhood Diabetes Program for fiscal year 2009-2010 and determine the amount of money to be provided.
5. Discuss and consider adopting a resolution approving/ratifying Amendment Number 1 to the Master Software License and Professional Services Agreement between Texas Conference of Urban Counties and Tyler Technologies.
6. Discuss and consider authorizing cancellation of windstorm insurance coverage effective December 1, 2009 and authorizing the rewrite of windstorm coverage for the period December 1, 2009 through December 1, 2010.
7. Accept and approve the Nueces County Quarterly Investment Report for quarter ending 9/30/09.
8. Discuss and consider approval of the proposed Commissioners Court meeting schedule for calendar year 2010.
9. Discuss and consider authorizing the execution of a Seismic Permit Agreement with Suemaur Exploration & Production, LLC., and related matters.
10. Discuss and consider authorizing the addition of Schedule A - Order Form for Hosting of an additional Test Environment to the SunGard Public Sector Inc. Application Service Provider Addendum dated February 25, 2004.
11. Discuss and consider application procedure for appointments to the Nueces County Beach Management Advisory Committee and the Nueces County Tax Appraisal District.

B. **SHERIFF**

1. Discuss and consider approving the Federal Equitable Sharing Agreements and Certifications for County Sheriff, District Attorney, Constable 3, and Constable 5, and authorize the County Judge to sign.

2. Discuss and consider approving the Chapter 59 Asset Forfeiture Report for the year ended September 30, 2009.
3. Discuss and consider adoption of a resolution establishing an electronic monitoring program in accordance with Section 351.904 of the Texas Local Government Code.

C. GRANTS

1. Discuss and consider acceptance of a Juvenile Drug Court Grant #2045302, grant period 09/01/2009 - 08/31/2010, awarded from the Office of the Governor, Criminal Justice Division in the amount of \$39,600.00.
2. Discuss and consider adoption of a resolution related to the Energy Efficiency and Conservation Block Grant (EECBG) Program allocation from the Texas Comptroller's State Energy Conservation Office (SECO).

D. PUBLIC WORKS

1. Discuss and consider approval of a rate decrease for residential solid waste collection in the rural areas of Nueces County, as requested by Absolute Waste Services, Inc.
2. Discuss and consider approval of Amendment 1 to the Airport Participation Agreement, dated October 20, 2008.
3. Discuss and consider selection of an engineering consultant and approval of an engineering services contract for the oversight of remediation activities at Hazel Bazemore Park.

E. PURCHASING

1. Discuss/Award IFB No. 2827-09 Nueces County Waco Street Jail expansion tower roof replacement.
2. Discuss/Award IFB No. 2828-09 Nueces County Waco Street Jail floor tile removal and restoration.
3. Discuss/Award IFB No. 2829-09 Nueces County Waco Street Jail replacement of exterior wall joint sealants.
4. Authorize/Execute a contract for RFP No.2817-09 Group Term Life Insurance with Fort Dearborn.
5. 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. McKinzie Jail Annex HVAC Rehabilitation
 - ii. Water Distribution System Improvements Project for Twin Lakes
6. 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 sale of .223 of one acre of land out of the Held Industrial Tract.

7. Authorize the Courthouse Kitchen sewer line to grease trap contract to Owen Plumbing and Drain, Inc. for the Public Works Department.
8. Authorize a contract for a scope of work outlined by the Public Works Department for the Keach Library HVAC System.
9. Authorize DIR Contract No DIR-SDD-223 purchases for the renewal of the annual maintenance agreement for the HP3000 computer system with Hewlett-Packard.
10. Authorize DIR Contract No DIR-SDD-236 purchase for CISCO maintenance agreement from CALENCE for the IT Department.
11. Authorize TASB BuyBoard State Contract No 284-08 purchase for the leasing electronic monitoring equipment and services from Satellite Tracking Of People, LLC.
12. Authorize a contract for a scope of work outlined by the Public Works Department for the Juvenile Justice Detention Center HVAC Controls.
13. Authorize/Execute a contract for IFB No.2822-09 McKinzie Annex Waterline Improvements with Palacios Marine & Industrial.

F. AUDITOR

1. Budget Change Order No. 28 for Fiscal Year 08/09.
Budget Change Order No. 3 for Fiscal Year 09/10.
 2. Personnel actions of a budgeted nature:
 - a. Application Temporary & Contract List No. 258.
 - b. Unfreeze List No. 577.
 - c. Personnel Changes reports dated: 10/23/09, 10/30/09, and 11/6/09.
 3. Discuss and consider approving reclassification of two positions in Public Works -
(a) Crew Leader Custodians and (b) Lead Buildings and Grounds Worker.
 4. Discuss and consider approving an increase in salary supplement for the Chief Deputy District Clerk with funding from the District Clerk's Records Management Fund.
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 made by survivors of Bernice Lapree, deceased.
 - B. Discuss and consider settlement offer by Horn Chen in Cause No. 08-6032-F; Nueces County v. Horn Chen, et al
 - C. Discuss and consider settlement demand in Cause of Action 2:08-cv-288; Christina Campos et al v. Nueces County et al.
7. Approve Board Appointments, Including the Following;
- A. Nueces County Bail Bond Board.
 - B. Nueces County Civil Service Commission.

Adjournment in Memory (upon request)