



# NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

12/31/09  
Jm  
OK

## NOTICE OF PUBLIC MEETING

Doc# 2009880860  
# Pages 6  
12/31/2009 11:15AM  
Official Records of  
NUECES COUNTY  
DIANA T. BARRERA  
COUNTY CLERK  
Fees \$0.00

**January 6, 2010**

**PLEASE NOTE: TEMPORARY NEW MEETING LOCATION DUE TO  
COMMISSIONERS COURTROOM CONSTRUCTION**

The Nueces County Commissioners Court will meet on the above date at 9:00 a.m., in the 4th Floor Courtroom, in the Courthouse Tower, Nueces County Courthouse, 901 Leopard, Corpus Christi, Texas.

<b>SAMUEL L. NEAL, JR.</b>	<b>COUNTY JUDGE</b>
<b>MIKE PUSLEY</b>	<b>COMMISSIONER, PRECINCT NO. 1</b>
<b>BETTY JEAN LONGORIA</b>	<b>COMMISSIONER, PRECINCT NO. 2</b>
<b>OSCAR O. ORTIZ</b>	<b>COMMISSIONER, PRECINCT NO. 3</b>
<b>H.C. "CHUCK" CAZALAS</b>	<b>COMMISSIONER, PRECINCT NO. 4</b>

**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. Resolution recognizing Flint Hills Resources (FHR) employees for their dedication to volunteering with the students in the Tuloso-Midway Independent School District.
  - 2. Resolution recognizing Maria Ovalle, for more than 20 years of service on the Nueces County Animal Control Advisory Board.

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. **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: 12/29/09.
  - B. Authorize payment of bills - Regular Check Registers dated: 12/11/09, 12/15/09, 12/17/09, 12/17/09A, 12/21/09, 12/22/09, 12/23/09, and 12/31/09.
  - C. Authorize payment of bills - Group Health Insurance Claims & Fees: TPA Check Register 11/30/09 through 12/18/09.
  - D. Authorize payment of bills - Special Motions list dated 1/6/10.
  - E. Approve the monthly revenue report in accordance with LGC 114.044 for November 2009.
  - F. Discuss and consider ratifying the public posting amending the December 16, 2009, Court action, designating the location of the January 20, 2010, Public Hearing to be in the 4th floor courtroom in the Courthouse tower, related to the creation of Emergency Services District No. 6, in the Bishop area of Nueces County.
  - G. Approve the following "Outside Agency" Contracts:
    - i. Gulf Coast Council of La Raza
    - ii. Robstown Area Development Commission
4. **REGULAR AGENDA**
  - A. AGENDA ITEMS
    1. Receive an update on the BoldFuture of the Coastal Bend, a Community Visioning Initiative.
    2. Receive briefing on environmental cleanup of Banquete Creek near County Road 40 bridge.
    3. Discuss and consider adopting a resolution amending the Nueces County Guidelines and Criteria for Granting Tax Abatements.
    4. Discuss and consider execution of Contract Amendment No. 2 with Dr. William Burgin for professional services for the Corpus Christi-Nueces County Public Health District in

the capacity of the District's Health Authority.

5. Acknowledge the Coastal Bend Professional Baseball Club, LLC exercising its option to extend the term of the License Agreement for one year pursuant to Article 1 of the License Agreement executed April 1, 2009.
6. Discuss Courthouse upgrades and renovations, and related matters.
7. Discuss and consider adopting a resolution in opposition to tax abatements for Las Brisas.
8. Discuss and consider the application procedure for appointments to the Nueces County Animal Control Advisory Committee and Nueces County Mental Health Mental Retardation (MHMR) Community Center Board.

#### B. GRANTS

1. Discuss and consider execution of a Sub-recipient Agreement and Terms and Conditions with the Texas Division of Emergency Management for the acceptance of the FY09 Operation Stonegarden Grant Program in the amount of \$823,944.00.
2. Discuss and consider authorizing the submission of the Emergency Operation Center Grant Program Application for Fiscal Year 2010 to the State Administration Agency for Nueces County Department of Emergency Management.
3. Discuss and consider authorizing the submission of the Emergency Management Performance Grant Application for Fiscal Year 2010 to the Texas Division of Emergency Management for Nueces County Department of Emergency Management.
4. Discuss and consider execution of Contract No. DRS010127 with the Texas Department of Rural Affairs under the Disaster Recovery Texas Community Development Block Grant Program (TxCDBG).
5. Discuss and consider approval of No Cost Extension (Year 4) budget revisions to reflect carry-over funds for the SAMHSA grant from all previous years of the Jail Diversion Program and; Discuss and consider the associated No Cost Extension Interlocal Agreement revisions between Nueces County and Nueces County MHMR to provide the Jail Diversion Program participants with treatment and services
6. Discuss and consider submittal of a grant application for an Energy Efficiency and Conservation Block Grant (EECBG) Program through the Texas Comptroller's State Energy Conservation Office (SECO).

#### C. PUBLIC WORKS

1. Discuss and consider approval of interlocal agreement between Nueces County and the City of Corpus Christi on the construction of County Road 52 located in Northwest Nueces County.
2. Discuss and consider the approval of Change Order No. 1 to contract with Rabalais I & E Constructors for the construction of baseball field lighting for two baseball fields in

Banquete.

3. Discuss and consider the approval of Amendment No. 2 to the Airport Participation Agreement, dated October 20, 2008, between Nueces County and the Texas Department of Transportation.

D. PURCHASING

1. Approve Statement of Work and authorize execution of agreement with Catapult Systems to evaluate the email system plus cover travel expenses.
2. Authorize purchase for restroom renovations at the Hazel Bazemore Park for Inland Parks with J&J Contracting in the amount of \$44,341.00.
3. Discuss/Award IFB No. 2832-09 Banquete Park Phase 1B1.
4. Discuss/Award IFB No. 2834-09 Nueces County McKinzie Jail Annex Roof Replacement.
5. Authorize/execute contract for IFB No. 2827-09 Nueces County Waco Street Jail Expansion Tower Roof Replacement with Milkins Roofing Inc.
6. Authorize/Execute contract for IFB No. 2828-09 Nueces County Waco Street Jail Floor Tile Removal and Restoration with J&J Insulation and Acoustics.
7. Authorize/Execute contract for IFB No. 2830-09 Hot Mix Asphaltic Concrete Type D PG 64-22 with Bay, LTD.
8. 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 Cook (CSCD) Building Carpet, Vinyl Tile & Base Replacement
  - ii. Nueces County Jail Facility (Waco Street Complex) HVAC Upgrade
9. Authorize Sole Source purchase of Jail Control System Upgrade from DISCORP for the Sheriff's office.
10. Authorize use of TXMAS Contract No TXMAS-3-23V040 for purchase of a 5058M Utility Tractor from John Deer for the Island Parks in the amount of \$35,102.82.
11. Authorize/Execute contract for IFB No. 2833-09 Nueces County McKinzie Jail Annex Maintenance Pod "B" with Barcom Commercial, Inc.

E. AUDITOR

1. Budget Change Order No. 6 for Fiscal Year 09/10.
2. Personnel Actions of a budgeted nature:
  1. Application Temporary & Contract No. 261.
  2. Unfreeze List No. 580.

3. Personnel Changes reports dated: 12/11/09, 12/18/09, and 12/25/09.
5. **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.
6. Approve Board Appointments, Including the Following;
  - A. Approve two appointments to each of the Nueces County Emergency Services Districts No. 1 - 4 and;  
  
Approve two appointments to the Nueces County Rural Rail Transportation District.

**Adjournment in Memory (upon request)**