

1/15/10

OF



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

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

January 20, 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.

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 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 December 2 and December 16, 2009, Commissioners Court Meeting(s).
 - E. Adopt the following Resolution(s), Order(s), and Certificate(s):
 1. Resolution acknowledging Amy Granberry's appointment by Governor Rick Perry to the Housing and Health Services Coordination Council.

2. Certificate of Recognition for Paul Flores, Masters Degree in Public Administration, Juvenile Department
3. Certificate of Recognition for Dale A. Hoff on Retirement after 29 years of service.
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 registers dated 1/12/10.
 - B. Authorize payment of bills - regular bill summaries dated: 1/8/10, 1/8/10A, and 1/15/10.
 - C. Authorize payment of bills - group health insurance claims and fees listed on TPA Check Register for 12/21/09 through 12/31/09.
 - D. Authorize payment of bills - special motions list dated: 1/20/10.
 - E. Authorize payment of Pcard purchases for the month of November 2009.
 - F. Approve the following "Outside Agency" Contract:
 - i. Big Brothers Big Sisters
4. **REGULAR AGENDA**
 - A. **AGENDA ITEMS**
 1. Receive presentation from Rusty Hohlt, Nueces County Extension Agent, Texas Agrilife Extension Service, on the Maintain No Gain Program; and Julie Guerra, Nueces County Human Resource Director, on the Go Red For Women Employee Luncheon which is part of our Employee Wellness Initiative.
 2. Receive briefing from Glenn Lyons, Chairman of the Nueces County Airport Advisory Board, on the activities and discussions of the Advisory Board.
 3. Receive a presentation on 2010 Fitness Challenge by Rex Kinnison & Adam Farrell.
 4. Discuss and consider granting the Petition for the Creation of Nueces County Emergency Services District No. 6; fix the district's boundaries; make the necessary findings concerning the feasibility of the district; and determine each issue relating to the creation of the district, pursuant to Chapter 775 of the Texas Health and Safety Code.

5. Discuss and consider adopting an Order ordering an election for the Creation of Nueces Emergency Services District No. 6; fix the district's boundaries; make the necessary findings concerning the feasibility of the district; and determine each issue relating to the creation of the district, pursuant to Chapter 775 of the Texas Health and Safety Code.
6. Discuss and consider approving the following for the upcoming March 2, 2010 Nueces County Democratic and Republican Primary Elections:
 1. Early Voting Substations and hours of operation;
 2. Mobile Voting Calendar;
7. Discuss and consider selection of an Architect/Engineering firm for the Bob Hall Pier Expansion Project.
8. Discuss and consider approval of a Dune Protection Permit for Small-Scale Permit for the Nueces County Parks and Recreation Department related to repaving a portion of the Bob Hall Pier parking lot (DPP#1009-01 and GLO BDNC -09-0472).
9. Discuss and consider application procedure for appointment to the Nueces County Emergency Services District No. 4 and the Nueces County Library Board.

B. HEALTH DEPARTMENT

1. Ratify execution of a contract with the Department of State Health Services (DSHS) providing for Local Public Health Preparedness FY09-10 in the amount of \$275,768.70; authorize the Acting Director of the Corpus Christi-Nueces County Public Health District, to sign on behalf of Nueces County.

C. GRANTS

1. Authorize submission of grant application via eGrants web site and approve Resolution for Juvenile Accountability Block Grant (JABG). This grant is offered through the Office of the Governor, Criminal Justice Division.
2. Authorize submission of grant application via "eGrants" web site and approve Resolution for the Juvenile Alternatives Grant. This grant is offered through the Office of the Governor, Criminal Justice Division.
3. Discuss and consider ratification of a grant agreement accepting an award from the Texas Department of Agriculture Home-Delivered Meal Grant Program, in the amount of \$37,821.65.
4. Discuss and consider acceptance of a grant award in the amount of \$1,080 from the South Texas Library System for continuation of ESL Literacy Classes at the Keach Family Library.
5. Discuss and consider execution of a resolution authorizing the submittal of a grant application to the Texas Parks and Wildlife Department (TPWD) for a Texas Recreation and Parks Accounts Program (TRPA) Outdoor Recreation Grant for Packery Channel Park; and approve a revised Nueces County Parks Master Plan priority list in accordance

with this application.

D. PUBLIC WORKS

1. Discuss and consider authorizing the County Judge to execute a Hangar Lease Agreement with Frederick Sternberg for T-Hangar No. 8 at the Nueces County Airport in Robstown, Texas.
2. Discuss and consider (1) adopting a resolution petitioning the Texas Department of Transportation to allow certain work within highway right-of-way, and asking that a portion of the right-of-way be returned to Nueces County; and (2) authorize execution of a Multiple Use Agreement with the Texas Department of Transportation for an area of state highway right-of-way.
3. Discuss and consider approval of Change Order No. 1 for the Nueces County Padre Balli Bath House/Ranger Station Renovations.
4. Discuss and consider approving a Purchase Order with Gresham, Smith and Partners, LLC for environmental services at various locations.

E. PURCHASING

1. Authorize/Execute a contract for IFB No. 2829-09 Nueces County Waco Street Jail Replacement of Exterior Wall Joint Sealants with American Restoration Inc.
2. Authorize/Execute a contract for IFB No. 2831-09 SS-1 Emulsified Asphalt with Ergon Asphalt & Emulsions, Inc.
3. Authorize/Execute a contract for IFB No. 2835-09 Nueces County McKinzie Jail Annex Detention Lock Upgrade with Secure Control Systems, LLC.
4. Accept the executed agreement for RFP No. 2836-09 Concession Service for Bob Hall Pier as approved by the Park Board on December 8, 2009
5. Discuss and consider authorizing execution of Modification of Food Services Agreement between Nueces County and Aramark Correctional Services, LLC related to Re-determination of Prices pursuant to section 11.0 of the Food Services Agreement.
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 Pre-Coated Aggregate type PB Grade 3

F. AUDITOR

1. Approve Budget Change Order #7 for fiscal year 09/10.
2. Personnel actions of a budgeted nature:
 - a. Application of Temporary & Contract No. 262;

- b. Unfreeze List No. 581;
 - c. Personnel changes reports dated: 1/1/10 and 1/8/10.
3. Discuss and review Financial and Activity report on workers compensation for last fiscal year and projected fiscal year 2009/2010.
 4. Discuss and consider creation of an Assistant Emergency Management Coordinator position, Pay Group 25.
 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.
 - A. Discuss and consider claim of Patricia Arriaga Mayhew.
 - B. Discuss and consider ratifying the hiring of David Conoly, Attorney at Law, to represent the interest of Nueces County in all legal matters related to filing suit to partition county property described as Padre Island Nueces County Park #2 undivided 64% interest in 30 acres also know as the Packery Channel project and related matters.
 - C. Discuss and consider ratifying execution of a fee agreement with David Conoly, Attorney at Law, for legal services in the Packery Channel project and related matters.
 - D. Discuss and consider claim of Noel Chavez.
 6. Approve Board Appointments, Including the Following;
 - A. Approve appointments to the Nueces County Beach Management Advisory Committee and to the Nueces County Tax Appraisal District.

Adjournment in Memory (upon request)