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# NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

## NOTICE OF PUBLIC MEETING

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

**October 13, 2010**

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.

<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. Approve the Minutes of the August 11, 2010, and August 25, 2010 Commissioners Court Meeting(s).
  - D. County Judge will call roll, note date, time, and location of meeting, and certify a quorum is present.
  - E. Adopt the following Resolution(s) and/or Order(s):
    1. Recognizing Dr. Arturo Almendarez as Superintendent of the Year for the State of Texas.
    2. Recognizing Betty Jean Longoria, Commissioner Precinct No. 2, for her receipt of the "2010 Latina Leaders Award," and "2010 La Estrella de Tejas Award."
    3. Regarding the removal of a manufactured home from Chissom Road right-of-way in

Nueces County.

4. Order designating Wednesday as the day of the week the Court will meet in regular term for fiscal year 2010-2011, pursuant to Section 81.005 of the Texas Local Government Code.
- F. Present the following Certificate(s) of Recognition:
1. Cathy Lane, Nueces County Sheriff's Office, retiring after 25 years of service.
  2. Captain Stan Repka, Nueces County Sheriff's Office, retiring after 31 years of service.
  3. Mary Ester Trevino, Nueces County District Clerk's Office, retiring after 28 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 register dated: 10/4/10
    - B. Authorize payment of bills - regular bill summaries dated: 9/10/10; 9/17/10 (2); 9/24/10 (3); 10/1/10 (2); 10/8/10
    - C. Authorize payment of bills - group health insurance claims and fees: 9/6/10-9/24/10
    - D. Authorize payment of bills - special motions list dated: 10/13/10
    - E. Approve and accept donations (list attached) to the county in accordance with LGC 81.032.
    - F. Approve the monthly revenue reports in accordance with LGC 114.044 for August 2010.
    - G. Ratify/approve professional services agreement with Dr. William W. Burgin for services in the capacity of chief of staff for directing medical services in the Nueces County Jail Infirmary.
    - H. Approve the following "Outside Agency" Contract:
      - i. Texas Jazz Festival Society
4. **REGULAR AGENDA:**

## A. AGENDA ITEMS

1. Receive presentation from Raul Munoz, National Youth Wellness Program at Texas A&M University-Corpus Christi, on the summer diabetes youth program.
2. Receive a demonstration on video conferencing and its potential use in the courts, jail, and in Mental Commitment Hearings.
3. Discuss recent flooding of property and roads in Northwest Nueces County, specifically the areas between County Road 69 and Farm-to-Market Road 1889 off of Farm-to-Market Road 624 (Precinct One).
4. Discuss and consider approval of large scale Dune Protection Permit (DPP#0810-01) and GLO BDNC 10-0354) for City of Corpus Christi Whitecap Boulevard Maintenance, east of Windward Drive, Corpus Christi, Nueces County, Texas, in accordance with the conditions established by the Nueces County Beach Management and the General Land Office.
5. Discuss and consider acceptance of the Coastal Bend Bays and Estuaries Program Grant for Nature Preserve at the Packery Channel Park and (a) Approve Scope of Work, (b) Approve Budget.
6. Discuss and consider approval of final plans and specifications for the marquee at the Richard M. Borchard Regional Fairgrounds.
7. Discuss and consider adopting an Order prohibiting certain Electioneering activities at the Nueces County Courthouse.
8. Discuss and consider approval of the 2010 Certification of Tax Levy for Nueces County, Nueces County Farm-to-Market, and Nueces County Hospital District pursuant to Section 26.09(e) of the Texas Property Tax Code.
9. Discuss and consider a request to be presented to County Judges and Commissioners Association of Texas, Texas Association of Counties and other institutions to provide opportunities for educational credits online or webinars to assist in reduction of costs for travel by county staff.
10. Discuss and consider approval of proposed projects for funding under the Regional Transportation Authority (RTA) Street Improvement Program.
11. Discuss and consider approval of an interlocal agreement with the City of Corpus Christi for the purpose of allowing the Nueces County Tax Assessor-Collector to refuse to register a motor vehicle alleged to have been in violation of Chapter 707, Photographic Traffic Signal Violations (red-light cameras), of the Texas Transportation Code, where the owner of a motor vehicle is delinquent in the payment of a civil penalty imposed under Chapter 707.
12. Discuss and consider selection of an Engineering Firm for Road Rehabilitaton Work on East Avenue G & Daisy Lane in Driscoll, Texas; authorize execution of contract for Engineering Services with International Consultant Group.

13. Discuss and consider the creation and unfreezing of five (5) Correction Officer positions to staff the 48 bed pod at the McKinzie Annex Jail.
14. Discuss and consider extending the Techshare Resource Sharing Agreement with the Conference of Urban Counties (CUC) by executing the Reinstatement and Amendment No. 3 ("Amendment 3") of Techshare Resource Sharing Addendum Common Integrated Justice System (CJIS) Court Administration System.
15. Discuss and consider execution of budget worksheet certifications pursuant to contract addendum aa-3-1048-10con; aa-3-1048-10hd; aa-3-1048-10b with Coastal Bend Council of Governments providing meals and transportation.
16. Discuss and consider approving a Order that finalizes the action initiated by the letter of intent for the Partition of 28.48 acres of Land out of 50 acres in Padre Island Nueces County Park (Packery Channel Park) and authorizing the County Judge to execute any documents pertaining to this partition.

B. HEALTH DEPARTMENT

1. Discuss and consider extending a contract for 30 days for the Corpus Christi-Nueces County Public Health District with the Department of State Health Services (DSHS) to provide for Local Public Health Preparedness/Public Health Emergency Response (PHER) FY09-10 in the amount of \$287,545.00; Authorize Annette Rodriguez, M.P.H., 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 Bureau of Justice Assistance (BJA) under the FY2010 State Criminal Alien Assistance Program (SCAAP) in the amount of \$29,824.
2. Discuss and consider the ratification of two Interlocal Agreements with the Coastal Bend Council of Governments for the Solid Waste Grant Community Cleanup Events #11-20-G12 and Solid Waste Grant Local Enforcement Equipment #11-20-G13.
3. Discuss and consider execution of a resolution authorizing the submittal of a grant application for FY2011 Formula Grant Program of the Task Force on Indigent Defense Grant Program.
4. Discuss and consider the execution of a resolution authorizing the submission of a grant application for the Texas Department of Agriculture, Texans Feeding Texans: Home Delivered Meal Grant Program; and approve a resolution in support of the City of Corpus Christi's participation in the program.
5. Discuss and consider the ratification of Amendment #2 to the Texas Community Development Program Contract #728125 Texas Department of Rural Affairs for the Twin Lakes Colonia Project.
6. Discuss and consider ratification of a Utility Easement Agreement between Raul S. and

Frances L. Garcia and Nueces County for the Twin Lakes Colonia Project.

7. Discuss and consider the execution of a Utility Conveyance Agreement between Violet Water Supply Corporation and Nueces County in relation to the San Petronila Estates Unit 2 Colonia.

D. PUBLIC WORKS

1. Receive a presentation on an illegal dumping cleanup on County Road 38 at Banquete Creek.
2. Discuss and consider termination of Hangar Lease Agreement #201000187 with Gabriel Wood for T Hangar 14.

E. PURCHASING

1. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Amistad Park Improvements; authorize the Purchasing Agent to publish a notice.
2. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Nueces County Regional Fairgrounds Video Marquee; authorize the Purchasing Agent to publish a notice.
3. Discuss and consider making a finding for the method of procurement (request for proposals) for the Food Service Program for Nueces County Jails; authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.
4. Authorize Sole Source purchase for the renewal of the Oracle license and maintenance support for the Votec Election Management and Compliance System (VEMACS) with VOTEC Corporation for the County Clerk Department.
5. Authorize Sole Source purchase for the TRI-CEP court evaluation program from Treatment Research Institute (TRI) for the Magistrate DWI Court.
6. Authorize TASB Buyboard State Contract No. 281-07 purchase for the District Attorney's Office for a 2010 Chevrolet Tahoe PPV from Caldwell Country.
7. Discuss/Award IFB No. 2858-10 Flexible Base (Type A, Grade 1).
8. Discuss/Award IFB No. 2860-10 Rose Acres Street and Drainage improvements.

F. AUDITOR

1. Budget Change Order #26 for Fiscal Year 09/10  
Budget Change Order #1 for Fiscal Year 10/11
2. Personnel actions of a budgeted nature:
  - a. Application of Temporary & Contract No. 280
  - b. Unfreeze List No. 599

c. Personnel Changes reports dated: 9/17/10; 9/24/10; 10/1/10

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 the claim of Beverly Guffey.

6. **BOARD APPOINTMENTS:**

A. Nueces County Special Task Unit of Adult Protective Services

**Adjournment in Memory (upon request)**