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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
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JANUARY 26, 2011

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
JOE A. GONZALEZ	COMMISSIONER, PRECINCT NO. 2
OSCAR O. ORTIZ	COMMISSIONER, PRECINCT NO. 3
JOE MCCOMB	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 January 5, 2011 Commissioners Court Meeting(s).
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: January 14, 2011.
- B. Authorize payment of bills - regular bill summaries dated: December 30, 2010, January 7, 2011, January 7, 2011A, January 14, 2011, January 14, 2011A, January 21, 2011.
- C. Authorize payment of bills - group health insurance claims and fees: TPA Check Register dated December 13, 2010 - December 30, 2010.
- D. Authorize payment of Pcard purchases for the month of: November 2010.
- E. Authorize payment of bills - special motions list dated: January 26, 2011.
- F. Approve the monthly revenue reports in accordance with LGC 114.044 for November 2010.
- G. Ratify execution of participation form for the "Great Texas Warrant Round Up."
- H. Approve and ratify an Agreed Upon Procedures Engagement to be performed by Ernest R. Garza and Company regarding the district clerk office. Authorize the county judge to sign the engagement letter.
- I. Approve the following Tax Deeds and highest minimum opening bids to date:
 - 1. Lots 3 and 4, Block 2, West End Addition to Robstown, in the amount of \$3,500.00;
 - 2. Lot 10, Block 2, Mexican Colony Addition to Robstown, in the amount of \$1,700.00;
 - 3. Lot 9, Block 3, Home Place Addition to Robstown, in the amount of \$5,000.00;
 - 4. Lot 19, Block 10, Sands and Rice Addition to Robstown, in the amount of \$800.00;
 - 5. 2 acres, more or less, out of Section 29, GH Paul Subdivision, in the amount of \$3,000.00;
 - 6. The South one-half of Lots 17 and 18, Block 30, Robstown Original Townsite, in the amount of \$1,000.00;
 - 7. 15 acres, more or less, situated in Tract 3, Map "D", GH Paul Subdivision, in the amount of \$30,000.00.
- J. Discuss and consider execution of agreement for ad valorem tax collection services for Emergency Services District #6, to be performed by the Nueces County Tax Assessor-Collector.

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

- 1. Receive presentation from Diane Lowrance, Director (MHMR), on activities of the Nueces County Mental Health and Mental Retardation Center in 2010.
- 2. Receive an update from Ridge Hammons on the County's Mentoring Agreement with Hammons Education Leadership Programs (HELP).

3. Receive presentation from South Texas Lighthouse for the Blind on use of FY 2009/2010 Diabetes Funding.
 4. Discuss and consider approval of contract between Nueces County and the South Texas Lighthouse for the Blind for providing diabetes education, awareness and prevention, to the residents of Nueces County.
 5. Receive presentation from Mission of Mercy (M.O.M.) on use of FY 2009/2010 Diabetes funding.
 6. Discuss and consider approval of a contract with Mission of Mercy (M.O.M.), a non-profit organization, for providing diabetes education, awareness and prevention, to the residents of Nueces County.
 7. Receive a briefing on the status of County construction projects and Information Technology upgrade projects.
 8. Receive a presentation related to the 82nd Legislative Session of the Texas Legislature; adopt the 2011 Legislative Agenda for Nueces County; adopt resolution(s) in opposition or in support of legislation related to the 82nd Legislative session.
 9. Discuss and consider hiring a law firm to handle the redistricting process for Nueces County.
 10. Discuss and consider execution of an Interlocal Agreement with San Patricio County for the Intoxilyzer Program and Technical Supervisor Services as an adjunct of the law enforcement responsibilities of the parties and related matters.
 11. Accept and approve the Nueces County Quarterly Investment Report for quarters ending June 30, 2010 and September 30, 2010.
 12. Discuss and consider application procedure for the following Nueces County Advisory Boards:
 - a. Christus Spohn Health Board of Trustees;
 - b. Nueces County Library Advisory Board.
- B. HEALTH DEPARTMENT
1. Discuss and consider Amendment No. 001D with the Department of State Health Services providing for Local Public Health Emergency Response (PHER Contract 2010-033413); 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 adopting a Resolution authorizing submission of grant application via "eGrants" web site to the Governor's Criminal Justice Division for funding the Juvenile Justice Delinquency Prevention Program, also known as Juvenile Justice Alternative Grant (JJAG).

2. Discuss and consider revising the previously approved Resolution for the Juvenile Accountability Block Grant Program, also known as the Probation Rules Enforcement Program.
3. Discuss and consider acceptance of a grant award from the Texas General Land Office Coastal Management Program for the development of a Nueces County Erosion Response Plan (ERP).
4. Discuss and consider acceptance of a grant award from the Coastal Impact Assistance Program (CIAP) for the Gulf Beach Observation Deck/Viewing Area and Dune Walkover Relocation.
5. Discuss and consider ratification of a grant agreement with the Texas Forest Service for the Hurricane Ike County Wide Community Wildfire Protection Plan (CWPP) grant program.
6. Discuss and consider ratification of a grant agreement accepting an award from the Texas Department of Agriculture Home-Delivered Meal Grant Program.

D. PUBLIC WORKS

1. Discuss and consider approval of Change Order No. 4 that will address ADA deficiencies in the men's third floor restroom.
2. Discuss and consider approval of Change Order No. 2 with Bay Area Contracting and Construction Inc. for the Banquete Park Phase 1B.

E. PURCHASING

1. Discuss/Award RFP No. 2861-10 Richard M. Borchard Regional Fairgrounds Farm Lease.
2. Discuss/Award IFB No. 2868-10 SS-1 Emulsified Asphalt.
3. Discuss/Award IFB No. 2869-10 Hot Mix Asphaltic Concrete Type D PG 64-22.
4. Discuss/Award IFB No. 2870-10 Pre-Coated Aggregate Type PB Grade 4.
5. Discuss/Award IFB No. 2871-10 Farmland for Lease - County Airport 119.91 Acres.
6. Authorize/Execute a contract for IFB No. 2867-10 Banquete Park Phase II with Safenet Services, LLC.
7. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Flexible Base Type A Grade 1; authorize the Purchasing Agent to publish a notice.
8. Authorize/Execute a contract for IFB No. 2866-10 Amistad Park Improvements with Bay Area Contracting & Construction.
9. Authorize DIR Contract No. DIR-SDD-890-TX purchase for the IT Department for

uninterruptible power supply (UPS) equipment from APC by Schneider Electric.

10. Authorize DIR Contract purchases for the Justice of the Peace offices as follows:
 - i. DIR Contract No. DIR-SDD-890-TX and DIR-SDD-1014 for computer equipment and software from Dell in the amount of \$118,313.39;
 - ii. DIR Contract No. DIR-SDD-1364 and DIR-SDD-673 for printers from CDW-G in the amount of \$14,064.75.
11. Authorize Sole Source purchase from Hart InterCivic for preventative maintenance for JBCs and installation of system upgrade to 6.2.1 for the County Clerk's office.
12. Authorize Sole Source purchase from Time Warner Cable for High Speed Internet connection for 36 months at the Juvenile Department.
13. Accept the award from 347th Judicial District Court of a 2005 Ford Truck VIN No. 1ftpx14595kc57725 to be used by Constable Precinct 5.

F. AUDITOR

1. Budget Change Order No. 8 for Fiscal Year 2010/2011.
2. Personnel actions of a budgeted nature:
 - a. Unfreeze List No. 606
 - b. Personnel Changes reports dated: December 31, 2010, January 7, 2011, January 14, 2011.
 - c. Create and fund a court manager position in Department 3330, 105th District Court, starting at PG 25, Step 1, \$40,456. Delete one roving court reporter position. Funding is available in two line items: Intergovernmental personnel and Travel. Newly elected official requests staffing changes that will provide Nueces County with a court manager 100% and savings of \$28,330.00
3. Discuss and consider reclassification for (1) one position from current (9) nine budgeted ISP officers positions to a Research Assistant for the Nueces County Juvenile Probation Department; and authorize unfreezing the position.
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 all legal and equitable remedies regarding the Stadium License Agreement with Coastal Bend Professional Baseball Club, LLC and related matters.
 - B. Discuss and consider filing suit/appeal of the arbitration decision regarding Elmer Cox collective bargaining agreement grievance and related matters; Discuss and consider the hiring of Ric Navarro with Denton, Navarro, Rocha & Bernal PC, Attorneys at Law to represent Nueces County in the filing of the suit/ appeal of the arbitration decision regarding Elmer Cox collective bargaining grievance and related matters.
 - C. Discuss and consider Maria Angela Vasquez claim as presented on December 22, 2010.
6. **BOARD APPOINTMENTS:**
- A. Regional Health Awareness Board

Adjournment in Memory (upon request)