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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

March 23, 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 February 23, and March 2, 2011, Commissioners Court Meeting(s).
- E. Adopt the following Resolution(s) and/or Order(s):
 - 1. Recognizing the West Oso Boys Basketball Team and coaching staff on winning the 2011 Class 3A State Basketball Championship.
 - 2. Recognizing Girl Scouts U.S.A. 99th Birthday on March 12, 2011, by Corpus Christi of the Greater South Texas Council.
 - 3. Recognizing "White Cane Safety Days," on behalf of the Lion's Club.

4. In opposition to elimination of funding to the U.S. Workforce Investment Act.
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 March 14, 2011.
 - B. Authorize payment of bills - regular bill summaries dated February 25, 2011, March 4, 2011 (3), March 11, 2011 (2), and March 18, 2011.
 - C. Authorize payment of bills - group health insurance claims and fees February 14, 2011 to March 4, 2011.
 - D. Authorize payment of bills - special motions list dated March 23, 2011.
 - E. Authorize payment of Pcard purchases for the month of January, 2011.
 - F. Approve monthly revenue report for January, 2011 in accordance with LGC 114.044.
 - G. Approve grant closeout summary report dated March 23, 2011.
 - H. Approve the following Tax Deeds and highest minimum opening bid to date:
 1. Lot 16, Block 5, Seikel Addition, in the amount of \$800.00.
 2. Lots 21 and 22, Block 5, Maloy & Bosquez Extension No. 1, in the amount of \$500.00.
 3. Lots 21 and 22, Block 7, Casa Blanca Addition, in the amount of \$2,000.00.
 4. Lots 3 and 5, Block 80, Brooklyn Addition, in the amount of \$7,500.00.
 5. Lot 23, Block 8, Casa Blanca Addition, in the amount of \$2,000.00.
 6. 2 acres out of Lot 1, Block 2, Mary J. Luby Subdivision of the Petronilla Ranch, a/k/a Lot 38 Block 2, San Petronilla Estates #1, unrecorded, in the amount of \$2,000.00.
 7. Lot 6, Block 2, La Arboleda Addition, in the amount of \$2,000.00.
 8. Lot 1, Block 5, Shoreline Park Addition, in the amount of \$1,500.00.
 9. Lot 3, Block 4, San Juan Addition No. 3, in the amount of \$3,000.00.
 10. Lot 7, Block 4, Hilltop Terrace Subdivision, in the amount of \$3,500.00.
 11. Lot 16, Block 8, Lawndale Subdivision, in the amount of \$3,500.00.
 12. Lots 15 and 16, Block 19, Nueces Bay Heights Extension, in the amount of \$3,500.00.
 - I. Set 5:00 p.m., May 3, 2011, as the closing time and date for receipt of applications for

County Depository, County & District Clerk Court Registry Funds Depository, and County Subdepository(ies).

- J. Accept the following "Family Protection Fee" report for FY2009/2010:
 - 1. Family Counseling Service.

- K. Accept the following "Outside Agency" reports for FY2009/2010:
 - 1. Big Brothers Big Sisters
 - 2. CASA - Court Appointed Special Advocates
 - 3. Downtown Management District
 - 4. Flour Bluff Business Association
 - 5. Padre Island Business Association
 - 6. Refuge of HOPE
 - 7. Women's Shelter

- L. Approve the following "Outside Agency" Contracts:
 - 1. The Ark - Assessment Center Emergency Shelter
 - 2. Bishop Economic Development Corporation
 - 3. CASA - Court Appointed Special Advocates
 - 4. Coastal Bend Council on Alcohol & Drug Abuse
 - 5. Coastal Bend Alcohol & Drug Rehabilitation Center - Charlie's Place
 - 6. Palmer Drug Abuse Program

- M. Ratify/Approve Agreement with Banquete Independent School District (BISD) for use of school facilities during a hurricane emergency.

- N. Ratify/Approve Agreement with Coastal Bend-Texas Chapter of the American Red Cross for mass care services.

- O. Ratify/Approve accepting FEMA Public Assistance Grant and cost share adjustment for repairs to Bob Hall Pier as related to Hurricane Ike 2008.
 - 1. March 20, 2009- Bundle 121- 75%/25% Federal/Local cost share agreement for repairs to Bob Hall Pier
 - 2. August 26, 2009- Bundle 396- 90%/10% Federal/Local cost share adjustment for repairs to Bob Hall Pier

- P. Ratify/Approve lease for a Komatsu Wheel Loader from Waukesha-Pearce Industries, Inc. for Coastal Parks.

- Q. Ratify/Approve execution of contract for IFB No. 2874-10 Morgue Transport with Corpus Christi Mortuary Services.

- R. Ratify/Approve execution of contract for RFP No. 2861-10 Richard M. Borchard Regional Fairgrounds Farm Lease with L&H Kircher Farms.

- S. Ratify/Approve execution of contract for IFB No. 2871-10 Farmland for Lease - County Airport 119.91 Acres with Edward Jungmann Farms.

- T. Authorize/Execute a contract for IFB No. 2873-10 Armored Car Service with Triple D Security.

- U. Authorize/Execute a contract for IFB No. 2875-10 Laundry Supplies for the Nueces County Jail with Gulf Coast Paper Co., Inc.

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. Receive briefing from Beirne, Maynard & Parsons, LLP on Census/Redistricting.
2. Discuss and consider selection of Coast2Coast Rx Card, the free discount prescription card for Nueces County citizens; authorize termination of CaremarkPCS Health, L.P. (through NACO) Card Agreement.
3. Receive a presentation on the Coastal Bend Bays and Estuaries Program Habitat Restoration and Public Access Grant Project at Packery Channel Nature Park.
4. Discuss and consider execution of a permit with TxDOT for reconstruction of a driveway access off of Hwy. 361 at the PJ's Marina site.
5. Discuss and consider a change order for 3TI Construction in the amount of \$17,086.00 for upgrades to Bob Hall Pier for the electrical service of the pier expansion and the construction of a small storage closet.
6. Discuss and consider adding an additional four members to the Nueces County Beach Management Advisory Committee.
7. Discuss and consider accepting Texas Boll Weevil Eradication Foundation, Inc's letter of intent exercising their option to extend the lease with Nueces County beginning June 1, 2011 and expiring May 31, 2012, and related matters.
8. Discuss and consider approving the Nueces County English-Spanish Language Election Procedures as Administered by the Nueces County Clerk as County Election Officer and Nueces County Tax Assessor-Collector as the Voter Registrar.
9. Discuss and consider adopting an Order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.
10. Discuss Senate Bill 14 (82nd Legislative Session), and Voter Identification Legislation.
11. Receive presentation related to the 82nd Legislative Session of the Texas Legislature; adopt resolution(s) in opposition or in support of legislation related to the 82nd Legislative session.
12. Discuss and consider selection of a contractor to develop a Nueces County Parks Master Plan.
13. Discuss and consider approval of a letter agreement with AEP Texas Central Company to install electrical facilities at Banquete Community Park.
14. Discuss and consider approval of Nueces County's On-site Sewage Facility Order.

15. Discuss and consider the application procedure for appointment to the Nueces County Animal Control Advisory Board.

B. SHERIFF

1. Accept forfeited property from the Nueces County Sheriff's Office listed in exhibit "A through E" consisting of gambling devices, gambling equipment and paraphernalia pursuant to the Agreed Judgment rendered by the Nueces County Court at Law No. 4 and such property to be part of the County's inventory at the County Property Warehouse; discuss and consider adoption of an Order to transfer gambling equipment to the Texas Building and Procurement Commission per the Texas Local Government Code section 263.152 (a) 5.

C. GRANTS

1. Discuss and consider the adoption of a resolution authorizing the submission 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 LyondellBasell Park.
2. Discuss and consider execution of an Interlocal Agreement with Texas A&M University-Corpus Christi, Harte Research Institute, for dune and existing set-back line mapping to develop an erosion response plan.
3. Discuss and consider submitting a project proposal to the Coastal Bend Bays and Estuaries Program for consideration of grant funding for the Hazel Bazemore Park Eco/Nature Tourism Initiative.
4. Discuss and consider submitting a project proposal to the Coastal Bend Bays and Estuaries Program for consideration of grant funding for the Mustang Island and Wilsons' Cut Channel Boating Access Feasibility and Constraint analysis.
5. Discuss and consider the execution of Amendment No. 1 to an Agreement with the Coastal Bend Bays and Estuaries Program for Packery Channel Nature Park.
6. Discuss and consider execution of Amendment No. 2 to the contract with the Texas Department of Rural Affairs - Texas Community Development Block Grant Program (TxCDBG) Disaster Recovery Program Contract No. DRS010127.
7. Discuss and consider authorizing the submission of a grant application to the Texas Ranger Division – Texas Department of Public Safety for the Local Border Security Program FY2010/2011.

D. PURCHASING

1. Discuss/Award RFP No. 2864-10 Food Management Program for Nueces County Jails.
2. Discuss/Award IFB No. 2878-11 Flexible Base Type A, Grade 1.
3. Authorize ESC Region 8 TIPS/TAPS Contract No. 3111909 purchase for chairs and

installation from Business Interiors for the District Courts and County Court at Law 3.

4. Approve and accept a donation of 10 concrete park benches to the County in accordance with LGC 81.032.

E. AUDITOR

1. Budget Change Order No. 12 for Fiscal Year 2010-1011
Budget Change Order No. 32 for Fiscal Year 2009-2010
2. Personnel actions of a budgeted nature:
 - a. Application Temporary & Contract No. 290
 - b. Unfreeze List No. 610
 - c. Personnel Changes reports dated: February 25, 2011, March 4, 2011, and March 11, 2011.
3. Accept and approve the Nueces County Quarterly Investment Report for quarter ending December 31, 2010.
4. Discuss and consider reclassification of Airport Attendant position to Airport Manager position at the Nueces County Airport; approve job description; and unfreeze position.
5. Discuss and consider approval of additional funding in the amount of \$40,000 for contracted professional services in order to complete the financial internal audit and other agreed upon procedures performed by Ernest Garza and Company, PC.
6. Discuss and consider approval of the 2009/2010 and 2010/2011 fiscal year budgets for the Title IV-E Child Welfare Board Services Contract and the Title IV-E Legal Services Contract; Authorize the County Judge to sign on behalf of Nueces County.

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. **BOARD APPOINTMENTS:**

- A. Nueces County Child Welfare Board
- B. MHMR Community Center Board

C. South Texas Water Authority

Adjournment in Memory (upon request)