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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

May 4, 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.
MIKE PUSLEY
JOE A. GONZALEZ
OSCAR O. ORTIZ
JOE MCCOMB

COUNTY JUDGE
COMMISSIONER, PRECINCT NO. 1
COMMISSIONER, PRECINCT NO. 2
COMMISSIONER, PRECINCT NO. 3
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. **WORKSHOP** - Receive information from Beirne, Maynard, & Parsons, L.L.P. and discuss matters related to Redistricting.
- E. Approve the Minutes of the March 23, 2011 and March 30, 2011 Commissioners Court Meeting(s).
- F. Adopt the following Resolution(s) and/or Order(s):
 - 1. Proclaiming May, 2011, as Asthma Awareness Month.
 - 2. In support of designating a portion of US 77 as I-69.
- G. Present the following Certificate(s) of Recognition:

1. Nueces County Historical Commission - 2010 Distinguished Service Award.
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 April 25, 2011.
 - B. Authorize payment of bills - regular bill summaries dated April 8, 2011; April 9, 2011; April 15, 2011; April 22, 2011; and April 29, 2011.
 - C. Authorize payment of bills - group health insurance claims and fees TPA Check register dated April 4, 2011 to April 22, 2011.
 - D. Authorize payment of Pcard purchases for the month of March, 2011.
 - E. Authorize payment of bills - special motions list dated May 4, 2011.
 - F. Accept the following "Outside Agency" reports for FY2009/2010:
 1. Robstown Area Development Commission (RADC)
 2. Westside Business Association
 - G. Approve the following "Outside Agency" Contracts:
 1. Al Amin Shrine Center
 2. Downtown Management District
 3. Robstown Area Historical Commission
 - H. Approve the following "Family Protection Fee" Contracts:
 1. CASA - Court Appointed Special Advocates
 2. Women's Shelter
 - I. Authorize/Execute a one-year extension to RFP No. 2844-10 Property and Casualty Insurance with Borden Insurance, Swantner and Gordon Insurance, and Texas Association of Counties.
 - J. Discuss and consider approval of an amended contract with Texas A&M University-Corpus Christi, Antonio E. Garcia Arts & Education Center for the purpose of continuing the health education diabetes awareness and prevention program to the residents of Nueces County.
4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. Receive, open, and enter into minutes the applications for Nueces County Bank Depository, Nueces County Bank Subdepository(ies) and the Nueces County Clerk and District Clerk Registry Funds Depository, in accordance with chapter 116 and 117 of the Texas Local Government Code; adopt an order appointing a selection committee to review the applications and make recommendations to Commissioners Court.
2. Receive presentation on upcoming 2011 Coastal Bend Hurricane Conference and Exercise to be held at the Richard M. Borchard Regional Fairgrounds on May 23 & 24.
3. Discuss and consider adopting a Resolution approving the Nueces County Hurricane Reentry Plan.
4. Discuss and consider request for the Secretary of State's Office to conduct a Nueces County Colonias Classification/Identification Project, and related matters.
5. Discuss and consider proceeding with demolishing the former Nueces County Vector Control Building located on Morgan Street.
6. Discuss and consider the time table and execution of razing the arena portion of the old Nueces County Showbarn Facility.
7. Discuss and consider execution of the Local Prosecuting Authority Agreement with the Texas Health and Human Services Commission on behalf of the District Attorney related to prosecution services for fraud and related offenses concerning certain State benefits.
8. Discuss and consider approving a resolution regarding granting of public funds to private entities.
9. Discuss and consider approving contract with NAACP for diabetes awareness and prevention.
10. Discuss and consider approval of restated plan documents for the County's 457 (b) deferred compensation plan as prepared by the administrative services provider, Nationwide; authorize the County Judge to sign the Plan Sponsor Signature Page, Certificate of Participation and Disclosure document for the variable annuity, and Nationwide ProAccount Plan sponsor Agreement.

B. SHERIFF

1. Discuss and consider authorizing execution of an agreement between Texas Facilities Commission (TFC) and Nueces County, related to the sale/disposal of the County forfeited property by TFC through the State Surplus Property Program.

C. GRANTS

1. Discuss and consider the execution of Change Order No. 11 for the King Isles Inc. (Contract #20090014) for the Rose Acres Water and Wastewater System Improvements.

D. PUBLIC WORKS

1. Discuss and consider approval of Change Order No. 1 to contract with Bay Area Contracting related to the Amistad Park Improvements project.
2. Discuss and consider Order related to contract with SafeNet Service, LLC and Change Order No. 2 extending contract period for Improvement Package No. 2 construction services at the RMB Fairgrounds.

E. PURCHASING

1. Authorize HGACBuy Contract No EN06-10 purchase for emergency preparedness and disaster recovery professional planning and consulting services from Science Applications International Corporation (SAIC).
2. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Driscoll Road Improvements; and authorize the Purchasing Agent to publish a notice.
3. Discuss and consider making a finding for the method of procurement (request for competitive bids) for HFRS-2 Emulsified Asphalt; and authorize the Purchasing Agent to publish a notice.
4. Authorize a Buyboard Contract No. 358-10 purchase of a 2011 Chevrolet Tahoe PPV from Caldwell Country for Constable Pct. 5, in the amount of \$26,344.
5. Authorize a purchase for Countywide HVAC Systems air filter replacement for January – December, 2011 for Public Works with American Filtration.
6. Discuss/Award IFB No. 2881-11 Calderon Building JP Office Renovations.

F. AUDITOR

1. Budget Change Order No. 15 for Fiscal Year 2011.
2. Personnel actions of a budgeted nature
 - a. Application Temporary & Contract No. 292
 - b. Unfreeze List No. 613
 - c. Personnel Changes reports dated April 15, 2011 and April 22, 2011.
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 Robert A. Jenkins & Co. regarding Date of Incident January 24, 2011.
- B. Discuss and consider claim of Bill Sugarek.
- C. Discuss and consider authorizing County Judge to settle property damage claim for \$3,378.87, arising out of motor vehicle collision of January 18, 2011.
- D. Discuss and consider authorizing County Attorney to send demand letter to Maria and David Cavazos regarding motor vehicle accident with IT vehicle on March 28, 2011, in which David Cavazos was at fault.

Adjournment in Memory (upon request)