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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

May 25, 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, and other related matters.
- E. Approve the Minutes of the April 20, April 27, and May 4, 2011, Commissioners Court Meeting(s).
- F. Adopt the following Resolution(s) and/or Order(s):
 - 1. Proclamation honoring Disabled American Veterans.
 - 2. Resolution declaring May 22, 2011 through May 28, 2011 as Hurricane Preparedness Awareness Week.

3. Resolution recognizing John Paul II Centurions for winning the 2011 TAPPS (Texas Association of Private and Parochial Schools) 4A State Baseball Championship.

G. Present the following Certificate(s) of Recognition:

1. Al Rivera, Department of Public Works, retiring after 10 years of service to Nueces County.
2. Akeyla Mitchell, a star athlete for West Oso Independent School District, for winning first place in the Class 3A 200 meters track event at the 2011 UIL State Track and Field Championship.

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 - regular bill summaries dated April 29, 2011; May 6, 2011; May 13, 2011; and May 20, 2011.
- B. Authorize payment of bills - manual check register dated May 16, 2011.
- C. Authorize payment of bills - group health insurance claims and fees listed on TPA Check Register dated April 25, 2001 thru May 6, 2011.
- D. Authorize payment of bills - special motions list dated May 25, 2011.
- E. Authorize payment of Pcard purchases for the month of April, 2011.
- F. Approve the monthly revenue reports for March, 2011 in accordance with LGC 114.044.
- G. Approve grant closeout summary report.
- H. Accept the following "Family Protection Fee" report for FY2009/2010:
 1. Nueces County Children's Advocacy Center
- I. Accept the following "Outside Agency" report for FY2009/2010:
 1. Bishop Chamber of Commerce
- J. Approve the following "Family Protection Fee" Contract:
 1. Nueces County Children's Advocacy Center
- K. Approve the following "Outside Agency" contracts:

1. Bishop Chamber of Commerce
2. Corpus Christi Chamber of Commerce
3. Gulf Coast Council of La Raza
4. Hispanic Women's Network of Texas
5. Robstown Area Development Commission - RADC

L. Ratify/Approve execution of a Motor Vehicle License Point of Sale Sticker Lease Agreement with CCLEL Investments LP, DBA Volkswagen of Corpus Christi, related to the issuance of title application/motor vehicle sales tax receipts, point of sale stickers, and license plates.

M. Ratify/Approve the execution of a Motor Vehicle License Point of Sale Sticker Lease Agreement with Mike Shaw C.C. Motors, Inc., DBA Mike Shaw KIA, related to the issuance of title application/motor vehicle sales tax receipts, point of sale stickers, and license plates.

N. Ratify the Interlocal Agreement with the City of Port Aransas for the maintenance of Nueces County's I.B. Magee Beach Park.

O. Authorize/Execute a contract for IFB No. 2878-11 Flexible Base Type A, Grade 1 with Martin Marietta Materials.

P. Accept the award and executed agreement for IFB No. 2808-09 Meal Service – Juvenile Department with Aramark Correctional Services, LLC. as approved by the Juvenile Board.

Q. Authorize/Execute a contract for IFB No. 2879-11 Pre-Coated Aggregate, Type PB, Grade 3 with Martin Marietta Materials.

R. Authorize/Execute a contract for IFB No. 2881-11 Calderon Building Justice of the Peace Office Renovations with Elite General Contractors, LLC.

S. Authorize/Execute a one-year extension to RFP No. 2844-10 Property and Casualty Insurance with Swantner and Gordon Insurance for the Public Officials.

T. Authorize issuing a 1998 Ford Crown Victoria, County ID No. 46675, turned in by Public Works Department, to the County Airport Department.

U. Authorize issuing a 1997 Ford F-150 Truck, County ID No. 48359, turned in by County Airport Department, to the Inland Parks Department.

V. Discuss and consider the ratification of a Property Access Agreement for the environmental assessment of the abandoned Vector Control Facility at 3041 Morgan Avenue, Corpus Christi, Texas.

W. Discuss and consider approval of the 2011-2012 Budget Planning Calendar.

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. Discuss and consider approval of a preliminary redistricting plan for Commissioner

Precincts, related to the 2010 U.S. Census, and related matters.

2. Discuss and consider selection of the 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.
3. Discuss and consider adoption of a resolution approving the Nueces County Park Master Plan and list of priority needs, for submission to the Texas Parks and Wildlife Department.
4. Receive a presentation on the recent activities of the Corpus Christi Regional Transportation Authority (RTA).
5. Discuss and consider Del Mar College's request for Nueces County to convey to Del Mar College its interest in real property, namely Tax Account No. 1772-0000-0020; Lot 2 Copps Subdivision, a subdivision in the City of Corpus Christi, Nueces County, Texas, according to the map or plat thereof, recorded in Volume 24, Page 51, Map Records of Nueces County, Texas; 1502 Tarlton Street, Corpus Christi, Texas.
6. 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.
7. Discuss and consider adopting an Order Banning Aerial Fireworks in the unincorporated areas of Nueces County for the July Fireworks Season, pursuant to Chapter 352 of the Texas Local Government Code.
8. Discuss and consider acceptance and execution of a sales agreement for property located at 600 Lincoln Avenue, Robstown, Texas.

B. GRANTS

1. Discuss and consider execution of Grant Agreement #G11HN0007A and Grant Conditions from the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA)/Texas Coastal Corridor Initiative.
2. Discuss and consider the execution of a Utility Conveyance Agreement between Violet Water Supply Corporation and Nueces County in relation to the Twin Lakes Subdivision.

C. PUBLIC WORKS

1. Discuss and consider: (1) order ratifying the selection and hiring of Naismith Engineering, Inc. for services related to Improvement Project No. 2 at the RMB Fairgrounds (2) approving payment of Naismith Engineering, Inc. invoices for services as approved and detailed in such order (3) selection and execution of Engineering Services contract for completion of Improvement Project No. 2 at the RMB Fairgrounds.
2. Discuss and consider a one-year extension to the solid waste contract with Absolute Waste Services, Inc.
3. Discuss and consider the approval of Change Order No. 2 to contract with Bay Area Contracting to add 15 working days to the Amistad Park Improvements project.

4. Receive a presentation on Road and Bridge operations for the first two quarters of FY 2011.

D. PURCHASING

1. Discuss and consider making a finding for the method of procurement (request for qualifications) for engineering services related to the Energy Savings Performance Contract; authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.
2. Rescind the award to Arnold Oil Company for IFB No. 2880-11 Motor Oil and Lubricants; Discuss/Award IFB No. 2880-11 Motor Oil and Lubricants.
3. Authorize lease/purchase agreement with Holt Cat for a Caterpillar Motor Grader as bid through the TASB Buyboard Contract No. 268-07 to include Warranty; discuss and consider adopting a resolution approving documents related to lease-purchase of Caterpillar Motor Grader, authorizing the County Judge to execute documents and all other action necessary to carry out such transaction.
4. Authorize/Execute a contract for IFB No. 2880-11 Motor Oil and Lubricants with Arguindegui Oil and Oil Patch.

E. AUDITOR

1. Budget Change Order No. 16 for Fiscal Year 2011.
2. Personnel actions of a budgeted nature:
 - a. Application Temporary & Contract No. 293.
 - b. Unfreeze List No. 614.
 - c. Personnel Changes reports dated: April 29, 2011, May 6, 2011, and May 13, 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 authorizing the County Engineer to send written notice to Milkins Roofing regarding Nueces County's intent to terminate contract.

- B. Discuss and consider Grievance 041511-1; Frank Errico vs. District Attorney.
 - C. Authorize County Judge to accept reimbursement of \$16,982.51 from RVE, Inc., in connection with plans for Suntide Road Slope Repair, and related matters.
 - D. Authorize County Attorney to pursue all legal remedies against Coastal Bend Professional Baseball Club, L.L.C., including filing a lawsuit, in connection with the License Agreement and damage to the baseball stadium facilities, and related matters.
6. **BOARD APPOINTMENTS:**
- A. Affirm reappointment/appointment to Coastal Bend Workforce Development Board of Directors:
 - 1. Reappoint John Silvas (representing the private sector).
 - 2. Appoint Mike Carranco (representing organized labor).

Adjournment in Memory (upon request)