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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

June 15, 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.

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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. **PUBLIC HEARING** - Conduct a public hearing on the redistricting of Commissioners' precincts related to the 2010 U.S. Census.
 - E. Workshop:
 1. Discuss management of the marquee located at the entrance of the Richard M. Borchard Regional Fairgrounds.
 - F. Adopt the following Resolution(s) and/or Order(s):
 1. Declaring June 21, 2011 as "Nueces County Coastal Parks Day".
 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 June 6, 2011.
 - B. Authorize payment of bills - regular bill summaries dated May 20, 2011; May 27, 2011; May 31, 2011; June 3, 2011 and June 10, 2011.
 - C. Authorize payment of bills - group health insurance claims and fees listed on TPA check register dated May 9, 2011 to May 27, 2011.
 - D. Authorize payment of bills - special motions list dated June 15, 2011.
 - E. Approve the monthly revenue reports in accordance with LGC 114.044 dated April, 2011.
 - F. Approve grant closeout summary report.
 - G. Approve and accept donations to the county for the benefit of the Keach Family Library in accordance with Texas Local Government Code Section 81.032.
 - H. Accept the following "Outside Agency" report for FY 2009/2010:
 1. Westside Business Association
 - I. Ratify a Utility Conveyance Agreement between River Acres Water Supply Corporation and Nueces County in relation to the Twin Lakes Subdivision.
 - J. Approve Amendment No. 1 to an Architectural Services Contract with Naismith Engineering, Inc., related to the Banquete Park Improvement Project.
 - K. Approve Change Order No. 3 for the Fairgrounds Improvement Package No. 2 with SafeNet Services, LLC.
 - L. Approve Change Order No. 1 to add 30 days to the Capturion Network Nueces County Regional Fairgrounds Video Marquee project.
 - M. Approve Change Order No. 1, to add thirty-one (31) working days, to the Haeber Roofing Company McKinzie Jail Annex Roof Replacement Project.
 - N. Accept the award and executed agreement for RFP No. 2877-11, Juvenile Justice Alternative Education Program-JJAEP, with Southwest Key Programs, Inc. as approved

by the Juvenile Board on May 23, 2011.

- O. Approve the following Tax Deeds and highest minimum opening bid to date:
 - 1. Lot 35, Block 3, Hudson Acres, in the amount of \$2,000.00.
 - 2. Lot 26, Block 3, Griffin Addition, in the amount of \$2,001.00.
 - 3. Lot 21, Block 2, Carver Addition, in the amount of \$2,500.00.
 - 4. Lots 1 and 2, Block 12, Carver Addition No. 2, in the amount of \$5,000.00.
 - 5. Lot 14, and a portion of Lot 13, Block 2, W. Amos Moore Addition, in the amount of \$5,000.00.
 - 6. Lot 10, Block 2, Wright Place, in the amount of \$25,000.00.
 - 7. Lot 5, Block 10, McNorton Addition No. 3, in the amount of \$1,500.00.
 - 8. Lots 8 and 9, Block 7, Robstown Original Townsite, in the amount of \$2,000.00.
- P. Designate the Tax Assessor-Collector as the official to calculate the tax rate, the rollback rate, and the notice-and-hearing limit, in accordance with Chapter 2 of the Texas Tax Code.
- Q. Approve contract between Nueces County and LEAD First for funding from County Judge, Commissioner Precinct One and Commissioner Precinct Two diabetes funds for the purposes of conducting a Diabetes Fair providing diabetes education and screening.
- R. Approve contract with Hispanic Women's Network of Texas-Corpus Christi Chapter for the purpose of promoting diabetes prevention and activities that will benefit Nueces County.
- S. Approve Consent for Entry and Access to Property for the former Rogers Delinted Cottonseed Tract of Property (U.S. 77 Business, Robstown, Texas) as foreclosure Trustee, as requested by the Environmental Protection Agency (EPA).
- T. Adopt an Order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.
- U. Approve application procedure for appointment for the Citizens Advisory Board on Health & Welfare.
- V. Authorize submission of a grant application to the Bureau of Justice Assistance (BJA) under the FY2011 State Criminal Alien Assistance Program (SCAAP) for reimbursement of costs related to incarcerating undocumented criminal aliens.
- W. Authorize execution of a Sub-recipient Agreement and Terms and Conditions with the Texas Division of Emergency Management for the acceptance of the FY 2010 Operation Stonegarden grant award.
- X. Authorize submission of a grant application for the FY 2011 Operation Stonegarden grant program from the U.S. Department of Homeland Security.
- Y. Authorize submission of a grant proposal for the Coastal Bend Community Foundation (CBCF) 2011 Fall grant program.
- Z. Authorize submission of pre-proposal project to the Texas General Land Office for the Coastal Management Program (CMP) - Cycle 17.

- AA. Discuss and consider execution of an agreement with AEP authorizing AEP to utilize a defined portion of a parking lot at the Agricultural Building - Robstown for temporary staging of equipment and apparatus after a disaster in the area.
- BB. Discuss and consider execution of an agreement with AT&T authorizing AT&T to utilize a defined portion of the aircraft parking area at the Nueces County Airport for temporary staging of equipment and apparatus after a disaster in the area.
- CC. Discuss and consider approval of the Coastal Parks Master Plan as a stand-alone document.
- DD. Ratify/Approve Beach Cleaning and Maintenance Assistance Agreement with the Texas General Land Office related to reimbursement for beach cleaning.

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

- 1. Discuss and consider adopting an Order establishing new Commissioner Precinct Boundaries for the purposes of redistricting related to the 2010 U.S. Census.
- 2. Receive update from the Beach Management Advisory Committee Chair, Fred McCutcheon, on the status of the draft Erosion Response Plan.
- 3. Discuss and consider the following related to the County depository, subdepository, and the County and District Clerk Court Registry Funds:
 - a. Qualification of Frost National Bank as depository for the County and the County and District Clerk Court Registry Funds.
 - b. Resolutions and orders designating Frost National Bank as depository for the County and the County and District Clerk Court Registry Funds.
 - c. Resolutions designating signatories pursuant to proposed security agreement(s) with Frost National Bank.
 - d. Execution of depository agreement(s), security agreement(s) and related agreements for the County and the County and District Clerk Court Registry Funds with Frost National Bank.
- 4. Discuss and consider Interlocal agreement with City of Corpus Christi for recreational field lighting equipment.
- 5. Discuss and consider agreement with Facility Solutions Group (FSG) for removal of recreational field lighting equipment currently located at Oso and National Baseball Fields for ultimate placement at County Parks within the City Limits of Corpus Christi.

B. SHERIFF

- 1. Discuss and consider acceptance of forfeited property from the Nueces County Sheriff's

office listed in exhibit "A" consisting of gambling equipment 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.

2. 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 (gambling equipment) by TFC through the State Surplus Property Program.
3. Discuss and consider execution of a contract between Nueces County and Pat Walker concerning the boarding of astray horses.

C. GRANTS

1. Discuss and consider ratification of a Grant Award Notice and Terms and Conditions; and execution of Amendment #1 with the Texas Comptroller of Public Accounts (State Energy Conservation Office) for the Energy Efficiency and Conservation Block Grant (EECBG) Program.
2. Discuss and consider revisions to the 2009/2010 Coastal Impact Assistance Program (CIAP) grant allocation applications to be submitted to the Texas General Land Office (GLO).
3. Discuss and consider revisions to a 2008 Coastal Impact Assistance Program (CIAP) grant allocation application to be submitted to the Texas General Land Office (GLO).

D. PUBLIC WORKS

1. Discuss and consider the approval of Change Order No. 1 which adds project costs for various work items to the Garrett Construction Company Rose Acres Street and Drainage Improvements project.

E. PURCHASING

1. Discuss/Award IFB No. 2888-11 HFRS-2 Emulsified Asphalt.
2. Discuss/Award IFB No. 2887-11 Pavement Improvements: Padre Balli Park, Beach Parking Lot and Lighthouse Lakes Road.
3. Rescind the authorization to purchase uninterruptible power supply (UPS) equipment from APC by Schneider Electric in the amount of \$58,448.00; Authorize DIR Contract No. DIR-SDD-890-TX purchase for the IT Department for uninterruptible power supply (UPS) equipment from APC by Schneider Electric.
4. Authorize DIR Contract No DIR-SDD-1032 and DIR-SDD-886 purchase for 7 Datalex Tracer 12.1 Police Mobile Data systems and Deployment Services Sheriff's Vehicles for the Sheriff's office.
5. Approve increasing Purchase Order No. 312870 from \$35,000 to \$43,730 for RFP No.

285410 Implementation Services To Upgrade SunGard System version 7.6 to 7.94.

F. AUDITOR

1. Budget Change Order No. 17 for Fiscal Year 10/11.
 2. Personnel actions of a budgeted nature:
 - a. Application Temporary & Contract No. 294
 - b. Unfreeze List No. 615
 - c. Personnel Changes reports dated May 20, 2011.
 3. Receive report and management letter from the outside auditor, Ernest R. Garza, CPA, on the audit for the fiscal year ended September 30, 2010.
 4. Discuss and consider changing the County's pay period and setting the time clocks to actual time worked; receive status report on the automated timekeeping project.
 5. Discuss and consider approval of the new updated plan document for the County's Nationwide 457(b) deferred compensation plan as prepared by Nationwide; authorize the County Judge to sign Plan Sponsor Signature Page which continues ProAccount services for employees opting into those financial advisory services and other related plan documents.
 6. Discuss and consider reclassification of the current Small Equipment Mechanic/Welder position to Assistant Mechanic (Road & Bridge).
 7. Discuss and consider creating an Animal Control Officer II position and deleting one Animal Control Officer position; authorize unfreezing the Animal Control Officer II position.
 8. Discuss and consider reclassification of one Records Management Department Records Management Technician position, Pay Group 16A, to a Senior Administrative Clerk position, Pay Group 17A.
 9. Discuss and consider approving one temporary Senior Clerk II position in the Motor Vehicle section of the Tax Office for the period July 1, 2011 through September 30, 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 release of deed of trust lien and judgment liens on property at 615 Waco which was posted as security for former bail bond licenseholder, Delma Marroquin, d/b/a Luckie's Bonding Service and authorize execution of partial release of liens, partial release of judgment liens, and escrow agreement.
- B. Discuss and consider Grievance 041511-1; Frank Errico vs. District Attorney.

Adjournment in Memory (upon request)