



# NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

## NOTICE OF PUBLIC MEETING

*Done  
OK  
8-4-11*

**August 10, 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.

<b>SAMUEL L. NEAL, JR.</b>	<b>COUNTY JUDGE</b>
<b>MIKE PUSLEY</b>	<b>COMMISSIONER, PRECINCT NO. 1</b>
<b>JOE A. GONZALEZ</b>	<b>COMMISSIONER, PRECINCT NO. 2</b>
<b>OSCAR O. ORTIZ</b>	<b>COMMISSIONER, PRECINCT NO. 3</b>
<b>JOE MCCOMB</b>	<b>COMMISSIONER, PRECINCT NO. 4</b>

**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. Present the following Certificate(s) of Recognition:
      1. Robert Leal with the Sheriff's Department on receiving his Bachelor's Degree in Business Administration.
    - E. **WORKSHOP**
      1. Discuss redistricting of the Justice of the Peace and Constable Precincts related to the 2010 U.S. Census.
  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 approve the remaining items on the Consent Agenda.
  - A. Authorize payment of bills - manual check registers dated August 2, 2011.
  - B. Authorize payment of bills - regular bill summaries dated July 22, 2011; July 29, 2011 and August 5, 2011.
  - C. Authorize payment of bills - group health insurance claims and fees listed on TPA Check Register dated July 11, 2011 thru July 29, 2011.
  - D. Authorize payment of bills - special motions list dated August 10, 2011.
  - E. Accept the following "Outside Agency" reports for FY 2009/2010:
    1. Mission of Mercy.
  - F. Approve the following "Outside Agency" contracts:
    1. Black Chamber of Commerce.
    2. Coastal Bend Bays and Estuaries Program.
  - G. Discuss and consider approval of diabetes awareness contracts/amendments for funding of the following:
    1. Calallen Independent School District.
    2. Tulo-so-Midway Independent School District.
    3. South Texas Lighthouse for the Blind.
    4. Mission of Mercy.
    5. Corpus Christi Beach Association.
  - H. Application procedure for the following Nueces County Advisory Boards:
    1. Nueces County Animal Control Advisory Committee.
    2. Nueces County Hospital District Board of Managers.
  - I. Authorize Sole Source purchase from Kendall & Son LTD for tile and bathroom cleaner.
  - J. Authorize Sole Source purchase from Intergraph, Inc., to make modifications to booking report related to the County Jail Management System (JMS) for the Sheriff's office.
  - K. Authorize the purchase of two 10kw diesel generators from Muniz Electrical Masters for the Public Works Central Yard.
4. **REGULAR AGENDA:**
  - A. AGENDA ITEMS

1. Receive presentation and discuss potential location for a Fallen Heroes Memorial in Nueces County.
2. Receive a presentation from Joe Alley on the activities of the Intergovernmental Commission on Drug & Alcohol Abuse Board.
3. Discuss and consider execution of a conservation easement for the PJ's Marina property as a requirement of the US Army Corps of Engineers to complete the PJ's Marina construction project.
4. Discuss and consider approval of a Tax Foreclosure Auction of resale properties to occur on October 8, 2011.
5. Receive a report from Tyner Little, Governmental Affairs, OCCA, on the 82nd Texas Legislative Session.

#### B. GRANTS

1. Authorize submission of a grant application to the Texas Veterans Commission for funding under the Veterans' Assistance Grant Program.

#### C. PUBLIC WORKS

1. Discuss and consider Change Order No. 4 with Safenet Services, LLC, for the RMB Fairgrounds Improvement Package Phase 2.

#### D. PURCHASING

1. Discuss and consider making a finding for the method of procurement (request for proposals) for the Courthouse Cafeteria Food Services; authorize the Purchasing Agent to publish a notice; and adopt an order delegating evaluation authority to a selection committee.
2. Discuss/Award RFQ No. 2889-11 Engineering Services for Review of the Energy Conservation Program.
3. Discuss/Award IFB No. 2891-11 Avenue G and Daisy Lane Street Improvements.
4. Authorize the purchase of construction and paving materials and labor from A. Ortiz Construction & Paving Inc. for improvements at Amistad Park in the amount of \$46,570.00.

#### E. AUDITOR

1. Budget Change Order No. 21 for Fiscal Year 10/11.
2. Personnel actions of a budgeted nature:
  - a. Application Temporary & Contract No. 298
  - b. Unfreeze List No. 619
  - c. Personnel Changes reports dated July 22, 2011 and July 29, 2011.
3. Discuss and consider implementing a 30-day hiring freeze.

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 ratifying the hiring of David Conoly, Attorney At Law, to provide legal services in legal matters regarding the lease agreement with Palm Drive Limited and related matters.
  - B. Discuss and consider ratifying the execution of a fee agreement with David Conoly, Attorney At Law, for the legal services regarding the lease agreement with Palm Drive Limited and related matters.
  - C. Approve the release of Nueces County's Judgment Lien against Defendant/Principal Ramiro Castillo and authorize the Nueces County Judge to sign the Release of Lien document.

**Adjournment in Memory (upon request)**