



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

10/26/11
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NOTICE OF PUBLIC MEETING

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Official Records of
NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK

October 31, 2011 \$0.00

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 following Minutes:
 - 1. September 28, 2011.
 - 2. October 12, 2011.
 - 3. October 17, 2011.
- E. **PUBLIC HEARING** - The Nueces County Commissioners Court will conduct a public hearing on the "Goods-in-Transit" tax exemption pursuant to Section 11.253 of the Texas Tax Code.

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 October 24, 2011.
 - B. Authorize payment of bills - regular bill summaries dated October 7, 2011; October 14, 2011; October 21, 2011 and October 28, 2011.
 - C. Authorize payment of bills - group health insurance claims and fees from TPA Check Register dated October 1, 2011 - October 14, 2011.
 - D. Authorize payment of bills - special motions list dated October 31, 2011.
 - E. Authorize payment of PCard purchases for the month of September, 2011.
 - F. Approve the monthly revenue reports in accordance with LGC 114.044 dated August, 2011.
 - G. Approve grant closeout summary report dated October 31, 2011.
 - H. Adopt a TexPool Resolution amending Authorized County Representatives.
 - I. Authorize Sole Source purchase and execution of modification No. 1 for renewal of software license and service agreement with TRI (Treatment Research Institute) related to the Court Evaluation Program for the Magistrate Drug Court.
 - J. Authorize/Execute a contract for IFB No. 2893-11 Janitorial Services with ABM Janitorial Services – South Central, Inc.
 - K. Authorize Sole Source purchase for renewal of the Full Court software maintenance and support of 70 user licenses for the period October 1, 2011 to September 30, 2012 with Justice Systems in the amount of \$66,850.00.
 - L. Adopt an amended Order and exhibit establishing services and maximum fees related to Nueces County Law Enforcement Agency-Initiated, Incident Management, Non-consent Towing in Nueces County, Texas, effective November 1, 2011.
 - M. Application procedure for the following Nueces County Advisory Boards:
 1. Nueces County Beach Management Advisory Committee.
 2. Nueces County Child Welfare Board.
 - N. Authorize the renewal and execution of a maintenance agreement with DISCORP, Inc.

related to the security electronic systems in the Nueces County Jail (Sole Source purchase).

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. Discuss and consider adoption of Order to tax Goods-in-Transit pursuant to 11.253 of the Texas Tax Code.
2. Receive presentation from Justice Jones, Prevention Coordinator, Texas Forest Service, related to the Nueces County Community Wildfire Protection Plan.
3. Discuss and consider the recommendation of the Nueces County Board of Parks Commissioners to select Naismith Engineering to provide design, engineering specifications and construction project oversight for the renovation of Briscoe King Pavillion.
4. Update on a Coastal Bend Bays and Estuaries Program (CBBEP) grant award to conduct a feasibility study for Wilson's Cut Channel boating access.
5. Discuss and consider approval of tax resale of 166.28 acres of land, more or less, out of the North 381.49 acres of Lot 1, Block 2 of the East part of the Mary J. Luby Subdivision of the Petronila Ranch; a/k/a San Petronila Estates Units 1 and 2, an unrecorded subdivision, related to Suit No. 09-4313-B, Nueces County vs. Hector Gonzalez, et al.
6. Discuss and consider approval of the 2011 Certification of Tax Levy for Nueces County, Nueces County Farm-to-Market, and Nueces County Hospital District as submitted by the Nueces County Tax Assessor-Collector pursuant to Section 26.09(e) of the Texas Property Tax Code.
7. Discuss and consider approval of the 2012 Nueces County Holiday Calendar.
8. Discuss and consider approval of the proposed Commissioners Court meeting schedule for calendar year 2012.

B. GRANTS

1. Discuss and consider adoption of a resolution authorizing the submittal of a grant application for FY2012 Formula Grant Program of the Texas Indigent Defense Commission Grant Program.

C. PURCHASING

1. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Law Enforcement Uniforms; and authorize the Purchasing Agent to publish a notice.
2. Discuss and consider making a finding for the method of procurement (request for proposals) to enhance, further develop, and create a master plan for a County owned Recreational Vehicle Park and Campground on 38 acres of land, more or less, in Port Aransas, Texas (I.B. Magee RV Park); authorize the Purchasing Agent to publish a notice;

and adopt an order delegating evaluation authority to a selection committee.

3. Authorize Buyboard Contract No. 358-10 purchases from Caldwell Country:
 - i. Seven (7) 2012 Chevrolet Impalas for various departments in the amount of \$149,122. These vehicles will replace the following county vehicles to keep the fleet size consistent: Sheriff's Office- County Nos. 58351, 45869, 60225; Constable Pct. 1 - County No. 57913; Constable Pct. 2 - County No. 50231; Constable Pct. 4 - County No. 57916; Constable Pct. 5 - 57921.
 - ii. One (1) 2012 Chevrolet Tahoe for Constable Pct. 3 in the amount of \$25,480. The County's General Fund fleet budget will pay for \$21,246 (equivalent to an Impala) and the department will pay \$4,234 from their Drug Forfeiture Funds. This vehicle will replace County No. 61018 to keep the fleet size consistent.
 - iii. One (1) 2012 Chevrolet Silverado 1500 Truck for Building Maintenance in the amount of \$15,981.00. This vehicle will replace County No. 56175 to keep the fleet size consistent.
 - iv. One (1) 2012 Chevrolet 3500 Express Van for Senior Community Services in the amount of \$23,438.00. This vehicle will replace County No. 57933 to keep the fleet size consistent.
 - v. One (1) 2012 Chevrolet Silverado 2500 (Cab & Chassis) for Animal Control in the amount of \$19,188.00. This vehicle will replace County No. 57932 to keep the fleet size consistent.
4. Authorize BuyBoard Contract No. 358-10 purchases for a 2012 Dodge Ram 3500 (Dually) from Grapevine for Sheriff's Office in the amount of \$32,143.25. This vehicle will replace County No. 46051 to keep the fleet size consistent.
5. Discuss/Award IFB No. 2890-11 N.C. Juvenile Justice Center Chiller Replacement.

D. AUDITOR

1. Budget Change Order No. 26 for Fiscal Year 2010-2011.
Budget Change Order No. 01 for Fiscal Year 2011-2012.
2. Personnel actions of a budgeted nature:
 - a. Application Temporary List No. 303
 - b. Application Contract List No. 001
 - c. Frozen List No. 004
 - d. Unfreeze List No. 624
 - e. Personnel Changes reports dated October 7, 2011 and October 12, 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 paying claim of Fred Burkhardt for replacement of tractor tire in the amount of \$833.00.
- B. Authorize the County Engineer to send written notice to 3TI, Inc. of Nueces County's intention to terminate contract.
- C. Discuss and consider litigation in Cause No. 09-62322-4, Lorenzo Forge v. Nueces County et al, and related matters.
- D. Discuss and consider litigation in Cause No. 06-1351-H, Joe Guadalupe Ballesteros v. Nueces County and related matters.

Adjournment in Memory (upon request)