



**NUECES COUNTY, TEXAS
COMMISSIONERS COURT AGENDA**

2/9/12
OK

NOTICE OF PUBLIC MEETING

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NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK
Fees \$0.00

February 15, 2012

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. January 4, 2012.
 - 2. January 18, 2012.
- E. Adopt the following Resolution(s) and/or Order(s):
 - 1. Severe Weather Week - February 19 - 25, 2012.

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 February 7, 2012.
 - B. Authorize payment of bills - regular bill summaries dated January 27, 2012; January 31, 2012; February 3, 2012; and February 10, 2012.
 - C. Authorize payment of bills - group health insurance claims and fees on TPA Check Register dated January 16, 2012 to January 27, 2012.
 - D. Authorize payment of bills - special motions list dated February 15, 2012.
 - E. Approve the monthly revenue reports in accordance with LGC 114.044 dated November 2011.
 - F. Accept the following "Family Protection Fee" Report for FY2010/2011:
 1. Women's Shelter
 - G. Accept the following "Outside Agency" Reports for FY2010/2011:
 1. Al Amin Shriners
 2. The Ark - (Assessment Center & Emergency Shelter for Youth)
 3. CC Hispanic Chamber of Commerce
 4. CC Regional Economic Development Corporation
 5. Women's Shelter
 - H. Approve the following "Outside Agency" Contract:
 1. Palmer Drug Abuse Program
 - I. Application procedure for the following Nueces County Advisory Boards:
 1. Nueces County MHMR Community Center Board.
 2. South Texas Water Authority.
 - J. Authorize Sole Source purchase for the annual hardware, software and support Maintenance Renewal for the period October 1, 2011 to September 30, 2012 with CBM Archives.
 - K. Authorize/Execute a one-year extension with Amendment No.1 for IFB No. 2879-11 Pre-coated Aggregate Type PB Grade 3 with Martin Marietta Materials.
 - L. Accept termination notice by Aransas County of the interlocal agreement for performance of postmortem examinations by the Nueces County Medical Examiner, effective April 29, 2012.

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. Presentation of Certificates of Appreciation related to participants of recent Marine Homecomings.
2. Receive a presentation on activities for FY10/11 for Coastal Bend Alcohol & Drug Rehabilitation Center (Charlie's Place) from Amy Rhoads Granberry, BS, PHR, Director of Organizational Development.
3. Discuss and consider Judge Brent Chesney's request for creation of a part-time Associate Judge position for County Court at Law No. 5; Consider adoption of a Commissioner Court order related to this position.
4. Discuss letter dated February 7, 2012, from the Department of Justice, Civil Rights Division, delivered to Messrs. Nixon, Oldham, and Trainor, and other matters related to redistricting of Commissioners Precincts and the preclearance process.
5. Discuss and consider accepting \$100,000 from the 214th District Court; Authorize allocation of \$25,000 of these funds to the Drug Divert Court Program and the remaining \$75,000 to support the Courts on the 4th, 5th, 7th, 8th, and 9th floors.
6. Discuss and consider execution of inter-local agreement with the City of Port Aransas to provide lifeguard services at I. B. Magee Park, a linear section of beach approximately 1 mile long extending from the South Jetty in Port Aransas southward to Lantana Street for the spring and summer seasons of 2012.
7. Discuss and consider the purchase of equipment and services from Calance Insight Networking Solutions to modernize the network infrastructure within the courthouse and jail through the DIR purchasing program.
8. Discuss and consider accepting a Vehicle Policy, Hazard Communication Plan and Emergency Procedures Manual as presented by the Nueces County Risk Manager.
9. Discuss and consider Tax Deed and highest minimum opening bid to date of 15 acres more or less, situated in Tract 3, Map "D", G. H. Paul Subdivision (aka Rogers Delinted Cottonseed Tract), in the amount of \$30,000.
10. Discuss and consider execution of Contract Amendment No. 1 to the lease agreement between Nueces County and the Texas Boll Weevil Eradication Foundation, Inc., for additional parking area located at the old Nueces County Showbarn Tract, Robstown; Approve request for a one-year extension of the lease from June 1, 2012, to May 31, 2013.

B. GRANTS

1. Ratify the submission of a grant application to the National Center for Family Literacy for the 2012 Better World Books/NCFL Libraries and Families award.

2. Discuss and consider execution of a resolution authorizing the submission of a grant application to the Governor's Criminal Justice Division for funding for the Nueces County Drug/DWI Court.
3. Receive presentation and take any necessary action regarding the Texas Safe Shelter Initiative Program, grant application, and related matters.

C. PUBLIC WORKS

1. Discuss and consider the approval of Change Order No. 1 to the RELMCO, Inc. Drainage Improvements on County Road 69 project.
2. Discuss and consider authorizing the County Judge to sign the Certificate of Completion for various Utility Cost Reduction Measures (UCRMs) as follows:
UCRM #2 : Energy Efficient Lighting,
UCRM #6 : Water Conservation Measures, and
UCRM #7 : Solar Water Heater and Photo Voltaic Arrays.
3. Discuss and consider the approval of a Certificate of Substantial Completion for the Multi-Purpose Training Area-5th Floor Renovation project completed by Largin Construction Services, LLC.
4. Discuss and consider ratification of approval of Change Order No. One (1) and approval of Change Order No. Two (2) to agreement with Johnson Controls, Inc., for work on the SECO, Energy Efficiency Projects.

D. PURCHASING

1. Authorize DIR Contract purchase for audio/video streaming and broadcasting hardware, Codec PC, licenses, setup and maintenance from Swagit.
2. Accept a donation of a 2004 Lincoln Navigator from the Texas Department of Public Safety for the District Attorney's Office.
3. Discuss/Award IFB No. 2900-12 Renewable Energy Project for Central Garage.
4. Discuss/Award IFB No. 2901-12 Pre-Coated Aggregate Type PB Grade 4.
5. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Uniform Rentals, Floor Mats, Shop Towels, Linens, and Scrubs; and Authorize the Purchasing Agent to publish a notice.
6. Discuss and consider making a finding for the method of procurement (request for competitive bids) for Flexible Base Type A Grade 1; and Authorize the Purchasing Agent to publish a notice.

E. AUDITOR

1. Budget Change Order No. 08 for Fiscal year 2012.
2. Personnel actions of a budgeted nature

- a. Application Temporary List No. 309
 - b. Frozen List No. 011
 - c. Unfreeze List No. 632
 - d. Personnel Changes January 27, 1012 and February 3, 2012.
3. Accept and approve the Nueces County Quarterly Investment Report for the quarter ended December 31, 2011; Amend the Nueces County Investment Policy Section 3.020304 to allow for the purchase of brokered CDs.
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 Trey Jones dated December 27, 2011, and related matters.
 - B. Discuss and consider request from surety, A.L. Hernden to release deed of trust lien on real property located in Bexar County, Texas.
 - C. Discuss and consider claim of Robert Greenwood dated January 17, 2012, and related matters.
 - D. Discuss and consider Civil Action No. 2:12-CV-24, Josie Salazar et al. v. Nueces County, Texas, et al., including the hiring of outside counsel to represent Sheriff Jim Kaelin in his individual capacity, and related matters.
 - E. Discuss and consider Civil Action No. 2:08-CV-288, Campos et al. v Nueces County, Texas, et al., and related matters.
 - F. Discuss and consider Civil Action No. 2:11-CV-45; Maria Angela Vasquez v. Nueces County, Texas, et al. and related matters.
 - G. Discuss and consider Cause No. 09-05990-C; San Patricio County, Texas vs. Nueces County, Texas and related matters.
 - H. Discuss and consider status of litigation against MERS and MERS-related entities, and related matters.
 - I. Attorney consultation regarding Nueces County 2009 Hurricane Ike Disaster Grant Final Invoice Submittal, Change Order No. 2 and related matters; Take any action as needed in

Open Session.

6. **BOARD APPOINTMENTS:**

A. Nueces County Board of Park Commissioners.

Adjournment in Memory (upon request)