



NUECES COUNTY, TEXAS COMMISSIONERS COURT AGENDA

NOTICE OF PUBLIC MEETING

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Doc# 2012880268
Pages 6
05/04/2012 2:32PM
Official Records of
NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK
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May 9, 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. April 11, 2012.
 - 2. April 25, 2012.
- E. Adopt the following Resolution(s) and/or Order(s):
 - 1. Declaring May 6, through May 12, 2012, as National Children's Mental Health Awareness Week in Nueces County.
 - 2. Declaring May 2012 as National Military Appreciation Month in Nueces County.

3. Declaring May 10, 2012, as "Law Day" in Nueces County.
4. Recognizing LyondellBasell for their contribution of 48 acres to Nueces County for the creation of LyondellBasell Nueces County Sports Complex.
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 April 30, 2012.
 - B. Authorize payment of bills - regular bill summaries dated April 13, 2012; April 27, 2012; and May 4, 2012.
 - C. Authorize payment of bills - group health insurance claims and fees TPA check register April 10, 2012 to April 20, 2012.
 - D. Authorize payment of bills - special motions list dated May 9, 2012.
 - E. Approve the monthly revenue reports in accordance with LGC 114.044 - February 2012.
 - F. Appoint Judge Loyd Neal as Nueces County's representative to the Coastal Bend Housing Finance Corporation.
 - G. Authorize/Execute a contract with Martin Marietta Materials for IFB No. 2905-12 Flexible Base (Type A, Grade 1).
 - H. Authorize/Execute an addendum to Product Schedule No. 54 and Revised Addendum number fifty-four (54) Master Service Agreement with Ikon Office Solutions, Inc.
 - I. Authorize/Execute Amendment No. 1 to agreement between Nueces County and Ergon Asphalt & Emulsions, Inc. extending the term 12 months for IFB No. 2888-11 HFRS-2 Emulsified Asphalt.
 - J. Application procedure for the following Nueces County Advisory Board:
 1. Nueces County Emergency Services District No. 2.
 2. Citizens' Advisory Board on Health & Welfare.
 - K. Approve diabetes awareness contracts with the following agencies for the purpose of promoting diabetes prevention and awareness that will benefit Nueces County residents.
 1. Banquete ISD - \$1,000
 2. Texas A&M Antonio E. Garcia Arts Center - \$1,200

3. Catholic Charities of Corpus Christi, Inc. - \$1,000
4. Food Bank of Corpus Christi - \$1,000
5. MANA (Mexican American National Association) of Corpus Christi - \$700
6. Hispanic Women's Network of Texas-Corpus Christi Chapter - \$1,000
7. National Association for the Advancement of Colored People - \$500
8. Texas A&M National Youth Wellness Program -\$3,800 (Pct 2 & Pct 3)

4. **REGULAR AGENDA:**

A. AGENDA ITEMS

1. Receive an update from the ADA Coordinator on the recent U.S. Department of Justice site visits to Nueces County facilities related to "Project Civic Access."
2. Receive presentation of a check from Michael Potter, Horticulture Agent, Texas Agrilife Extension Service, representing the number of volunteer hours given to the community by the Master Gardener and Master Naturalist Volunteers.
3. Receive a presentation from Girl Scout Cadette Troop 9665 on their Silver Award Project related to improvements to Packery Channel Park.
4. Discuss and consider authorizing a one-year extension to RFP No. 2844-10, Property and Casualty Insurance, with Borden Insurance, Swantner and Gordon Insurance, and Texas Association of Counties.
5. Discuss and consider execution of agreement with Aransas County, related to the performance of Postmortem examinations by the Nueces County Medical Examiner.
6. Discuss and consider execution of Notification of Additional Funding (Street Improvement Fund), as presented by the Regional Transportation Authority.
7. Discuss and consider adopting an Order prohibiting outdoor burning in the unincorporated areas of Nueces County, pursuant to Section 352.081 of the Texas Local Government Code.

B. GRANTS

1. Discuss and consider ratification of Amendment No. 4 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 ratification of a grant application to the Texas Ranger Division – Texas Department of Public Safety for the FY2012 Local Border Security Program.
3. Discuss and consider the adoption of a resolution agreeing to the program requirements for the FY2012 Local Border Security Program.

C. PUBLIC WORKS

1. Discuss and consider the approval of Change Order No. 3 for the reconstruction of County Road 52, from County Road 69 to U.S. Highway 77.

D. PURCHASING

1. Authorize Buyboard Contract No. 358-10 purchase of a 2012 Chevrolet Tahoe SSV 4X4 from Caldwell Country for the Public Works Department.
2. Authorize a Buyboard Contract No 358-10 purchase of a Crew Cab Truck from Grande Truck Center for the Public Works Department.
3. Discuss/Award IFB 2906-12, rental of uniforms, floor mats, shop towels, linens and scrubs.

E. AUDITOR

1. Budget Change Order No. 14 for Fiscal Year 2011-2012.
2. Personnel actions of a budgeted nature:
 - a. Application Temporary List No. 314.
 - b. Frozen List No. 017.
 - c. Unfreeze List No. 638.
 - d. Personnel changes reports dated April 20, 2012 and April 27, 2012.
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 Cause No. 09-05990-C; San Patricio County, Texas v. Nueces County, Texas, and related matters.
 - B. Discuss and consider Civil Action No. 2:11-CV-81, Jorge Alberto Martinez v. Nueces County, Texas, and Officer Robert Flores, in the United States District Court for the Southern District of Texas, Corpus Christi Division; and related matters.
 - C. Discuss and consider Case No. 11-40523, Stephanie Weldy v Nueces County, Texas, Donald Hatch, Individually, and Steve Walker, Individually, in the United States Court of Appeals for the Fifth Circuit; on appeal from Civil Action No. 2:09-CV-239, in the United States District Court for the Southern District of Texas, Corpus Christi Division; and related matters.

- D. Discuss and consider Civil Action No. 2:12-CV-131, Nueces County, Texas v. MERSCORP Holdings, Inc., et al in the United States District Court for the Southern District of Texas, Corpus Christi Division; and related matters.

6. **BOARD APPOINTMENTS:**

Adjournment in Memory (upon request)