

REGULAR MEETING – February 26, 2003

BE IT REMEMBERED, that on this the 26th day of February, A.D., 2003, there was begun and held a REGULAR MEETING of the Honorable Commissioners Court of Nueces County, Texas, wherein the following members thereof were present, to-wit:

**TERRY SHAMSIE
FRANK SCHWING
BETTY JEAN LONGORIA
OSCAR ORTIZ
H.C. "CHUCK" CAZALAS**

**COUNTY JUDGE
COMMISSIONER, PRECINCT NO. 1
COMMISSIONER, PRECINCT NO. 2
COMMISSIONER, PRECINCT NO. 3
COMMISSIONER, PRECINCT NO. 4**

and ERNEST M. BRIONES, COUNTY CLERK & EX-OFFICIO CLERK OF THE COMMISSIONERS COURT of Nueces County, Texas, wherein the following proceedings were had, to-wit:

Regular Commissioners Court meeting was called to order at 9:20 a.m.

Pastor Buddy Murphrey, Southcrest Baptist Church gave the invocation.

Agenda Item #1

PUBLIC COMMENTS

None

Agenda Item #2

GENERAL INFORMATION REPORTS

- Commissioner Cazalas reported that the personnel policies related to workers compensation are to be revised and updated. Policy changes will be completed and distributed within the next 90 days. The meeting to appraise department heads, elected officials and supervisors of the importance provision of a safe work environment and supervision of employees was well attended.
- Commissioner Longoria thanked the department heads and elected officials that were in attendance at the workers compensation meeting. She urged that the invitation to attend future meetings be extended to all County departments and elected officials.

- Judge Terry Shamsie recognized Commissioner Cazalas, who along with Congressman Ortiz and Judge Vargas received awards for their contributions to the community. Judge Shamsie also provided an update on the jail situation - as of February 25, 2003; the jail population was at 84%, with only one prisoner left at Brooks County. Judge Shamsie complimented the efforts and hard work of the Sheriff's Department, District Court, Risk Management and the District Attorney's Office.
- Judge Terry Shamsie presented a 25-year appreciation certificate to Sandra Glenn who is retiring from the Office of the Tax Assessor Collector after 25 years of service to Nueces County.

Agenda Item #3

CONSENT AGENDA

- On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court approved Consent Agenda Item #3, a., as noted below.
- On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court approved Consent Agenda Item #3, b., including the Special Motions list dated February 26, 2003, as noted below.

Consent Agenda

- a. Approve the minutes of the February 20, 2003, Commissioners Court meeting.
- b. Authorize payment of bills and claims certified by the County Auditor, including regular bill summaries dated February 19 and February 24, 2003; approve Special Motions list dated February 26, 2003.

Agenda Item #4

Commissioners Court received a briefing from the Nueces County Hospital District in the areas noted below:

- a. Prescription Drug Services
- b. Rural Clinics, Molina
- c. Nursing qualifications at Christus-Spohn Memorial
- d. Jail Infirmary Services
 - a. Staffing
 - b. Psychiatric Care
- e. Investment Alternatives
- f. Refunding of Bonds

Court recessed at 10:47 a.m.

Court reconvened at 11:00 a.m.

Agenda Item #4

Commissioners Court continued to receive a briefing by the Hospital District.

Agenda Item #5

On motion of Commissioner Ortiz, seconded by Commissioner Cazalas, the Court approved an order authorizing the issuance and sale of Nueces County Hospital District Limited Tax Refunding Bonds, Series 2003 and authorized the redemption prior to maturity of certain outstanding obligations and authorized the execution and delivery of an escrow agreement and subscription for and purchase of certain federal securities. Document No. 20030026 and Document No. 20030027

Agenda Item #21

- On motion of Commissioner Ortiz, seconded by Commissioner Schwing, the Court voted to table a decision on setting minimum fund balance requirements for the 2002-2003 Budget. Judge Shamsie voted "yes," Commissioner Schwing voted "yes," Commissioner Longoria voted "no," Commissioner Ortiz voted "yes," and Commissioner Cazalas voted "no." Motion passed to table minimum fund balance requirements.
 - On motion of Commissioner Schwing, seconded by Commissioner Ortiz, the Court approved adjustments to the 2002-2003 Budget, including a limited reduction in force. Attached is list of positions.
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Commissioners Court recessed at 12:15 p.m.

Commissioners Court reconvened at 1:52 p.m.

Agenda Item #7

Commissioners Court received a presentation from Angel Escobar, City Engineer, City of Corpus Christi related to Storm Water Drainage.

Agenda Item #6

- On motion of Commissioner Ortiz, seconded by Commissioner Cazalas, the Court tabled the adoption of a resolution related to the 78th Legislative Session of the State of Texas, which would provide the Hospital District statutory authority to provide undocumented immigrants eligibility into the District's indigent health care program.

- On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court tabled the adoption of a resolution related to the 78th legislative session of the State of Texas, which would provide the Hospital District statutory authority to require an applicant or eligible resident to register for work with the Texas Workforce Commission.
 - On motion of Commissioner Ortiz, seconded by Commissioner Longoria, the Court approved the adoption of a resolution related to the 78th legislative session of the State of Texas, which would provide the Hospital District statutory authority for subrogation rights from indigent care program participants.
 - On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court approved the adoption of a resolution related to the 78th legislative session of the State of Texas, which would provide the Hospital District statutory authority to seek reimbursement from a recipient for those services an/or prescriptions rendered to which they were not entitled.
 - On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court approved the adoption of a resolution related to the 78th legislative session of the State of Texas, which would provide the Hospital District statutory authority to receive and collect information, and compile a report, information, or a record concerning the quality and appropriateness of medical and health care services and provide that information to Spohn confidentially.
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Agenda Item #8

On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court approved the selection of RVE as the engineering firm for services related to the Coastal Management Program (CMP) Cycle 7 for Port Aransas Park Enhancements. Document No. 20030005

Agenda Item #9

On motion of Commissioner Ortiz, seconded by Commissioner Longoria, the Court approved the execution of contract with the Texas Parks and Wildlife Department related to continued development of the current and unused 70 acres of the Nueces County New North Robstown County Park. Document No. 20030006

Agenda Item #10

On motion of Commissioner Schwing, seconded by Commissioner Longoria, the Court approved the advertisement/purchase of five (5) educational kiosks to be located at Hazel Bazemore Park, with full reimbursement by the Coastal Bend Bays and Estuaries Program, in the amount of \$16,500.00.

Agenda Item #11 No action - Discuss and consider revisions to personnel rules related to prescreening, certification process, and compensatory time policy and related matters.

Agenda Item #12 On motion of Commissioner Ortiz, seconded by Commissioner Longoria, the Court approved the amendments to the Cafeteria Plan and three (3) resolutions adopting Items a., b., and c., below:

- a. Establishing the plan year;
- b. To conform with Treasury Department regulations clarifying circumstances under which the plan may permit cafeteria plan participants to make election changes;
- c. To conform to Treasury Department FMLA regulations.

Agenda Item #13 On motion of Commissioner Ortiz, seconded by Commissioner Longoria, the Court approved the renewal of fiscal services contract with the Corpus Christi Metropolitan Planning Organization.
Document No. 20030007

Agenda Item #14 On motion of Commissioner Longoria, seconded by Commissioner Ortiz, the Court tabled Agenda Item #14 - Discuss and consider determination of "smoking areas" on the Nueces County Courthouse grounds.

Agenda Item #15 On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court approved a Dune Protection Permit for the construction at Sunrise Subdivision Lot 2, Block 1, Mustang Island, Nueces County, Texas.

Agenda Item #16 On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court tabled Agenda Item #16 - Discuss and consider 6-month extension to contracts related to the Texas Beach Watch Program.

Agenda Item #17 Commissioners Court received a presentation from the Match and Patch Program.

Agenda Item #18, a., i On motion of Commissioner Longoria, seconded by Commissioner Ortiz, the Court awarded IFB No. 2437-03 Fine Paper (Copy, Computer, Envelopes) for a total of \$85,743.92 for a six-month contract, as follows:

- Unisource – Items 2.3, 2.4, 2.5, 2.9, 2.10, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, and 6.1 for a total of \$27,650.75.
- Pollock Papers: Items 1.1, 1.3, 2.1, 2.2, 2.6, 2.7, and 2.8 for a total of \$26,813.50.
- Xpedex: Items 5.6, 5.7, 5.8 for a total of \$412.27.
- Western Paper: Items 6.2, 6.3, 6.4, 1.7, 1.8 for a total of \$3,789.40.
- A & W Office: Items 1.2, 1.4, 1.5, 1.6, 1.7, 1.8 for a total of \$13,563.00.
- Mead Westvaco: Items 4.1, and 4.2 for a total of \$13, 515.00.

Agenda Item #18, a., ii On motion of Commissioner Longoria, seconded by Commissioner Ortiz, the Court awarded IFB No. 2438-03 Drug Testing (Juvenile Department) to Accu-Chem Laboratories.

Agenda Item #18, b., ii On motion of Commissioner Ortiz, seconded by Commissioner Schwing, the Court authorized the advertisement for Motor Oil for a 2-year contract.

Agenda Item #19 None - Budget transfers as recommended by the County Auditor.

Agenda Item #20, a On motion of Commissioner Ortiz, seconded by Commissioner Longoria, the Court approved Unfreeze List No. 375 with two amendments – the addition of (1) Accounting Supervisor in County Auditor’s Department and (1) Civil Attorney in the County Attorney’s Office.

Agenda Item #20, b On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court approved the Personnel Changes Report through February 19, 2003.

Agenda Item #22 **EXECUTIVE SESSION**

None

Agenda Item #23 Board appointments – none.

Adjournment

On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court adjourned at 3:52 p.m.

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There being no further business to come before the Court, it is ordered that this meeting do now stand adjourned, this the 26th day of February, 2003.

TERRY SHAMSIE, COUNTY JUDGE
NUECES COUNTY, TEXAS

ATTEST:
ERNEST M. BRIONES, COUNTY CLERK
AND EX-OFFICIO CLERK OF THE
COMMISSIONERS COURT OF
NUECES COUNTY, TEXAS

By: _____
Maria G. Biddle, Chief Deputy County Clerk