

REGULAR MEETING – March 12, 2003

BE IT REMEMBERED, that on this the 12th day of March, 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 10:15 a.m. All members of the Commissioners Court were present.

Pastor Kelvin Washington, St. Matthew Baptist Church gave the invocation.

Agenda Item #1

PUBLIC COMMENTS

Vanessa Spittler & Mrs. Ballard
Maurice G. Portis
Mike Chavez
Abel Alonzo

Agenda Item #2

GENERAL INFORMATION REPORTS

- Commissioner Cazalas requested that Servando Caballero report on the status of the Nueces County Safety Plan. Mr. Caballero provided information relative to status of claims comparison from 2003 to 2002 same period - claims are down. Safety initiative will continue – signage at all Nueces County worksites will be set up in order that the public can be aware of progress/improvement of Safety Program. Commissioner Cazalas presented James Kelly and Miracle McGill in attendance to observe the Commissioners Court meeting.

- Judge Shamsie provided an update on the following items: budget reductions including cuts in security personnel at the Port of Corpus Christi; capital improvements and energy study, buyout area consideration by FEMA of Ballard property, obtaining grants for the District Attorney by the Grants Department, provision of prescription medication and delivery for the rural areas by Spohn Hospital, provision of medical needs at the jail by Spohn Hospital, provision of jury fees alternative payment method, status of jail situation at Brooks County, and status of direct deposit.

Agenda Item #3

CONSENT AGENDA

On motion of Commissioner Schwing, seconded by Commissioner Ortiz, the Court approved Consent Agenda items a., and b., including Special Motions list dated March 12, 2003 and Items c., d., e., and f.

Consent Agenda

- a. Approve the minutes of the February 26, 2003, Commissioners Court meeting.
- b. Authorize payment of bills and claims certified by the County Auditor, including regular bill summaries dated February 26, February 27 and March 3, 5, &10, 2003, and manual checks dated February 21, February 28, and March 7, 2003; approve Special Motions list dated March 12, 2003.
- c. Adopt revised resolution for Victim Advocacy Outreach Program in the Office of the District Attorney for additional State funding.
- d. Adopt revised resolution and authorize County Judge to sign revised grant application for the Juvenile Justice Alternatives Program.
- e. Accept donation of children's books to the Nueces County Public Library System.
- f. Approve the following Tax Deeds:
 - i. Lot 6, Block 2, Blue Water Subdivision in the amount of \$7,000.00.
 - ii. East 100 feet of Lots 1 &2, Block 4, Gateway Park in the amount of \$4,500.00.
 - iii. Lots 19 & 20, Block 5, Gateway Park in the amount of \$10,000.00.
 - iv. Lot 11, Block 15, Flour Bluff Park in the amount of \$5,000.00.
 - v. Lot 17, Block 2, Naval Center Addition in the amount of \$1,475.00.
 - vi. Lot 22, Block 10, Highway Village #2 in the amount of \$12,000.00.
 - vii. Lot 4, Block "J"(a), Don Patricio Subdivision in the amount of \$1,600.00.
 - viii. Lot 4, Block "J"(b), Don Patricio Subdivision in the amount of \$1,600.00.
 - ix. Lot 4, Block "J"(c), Don Patricio Subdivision in the amount of \$1,600.00.

- x. Lot 2-B, Block 1, Flour Bluff Estates No. 2 in the amount of \$1,500.00.
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Agenda Item #4 On motion of Commissioner Schwing, seconded by Commissioner Ortiz, the Court tabled the annual report from the Nueces County Historical Commission.

Agenda Item #5 On motion of Commissioner Longoria, seconded by Commissioner Schwing, the Court approved the adoption of a resolution related to proposed legislation for an optional municipal fee for child safety.

Agenda Item #6 Commissioners Court tabled, on February 26, 2003, Resolutions 1 and 2, related to the 78th Legislative Session of the State of Texas, as recommended by the Nueces county Hospital District.

Agenda Item #7 On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court approved the execution of a contract with RVE, Inc., to prepare plans and specifications related to the Coastal Management Program (CMP) Cycle 7 for Port Aransas Park Enhancements.

Agenda Item #8 On motion of Commissioner Cazalas seconded by Commissioner Longoria, the Court approved the execution of Amendment No. 1 with the Texas General Land Office for extension of the Coastal Management Program Cycle 6 Contract (Padre Balli Park Interpretive Area) through June 30, 2003. Document No. 20030028

Agenda Item #9 On motion of Commissioner Schwing, seconded by Commissioner Longoria, the Court approved the execution of an Interlocal Agreement with the Regional Transportation Authority (RTA) related to street improvement funds for 2003. Document No. 20030029

Agenda Item #10 On motion of Commissioner Schwing, seconded by Commissioner Cazalas, the Court tabled the discussion and consideration of revision of all job descriptions for positions appointed by the Nueces County Commissioners Court or other Boards and Commissions.

Agenda Item #11 On motion of Commissioner Longoria, seconded by Commissioner Ortiz, the Court tabled discussion and consideration of execution of an agreement

with Third Coast for concrete work in Agua Dulce Park, pursuant to December 18, 2002, Commissioners Court award.

Agenda Item #12

On motion of Commissioner Longoria, seconded by Commissioner Ortiz, the Court approved naming the park in Agua Dulce as the "Bobby Ray and Opal A. Younts Park."

Agenda Item #13

On motion of Commissioner Cazalas, seconded by commissioner Longoria, the Court approved the adoption of a revised Policy Guideline and Procedure for the development of the Commissioners Court Agenda.

Agenda Item #14

On motion of Commissioner Ortiz, seconded by Commissioner Longoria, the Court approved a plat of Tracts 1 & 2 of the Schubert Estates, in western Nueces County.

Agenda Item #15

On motion of Commissioner Cazalas, seconded by Commissioner Ortiz, the Court tabled the adoption of a resolution and order establishing a policy for the installation and maintenance of private access driveways on roads maintained by Nueces County.

Agenda Item #16

On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court approved the appointment of Commissioner Ortiz, Steve Waterman, Servando Caballero, Risk Manager, Elsa Saenz, Human Resources Director, and Peggy Hayes, Internal Audit Director to the Nueces County Employee Benefit Committee.

Agenda Item #17

On motion of Commissioner Schwing, seconded by Commissioner Cazalas, the Court approved purchasing 40 reconditioned radios for general operations use in the Nueces County Jail.

Agenda Item #18

Commissioners Court tabled, on February 26, 2003, the discussion and consideration of revisions to the personnel rules related to prescreening, certification process, and compensatory time policy.

Agenda Item #19

On motion of Commissioner Cazalas, seconded by Commissioner Ortiz, the Court approved determination of "smoking areas" on the Nueces County Courthouse grounds.

Agenda Item #20

On motion of Commissioner Schwing, seconded by Commissioner Ortiz, the Court tabled the adoption of a resolution in support of legislation removing residential requirements for port commissioners and providing for the election of port commissioners for the Port of Corpus Christi Authority of Nueces County, Texas. Judge Shamsie voted "no" and Commissioner Longoria voted "no." Commissioner Schwing voted "yes," Commissioner Ortiz voted "yes," and Commissioner Cazalas voted "yes."

Commissioner Court recessed at 1:06 p.m.

Commissioners Court reconvened at 2:23 p.m.

Agenda Item #21

On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court authorized advertisement for the following services:

- i. Padre Balli Park Renovations
 - ii. Northwest Robstown Park – Athletic Field Lighting
 - iii. Bank Depository
 - iv. County Property and Liability Insurance
 - v. Janitorial Services Contract
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Agenda Item #22, a

On motion of Commissioner Ortiz, seconded by Commissioner Schwing, the Court approved Final Budget Change Order for FY 01-02.

Agenda Item #22, b

On motion of Commissioner Schwing, seconded by Commissioner Cazalas, the Court approved FY 02-03 Budget Change Order No. 9 and Change Order No.10 with salary reduction affidavits from Judge Shamsie and Commissioner Cazalas.

Agenda Item #22, c

On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court approved RTA Budget Change Order No. 2.

Agenda Item #22, d

On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court tabled Capital Projects Budget Change Order No. 1.

Agenda Item #23, a On motion of Commissioner Longoria, seconded by Commissioner Schwing, the Court approved Unfreeze List No. 376 with addition of staff position for Constable 1.

Agenda Item #23, b On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court approved Personnel Changes Report through February 26, and March 3, 2003.

Agenda Item #24 **EXECUTIVE SESSION**

On motion of Commissioner Ortiz, seconded by Commissioner Cazalas, the Court voted to enter into Executive Session at 2:34 p.m. in accordance with authority under the Government Code, Vernon's Texas Codes, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.076, and 551.086 to discuss 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 Executive Session.

- a. Nueces County vs. Qualitech Steel Iron Carbide Corporation and Qualitech Steel SBQ, LLC, et. al.
 - b. Maria G. Sanchez-Ortiz vs Nueces County, et. al.
 - c. Causes related to Jack D. Hale, Jason Martinez, Armando Sevilla, James Vannoy, Derick D. Smith.
 - d. J. P. Precinct 2, Place 1, lease and construction.
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Commissioners Court reconvened at 4:05 p.m.

Agenda Item #24, c On motion of Commissioner Longoria, seconded by Commissioner Cazalas, the Court approved an agreement in the amount of \$1,675.50 to settle all claims pursuant to a mandate for court costs under causes related to Jack D. Hale, Jason Martinez, Armando Sevilla, James Vannoy, and Derick D. Smith.

Agenda Item #25 - On motion of Commissioner Ortiz, seconded by Commissioner Longoria, the Court approved the reappointment of Jack Rose and Alice J. Black to the South Texas Water Authority.

- On motion of Commissioner Cazalas, seconded by Commissioner _____, the Court approved the appointment of Debbie Nichols to the Coastal Bend Council of Governments.

- On motion of Commissioner Cazalas, seconded by Commissioner Longoria, the Court tabled the board appointments to the Rural Fire Prevention Districts, 1, 3, and 4.

Adjournment

On motion of Commissioner Longoria, seconded by Commissioner Ortiz, the Court adjourned in Memory of Omar Campos Vela. Court adjourned at 4:07 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 12th day of March, 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