



WEBB COUNTY, TEXAS

COMMISSIONERS COURT AGENDA AS AMENDED

LOUIS H. BRUNI
Webb County Judge
(956) 523-4600

JERRY VASQUEZ
Commissioner, Precinct 1
(956) 523-4617

JUDITH G. GUTIERREZ
Commissioner, Precinct 2
(956) 523-4624

FELIX VELASQUEZ
Commissioner, Precinct 3
(956) 523-4625

DAVID R. CORTEZ
Commissioner, Precinct 4
(956) 523-4653

MARGIE IBARRA
Webb County Clerk
(956) 523-4251

HOMERO RAMIREZ
Webb County Attorney
(956) 523-4044

LEO FLORES
Webb County Auditor
(956) 523-4016

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
TUESDAY OCTOBER 12, 2004 AND CONTINUING TO
OCTOBER 13, 2004
1:00 p.m.

- 1. CALL TO ORDER BY THE HONORABLE COUNTY JUDGE, LOUIS H. BRUNI**
- 2. ROLL CALL BY THE HONORABLE COUNTY CLERK, MARGIE IBARRA**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES FOR SEPTEMBER 13, 2004**
- 5. APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS**
- 6. COMMUNICATIONS**
- 7. PUBLIC COMMENT-** This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

LOUIS H. BRUNI, WEBB COUNTY JUDGE

8. Presentation on services provided by “Laredo Veterans Center”. [Co-Sponsored by Commissioner David R. Cortez]
9. Discussion and possible action to reinstate the Webb County Veteran’s Service Office by transferring and reclassifying available position as veterans service officer. The Court may select any existing employee position for this purpose.
10. Discussion and possible action to direct the Webb County Purchasing Agent to solicit requests for qualifications for a Webb County Veterans Service Officer.
11. Status report on the drilling of the Webb County water well # 1 into the Carrizo-Wilcox aquifer.
12. Discussion and possible action to approve a Proclamation declaring November as “Official Home Care and Hospice Month”.
13. Status report on the Youth Village Project.
14. Discussion and Possible Action Authorizing the increase of the Budget for the Jail Renovations & Repairs from \$298,840.00 to \$398,840.00, including approval of line item transfers using Certificate of Obligation Series 2003;

From: Rain Enhancement Program ----- \$100,000.00
To: Right-of-Way Acquisition for Colonias for Roads &
Drainage Studies and Other County Improvements -- \$100,000.00

JERRY VASQUEZ, COMMISSIONER PRECINCT 1

15. Discussion and possible action to approve line item transfers from Park Development Precinct 1 bond proceeds Series 2001 and 2002 to Justice of the Peace Courthouse Precinct 2, Places 1 and 2 bond proceeds Series 2001- and 2002, as follows:

From: 678-8103-8710-1 \$314,000.00 (**Park Development, Series 2001**)

To: 679-8105-8103 \$314,000.00 (**Construction in Progress, Series 2001**)

From: 695-6004-8710-1 \$248,000.00 (**Park Development, Series 2002**)

To: 689-1046-8601 \$248,000.00 (**Justice of the Peace CIP, Series 2002**)

JUDITH G. GUTIERREZ, COMMISSIONER PRECINCT 2

16. Discussion and possible action to authorize the County Purchasing Agent to transfer security services for the new Self-Help Center building and upgrading the security system to include six security cameras and monitoring equipment. Authorization to enter into required agreements for the security system upgrades. The cost for the relocation of services and installation of new security equipment is six thousand sixty dollars. Action to approve the transfer of funds from Park Development Series 2002 to Capital Outlay series 2002.

17. Discussion and possible action to approve a Proclamation "The Sisters of Mercy 11th Anniversary Celebration of their arrival to Laredo, Texas".

FELIX VELASQUEZ, COMMISSIONER PRECINCT 3

18. Discussion and possible action to reserve the date(s) in October or November 2004 for the annual evaluations for the department heads and other employees (directors, superintendent of road and bridge, and commissioner court's administrator) who are under the supervision of the commissioner's court.

DAVID R. CORTEZ, COMMISSIONER PRECINCT 4

19. Discussion and possible action to approve the acceptance of the Las Penitas Community Park as recommended by the project architect, Mr. Jose Calzada, Arquitectura, S.A. and that all final bills and retainage be approved.
20. Video Presentation and Awards Presentation on Las Penitas Community Park. Presentation of Awards to Land Donors: Mr. Seymon Deutsch, Mr. Abe Wilson and recognition of Commissioner Miguel “Mike” Urdiales (Posthumous).
21. Proclamation commending Mr. Miguel Trevino, Jr. CEO, Gateway Community Health Center, Inc., as a recipient of the John Gilbert Award, the highest Community Healthcare Award of Excellence bestowed annually by the National Association of Community Health Centers.
22. Recognizing the efforts of Webb County Attorney Homero Ramirez as the recipient of the Operations Enduring LAMP Award from the State Bar of Texas.

MEDIA BREAK

COUNTY ATTORNEY

23. Discussion and possible action to enter into Third Party Funding Agreements as Follow:

General Fund:

Sacred Heart Children’s Home	\$11,250.00
Texas State Guard	\$2,250.00
TAMIU Dance Ensemble	\$1,130.00
Ruthe B. Cowl	\$67,500.00
Boys and Girls Club of Laredo	\$18,750.00
Laredo Development Foundation	\$71,250.00
Border Area Nutrition Council	\$33,750.00
Laredo Crime Stoppers	\$1,500.00
Laredo Regional Food Bank	\$7,500.00
Webb County Soil and Conservation District	\$3,000.00
Bethany House of Laredo	\$9,370.00
Children’s International Advocacy Center	\$45,000.00
Literacy Volunteers of America	\$1,130.00
CASA-Voz de Los Ninos	\$3,750.00
South Texas Council on Alcohol & Drug Abuse	\$26,230.00
Mercy Ministries	\$7,500.00

Hotel Motel Fund:

Webb County Heritage Foundation	\$50,000.00
Webb County Historical Commission	\$4,200.00
Laredo Chamber of Commerce	\$125,800.00
Hotel Motel Association	\$4,200.00
Washington’s Birthday Celebration Association	\$8,400.00
Laredo Children’s Museum	\$25,200.00
Society of Martha Washington	\$4,200.00
Princess Pocahontas Council	\$4,200.00
LULAC Council No. 12	\$5,000.00
L.I.F.E.	\$3,400.00
Texas Special Olympics	\$8,400.00
Latin Hall of Fame	\$9,200.00
Miss Laredo Production, Inc.	\$8,400.00
Streets of Laredo	\$10,100.00

Health and Welfare Fund:

Laredo Animal Protective Society	\$32,000.00
Gateway Community Health Center	\$150,000.00

and authorizing the County Judge to execute all relevant documents.

COUNTY CLERK

24. Discussion and possible action relating to the proposal and proposed contract from Landata Technologies for “Restoration and Preservation of Webb County Records” [Possible Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
25. Discussion and possible action to enter into a Lease, Lease-Purchase or Purchase Agreement with Landata Technologies Inc. for equipment and software to be utilized by the Webb County Clerk’s Office for the Records Management of County Clerk records as per the plan approved by the Commissioners Court on September 24, 2004. [Possible Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
26. Discussion and possible action to enter into a contract agreement with Landata Technologies Inc. for preservation of Webb County Clerk Archival Records as per the plan approved by the Commissioners Court on September 24, 2004. This agreement will have no effect on the General Fund. [Possible Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

DISTRICT ATTORNEY

27. Discussion and possible action on the approval to grant the County Auditor, authority to expend funds from the Violence Against Women’s Act Program, effective September 1, 2004, pending the receipt of all required grant documents and allocation.

ECONOMIC DEVELOPMENT

28. Discussion and possible action to approve a Resolution Authorizing the filing of a Help America Vote Act (HAVA) Program Grant Application with the Texas Secretary of State; and authorizing the County Judge to act as the County’s Executive Officer and Authorized Representative in all matters pertaining to the County’s participation in the HAVA Grant Program.

- 29.** Discussion and possible action to approve the recommendations by the Webb County Housing Rehabilitation Scoring Committee for the Neighborhood Initiative Program, project grant contract #B-00-NI-TX-WC0002 and authorize the County Purchasing Agent to solicit construction bids in accordance with Grant and County requirements. All proposed Neighborhood Initiative activity will be paid for through grant funds. (See attached list)
- 30.** Discussion and possible action to authorize the County Auditor authority to expend funds from the Webb County CAA-Self-Help Center Program, effective October 1, 2004, pending the receipt of all required documents.
- 31.** Discussion and possible action to authorize the Economic Development Department to develop and submit a Community Development Block Grant (CDBG) application for fiscal year 2005-2006 in the amount of \$800,000 with an in-kind match of \$80,000 and authorizing the County Judge to sign all relevant documents.

ELECTIONS

- 32.** Resolution and order authorizing and establishing a central counting station; appointment of the central counting station manager, tabulation supervisor, assistant tabulation supervisors, central counting station presiding judge; and establishing their respective salaries Pursuant to Chapter 127, Texas Elections Code, for the November 2, 2004 General Election.

ENGINEER

- 33.** Discussion and Possible Action Authorizing Ratification of Change Orders No. 1, 3 & 4 in the amount of \$19,773.00 and Authorizing Deduct Change Order No. 5 in the amount of \$277.00 to Zertuche Construction for the installation of six pipe bollards with cable, water line, replacement of existing windows with glass block, rental of equipment and light fixtures for the Oilton & Mirando Community Center Parks.
- 34.** Discussion and Possible Action Awarding Change Order No. 3 to Jimmy Closner & Sons Const. Co. Increasing the Contract from \$1,061,393.97 by \$13,550.35 for a total of \$1,074,944.32, for the TWDB-EDAP Rio Bravo Water Line Replacement Project. This change order is for the deletion of 4" & 12" pipe and the installation of 6" & 8" lines, performing boring under the existing streets versus open cuts and addition of 120 working days.

35. Discussion and Possible Action Authorizing Amendment No. 3 to CH2M Hill, Inc., increasing the contract price by \$84,750.00 for "Additional Engineering Services" (\$44,750.00) to modify the design requested by the "Value Engineering" and for the extension of the "Construction Services" period for and additional 90 days (\$40,000.00) for the construction of a 2.4 million gallon per day Water Treatment Plant. The contract will increase from \$1,522,500.00 to \$1,607,250.00. This action is subject to Texas Water Development Boards' approval.
36. Discussion and Possible Action Authorizing the County Judge to execute a 12 foot utility easement with AEP/CPL for the Justice of the Peace Precinct No. 2 Place 1 & 2 Building located at 901 Milmo Ave.
37. Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to advertise for "Request for Proposals" for an Architect/Engineer to inspect and evaluate the Court House Annex and provide a recommendation on improvements required to protect the Structure, correct the Hazardous Materials, repairs to the roof, repairs to the mechanical equipment, Architectural Barriers, Historic Preservation and meet the state and federal safety requirements.
38. Discussion and Possible Action Approving a Resolution stating that Webb County seeks designation as a management agency for wastewater collection and treatment within its CCN area map boundaries in accordance with the requirements of Section 208 of the Federal Water pollution Control Act, as amended for the Colonias Hwy 59 Facility Plan.
39. Discussion and Possible Action Authorizing the county Engineer and the Road & Bridge Superintendent to commence the paving and storm drainage improvements for Bruni, Mirando & Oilton as per the specifications prepared by Naismith Engineering (Oilton) and Sherfey Engineering (Bruni & Mirando).

HEAD START

40. Discussion and possible action to fill slot # 2038 and 1616 full-time CDA Teacher Assistant (40 hrs/week for 10 months) with an annual salary of \$14,397 effective October 15, 2004 through May 28, 2005 for a total prorated salary of \$10,470.40.

41. Discussion and possible action to fill slot # 1357, full-time CDA Teacher Assistant (40 hrs/week for 11 months) with an annual salary of \$15,705 effective October 15, 2004 through June 24, 2005 for a total prorated salary of \$11,844.
42. Discussion and possible action to fill slot # 1801, 1698 and 2050, part-time Substitute Teacher (15 hrs/week for 10 months) with an annual salary of \$4,721, effective October 13, 2004 through May 28, 2005 for a total prorated salary of \$3,432.
43. Discussion and possible action to ratify the Head Start Child and Adult Care Food Program Application for FY 2004 - 2005 (October 1, 2004 – September 30, 2005).

PLANNING DEPARTMENT

44. Discussion and possible action to grant Plat Approval of the Bonanza Hills Subdivision, Phase I and grant a waiver from Section IX.2. of the Subdivisions Regulations allowing cross street spacing to exceed 1,500. feet. The Planning Advisory Board recommended approval of this item at their meeting of September 29, 2004.
45. Discussion and possible action to issue “Certification(s) Regarding Compliance with Plat Requirements and the Connection of Utilities” to authorize utility connection(s) to the following site(s):

Connection(s) qualifying under Section 232.029 © (1):
 1. Block 5, Lot 17, Pueblo Nuevo Subdivision (authorize electricity only to a total of three dwellings established prior to May 1, 1997 and as identified in the aerial photography flown January, 1995).
46. Discussion and possible action to authorize the filling of Slot No. 010-0102-1961 (Planning Coordinator) through the internal promotion of employee in Slot No. 010-0102-2055 effective October 12, 2004; and authorizing the Planning Department to advertise and fill Slot No. 010-0102-2055 (Data Mapping Coordinator/Inspector) upon selection of a qualified candidate.
47. Discussion and possible action to authorize the transfer of \$3,000.00 from line item 010-0102-5005 (Temporary Part-Time) into line item 010-0102-5001 (Payroll) as necessary to pay Annual Leave accumulated by former employee under Slot No. 010-0102-1961.

PURCHASING AGENT

48. Discussion and possible action to authorize the Purchasing Agent to obtain three (3) Cellular Phones for Road and Bridge Supervisors from Verizon Wireless.
49. Discussion and possible action to authorize the Purchasing Agent to purchase video equipment from Texas Media in the amount of \$5,330.00 for M.I.S. Department from account #660-0101-8801.
50. Discussion and possible action to authorize the Purchasing Agent to award Bid No. 2004-66 "Law Books" to the highest bidder: Law Office of Mario A. Castillo.
51. Discussion and possible action to authorize the Purchasing Agent to award Proposal No. P-2004-07 "Sheriff's Communication Tower" to the lowest and responsible bidder: RCC Consultants, Inc.

RISK MANAGEMENT

52. Discussion and possible action to ratify the renewal of the Property/Casualty/Liability Insurance Package and decline TRIA Terrorism coverage from McGriff, Seibels & Williams of Texas, Inc., through St. Paul Travelers Companies, Illinois Union Insurance Company and National Union Fire Insurance Company to be effective October 1, 2004, and authorization for the County Judge to execute all relevant documents. [Account #001-0105-6032 (Prop/Cas/Liab Premium)]

SHERIFF

53. Discussion and possible action to reimburse the Laredo Community College police academy an amount not to exceed \$8,000.00 for training expenditures from account 168-2001-6707.
54. Discussion and possible action to approve renewal of contract for Dr. Arturo Garza-Gongora for a Two (2) year term in the amount of \$85,000.00.
55. Discussion and possible action to approve renewal contract for Dr. Hector Lopez for One (1) year term in the amount of \$27,600.00.

56. Discussion and possible action to approve renewal contract for Laredo Health Care Associates for a one (1) year term in the amount of \$85,000.00.
57. Discussion and possible action to approve the following expenditures:

Martinez Wrecker Service	\$974.62
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TREASURER

58. Discussion and possible action to request authorization to include in the personnel policies that the first and last payroll checks of an employee shall not be a "Direct Deposit".

EXECUTIVE SESSION

59. Discussion and possible action regarding employee grievance filed by former Veterans Service Officer Jesus E. Cantu.
Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).
60. Discussion and possible action regarding employee grievance filed by Treasurer's Office employee, Bernadette L. Guerrero.
Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]
61. Discussion and possible action regarding employee grievance filed by former Webb County Indigent Services Program Interim Director Francisco X. Salinas.
Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).
62. Discussion and possible action regarding employee grievance filed by Treasurer's Office employee, Aurora P. Saucedo. **[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)**

63. Discussion and possible action related to litigation concerning 17-acre tract known as One River Park Subdivision. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney-pending litigation)]**
64. Discussion and possible action related to litigation threatened by the Texas Commission on Jail Standards. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney-pending litigation)]**
65. Discussion and possible action related to possible litigation concerning Webb County Bridge project. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney-pending litigation)]**
66. Discussion and possible action regarding payment of medical expenses for spouse and child of employee who was misinformed by Risk Management Department regarding coverage for pre-existing medical condition of spouse in connection with “opt-out” provisions of the Health Insurance Portability and Accountability Act (“HIPAA”).
Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

 **DISABILITY ACCESS STATEMENT** 

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DATED THIS _____ DAY OF OCTOBER, 2004.

By: _____
YOLANDA L. CARRILLO
COURT ADMINISTRATOR

CERTIFICATION OF NOTICE AND POSTING

I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the _____ day of _____, 2004 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS _____ DAY OF _____, 2004

COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____