



WEBB COUNTY, TEXAS

COMMISSIONERS COURT AGENDA

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

FRANK SCIARAFFA
Commissioner, Precinct 1
(956) 523-4660

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

JERRY GARZA
Commissioner, Precinct 3
(956) 523-4625

**CINDY CORTEZ
BRUNNER**
Commissioner, Precinct 4
(956) 523-4652

MARGIE IBARRA
Webb County Clerk
(956) 523-4251

HOMERO RAMIREZ
Webb County Attorney
(956) 523-4044

LEO FLORES
Webb County Auditor
(956) 523-4016

DELIA PERALES
WEBB COUNTY
TREASURER
(956)523-4051

PUBLIC NOTICE

COMMISSIONERS COURT MEETING

Webb County Courthouse
1000 Houston Street, 2ND Floor
Laredo, Texas 78040
August 22, 2005 1:00 p.m. and continuing
August 23, 2005
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 Bills, Payroll and Monthly Reports
5. Communications
6. 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:

HONORABLE LOUIS H. BRUNI, WEBB COUNTY JUDGE

7. Status report by citizens of Colonia La Presa on what response(s) they have had, if any, from legislative representatives to whom was forwarded the Webb County Resolution of July 25, 2005 declaring a local state of emergency in La Presa, and other similarly situated colonias in Webb County, due to lack of basic utilities.
8. Discussion and possible action to adopt a Webb County Resolution joining Webb County with the U.S. Highway 59 Coalition (presently consisting of 10 counties located along U.S. Highway 59) in an effort to expand U.S. Highway 59 from its present two lane state into a four lane highway.
9. Discussion and possible action to direct appropriate staff to assist the Laredo Animal Protective Society to erect a fence at its facility in exchange for the many services they provide Webb County by way of caring for and/or disposing or liquidating homeless animals, and any other matters incident thereto.
10. Status report by the Community Action Agency on the contract with the City of Laredo to spend certain funds for Homeless Prevention Assistance, amounts of unspent funds, and the deadline for expenditure of any such funds, with discussion and possible action to direct the Community Action Agency to define and implement plans for the spending of such funds before the expiration of applicable deadlines, and any other matters incident thereto.
11. Discussion and possible action to allow the City of Rio Bravo to dispose of 300-400 used tires at the Webb County Road and Bridge department, and any other matters incident thereto.
12. Discussion and possible action to direct staff to investigate water seepage from City of Laredo underground water system into the basement of the Webb County Detention Center (the "Jail"), causing a pool of water to collect there with the potential of causing structural damage to the jail; to report to the Commissioners Court at its next regularly scheduled meeting on the status of the water seepage problem; to provide the court with a plan of action to remedy the same; and, any other matters incident thereto.

13. Discussion and possible action to request the County Attorney to render an opinion and recommend action at the next regularly scheduled meeting for the implementation of a county-wide burn ban for public and health and safety.
14. Discussion and possible action to appoint Dr. Jerry Thompson and Mr. Horacio Salinas, Jr. to serve on the Webb County Historical Commission.
15. Discussion and possible action to appoint Mr. Leroy Medford as Webb County Public Defender effective October 1, 2005 as reflected in the court's action taken at its regular meeting of April 25, 2005, and any other matters incident thereto.
16. Discussion and possible action to accept the donation of two canines to Constable Precinct 1 from the Laredo Job Corp.
17. Discussion and possible action to accept a \$117,000.00 grant from the Laredo Independent School District for the hiring of two deputies for work with the LISD Narcotic Task Force, and any other matters incident thereto.

HONORABLE JERRY GARZA, COMMISSIONER PRECINCT 3

18. Discussion and possible action to approve a line item transfer for \$33,847.00 from 691-6107-8601 Pct.3 to Fund No. 696 Capital Outlay Series 2002 Acct. No. 696-2502-8801 to purchase (1) 2006 Ford F150-Cab V8 for Constable Tino Juarez, Pct. 4.
19. Discussion and possible action to implement a 311 telephone service for Webb County.
20. Discussion and possible action to hire a TAMIU Student intern for a total of 120 hours at a rate of \$10.00 per hour.

COMMISSIONERS COURT

21. Discussion and possible action to review and select the Director for Community Action Agency.
22. Discussion and possible action to accept the City of Laredo's counter-offer of August 18, 2005 regarding Fire and EMS services and request that the County Attorney's office prepare an inter local agreement consistent with the terms of the agreement as negotiated by staff, and any other matters incident thereto.

MEDIA BREAK

SHERIFF

23. Discussion and possible action to approve the following line item transfers:

From:	001-2060-5605	Special Travel	\$	750	
	001-2600-6014	Equipment Rental	\$	1,100	
	001-2001-6202	Uniforms	\$	10,798	
	001-2060-6224	Minor Tools & Apparatus	\$	1,403	
	001-2060-6005	Dues & Memberships	\$	950	
To:	001-2060-5601	Administrative Travel			\$ 950
	001-2060-6401	Repairs & Maint.Buildings			\$ 5,000
	001-2060-6205	Materials & Supplies			\$ 9,051

TAX ASSESSOR COLLECTOR

24. Discussion and possible action to approve certification of tax roll (One hundred (100%) anticipated collection for FY 2006).

25. Discussion and possible action to take a record vote on the proposed tax rate of .457923, or such other rate as the court may determine, and set a date for a public hearing on the proposed tax revenue increase.

406th DISTRICT COURT

26. Discussion and possible action to approve the following line item transfer:

FROM:	Repairs & Maint. Equip.	001-1004-6402	\$1,000.00
TO:	Materials & Supplies	001-1004-6205	\$1,000.00

CONSTABLE PRECINCT 1

27. Discussion and possible action to approve the following line item transfer:

FROM:	165-2500-8801	Capital Outlay	\$5,000.00
TO:	001-2500-5003	Overtime	\$5,000.00

COUNTY COURT AT LAW 1

28. Discussion and possible action to approve the following line item transfers:

FROM:	001-1010-6402	Equipment Maint.	\$ 750.00
TO:	001-1010-6205	Materials & Supp.	\$ 750.00
FROM:	001-1010-6026	Visiting Judge	\$ 1,000.00
TO:	001-1010-6011	Training Education	\$ 1,000.00
FROM:	001-1010-7052	Juvenile Felony	\$20,000.00
TO:	001-1010-7050	Adult Misd	\$20,000.00
FROM:	001-1010-7051	Juvenile Misd	\$10,000.00
TO:	001-1010-7053	Dt Hearing	\$10,000.00

COUNTY ATTORNEY

29. Discussion and possible action to approve an addendum consisting of governmental terms and conditions to the maintenance agreement with IBM for M. I. S. servers, printers and tape drives for a period of one year (October 1, 2005 through September 30, 2006) in the amount of FIFTY-SIX THOUSAND FIVE HUNDRED EIGHT DOLLARS (\$56,508.00) and authorizing the County Judge to sign all relevant documents. [Requested by MIS Dept. Acct. # 001-0500-6402]
30. Discussion and possible action to enter into an Letter of Agreement between Webb County for the Community Action Agency and Reliant Energy for the "Reliant Energy Retail Services, LLC CARE Program" whereby Reliant Energy will provide funding to Webb County Community Action Agency to be utilized to help the needy pay home energy expenses for a term beginning August 15, 2005 and ending on December 31, 2005 and authorizing the County Judge to execute all relevant documents. [Requested by Community Action Agency]

31. Discussion and possible action to execute a lease between Webb County and George Royle Wright for the Property situated at 1118 Constantinople, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on September 1, 2005 and ending on August 31, 2006, and at a monthly rental of NINE HUNDRED AND FIFTY DOLLARS (\$950.00), and authorizing the County Judge to execute any and all relevant documents. [Requested by Head Start Program, Account No. 903-4207-6012 (Rent)]
32. Discussion and possible action to enter into an “Security Systems Agreement” with Kelmar & Associates for the Webb County Purchasing Department for a period of thirty-six (36) months (August 22, 2005 through August 21, 2008) with monthly payments of TWENTY-FOUR DOLLARS AND NINETY-FIVE CENTS (\$24.95) to equal to a total of EIGHT HUNDRED AND NINETY-EIGHT DOLLARS AND TWENTY CENTS (\$898.20) over the term of the agreement and authorizing the County Judge to sign all relevant documents. [Requested by Purchasing Department]

DISTRICT ATTORNEY

33. Discussion and possible action to approve the Federal Equitable Sharing Agreement between the Laredo Multi-Agency Narcotics Task Force and the Federal Government from October 1, 2005 thru September 30, 2008 and authorizing the County Judge to sign all relevant documents.
34. Discussion and possible action to approve the following line item transfers:

FROM:	001-1100-6005	Postage	\$ 650.00
TO:	001-1100-6022	Professional Services	\$ 650.00
FROM:	001-1100-6402	Repairs & Maint. Equipment	\$1,000.00
TO:	001-1100-6205	Materials and Supplies	\$1,000.00

ECONOMIC DEVELOPMENT

35. Discussion and possible action to approve a resolution authorizing an application to the Community Capacity Development Office of the Office of Justice Programs for official recognition of a Weed and Seed site within the boundaries of Constable Precinct 1, the site to include between 40,000 and 50,000 residents.

- 36.** Discussion and possible action to award the architectural design contract of the Penitas West Community Center to Architects Plus, Inc. in the amount of \$36,000 (THIRTY SIX THOUSAND DOLLARS) and for the County Judge to sign all relevant documents.
- 37.** Discussion and possible action to approve the following line item transfer:
- | | | |
|------------------------------------|-----------------------------------|-----------------|
| From: Acct. # 001-0104-6005 | (Postage) | \$220.49 |
| # 001-0104-6402 | (Equipment Maintenance) | \$ 42.51 |
| | | |
| To: Acct. # 001-0104-6204 | (Fuel & Lube) | \$263.00 |
| | | |
| From: Acct. # 001-0104-6402 | (Equipment Maintenance) | \$123.93 |
| To: Acct. # 001-0104-6205 | (Materials & Supplies) | \$123.93 |
- 38.** Discussion and possible action to amend the Office of Rural Community Affairs (ORCA), Texas Community Development Program (TCDP) contract # 724195, Vela Tract Project Performance Statement and Project Budget. Amendment will be determined by County Engineer and the Economic Development Department based on on-site field inspections for platting entire colonia, proposed changes to project activity and negotiations with recommended project engineer and authorizing the Webb County Judge to execute all relevant documents.

ELECTIONS

- 39.** Discussion and possible action to approve a Resolution and Order authorizing and establishing the main and temporary branch early voting polling sites for the November 08, 2005 Special Constitutional Amendment Election within Webb County, Texas, pursuant to Chapter 85, Texas Election Code.
- 40.** Discussion and possible action to approve a Resolution and Order authorizing and establishing consolidated precincts and election day polling places for the November 08, 2005 Special Constitutional Amendment Election within Webb County, Texas, in accordance with Chapter 42 and Chapter 43, Texas Election Code.

41. Discussion and possible action to approve a Resolution and Order authorizing and establishing the salaries for presiding judges and clerks; appointing presiding judges in consolidated precincts; and establishing the maximum number of election day clerks for each election precinct pursuant to Sections 32.091(a), 32.003, and 32.033, Texas Election Code, for the November 08, 2005 Special Constitutional Amendment Election.
42. Discussion and possible action to approve a Resolution and Order authorizing and establishing a central counting station, appointing the central counting station manager, tabulation supervisor, tabulation supervisor assistant, presiding judge, and establishing their respective salaries for the November 08, 2005 Special Constitutional Amendment Election pursuant to Section 127, Texas Election Code.

ENGINEER

43. Discussion and Possible Action Authorizing the transfer of \$1,400.00 from Bond Series 2002, Interest Income to Bond Series 2002, Records Management Building Project:

FROM:	Fund No. 683 Interest Income Series 2002	\$1,400.00
TO:	Acct. No. 677-0116-6022 Professional Services	\$1,400.00
44. Discussion and Possible Action Declaring the following as "County Roads":
 - Colonia Los Altos - Estrella
 - Colonia Los Minerales – Mercury Mine
 - Colonia Laredo Ranchettes – East, West and North
 - Colonia Penitas West – Rancho Penitas, Vaqueta, Apaloosa, Sudadero, Montura, Palomino, Charro, Ganadero, Papalote, Rancho Pila, Rancho Nopal and Chicote
 - Colonia Pueblo Nuevo – Milagro, East Maria Elena, West Maria Elena, Main, East Ibarra, East Meirs, West Paredes and West Ozuna
 - Colonia Ranchitos Hwy 359 – Pinzon
 - Colonia Tanquecitos I – Tanquecitos, El Rocio and El Lucero
 - Colonia San Carlos I – Nacadoches, Gore, Adelita and Gutierrez
 - Colonia San Carlos II – Kay Bailey
 - Laredo Ranchettes – Pinzon Road

45. Discussion and Possible Action Authorizing the transfer of \$1,000.00 from Bond Series 2002, Interest Income to Bond Series 2002, Villa Antigua Border Heritage Museum Project:
FROM; Fund No. 627 Interest Income Series 2002----- \$1,000.00

TO; Acct. No. 677- 8102 - 8609 Construction In Progress ----- \$1,000.00

46. Discussion and Possible Action Authorizing Drash Consulting Engineers, Inc. to perform corrective action under Texas Risk Reduction Program (TRRP) Remedy Standard "B" at the Mines Road Old Dipping Vat location for Phase I in the amount of \$7,750.00.

47. Discussion and Possible Action Authorizing the Transfer of Funds for the Utilities Department Fund 801;

From: Acct. No. 801 – 3003 – 6214 ----- Chemicals \$3,300.00
To: Acct. No. 801 – 3001 – 6204 ----- Fuels and Lubricants \$3,300.00

From: Acct. No. 801 – 3004 – 6214 ----- Chemicals \$1,000.00
Acct. No. 801 – 3004 – 8801 ----- Capital Outlay \$ 500.00
To: Acct. No. 801 – 3001 - 6402 ----- Equipment Maintenance \$1,500.00

FACILITIES

48. Discussion and possible action to approve the following Line Item Transfer:

From: 001-0106-6402 Repairs and Maintenance of Equipment \$1,500.00
To: 001-0106-6403 Repairs and Maintenance of Vehicles \$1,500.00

JUVENILE PROBATION

49. Discussion and possible action to approve the following Line Item Transfer:

FROM: 001-1301-5601 Administrative Travel \$ 800.00
001-1301-6005 Postage \$ 900.00
001-1301-5604 Transportation of Juveniles \$1,400.00
TO: 001-1301-6403 Repairs/Maint. of Vehicles \$3,100.00

MANAGEMENT INFORMATION SYSTEMS

- 50.** Discussion and possible action to approve the following line item transfers:
- | | | | |
|-------|---------------|-----------------|-------------|
| From: | 001-0500-6402 | (Equip. Maint.) | |
| To: | 001-0500-6010 | (Books & Sub) | \$10,400.00 |
| | | | |
| From: | 001-0500-6402 | (Equip. Maint) | |
| To: | 001-0500-6402 | (Office Sup) | \$ 500.00 |
- [For West Law Licensing]
- 51.** Discussion and possible action to fill slot #2718 (Records Management Specialist) effective August 25,2005.

PLANNING

- 52.** Discussion and possible action to fill slot #2055 Planner/Cartographer effective August 25, 2005.
- 53.** Discussion and possible action to issue “Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities” to authorize utility connections to the following properties:
- Connection(s) qualifying under Section 232.029 (c)(1):
1. An unplatted 0.0972 acre tract of land, more or less, out of and part of Survey 58, Abstract 1547, being Tract 5-B of the Los Ojuelos Ranch Partition as further described in Vol. 560, Pgs. 385-415 of the Webb County Deed Records (electricity – one dwelling only);
 2. An unplatted 11.4512 acre tract of land, more or less, out of and part of Survey 58, Abstract 1547, being Tract 5-D of the Los Ojuelos Ranch Partition as further described in Vol. 560, Pgs. 384-415 of the Webb County Deed Records. (electricity – one dwelling only)
 3. Discussion and possible action to purchase one (1) 2006 Ford F150 S-Cab V8 from Philpott Motor Company in the amount of \$33,846.25 through the Houston Galveston Area Council Contract number VE10-03 for Constable, Tino Juarez, Pct. 4.

PURCHASING

- 54.** Discussion and possible action for the Commissioners Court to approve/reject the following line item transfer:
- | | | |
|------------------------------|---------------|----------|
| FROM: Administrative Travel | 001-2502-5601 | \$679.86 |
| TO: Repairs & Maint. Vehicle | 001-2502-6403 | \$679.86 |
- 55.** Discussion and possible action to purchase one (1) 2006 Ford F150 S-Cab V8 from Philpott Motor Company in the amount of \$33,846.25 through the Houston Galveston Area Council Contract number VE10-03 for Constable, Tino Juarez, Pct. 4.
- 56.** Discussion and possible action to approve the following line item transfer:
- | | | |
|------------------------------------|------------------|-------------|
| FROM: Park Development Series 2002 | 695-6004-8710-3 | \$17,906.00 |
| TO: Capital Outlay Services 2002 | 696- Series 2002 | \$17,906.00 |
- 57.** Discussion and possible action to authorized the purchase of one vault, Model TL-15 Safe with interiors from Diebold in the amount of \$17,906.00 for the Tax Office.
- 58.** Discussion and possible action to award/reject the following bids:
- Bid 2006-69 "Concrete Pads for Head Start Program"
 - Bid 2006-70 "Surfacing Tiles for the Head Start Program"
 - Recommending Sports & Recreational Products, Inc.
 - Bid 2006-71 "Shade Structures for the Farias & Lafayette Splash Parks"
 - (Bid Opening is August 16, 2005)
- 59.** Discussion and possible action to authorize the Purchasing Agent to purchase two (2) vehicles from Philpott Motor Company in the amount of \$63,116.50 through the Houston Galveston Area Council Contract number VE10-03 for the Webb County Morgue operations.
- 60.** Discussion and possible action to award/reject the following bids:
- | | |
|---------------|------------------|
| Bid 2005-68-1 | Guadalupe Garcia |
| Bid 2005-68-2 | Maria G. Campos |
| Bid 2005-68-3 | Juan M. Ponce |
| Bid 2005-68-4 | Paula Brizeno |
| Bid 2005-68-5 | Margarita Torres |

61. Discussion and possible action to ratify an emergency repair from the Webb County Sheriff's Department in the amount of \$7,150.00 to Exodus Tech to repair a laundry washing machine for the Law Enforcement Center.

RISK MANAGEMENT

62. Discussion and possible action to amend the Administrative Services Agreement between Webb County and National Plan Administrators to provide for a grace period immediately following the end of each plan year of up to 2 1/2 months for the flexible spending account at no cost to the County and subject to final review of the provisions by the County Attorney.
(Recommended by the Webb County Insurance Committee)

ROAD & BRIDGE

63. Discussion and possible action to approve the following line item transfer:

FROM:	001-0108-6205	Materials & Supplies	\$2,955.00
TO:	001-0108-6224	Minor Apparatus	\$2,955.00

64. Discussion and possible action to fill slot #1524 Secretary I effective August 19, 2005.

EXECUTIVE SESSION

65. Discussion and possible action regarding Civil Action No. 04-CV-00182; Rosalinda Delgado, Individually and on behalf of the Estate of Jorge Alberto Meza vs. Webb County, Texas; Webb County Sheriff's Department; and Webb County Sheriff Juan Garza, Individually and in his Official Capacity; In the United States District Court for the Southern District of Texas, Laredo Division

Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

66. Adjournment

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 JUNE, 2005.

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 _____, 2005 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS _____ DAY OF _____, 2005

COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____