



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
May 29, 2007
5:30 P.M.

CALL TO ORDER BY THE HONORABLE DANNY VALDEZ, WEBB COUNTY JUDGE

1. ROLL CALL BY HONORABLE MARGIE RAMIREZ-IBARRA, WEBB COUNTY CLERK
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES FOR May 14, 2007 and May 18, 2007
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 Danny Valdez, Webb County Judge

7. Recognition of Mrs. Gloria G. Jalomo for her 15 years of service to Webb County.
8. Presentation of Certificate of Achievement Awards to the Santa Maria Elementary School Chess Club.

Honorable Rosaura "Wawi" Tijerina, Webb County Commissioner Pct. 2

9. Discussion and possible action to authorize the Webb County Road & Bridge Dept. to pave 10,211 sq. ft. of parking area at the Santa Teresita Community Center and to back fill the east side of the building. Fill dirt will be at no cost to the county.

Acct. #678-8103-8710-2 (Bond Series 2001- Park Dev.);
Acct. #695-6004-8710-2 (Bond Series 2002- Park Dev.);
Acct. #723- 8103-8710-2 (Bond Series 2006 - Park Dev.)
Acct. #722-6114-8801 (Bond Series 2006 - Cap.Outlay)
Acct. #658-8103-8710-2 (Bond Series 2003- Park Dev.);

10. Discussion and possible action to approve a contract between Webb County and Medina Electric Cooperative, Inc. to supply electric power to Webb County's Santa Teresita Community Center and to authorize the county judge to execute all relevant documents.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

11. Staff report on the status of the county's 311 application with discussion and possible action to authorize \$45,000.00 for the purchase of hardware to be taken from Certification of Obligation Series 2006. [Account number 722-8108-8801]
12. Discussion and possible action to approve the following line item transfer for the Benos Aires Community Center:

From: Acct #001-6113-6204 Fuel & Lube	\$1,000.00
Acct #001-6113-6403 Repairs & Maintenance	\$1,000.00
To: Acct #001-6113-6205 Materials & Supplies	\$2,000.00

13. Discussion and possible action to purchase a Ford Club Wagon in the amount of \$19,219.30 for the Buenos Aires Community Center from Certification of Obligation Series 2006. **[Account number 722-8108-8801]**
14. Discussion and possible action to purchase 2 computers for the office of Commissioner Jerry Garza, Pct. 3, at a cost of 1,498.00 each for a total of 2,996.00; to be purchased from Certificate of Obligation Series 2006. **[Account number 722-8108-8801]**
15. Discussion and possible action to partner with the City of Laredo for the All America Award Program and authorizing contributions/expenditure of FIVE THOUSAND DOLLARS (\$5,000.00) to City of Laredo. **[Account number to be determined]**
16. Discussion and possible action to enter into agreements with National Association of Counties (known as "NACO") and CAREMARKPCS HEALTH, L.P. formerly known as Advance PCS Health L.P. (known as "Caremark") to provide certain managed pharmacy benefit services, by way of a pharmacy consumer card program to include pharmacy services for participation in Caremark's network of participating pharmacies, and furnish identification cards to participants. No expenditures or compensation is anticipated to be paid from Webb County to Caremark for services. **[Requested by Honorable Jerry Garza, Commissioner, Precinct 3; Account Number N/A]**

Honorable Sergio "Keko" Martinez, Webb County Commissioner Pct. 4

17. Discussion and possible action to transfer \$984.77 from Fund #658 Park Development Pct. #4 Series 2003 to Capital Outlay Series 2003 to purchase kitchen equipment for the Lilly Perez Community Center and to instruct the County Attorney to prepare an Interlocal Agreement with the City of Laredo for that purpose.

MEDIA BREAK

Honorable Jesus "Chuy" Garza County Court at Law # 2

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

From: Acct. #001-1011-7053 Detention Hearings	\$ 5,000.00
To: Acct. #001-1011-6026 Visiting Judge	\$ 5,000.00
From: Acct. #001-1011-7052 Juvenile Felony	\$21,500.00
To: Acct. #001-1011-6205 Materials & supplies	\$ 1,500.00
Acct. #001-1011-7050 Adult Misdemeanor	\$20,000.00

County Attorney

19. Discussion and possible action to authorize a line item transfer from accumulated payroll savings within the County Attorney's budget to the various line item positions, and noting salary adjustments to affected positions in current office budget.

Slot No.	Position/Title	Current Salary	New Salary
1253	Assistant County Attorney	\$70,239.00	\$78,000.00

[Requested by Honorable Homero Ramirez, Webb County Attorney; Account Number Payroll Savings]

20. Discussion and possible action on request by County Attorney for additional space on third floor of the William N. Hall Administration Building.

21. Discussion and possible action concerning payment for attorneys work done in connection with Original Mandamus Proceeding styled IN RE SHERIFF RICK FLORES (Sua Sponte Standing Order from County Court at Law Judges, The Honorable Jesus Garza and The Honorable Alvino Ben Morales), Appeal No. 4-06-00811-CV, in the Fourth Court of Appeals, San Antonio, Texas:

- a. The Law Office of M'Liss Christian, attorney for Petitioner Sheriff Rick Flores - FIFTEEN THOUSAND FOUR HUNDRED EIGHTY-SEVEN DOLLARS AND EIGHTY-SEVEN CENTS (\$15,487.87)
- b. The Law Offices of Person, Whitworth, Borchers & Morales, L.L.P., attorneys for Honorable Jesus "Chuy" Garza, Judge County Court at Law No. 2 and Honorable Alvino "Ben" Morales, Judge, County Court at Law No. 1 - THIRTEEN THOUSAND NINE HUNDRED SIXTY-TWO DOLLARS AND SIXTY-SEVEN CENTS (\$13,962.67)

**[Requested by the Honorable Homero Ramirez, Webb County Attorney
Account Number 001-0109-6022]**

22. Discussion and possible action to submit an application to the Texas Department of Transportation for the Job Access Reverse Commute Program (J.A.R.C.) requesting federal funds in the amount of ONE HUNDRED THIRTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$131,200.00) with a local match of THIRTY TWO THOUSAND EIGHT HUNDRED DOLLARS (\$32,800.00) to offer independence mobility for residents of rural Webb County and authorizing the County Judge to sign all relevant documents **[Requested by Mike Kazen, CAA Director; Account Number N/A]**

23. Discussion and possible action to submit a grant application for federal assistance, for the El Aguila Rural Transportation Program, through the Texas Department of Transportation, for the Texas Review and Comment System (TRACS), for SIXTY-FIVE THOUSAND EIGHT HUNDRED TWENTY-FOUR DOLLARS (\$65,824.00) with a required "County Match" of SIXTEEN THOUSAND FOUR HUNDRED FIFTY-SIX DOLLARS (\$16,456.00) and authorizing the County Judge to sign all relevant documents **[Requested by Community Action Agency; Account Number 980-4200-3502 Grant Revenue Federal]**

- 24.** Discussion and possible action to enter into a State/Local Public Transportation Project Grant Agreement (State Project Number ED 0703 (22) Misc. Contract No. 51722F7145) in the amount of SIXTY-FIVE THOUSAND EIGHT HUNDRED TWENTY-FOUR DOLLARS (\$65,824.00) with a "County Match" of SIXTEEN THOUSAND FOUR HUNDRED FIFTY-SIX DOLLARS (\$16,456.00) for preventive maintenance and authorizing the County Judge to sign all relevant documents. **[Requested by Community Action Agency Account Number 980-4200-3502 Grant Revenue Federal]**
- 25.** Discussion and possible action to enter into a State/Local Public Transportation, Fiscal Year 2007, Project Grant Agreement (State Project Number 51722F7224 Master Grant Agreement No. 517XXF7038) in the amount of SEVENTY-ONE THOUSAND DOLLARS (\$71,000.00) with a Transportation Development Credit of FOURTEEN THOUSAND FIVE HUNDRED FORTY-TWO DOLLARS (\$14,542.00) for a total of EIGHTY-FIVE THOUSAND FIVE HUNDRED FORTY-TWO DOLLARS (\$85,542.00) for bus replacement and authorizing the County Judge to sign all relevant documents. **[Requested by Community Action Agency; Account Number 980-4200-3502 Grant Revenue Federal]**
- 26.** Discussion and possible action to enter into a (12) twelve month (May 29, 2007 through May 28, 2008) Premium Plus Maintenance Agreement with Toshiba Business Solutions (Contract Number 30439) to service a Lanier 5635 copier, located in the located in Commissioner Precinct 4 office at a maintenance fee of EIGHT HUNDRED NINETEEN DOLLARS (\$819.00) and 0.019 cents on copies over 36000 per quarter, and authorizing the County Judge to sign all relevant documents. **[Requested by Honorable Sergio "Keko" Martinez, Commissioner Precinct 4; Account Number 001-010-6402]**
- 27.** Discussion and possible action to enter into a two year (2) agreement (June 14, 2007 to June 13, 2009) with Paul Young Company/Family Nissan of Laredo to act as an agent of the Tax Assessor-Collector in the issuance of motor vehicle license validation stickers and license plates and for application of new vehicle titles to further public convenience and wherein agrees to lease two (2) "Remote Sticker Printing system (RSPS) Dealer Title Application (DTA) Equipment" from the State of Texas, through the Webb County Tax Assessor-Collector, at an annual cost of ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) a year for a total cost of TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400.00) over the lease term and authorizing the Webb County Judge to sign all relevant documents **[Requested by Webb County Tax Assessor-Collector]**

- 28. Discussion and possible action to enter into an agreement with Sames Motor Company to act as an agent of the Tax Assessor-Collector in the issuance of motor vehicle license validation stickers and license plates and for application of new vehicle titles to further public convenience and wherein agrees to lease one (1) "Remote Sticker Printing system (RSPS) Dealer Title Application (DTA) Equipment" from the State of Texas, through the Webb County Tax Assessor-Collector, at an annual cost of SIX HUNDRED DOLLARS (\$600.00) a year for a total cost of ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) over the lease term and authorizing the Webb County Judge to sign all relevant documents **[Requested by Webb County Tax Assessor-Collector]**

- 29. Discussion and possible action to enter into a contract Amendment One with Exhibit A of an Agreement entered into on January 12, 1996, for the use of Automated Equipment with the State of Texas, through the Texas Department of Transportation-Vehicle Titles and Registration Division to lease one (1) Basic Workstation with monitor, CPU, keyboard, printer, software support, and cash drawer at an annual cost of ONE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$1,500.00), and authorizing the Webb County Judge to sign all relevant documents **[Requested by Webb County Tax Assessor-Collector]**

County Clerk

- 30. Discussion and possible action on the status of the County Clerks Court Collection Department.

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

From: Acct #001-1120-5001 Payroll	\$15,000.00
To: Acct #001-1120-5005 Temporary Part Time	\$15,000.00

Sheriff

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

From:	001-2001-6014	Equipment Rental	10,000
	001-2001-6025	Radio Tower	3,000
	001-2060-6010	Books & Subscriptions	4,000
	001-2060-6022	Professional Services	20,000
	001-2060-6023-02	Contract Services-Frio	345,000
	001-2060-6402	Repairs & Maint. Equipment	22,000
	001-2062-6502	Janitorial Services	10,000
	001-2600-5005	Temporary Part-time	27,679
To:	001-2001-5601	Administrative Travel	10,000
	001-2001-6001	Office Supplies	8,000
	001-2001-6205	Materials & Supplies	8,000
	001-2060-5005	Temporary Part-time	27,679
	001-2060-6023-03	Contract Services-Dimmit	200,000
	001-2060-6224	Minor Tools & Apparatus	3,000
	001-2060-6401	Repairs & Maint. Buildings	30,000
	001-2062-6022	Professional Services	75,000
	001-2062-6205	Materials & Supplies	10,000
	001-2062-6714	Medical Services	70,000

Tax Assessor Collector

33. Discussion and possible action to approve the following refunds:

- A. \$25,261.88 to Ford Motor Credit Company, Acct. #80106099116, as per District Court Judgment 2005CVQ001845D2 for 2001-2003 to adjust value.
- B. 70.65 to Hubberd Unproven Mineral Ltd, Accts. #04303079222676RI, #04303169222676RI, #04303189222676RI, split as per new division order for 2006.
- C. \$11,590.91 to Ricochet Energy Inc., Accts. #04303079223134WI, #04303169223134WI, #04303189223134WI, double assessed for 2006 as per Wardlaw.

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

From: Acct #001-0700-6011, Training & Education	\$4,000
To: Acct #001-0700-6022, Professional Services	\$4,000
From: Acct #001-0700-6402, Repairs & Main. Equip	\$1,200
To: Acct #001-0700-6010, Books & Subscriptions	\$1,200

35. Discussion and possible action to purchase a Canon Scanner Model #7580 in the amount of \$6,950 for the Tax Office from account #722-0700-8801. [Scanner is on State Contract Texas Building and Procurement Commission TBPC Contract Number TXMAS-3-36010]

Treasurer

36. Discussion and possible action to approve Pledge Agreement with Commerce Bank whose securities will secure the deposit of Webb County Depository monies with said bank and authorizing the County Judge to sign all relevant documents.

Administrative Services

37. Discussion and possible action to approve the receipt of Plan Year-End Forfeitures from National Plan Administrator, as per Internal Revenue Code Section 125, for 2005, for a total amount of \$9,407.76.

- 38.** Discussion and possible action to fill slot #1526 (Assistant Human Resource Coordinator) at \$11.00.00/hr and modify title as follows:

From: Assistant Human Resource Coordinator
To: Human Resource Assistant

Building Maintenance

- 39.** Discussion and possible action to fill custodian slot #025 at \$8.25 per hour and charge to account # 001-0106-5001 payroll.

Community Action Agency

- 40.** Discussion and Possible action to modify slot #1556 (Maintenance/Driver) from part-time no benefits to full time with benefits at \$8.57 per hour, effective June 1, 2007.

Economic Development

- 41.** Discussion and possible action to accept recommendations from Texas Department of Housing and Community Affairs (TDHCA) on the following eligible applicant to receive assistance under Webb County's Contract for Deed Program: Juan & Maricela Carranza of Rio Bravo, TX, and authorizing the Purchasing Agent to solicit construction bids for the rehabilitation of this home. (Funding Source 466-4301-7037-3) **[This action will not have an impact on the County's General Fund]**

Engineer

- 42.** Discussion and possible action authorizing Change Order No. 2 in the amount of \$1,688.00 and add 20 days to contract time to Prada Construction for the Webb County South Activity Center.
- 43.** Discussion and possible action approving design of plaque for "Webb County South Activity Center" **[Account Number 723-8103-8710-1]**
- 44.** Discussion and possible action authorizing Work Authorization No. 2 in the amount of \$391,460.00 to Mejia Engineering for the design of water line replacement in Rio Bravo. 12 inch water main between Rio Bravo and El Cenizo. Erosion repairs on storm water channel south of the Rio Bravo wastewater treatment plant. **[From Account TWDB 4.8 million dollar funding]**

- 45.** Discussion and possible action authorizing the Change Order No. 1 in the amount of \$128,000.00 to Leyendecker Construction for the Girl Scout of Greater South Texas Service Center. [Account Number 690-2995 & 723-8103-8710-4]

Head Start

- 46.** Discussion and possible action to approve the Head Start Refunding Application to include the Cost of Living Adjustment for Fiscal Year 2007– 2008 (September 1, 2007 through August 31, 2008) for a Grand Total of \$9,820,357 (Federal Share = \$7,856,285 and Non-Federal Share = \$1,964,072). [Account Number 903-4200-3502]

Larga Vista Community Center

- 47.** Discussion and possible action to approve the following line item transfer:

From: Administrative travel	001-6103-5601	\$ 500.00
Repair & maint building	001-6103-6401	\$1,000.00
Repair & maint equipment	001-6103-6402	\$ 500.00
To: Materials & supplies	001-6103-6205	\$2,000.00

Planning

- 48.** Discussion and possible action to issue a “Certification Regarding Compliance with Plat Requirements and the Connection of Utilities” to authorize an electrical connection pursuant to Section 232.028(b), Local Government Code to an unplatted tract of land known as Lots 10, 11, & 12, Block 3, Aguilares, as further described in Vol. 1728, Pgs. 834-835, of the Webb County Deed Records (electricity – one dwelling only);

Purchasing

- 49.** Discussion and possible action to award Bid 2007-91 "Fourteen (14) 4-Door Pickup Trucks & Two (2) SUVs" for the Sheriff's Department as follow:

<u>Qty.</u>	<u>Description</u>	<u>Vendor</u>	<u>Unit Price</u>	<u>Total</u>
14	4 Door Pick-ups	Sames Motor Co.	\$20,350.30	\$284,904.20
14	Extended Warranty	Sames Motor Co.	\$ 2,050.00	\$ 28,700.00
TOTAL:				\$313,604.20

[Requested by Major J.J. Gonzalez; Account Number (Grant 2006-DD-BX-0504)]

- 50.** Discussion and possible action to authorize the Purchasing Agent to purchase Surfacing Tile for Larga Vista Head Start Center, 5411 Cisneros, from The Playwell Group in the amount of \$15,295.88. FUND: Account Number 903-4207-6225 BAL: \$16,278.36 [Requested by Aliza Oliveros, Headstart Director]
- 51.** Discussion and possible action to authorize the Purchasing Agent to purchase Switches for Video Conference from AT&T DATACOMM in the amount of \$8,645.90 for Judge Oscar O. Martinez, J.P. Pct. 4's Office. FUND: Capital Outlay Account Number 016-1044-8801 BAL: \$127,053.26. [Requested by Honorable Oscar O. Martinez; J.P., Pct. 4]
- 52.** Discussion and possible action to authorize the Purchasing Agent to purchase the following equipment for La Presa Community Center from Capital Outlay Series 2006:

<u>Qty.</u>	<u>Description</u>	<u>Vendor</u>	<u>Contract Number</u>	<u>Amount</u>
14	Computer Software	SHI	DIR-SDD-198	\$ 5,012.00
13	Computers	Lenovo	DIR-SDD-200	\$12,740.00
1	Laptop Computers	Lenovo	DIR-SDD-200	\$ 2,029.30
8	Printers	Valcom	DIR-SDD-223	\$ 2,880.00
8	USB Cables	Valcom	DIR-SDD-223	\$ 40.00
TOTAL:				\$22,701.30

[Requested by Commissioner Frank Sciaraffa; Account #723-8013-8710-1]

- 53.** Discussion and possible action to authorize the Purchasing Agent to obtain the services of Zertuche Construction for ADA repairs to the Justice Center in the amount of \$9,295.00.
[Requested by Mike Cabello, Engineering ; Account Number 001-0114-9201-ADA]
- 54.** Discussion and possible action to award the following bids for the Community Action Agency CEAP Program:

<u>Bid Number</u>	<u>Description</u>	<u>Award to:</u>
Bid 2007-82	"Water Heaters"	Lowe's Home Center
Bid 2007-83	"Space Heaters"	Lowe's Home Center
Bid 2007-84	" Refrigerators"	Lowe's Home Center
Bid 2007-85	" Window Units"	Lowes' Home Center
Bid 2007-85	" Water Heater Shed"	AA Builders

[Requested by Mike Kazen, Director, Account Number: No Account]

- 55.** Discussion and possible action to authorize the Purchasing Agent to purchase the following equipment for the Treasurer's Office:

<u>Qty.</u>	<u>Description</u>	<u>Vendor</u>	<u>Amount</u>
1	PS 100	Drew & Rogers Mailing Sol	\$7,045.00
2	HP Laser Printer	SCW	<u>\$3,866.00</u>
	TOTAL		\$10,911.00

[Requested by Honorable Delia Perales; Account Number 722-8108-8801]

- 56.** Discussion and possible action to award Request for Qualification 2007-02 "Build Design – Medical Examiner’s Facility" the following:

**C G Construction
2710 Zacatecas
Laredo, Texas 78046**

FUND:	767-8101-8002	\$50,000.00
	676-8101-8601	\$559,219.00
	696-2070-8801	\$24,679.00
	660-2070-8801	\$44,773.00
	722-2070-8801	\$91,352.00
	719-8101-6022	\$25,000.00
	719-8101-8601	<u>\$75,000.00</u>
	Total	\$870,023.00

[Requested by Eloy Ramirez, Jr.; Account Number: Bond Series 2001 and 2006]

Executive Session

- 57.** Discussion and possible action concerning appeal of Mr. Peter Alvarez from denial of Sexually Oriented Business Permit. **[Closed Session - Attorney Client Consultation if deemed necessary, Texas Government Code Title 5, Subchapter D, Section 551.071 [(Consultation with Attorney)] [Requested By Honorable Homero Ramirez]**
- 58.** Discussion and possible action to approve written settlement agreements with the City of Laredo disposing of current bridge litigation and appeals: Cause No. 2004-CVQ-00450-D2 Martha Escamilla, Maria Gloria Gonzalez and Webb County, Texas v. City of Laredo, 111th Judicial District Court, Webb County, Texas, and its corresponding appeal before the Texas Supreme Court, Cause No. 06-1079; and appeal to the Texas Court of Appeals, Third District at Austin, styled City of Laredo vs. Webb County, Cause No. 03-05-00168-CV, along with the underlying bond validation suit in Travis County. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

The Webb County Commissioners Court hereby reserves the right to go into closed 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 25th DAY OF May, 2007

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 25th day of May, 2007 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 25th DAY OF May, 2007

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Imelda Diaz, Deputy Clerk