



# WEBB COUNTY, TEXAS

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## COMMISSIONERS COURT

**PUBLIC NOTICE**  
**COMMISSIONERS COURT MEETING**  
WEBB COUNTY COURTHOUSE  
1000 HOUSTON STREET, 2<sup>ND</sup> FLOOR  
LAREDO, TEXAS 78040  
(Tuesday) October 13, 2009  
9:00 a.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 September 28, 2009
- 4.** Approval of Bills, Payroll, and Monthly Report
- 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.** Discussion and possible action to authorize the county attorney's office to send notice of intent to acquire (through real estate purchase or other means) the property located at 1101 Scott St. for the purpose of securing additional county parking and/or office space; and any other matters incident thereto. **[Co-Sponsored by Commissioner Jerry Garza, Pct. 3]**
- 8.** Discussion and possible action to authorize the filling of Slot #0068, Public Communication Officer, for the Webb County Judge's Office.

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

- 9.** Discussion and possible action to authorize the Purchasing Agent to solicit Requests for Proposals for Engineering Services for a water well to be constructed for Mirando City, Texas. **[Requested by Commissioner Rosaura "Wawi" Tijerina, Pct. 2 and Co-Sponsored by Juan Vargas, Economic Development Director; (Grant Fund TBA)]**
- 10.** Discussion and possible action to accept a resolution from the Mirando Rural Water Supply Corporation for the construction of a water well through the Texas Department of Rural Affairs TCDP #R72900R grant. **[Requested by Commissioner Rosaura "Wawi" Tijerina, Pct. 2 and Co-Sponsored by Juan Vargas, Economic Development Director; (Grant Fund TBA)]**
- 11.** Discussion and possible action to authorize the Purchasing Agent to solicit Request for Design Build Proposals for methods of project delivery for the expansion of the Fire Station located on HWY 359 between Oilton and Bruni. **[Requested by Commissioner Rosaura "Wawi" Tijerina, Pct. 2 and Co-Sponsored by Juan Vargas, Economic Development Director; (Grant Fund TBA)].**
- 12.** Status report by the 2010 Census Co-Chairs Alice Herrera Garcia, Director/Interim Director Larga Vista Community Center/Self Help Center and Sara Buentello, Program Coordinator Texas A&M University Center for Housing and Urban Development Colonias Program regarding the 2010 Census Conference update that was held in Corpus Christi, Texas.

13. Discussion and possible action to clarify the duties, responsibilities and compensation for Self-Help Center Interim Director for Fiscal Year 2009-2010 or until a permanent director is hired, and any other matters incident thereto.

#### Honorable Jerry Garza, Webb County Commissioner Pct. 3

14. Presentation by Bob Zachariah on the upcoming Rio Fest with discussion and possible action to have Webb County become a financial sponsor of this event.
15. Status report by the Sheriff's office regarding the security measures at the Webb County Justice Center with discussion and possible action. **[Co-Sponsored by Webb County Judge Danny Valdez]**
16. Discussion and possible action to authorize the Purchasing Agent to contract a property appraisal of the building located at 901 Hidalgo St. also known as Hidalgo Property. **[Requested by the Webb County Building Committee]**

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

17. Discussion and possible action to clarify the policy regarding appointment and substitution of committee members appointed by the individual Commissioner, and any action necessary to set policy regarding this process if none exists; and any other matters incident thereto.

#### Commissioners Court

18. Discussion and possible action to enter a Resolution and Order of the Webb County Commissioner's Court nominating a candidate for a Two (2) year term and casting its votes for the County's nominee to the Webb County Appraisal District Board of Directors and authorizing the County Judge to sign all relevant documents. **[Requested by Martin Villarreal, Webb County Appraisal District Director]**
19. Discussion and possible action to renew a Two (2) year contract with Johnson and Johnson, Attorneys at Law, effective October 15<sup>th</sup> 2009 through November 14<sup>th</sup> 2011, for legislative consulting services to Webb County; and ordering an exemption from Section 262.023 of the Local Government Code 262.024 (a) (4); and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto.

20. Discussion and possible action to approve a Resolution for Webb County's support of and participation in the South Texas Development Council Board and confirming the appointment of Webb County's representatives to said Board; and any other matters incident thereto.

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MEDIA BREAK

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**Honorable Anna L. Cavazos Ramirez, County Attorney**

- 21.** Discussion and possible action to review and approve, one of the following options, for a contract, pursuant to Texas Government Code §2254.004, between Webb County, Texas and Madeline Anz Slay Architecture, PLLC. Contract Option 1: The preparation of a Feasibility Study to make recommendations as to the best use of the Tex Mex Building and possible expanded property acquisition, for fair and reasonable fees in the amount of \$29,000.00. Option 2: A two phase contract- Phase I Architect shall prepare a Feasibility Study, for fees of \$29,000.00 and thereafter under Phase II, upon Webb County's decision, the Architect will proceed to provide the Architectural Basic Service as described in the contract and fees described therein. **[Requested by Eloy Ramirez, Jr., Webb County Purchasing Agent; Account #659-8001-8601]**

**Honorable Rudy Rodriguez, Constable Pct. 1**

- 22.** Discussion and possible action to authorize the Auditor's office to create the following operational line items and allocate funds in the amount of \$27,000.00 for the Mental Health Unit, Department #2005 for FY 09-10; and any other matters incident thereto:

Fuel and Lubricants	\$16,500.00
Uniforms	4,000.00
Training and Education	3,000.00
Membership Dues	500.00
Office Supplies	500.00
Repair and Maintenance- Equipment	500.00
Repair and Maintenance- Vehicles	2,000.00
Total	\$27,000.00

- 23.** Discussion and possible action to authorize the transfer of Deputy Constable in Slot #2374 (Juvenile Board's Budget) to Slot #2466 and to waive the hiring freeze and allow the filling of Slot #2374 which is under the Juvenile Board's Budget.

Slot #	Title	Hourly Rate
2374	Deputy Constable	\$19.13

Honorable Martin Cuellar, Sheriff

- 24.** Discussion and possible action to approve the addition of Two (2) seized vehicles to the Sheriff's Office fleet inventory and to provide the necessary insurance coverage.

**Seized Vehicle Descriptions:**

2008 Chevrolet Silverado Pickup  
VIN No. 1GCEC14J98Z107819

2004 Ford F-150 Pickup  
VIN No. 1FTPX14534FA02673

- 25.** Discussion and possible action to approve an exemption to the current county wide hiring freeze and allow the Sheriff's Office to fill the following vacant Law Enforcement Slots to support overall operations and to re-title Slot #1732. These Slots are part of the current General Order positions for FY 2009-2010.

<u>Dept. #</u>	<u>Dept. Description</u>	<u>Slot #</u>	<u>Title</u>	<u>Proposed Title Change</u>	<u>Hr. Rate</u>
2001	BU-Sheriff's	383	Officer I	No Change Proposed	\$18.58
2001	BU-Sheriff's	1732	Officer I-IT	Officer I	\$18.33
2060	BU-Jail Division	505	Officer I	No Change Proposed	\$18.10

**26.** Discussion and possible action to approve an exemption to the current County Wide hiring freeze to allow the Sheriff's Office to fill the following Grant Related slots to support overall operations.

<u>Qty.</u>	<u>Grant Title</u>	<u>Job Title</u>	<u>Hr.Rate</u>
4	FY09 Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the US: Enhancing Southern Border Jails & Detention Operations.	Detention Officer-Classification	\$18.57
2	FY09 Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the US: Enhancing Southern Border Jails & Detention Operations.	Detention Officer-Crime Analyst	\$21.15
1	FY09 Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the US: Enhancing Southern Border Jails & Detention Operations.	Detention Officer- Law Enforcement Liaison	\$18.57
1	Grant No. 2129001- Office of the Governor Criminal Justice Division. This certified peace officer will provide services for stalking, sexual assault, and domestic violence victims	Stalking, sexual assault, and domestic violence victims Peace Officer	\$18.55

**Honorable Patricia Barrera, Tax Assessor**

**27.** Discussion and possible to allow the Tax Assessor-Collector to fill the following vacant Slots:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1750	Deputy Tax Collector	\$14.23/hr.
1863	Deputy Tax Collector, VIT	\$14.09/hr.
2272	Deputy Tax Collector	\$14.23/hr.

**Auditor**

**28.** Discussion and possible action to clarify the re-organization approved by Commissioner's Court for the Treasurer's Office on September 14, 2009, specifically the part-timer account to be at \$26,837 as approved and to modify the fringe benefits accordingly at no increase to the FY 2010 Budget.

## Administrative Services

- 29.** Discussion and possible action to evaluate the performance of the following Webb County department heads:

Juanita Puente – Director, Santa Teresita Community Center  
Antonio Silva – Veteran Service Officer

Action to be taken by Commissioners Court may include continuation of employment, reassignment, modification of duties, disciplinary action, dismissal, or other actions. The Commissioners Court may take such other action as may be necessary to implement its decisions including, but not limited to, appointment of interim department heads.

**[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)].**

- 30.** Discussion and possible action to approve the Recommendation from the Insurance Committee to award the Health & Dental Insurance Program to the Texas Association of Counties (HEBP), with Blue Cross Blue Shield as carrier from (November 01, 2009 – October 31, 2010). The claim administration services rates will be as follows, per month, per covered individual: \$41.75 for medical claim administration services, \$3.56 for dental claim administration services, \$2.95 for disease management services, \$21.54 for specific stop loss insurance, with a \$200,000 deductible for medical claims, and \$3.40 for aggregate stop loss insurance with a 125% corridor for medical and prescription drug claim.

## Community Action Agency

- 31.** Discussion and possible to accept additional monies for the Comprehensive Energy Assistance Program (CEAP) Contract No. 5809000397 (CFDA # 93.568) Amendment Number: 1 from the Texas Department of Housing & Community Affairs (TDHCA), for FY-2009, in the amount \$50,945.00 for a total award of \$1,636,826.00. [CEAP # 911]
- 32.** Discussion and possible action to authorize the submission of "El Aguila" Rural Transportation Programs 5311 (Fiscal Year 2009-2010) grant to South Texas Development council for intergovernmental review, Texas Review and Comment System ("TRACS"), and authorizing the County Judge to execute all relevant documents.

- 33.** Discussion and possible action to enter into an Eleven (11) month (September 1, 2009 through August 31, 2010) rural transportation federal fund grant agreement (No.51022F7038) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts a grant amount not to exceed TWO HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED FIFTY-NINE DOLLARS (\$272,859.00) for the "El Aguila" Rural Transportation program and authorizing the Webb County Judge to execute all relevant documents.
- 34.** Discussion and possible action to accept a check in the amount of \$9,408.48 from TXU Energy. The Webb County Community Action Agency will utilize these funds to assist qualified TXU energy clients. **[Account #902-4200-7004]**
- 35.** Discussion and possible action to accept a grant award for the Weatherization Program from the Texas Department of Housing and Community Affairs (TDHCA), Contract Number 16090000682 for the American Recovery and Reinvestment Act (ARRA) for FY-September 01, 2009 through August 31, 2011, in the amount of One Million Two Hundred Thirteen Thousand and Six Dollars (\$1,213,006.00). **[Account #912]**
- 36.** Discussion and possible action to accept amendment to contract CCAD #158100 from the Texas Department of Aging and Disability Services (TxDADS), for FY 2009-2010, in the amount of \$372,876. **[Account #952-4200-3501]**
- 37.** Discussion and possible action to accept amendment to contract CBA #158100 from the Texas Department of Aging and Disability Services (TxDADS), for FY 2009-2010, in the amount of \$95,930. **[Account # 952-4200-3501]**

### **Economic Development**

- 38.** Discussion and possible action to approve the resolution authorizing the Webb County Commissioners Court to designate the Honorable Danny Valdez, Webb County Judge and the Honorable Rosaura "Wawi" Tijerina, Webb County Commissioner Precinct #2, as its authorized signatories on the TCDP #R72900A and TCDP #R72900B. **This action will not have an impact on the County's General Fund.**
- 39.** Discussion and possible action to approve and authorize the Webb County Commissioners Court the appointment of Mr. Juan Vargas as the Labor Standards Officer and the Equal Opportunity/Fair Housing Officer to the TCDP #R72900A and TCDP #R72900B grant contracts, and authorize the County Judge to sign all relevant documents. **This action will not have an impact on the County's General Fund.**

40. Discussion and possible action to authorize Webb County Economic Development Department staff to submit a Notification of Intent letter which shall serve as the Webb County acceptance of an Energy Efficiency and Conservation Block Grant (EECBG) Program amount of \$50,000 under the American Recovery and Reinvestment Act (ARRA). These funds will be used to stimulate the economy and to develop and implement projects that will improve energy efficiency and reduce energy use and fossil fuel emissions in our community.
41. Discussion and possible action to approve a Resolution authorizing the following County Officials: Honorable Danny Valdez, Honorable Sergio "Keko" Martinez, and Honorable Frank Sciaraffa to be designated as Authorized Signatories for the Texas Department of Rural Affairs for the Penitas West House-to-Line Water & Sewer Connections Project (TCDP # 729145).
42. Discussion and possible action to approve and authorize the Webb County Commissioners Court the appointment of Mr. Juan Vargas as the Labor Standards Officer and the Equal Opportunity / Fair Housing Officer to the TCDP # 729145 grant contracts, and authorize the County Judge to sign all relevant documents.

#### Engineer

43. Discussion and possible action to approve a reduction of the original TWDB Rio Bravo Water Line Phase II contract retainage from 5% to 2%. Closner & Sons Construction Company has completed their original contract, but is being asked to install up to 400 additional water services. Final approval is to be contingent on TWDB. **[Account #648-8008-8801-11]**
44. Discussion and possible action to approve Change Order No.4 to Jimmy Closner & Sons Construction Company for the installation of water tap and house to line connections in the Rio Bravo & El Cenizo areas to the TWDB Rio Bravo Water Line Phase II Contract. This will increase the contract time by 150 days and increase the contract amount by \$300,000.00. Final approval is to be contingent on TWDB. **[Account #648-8008-8801-11]**
45. Discussion and possible action to ratify the granting of a right of way easement (electrical utilities) across Webb County Self Help Center Plat in the area of the Nutrition Center and authorize the County Judge to execute all relevant documents. **[Requested by Alice H. Garcia, Interim Director Self Help Center]**

- 46.** Discussion and possible action to approve release of retainage to TEC Engineers and Consultants Inc. in the amount of \$1,484.85 for the completed design phase of the Border Colonia Access Program Street Paving Contract for D5 Acres Subdivision.  
[Account # 698-2311]

### Head Start

- 47.** Discussion and possible action to ratify the Head Start Child and Adult Care Food Program Application for FY 2009–2010 (October 1, 2009–September 30, 2010).  
[Account #903-4209]

### Indigent Defense Services

- 48.** Discussion and possible action to approve a resolution authorizing the submission of a 2010 grant application to the Texas Task Force on Indigent Defense for the Indigent Defense Formula Grant Program and designating the Public Defender as Program Manager and contact person and the Auditor as Financial Officer for the grant.  
[Requested by Hugo Martinez Public Defender and Cornell Mickley, Indigent Defense Services Director]

### Planning

- 49.** Discussion and possible action to “conditionally” authorize water and sewer connections under recently enacted legislation through S.B. 2253 (by Senator Zaffirini) pursuant to the provisions of law as stated below and contingent upon the applicant’s connection to adequate sewer services, the execution of all required forms and service contracts, and the payment of all associated connection fees; authorization for the County Judge to execute written certifications upon an applicant’s compliance with the prescribed conditions set-forth by the Court; and, any matter incident thereto to the following described dwellings/tracts:

#### Connections qualifying under 232.029(n) and (o), TLGC

##### Tanquecitos South Acres Subdivision (Recorded in Vol. 5, Pg. 67, W.C.P.R.)

- 1) 237 Riata Rd located on an unplatted 4.98 acre tract out of and part of Tract 13 (formerly known as Tracts 13-D, 13-E and 13-F)
- 2) 7046 Enlace Rd located on Tract 31

Tanquecitos Subdivision (known as Phase II) (unplatted – unrecorded)

- 3) 111 Serrano Rd Unit A located on Tract A-1

Los Altos Subdivision (Recorded in Vol. 4, Pg. 52, W.C.P.R.)

- 4) 129 Los Altos Dr Units A thru E located on Block 7, Lot 21 (commercial/residential)
- 5) 241 Amanecer Rd located on Block 2, Lot 11
- 6) 243 Amanecer Rd located on Block 2, Lot 11
- 7) 238 Los Altos Dr Unit A located on Block 2, Lot 25 (South ½)
- 8) 266 Los Altos Dr located on Block 2, Lot 18
- 9) 268 Los Altos Dr located on Block 2, Lot 18
- 10) 146 Los Altos Dr located on Block 7, Lot 12 (South ½ - unplatted)

San Carlos, Subdivision Phase I Subdivision (Recorded in Vol. 4, Pg. 34, W.C.P.R.)

- 11) 275 Emiliano Rd Unit A located on Block 8, Lot 3
- 12) 275 Emiliano Rd Unit B located on Block 8, Lot 3
- 13) 186 Amy Rd Unit A located on Block 5, Lot 14 (commercial/residential)
- 14) 186 Amy Rd Unit B located on Block 5, Lot 14 (commercial/residential)
- 15) 192 Amy Rd located on Block 5, Lot 14 (commercial/residential)
- 16) 206 Amy Rd located on Block 5, Lot 14 (commercial/residential)
- 17) 212 Amy Rd located on Block 5, Lot 14 (commercial/residential)
- 18) 7407 Gutierrez Rd Unit A located on Block 2, Lot 5
- 19) 7407 Gutierrez Rd Unit B located on Block 2, Lot 5

San Carlos, Subdivision Phase II Subdivision (Recorded in Vol. 4, Pg. 34, W.C.P.R.)

- 20) 289 Welch Rd Unit D located on Block 5, Lot 5B (unplatted)
- 21) 293 Welch Rd located on Block 5, Lot 6B (unplatted)
- 22) 289 Welch Rd Unit A located on Block 5, Lot 5A (unplatted)
- 23) 113 Welch Rd located on Block 2, Lot 4
- 24) 297 Welch Rd located on Block 5, Lot 6A
- 25) 224 Barrera Rd located on Block 3, Lot 16 (South ½ - unplatted)
- 26) 226 Barrera Rd located on Block 3, Lot 16 (North ½ - unplatted)

Staff recommends approval of the above-referenced properties as submitted containing Thirty (30) dwellings on Twenty-Six (26) lots.

- 50.** Discussion and possible action to approve the Preliminary and Final plat approval to the Replat of Lot 20, Block 4, San Carlos Subdivision Phase I (a.k.a., San Enrique) as co-applicants in a plat submittal to the City of Laredo pursuant to the authority granted by the Commissioners Court on August 27, 2007.

**Purchasing**

- 51.** Discussion and possible action to award proposal P-2009-11 "Routing Dispatch Tracking and Scheduling Software" to Shah Software, Inc. [Requested by Robert Martinez, El Aguila Transportation Director; Account #981-8001-8410 IT (Equipment – Dispatch System)]
- 52.** Discussion and possible action to ratify the purchase and installation of the following for the Webb County Youth Village:

<u>Qty</u>	<u>Description</u>	<u>Vendor</u>	<u>Amount</u>
1	A/C unit w/installation	Sunbelt	\$3,400.00
1	Electrical Power Line for A/C (Material & Labor Included)	Quantum Electric	<u>\$2,000.00</u> \$5,400.00

[Requested by Eloy Ramirez, Jr., Purchasing Agent; Account #684-1301-8410 (Equipment)]

- 53.** Discussion and possible action to authorize the Webb County Heritage Foundation to obtain a liquor license for the sale alcoholic beverages at the Villa Antigua premises during fundraising and other events. [Requested by Margarita Araiza, Webb County Heritage Foundation Director]
- 54.** Discussion and possible action to authorize the Purchasing Agent to solicit bids for the following for the Community Action Agency Weatherization Program:
- (1) Weatherization Bid for Contractors "Insulation"
  - (2) Weatherization Bid for Contractors "Labor and Materials"

[Requested by Javier Martinez, Community Action Agency Interim Director; Account Grant #16090000682]

## Road and Bridge

55. Discussion and possible action to authorize Dept. 7002 Road & Bridge, to transfer Unit #10-86 (Ford 1/2 Ton Pick Up VIN 1FTEF17L4VND22824) to Engineering Dept.

## Closed Session/Executive Session

56. Discussion and possible action to consult with County Attorney's office regarding lease proposal between Webb County and Laredo Race Park LLC for the use of the Casa Blanca Golf Course property as a future site of a horse racetrack facility; and any other matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberation regarding Real Property)]**
57. Adjourn

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 9<sup>th</sup> DAY OF October, 2009

By: \_\_\_\_\_  
Belinda Granado  
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 9<sup>th</sup> day of October, 2009 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 9<sup>th</sup> DAY OF October, 2009

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: \_\_\_\_\_  
Imelda Diaz, Deputy Clerk