



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
February 22, 2010
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 February 8, 2010
- 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 Rosaura "Wawi" Tijerina, Webb County Commissioner Pct. 2

- 7.** Status report from the Webb County Attorney's office regarding the distribution of garbage cans, report on any proposed policies and fee schedule and any matters incident thereto.
- 8.** Discussion and possible action regarding a request by Dr. David Jones, Superintendent of the Webb County Consolidated Independent School District, regarding the use of the Oilton Park baseball field by the Bruni High School Girls Softball Team. Any improvements deemed necessary to bring the field up to standards would be performed or paid for by WCISD, and any matters incident thereto.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

- 9.** Discussion and possible action to authorize the County Attorney to enter into negotiations for the purchase of the property located on 1302 Washington St. (Old CP&L Building) and any other matters incident thereto. **[Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071] (Consultation with Attorney) and Section 555.072 (Deliberation on Real Estate matters)]**

Commissioners Court

- 10.** Discussion and possible action to approve payment of \$50,885.36 to the law firm of Allison, Bass & Associates, LLP for outstanding invoices. The funds for payment are available from the reimbursement of attorney fees received by the County from Killiam Ranch Properties.

MEDIA BREAK

Honorable Anna L. Cavazos Ramirez, County Attorney

- 11.** Discussion and possible action to enter into a Thirty-Six (36) month (February 22, 2010 through February 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3510C Copier Contract #211173-ES3510C located in the Webb County Judges Office at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents.
- 12.** Discussion and possible action to enter into a Thirty-Six (36) month (February 12, 2010 through February 7, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-455 copier located in the Webb County Community Action Agency (Weatherization Dept.) at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents.
- 13.** Discussion and possible action to enter into a Thirty-Six (36) month (February 22, 2010 through February 21, 2013,) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-720T copier Contract #664332-ES720T located in the Community Action Agency at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents.
- 14.** Discussion and possible action to enter into a Thirty-Six (36) month (February 22, 2010 through February 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-28 copier Contract #211670-ES28 located in the Justice of the Peace Pct. 4 at a total cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents.

- 15. Discussion and possible action to enter into a Thirty-Six (36) month (February 22, 2010 through February 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-453 copier Contract #617162-ES453 located in the Webb County Justice of the Peace Pct. 1, PI 2 at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents.
- 16. Discussion and possible action to enter into a Thirty-Six (36) month (February 22, 2010 through February 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-853 Copier Contract #21177-ES853 located in the Webb County Public Defender's Office at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents.
- 17. Discussion and possible action to enter into a Vendor Agreement between Webb County (for the Community Action Agency) and Reliant Energy, for the "Comprehensive Energy Assistance Program" whereby Reliant Energy will provide funding to Webb County Community Action Agency for bill payment assistance to eligible low-income households for a term beginning January 1, 2010 and ending on December 31, 2012 and authorizing the County Judge to execute all relevant documents. **[Requested by Javier H. Martinez Community Action Agency Director]**
- 18. Discussion and possible action to enter into the following third party funding contracts and authorizing the County Judge to sign all relevant documents:

Health and Welfare General Operations

| | |
|--|---------------|
| Ruth B. Cowl 001-4300-7407 | \$ 86,000.00 |
| Gateway Community Health 001-4300-7455 | \$ 144,000.00 |
| Mercy Ministries 001-4300-7495 | \$ 150,000.00 |

Honorable Isidro Alaniz, District Attorney

19. Discussion and possible action to authorize the Webb County District Attorney's Office to partner with the Webb County Office of Economic Development in the creation and submission of a grant proposal to the Criminal Justice Division of the Office of the Governor of the State of Texas: Violent Crimes Against Women Criminal Justice and Training Projects - Domestic Violence, Sexual Assault, Dating Violence and Stalking Solicitation. The amount of funding request shall not exceed ONE HUNDRED THOUSAND DOLLARS (\$100,000.00). This formal request shall also authorize the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in this Program.

Honorable Martin Cuellar, Sheriff

20. 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 vacant law enforcement slot to support overall operations. This slot is part of the current general order positions for FY2009-2010.

| Dept # | Dept. Description | Slot # | Title | Proposed Title Change | Hrly Rate |
|--------|-------------------|--------|-------------|-----------------------|-----------|
| 2060 | BU-Jail Division | 444 | Officer III | No change proposed | \$19.51 |

21. Discussion and possible action to ratify payment of outstanding bills with Zapata County for the purpose of providing housing of Webb County inmates for the months of July 2009 through September 2009 in the amount of \$66,439.77.

22. Discussion and possible action to approve an Inter-Local Cooperative Agreement between Webb County and Dimmit County for the purpose of providing housing of Webb County inmates at the rate of \$39.00 per inmate per day. The term of this agreement shall begin on December 10, 2009 and shall terminate on September 30, 2010, and authorizing the County Judge to sign all relevant documents.

22. Discussion and possible action to approve a Inter-Local Cooperation Contract between Webb County and El Cenizo Police Department that includes the transfer of Two (2) Sheriff's Office patrol units to El Cenizo Police Department and other terms of cooperation between Webb County Sheriff's Department and El Cenizo Police Department; and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto.

2005 Ford Super-crew 4X4
VIN No. 1FTPW14525KD79412

2005 Ford Crown Victoria
VIN No. 2FAFP71W65X129716

Honorable Patricia A. Barrera, Tax Assessor- Collector

23. Discussion and possible action to adjust the salary for the following slot as per original budget, to determine a funding source for said adjustment and to approve the filling of Slot, effective February 22, 2010; and any other matters incident thereto:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|---------------|--------------------------|
| 2462 | General Clerk | From: \$10.57 to \$12.05 |

24. Discussion and possible action to allow the Tax Assessor-Collector to adjust salaries of the following slots as per original budget; and to determine a funding source for said adjustments:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|-------------------------------------|---------------------------|
| 137 | Deputy Tax Collector | From: \$11.96 to \$14.23 |
| 149 | MVD Verification Clerk | From: \$13.00 to \$13.92 |
| 1516 | Supply Req. & Storage Control Clerk | From: \$ 10.57 to \$11.14 |

Administrative Services

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

| | | | |
|-------|------------------|------------------------|-------|
| From: | 001-2100-30 | Flexible Spending Plan | 5,000 |
| To: | 001-0114-6701-01 | Health Fair Month | 5,000 |

Community Action Agency

- 26.** Discussion and possible action to enter into a contract amendment number One (1) in the amount of \$169,588.00 in the Department of Energy (DOE) funds from the Texas Department of Housing & Community Affairs (TDHCA) to be used in the Weatherization Program from April 1, 2009 through March 31, 2010 and authorize the Judge to sign all relevant documents. **[Requested by Javier H. Martinez, Community Action Agency Director; Account #912]**

- 27.** Discussion and possible action to accept a grant award for the Comprehensive Energy Assistance Program (CEAP) from the Texas Department of Housing & Community Affairs (TDHCA), for FY-2010, in the amount of One Million Five Hundred Two Thousand Three Hundred Thirty Dollars (\$1,502,330.00) and authorizing the County Judge to sign all relevant documents.

Engineer

- 28.** Presentation and status report regarding the 37 right-of-way parcels pending to be acquired out of a total of 1,086 parcels needed for ROW and Utility Easements used for water, sewer and paving improvements in fourteen colonias located in the Mines Road and SH 359 areas.

- 29.** Discussion and possible action to approve the following line item transfers for the Webb County Water Utilities Department as follows:

| | | | |
|-------|-----------------|---------------------------|------|
| From: | 801-3001-6014 | Equipment Rental | 9500 |
| | 801-3004-6010 | Books And Subscription | 500 |
| To: | 801-3001-6022-8 | Lab Work And Testing | 5000 |
| | 801-3001-6224 | Minor Tools And Apparatus | 2500 |
| | 801-3001-6205 | Materials And Supplies | 1000 |
| | 801-3002-6205 | Materials And Supplies | 700 |
| | 801-3004-6224 | Minor Tools And Apparatus | 800 |

- 30.** Discussion and possible action to approve the termination by mutual agreement of Five (5) previously executed Advanced Funding Agreements between TxDOT and Webb County that would allow the reimbursement to Webb County for unexpended funds for Off-State System Bridge Projects including CSJ:0922-33-089, CSJ:0922-33-088, CSJ:0922-33-090, CSJ:0922-33-091 & CSJ:0922-33-044; to reallocate these funds for recommended bridge project(s) in accordance with TxDOT's new Off-System Bridge Plan, Webb County; and to designate the County Judge to sign all relevant documents.

Head Start

- 31.** Discussion and possible action to fill the following slots for the 2009-2010 Program Year:

| <u>Slot</u> | <u>Title</u> | <u>Hourly Salary</u> | <u>Pay Periods</u> |
|-----------------------|----------------------|----------------------|--------------------|
| 1598 | AA Teacher Assistant | \$10.23 | 21 |
| 2554, 2555, 2556 | Primary Caregiver | \$ 8.86 | 26 |
| 2557, 2558, 2559 | Home Visitor | \$ 8.86 | 26 |
| 2560 – 2566 (7 slots) | EHS Teacher | \$ 8.86 | 26 |
| 2567 – 2570 (4 slots) | EHS Teacher Floater | \$ 8.86 | 26 |

[Requested by Aliza F. Oliveros, Head Start Director; Account #903-4208-5001 and 908-4208-5001]

Planning

- 32.** 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 state law as stated below and contingent upon the following:

- applicant's connection to adequate sewer services prescribed by Section 232.028 (b)(3), TLGC;
- the execution of all required forms and service contracts;
- the payment of all associated connection fees;
- the removal of any non-compliant structure(s); and
- compliance with any requirement of state or federal law or imposed by the Model Subdivision Rules.

Action to include authorization for the County Judge and County Attorney to execute written certifications upon the Planning Department's certification of the applicant's compliance with the prescribed conditions set-forth by the Court; and, any matter incident thereto to the following described properties.

Connections qualifying under 232.029 (n) and (o), TLGC (EDAP eligible dwellings)

Old Milwaukee (Unplatted /Unrecorded)

- 1) 317 Old Milwaukee Rd. Unit A, located on an unplatted 2.0 acre tract out of Porcion 32, Abstract 296, known as Tract# F-3, as further described in Vol. 1542, Pgs. 120-122, W.C.D.R.
- 2) 278 Old Milwaukee Rd., located on an unplatted 1.0 acre tract out of Porcion 32, Abstract 296, known as Tract #B-1B, as further described in Vol. 683, Pgs. 324-329, W.C.D.R.

Ranchitos 359 East Subdivision (Recorded in Vol. 4, Pg. 67, W.C.P.R.)

- 3) 156 Pinzon Rd. Unit A, located on Lot 6
- 4) 156 Pinzon Rd. Unit B, located on Lot 6

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

- 5) 251 Escandon Rd., Unit A located on Block 4, Lot 9
- 6) 251 Escandon Rd., Unit B located on Block 4, Lot 9

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

- 7) 232 Barrera Rd., located on Block 3, Lot 18
- 8) 234 Barrera Rd., Unit A located on Block 3, Lot 18
- 9) 234 Barrera Rd., Unit B located on Block 3, Lot 18

Staff recommends approval of the above-referenced properties as submitted containing Nine (9) dwellings on Five (5) lots.

- 33.** Discussion and possible action to issue a "Certification Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize a water connection pursuant to Section 232.029(c)(2), Local Government Code to an unplatted tract of land containing 4.9933 acres, being known as Tract 40, Ranchitos Los Minerales, as further described in Vol. 2568, Pgs. 102-107, of the Webb County Deed Records (water-one dwelling only).
- 34.** Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements Regarding the Connection of Utilities" to authorize an electrical service connection pursuant to Section 232.028 (b), Local Government Code to the following properties:
1. Block 3, Lot 11, San Carlos Subdivision, Phase II for one dwelling only (limited to a total of two dwellings unless replatted)

Staff recommends the Court's approval of this item since all dwellings on these properties are connected to water and sewer service.

- 35.** Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements" pursuant to the provisions of Sections 232.028(b)(2) and 232.028(b)(3), Local Government Code (LGC) as amended by recently enacted legislation by S.B. 2253 (by Senator Zaffirini) to those subdivisions that have installed adequate water and sewer facilities and that are fully operable; and establish the criteria for which individual lots may be considered for connection to said services for the following subdivisions:

Subdivisions under Sections 232.028(b)(2) and 232.028(b)(3), LGC (water and sewer):

1. D-5 Acres Subdivision as recorded in Vol. 4, Pg. 89, WCPR
2. Laredo Ranchettes (both platted and unplatted portions) as recorded in Vol. 2, Pg. 230, WCPR
3. Los Altos, Phase I Subdivision as recorded in Vol. 4, Pg. 52, WCPR
4. Old Milwaukee (unplatted)
5. Ranchitos 359 East Subdivision as recorded in Vol. 4, Pg. 67, WCPR
6. Ranchos Peñitas West Subdivision as recorded in Vol. 4, Pg. 32, WCPR
7. San Carlos Subdivision, Phase I (a.k.a., San Enrique) as recorded in Vol. 4, Pg. 34, WCPR
8. San Carlos Subdivision, Phase II as recorded in Vol. 4, Pg. 34, WCPR
9. Tanquecitos II (unplatted)

10. Tanquecitos South Acres (a.k.a. as Phase I) as recorded in Vol. 5, Pg. 67, WCPR

Subdivisions under Section 232.028(b)(3), LGC (water only/connections require licensed on-site septic systems):

- 11. Antonio Santos Subdivision as recorded in Vol. 5, Pg. 41, WCPR
- 12. Los Corralitos Subdivision (both platted and unplatted portions)
- 13. Los Minerales (unplatted)
- 14. Los Minerales Annex (unplatted)

Purchasing

- 36.** Discussion and possible action to authorize the transfer of an employee as follows within the Purchasing Department effective February 22, 2010.

| | <u>Slot</u> | <u>Title</u> | <u>Annual Salary</u> |
|-------|-------------|-----------------------|----------------------|
| From: | 2130 | Contract Auditor | \$35,154.00 |
| To: | 2069 | Central Store Manager | \$41,000.00 |

[Requested by; Eloy Ramirez, Jr., Webb County Purchasing Agent; Account #001-0600-5001 (Payroll)]

- 37.** Discussion and possible action to authorize the transfer of an employee as follows within the Purchasing Department effective February 22, 2010.

| | <u>Slot</u> | <u>Title</u> | <u>Annual Salary</u> | <u>Hourly Rate</u> |
|-------|-------------|-------------------------|----------------------|--------------------|
| From: | 0112 | Data Entry/Receptionist | \$23,464.00 | \$11.28 |
| To: | 2130 | Contract Auditor | \$31,006.80 | \$14.85 |

[Requested by Eloy Ramirez, Jr., Webb County Purchasing Agent; Account #001-0600-5001 (Payroll)]

- 38.** Discussion and possible action to approve the filling of the following Slot, effective February 22, 2010.

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|--------------------|--------------------|
| 0114 | Entry/Receptionist | \$11.28 |

[Requested by Eloy Ramirez, Webb County Purchasing Agent; Account #001-0600-5001 (Payroll)]

- 39.** Discussion and possible action to authorize the fire alarm system to Profire Protection Inc. in the amount of \$264.00 per year, for the Webb County Ladrillera Food Center.

[Requested by Eloy Ramirez, Jr., Webb County Purchasing Agent; Account #001-0106-6401 (Repairs & Maintenance Buildings)]

- 40.** Discussion and possible action to retain the services of Ausland Architects in the amount of \$25,000.00 for exterior improvements at the Webb County Law Enforcement Center (Jail) and authorizing the exemptions to competitive proposals pursuant to Section 262.024, Discretionary exemptions, Subsection (4), Texas Local Government Code.

The jail improvements consist of the following:

1. Repaving of entire parking lot
2. Security Fencing and electronic gates
3. Security surveillance systems
4. Access control/intercom system

[Requested by Martin Cuellar, Sheriff; Account #170-2001-6022 (Federal Forfeiture Fund-Professional Services)]

Road and Bridge

- 41.** Discussion and possible action to authorize an exemption to the Webb County hiring freeze and authorize Dept. 7002 Road & Bridge & Dept. 0108 Vehicle Maintenance to transfer employee and fill the following positions effective February 22, 2010:

| <u>Transfer:</u> | <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|------------------|---------------|------------------|--------------------|
| From: | 2354 | Maintenance Aide | \$ 9.52 |
| To: | 677 | Maintenance Aide | \$10.48 |

| <u>Fill Positions:</u> | <u>Slots #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|------------------------|----------------|------------------|--------------------|
| | 1896 | Maintenance Aide | \$10.48 |
| | 2354 | Maintenance Aide | \$ 9.52 |
| | 2317 | Mechanic | \$11.56 |

Closed Session/Executive Session

- 42.** Discussion and possible action on negotiations for the possible purchase of the former Webb County Title and Abstract Building located at 1620 Santa Ursula Avenue, including authorization to proceed to finalize purchase if such is approved by the Receivership Court. **[Executive Session is requested for Consultations with Attorney and Deliberations About Real Estate pursuant to Texas Government Code Sections 551.071 and 551.072]**
- 43.** Discussion and possible action to consider authorizing the Webb County Attorney to intervene in Cause No. 2010-CVQ-000060-D4; Laredo Firefighters Association Local 1390 vs. the City of Laredo; in the 406th Judicial District Court of Webb County, Texas; and any other matters related the the issues raised in that suit. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**
- 44.** 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 19th DAY OF February, 2010

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 19th day of February, 2010 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 19th DAY OF February, 2009

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Imelda Diaz, Deputy Clerk