



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
March 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
- 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 Complete Count Committee, headed by Chairperson Commissioner Rosaura "Wawi" Tijerina and Co-Chairs Alice H. Garcia and Sara Buentello regarding upcoming events to encourage participation and assist residents with the completion and submission of Census 2010 questionnaire, and any matters incident thereto.

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

- 8.** Status report by the Webb County Attorney's Office regarding Cause No. 1992CVQ000009D3 styled World Energy Corporation and Callaghan Ranch, LTD vs. Radcliffe Killam and wife, Sue Spivey Killam vs. World Energy Corporation and Webb County with discussion and possible action regarding retaining legal representation on this case and any other matters incident thereto.
- 9.** Status report by Webb County Attorney's Office regarding the Veteran's Museum with discussion and possible action regarding the following: 1.) Retaining the services of an architect to provide architectural services for the project as professional services; 2.) Discussion and possible action to acquire the necessary funds to finance this project; 3.) Discussion and possible action to remedy any and all legal impediments so that the Veteran's Museum project will commence; and any and all matters incident thereto regarding 1,2,3 above.

Commissioners Court

- 10.** Presentation by Blasita Lopez of the Laredo Convention and Visitor's Bureau regarding the 2010 Pro Tour of Nature Photography: Texas Borderlands of Laredo Competition; with discussion and possible action on having Webb County consider becoming a sponsor of this endeavor; and any other matters incident thereto.

MEDIA BREAK

Honorable Anna L. Cavazos Ramirez, County Attorney

- 11.** Discussion and possible action to enter into an Engineering Contract with Mr. Jeffrey G. Puig, P.E., R.P.L.S. for engineering services for the construction of One (1) Water Well, connection of existing distribution system to new existing water well and installation of transition lines located 4.2 miles southeast of the City of Mirando Texas, Project No. P-2010-1. The estimated time of completion for this project is Ninety (90) calendar days from the date consultant receives authorization to proceed with work. Total fees for services will be TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) as mentioned in fee schedule "Exhibit B"; and authorizing the County Judge to sign all relevant documents. **[Requested by Juan Vargas, Webb County Economic Development Director]**

- 12.** Discussion and possible action to authorize the submission of a grant application to the Texas Department of Transportation for Fiscal Year 2010 Grant Application Part II for the benefit of "El Aguila" Rural Transportation; and authorizing the County Judge to execute all relevant documents. **[Requested by Javier Martinez, Webb County Community Action Agency Director]**

- 13.** Discussion and possible action to enter into a Vendor Agreement between Webb County for the Community Action Agency and First Choice Power Special Purpose, L.P. where First Choice Power will provide funding to assist qualifying First Choice Power Customers with electric utility expenses for a term beginning January 1, 2010 and ending December 31, 2012; and authorizing the County Judge to execute all relevant documents. **[Requested by Javier Martinez, Webb County Community Action Agency Director]**

- 14.** Discussion and possible action to enter into the following Third party funding contract; and authorizing the County Judge to sign all relevant documents.

Border Region MHMR

\$75,000.00

[Requested by Anna Laura Cavazos Ramirez, Webb County Attorney]

- 15.** Discussion and possible action to enter into a Memorandum of Understanding (MOU) between Webb County Constable Pct. 4 and Immigration and Customs Enforcement (ICE) for the purpose of reimbursement of costs incurred for overtime expenses and other law enforcement expenses related to joint operations by the Webb County Constable's Office Pct. 4; and authorizing the County Judge to execute all relevant documents. **[Requested by Agustin "Tino" Juarez, Webb County Constable Pct. 4]**

- 16.** Discussion and possible action to enter into a Memorandum of Understanding (MOU) between the North Central Texas Council of Governments and Webb County Sheriff's Dept. to participate in the Law Enforcement Analysis Portal (LEAP) database to establish permissions and guidelines for the use of Records Management System (RMS), Jail Management Systems (JMS), and other Criminal Justice data that the parties agree to share with other law enforcement and public safety agencies; and authorizing the Webb County Judge to execute all relevant documents. **[Requested by Martin Cuellar, Webb County Sheriff]**
- 17.** Discussion and possible action to enter into a Thirty-Six (36) month (March 22, 2010 through March 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-281C copier Contract #211681-ES281C located in the Sheriff's Office ID Division at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of SIX HUNDRED SEVENTY-FIVE DOLLARS (\$675.00) 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.
- 18.** Discussion and possible action to enter into a Thirty-Six (36) month (March 22, 2010 through March 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-352 copier Contract #211681-ES352 located in the Sheriff's Dept. Substation on Hwy 59 at a cost of SEVENTY-FIVE (\$75.00) PER QUARTER for a total cost of SIX HUNDRED SEVENTY-FIVE DOLLARS (\$675.00) 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.
- 19.** Discussion and possible action to enter into a Thirty-Nine (39) month (March 22, 2010 through June 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-255 copier Contract #577252-ES255 located in the Constable Pct. 2 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.
- 20.** Discussion and possible action to enter into a Thirty-Nine (39) month (March 22, 2010 through June 21, 2013) Lease Agreement with Toshiba Financial Services concerning a Toshiba ES-255 copier located in the Constable Pct. 2 Office at a cost of ONE HUNDRED NINETEEN DOLLARS AND ONE CENT (\$119.01) PER MONTH for a Total Cost of FOUR THOUSAND SIX HUNDRED FORTY-ONE DOLLARS AND THIRTY-

NINE CENT (\$4,641.39) over the term of the agreement and authorizing the County Judge to execute all relevant documents.

21. Discussion and possible action to enter into a Thirty Six (36) month (March 22, 2010 through March 21, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-353 copier Contract #211681-ES353 located in the Sheriff's Dept. Radio Dispatch Dept. at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of SIX HUNDRED SEVENTY-FIVE DOLLARS (\$675.00) 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.

Honorable Martin Cuellar, Sheriff

22. Discussion and possible action to approve the recommendation made by the Jail Feasibility Committee to authorize the purchasing agent to solicit request for proposals for the acquisition of land for the future construction of a law enforcement related facility and detention center; and any other matters incident thereto. **[Requested by Webb County Sheriff's Office-Jail Feasibility Committee] [Funding contingent upon award of USDA grant and/or other financing sources]**

Honorable Margie Ibarra, County Clerk

23. Discussion and possible action to award/reject request for proposal for systems hardware and software to scan and archive public records to Aptitude Solutions for the Webb County Clerk's Office. **[Requested by Margie Ramirez Ibarra, Webb County Clerk; Account #005-1120-6022 (Professional Services) & #009-1120-6022 (Professional Services)]**
24. Discussion and possible action to authorize the purchasing agent and MIS director to assist with acquiring the hardware necessary for the implementation of the software to scan and archive public records in the Webb County Clerk's Office in an amount not to exceed FIFTY-TWO THOUSAND DOLLARS (\$52,000); and any other matters incident thereto.

Honorable Oscar Hale, 406th District Court Judge

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

From:	001-1004-6022	Professional Services	3,000
To:	001-1004-6205	Material & Supplies	3,000

Honorable Patricia A. Barrera, Tax Assessor-Collector

- 26.** Discussion and possible action to adjust salaries of the following slots as per original budget:

<u>Slot #</u>	<u>Title</u>	<u>From</u>	<u>To</u>
137	Deputy Tax Collector	\$11.96	\$14.23
149	MVD Verification Clerk	\$13.00	\$13.92
1516	Supply Req. & Storage Control Clerk	\$10.57	\$11.14
2462	General Clerk	\$10.57	\$12.05

Funding source is from Tax Office payroll savings of \$37,909 as of 02/19/2010. Actual required is \$7,630 including benefits. **[Requested by Patricia A. Barrera, Webb County Tax Assessor; Account #001-0700]**

Community Action Agency

- 27.** Discussion and possible action to grant the County Auditor authority to expend funds from the General Bank Account for the Weatherization Program and to be reimbursed by Fund #912, effective April 1, 2010 for a 90 day period pending the receipt of all required documents for the new program year. **[Requested by Javier H. Martinez; Account #912]**
- 28.** Discussion and possible action to accept a check in the amount \$13,142.76 from Direct Energy/CPL Retail Energy/WTU Retail Energy's Neighbor to Neighbor Program. Webb County Community Action Agency will utilize these funds to help qualifying families that are in financial distress to meet energy related costs essential to their health and welfare. **[Requested by Javier H. Martinez, Webb County Community Action Agency Director; Account #907-4202-6201]**
- 29.** Discussion and possible action to approve payment by the Webb County Community Action Agency totaling \$600.00 to the Texas Department of Housing & Community Affairs for disallowed expenditures made by the Weatherization Program. The Weatherization Program runs from April 1, 2009 through March 31, 2010. **[Requested**

by Javier H. Martinez, Webb County Community Action Agency Director; Account #001-0112-7200-08]

- 30.** Discussion and possible action to approve Category "B" Elections to fill a current vacancy as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency. (The Advisory Board shall be composed of membership that complies with the Community Services Block Grant-Texas Administrative Code-Rule 5.25. Election will be held on Tuesday, March 30, 2010, for Representative and Alternate for Area IX-Rio Bravo in the Rio Bravo Community Center from 10:00 a.m. to 11:00 a.m.

Economic Development

- 31.** Discussion and possible action to proclaim April 2010 as Fair Housing Month and April 12th–16th 2010 as Fair Housing Week and designating that the Webb County Community Action Agency will promote fair housing in Webb County, Texas.
- 32.** Discussion and possible action to authorize the development and submission of a Training Tuition Grant application to the Texas Forest Service-Rural Volunteer Fire Department Assistance Program in the amount of \$4,000 on behalf of the Los Botines Landowner Association-Rural Volunteer Fire Department, contingent upon its designation as a Texas Chartered, non-profit volunteer fire department; and authorizing the County Judge as the authorized representative in all matters pertaining to the county's participation in the Texas Forest Service-Rural Volunteer Fire Department Assistance Program.

Elections

- 33.** Discussion and possible action to authorize and establish the Main, Temporary Branch, and Temporary Mobile Branch early voting polling sites for the April 13, 2010 Joint Primary Runoff Elections within Webb County, Texas, pursuant to Chapter 85, Texas Election Code.

Engineer

- 34.** Discussion and possible action, for the Loop 20 Stimulus Initiative Notice of Intent (NOI) only, to add to the Webb County Scoring/Selection Committee for professional services

procurement the following members: County Commissioner Precinct 3, County Commissioner Precinct 2 and TxDOT Laredo District TP&D Director; amending the NOI regarding said selection team; and any other matters incident thereto.

- 35. Discussion and possible action to approve the remaining portion of the retainage to Mejia Engineering for the TWDB Project ID:10201 Contract and release the final amount of \$5,163.00 for the Rio Bravo Water Line Replacement Phase II. **[Account #648-2311]**
- 36. Discussion and possible action to approve payment of \$259.92 to United Rentals for the pump rental used at the Rio Bravo Water Plant on filter # 3; and any other matters incident thereto. **[Requested by Water Utilities, Account #801-3001-6014]**

Head Start

- 37. Discussion and possible action to proclaim April 2010 as Head Start Month in Webb County, Texas; and any other matters incident thereto.
- 38. 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>
1642	AA Teacher	\$12.72	21
2061	Kitchen Aide	\$ 8.33	21

[Requested by Aliza F. Oliveros, Webb County Head Start Director; Account #903-4208-5001 and 906-4209-5001]

Planning

- 39. 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 232.029(c)(2), Local Government Code to a residence having a physical address of 287 Old Milwaukee Rd. Unit A, located on an unplatted tract of land containing 2.5 acres, as further described in Vol. 648, Pgs. 428-431, of the Webb County Deed Records (electricity—one dwelling for a total of two dwellings only).

Public Defender

- 40. Discussion and possible action to authorize the following re-organization and approve the transfer of the following employees within the Public Defender's Office:

	<u>Slot #</u>	<u>Title</u>	<u>Yearly Salary</u>
From:	2087	Assistant Public Defender	\$73,588
To:	268	Assistant Public Defender	\$74,588
From:	2086	Assistant Public Defender	\$70,448
To:	2087	Assistant Public Defender	\$73,588
From:	270	Assistant Public Defender	\$66,691
To:	2086	Assistant Public Defender	\$70,448
From:	271	Assistant Public Defender	\$65,359
To:	270	Assistant Public Defender	\$66,691
From:	2200	Assistant Public Defender	\$61,659
To:	271	Assistant Public Defender	\$65,359

- 41.** Discussion and possible action to approve the following line item transfer within the Texas Task Force on Indigent Defense Juvenile Grant and to approve the salary adjustment of \$3,000 to Slot #2475 within the Public Defender's Office Juvenile Unit.

From:	023-1102-6001	Juvenile Grant (Supplies)	\$3,000.00
To:	023-1102-5001	Juvenile Grant (Payroll)	\$3,000.00

	<u>Slot #</u>	<u>Title</u>	<u>Yearly Salary</u>
From:	2475	Assistant Public Defender(Juvenile Unit)	\$64,791
To:	2475	Assistant Public Defender(Juvenile Unit)	\$67,321

[Account #023-1102-6001 (Juvenile Grant- Supplies)]

Purchasing

- 42.** Discussion and possible action to accept design-build method project delivery rankings pursuant to Texas Local Government Code Section 271.192 in response to Request for Qualifications Q-2010-01 for improvements and renovations to: Justice of the Peace, Pct. 3 Office, Fire Station for the community of Oilton, Texas, and County Park in Bruni, Texas.

<u>Rank</u>	<u>Offeror</u>
1.	Zertuche Construction
2.	CC Construction
3.	Kiva Build & Design

And to authorize county staff to proceed to negotiate a contract cost and final scope with the highest ranking by the offerors, not to exceed the budget approved by the Commissioners Court in its meeting on October 26, 2009.

[Requested by Dr. Cecilia May Moreno, Webb County Purchasing Agent; Account Fund #732 (Series 2008) Fund #640 (ARRA Grant) and Fund #641 (ARRA Grant)]

- 43.** Discussion and possible action to award Bid No. 2010-14 to Novastar, for a Video Surveillance System for the Webb County Jail, in the amount of \$85,117.30, for the Webb County Sheriff's Department. **[Requested by Martin Cuellar, Webb County Sheriff; Account #314-2001-6224 (Minor Tools & Apparatus) #337-2001-8410 (Equipment) #170-2001-8801 (Capital Outlay)]**
- 44.** Discussion and possible action to purchase One (1) GPS Software and Equipment from COP Sync Inc., pursuant to Texas Local Government Code Section 262.024 Discretionary Exemption, (a)(7), (A) and to grant a sole source exemption from competitive bidding, in the amount of \$59,908.00, for the Webb County Sheriff's Department. **[Requested by Martin Cuellar, Webb County Sheriff; Account #170-2001-8801 (Capital Outlay)]**
- 45.** Discussion and possible action to authorize the purchasing agent to solicit bids for a video surveillance system for the Webb County Justice Center. **[Requested by Martin Cuellar, Webb County Sheriff; Account #Bond Series 2008A and Federal Forfeiture Funds (170)]**
- 46.** Discussion and possible action to award Request for Proposal Bid-2010-04 "Tissue Bank Services" to South Texas Blood & Tissue Center as recommended by Dr. Corinne Stern and the scoring committee; pursuant to Section 693 of the Texas Health & Safety Code. **[Requested by Dr. Corinne Stern, Webb County Medical Examiner]**
- 47.** Discussion and possible action to approve Judge Solomon Casseb Jr. Webb County Youth Village facility plaque; and any other matters incident thereto. FQR Architects have submitted a rendering of a plaque for the Youth Village Project.

- 48. Discussion and possible action to reject bid 2010-09 "Reverse Osmosis Treatment Water Plant Upgrade on Hwy. 59 (over budget) and authorize the purchasing agent to solicit bids on 3 elements separately, with consideration for installation. [Requested by Juan Vargas, Webb County Economic Development Director; Account #709-8001-8701 (Water Facilities)]
- 49. Discussion and possible action to authorize the Economic Development Department to request from the Texas Department of Rural Affairs (TDRA) permission to have the Webb County Purchasing Agent purchase the items necessary for the Reverse Osmosis Water Treatment Plant project on HWY 59. Additionally Webb County will procure the installation services thru the bidding process or a force account. [Requested by Juan Vargas, Webb County Economic Development Director; Account #709-8001-8701 (Water Facilities)]
- 50. Discussion and possible action to authorize the purchasing agent to solicit bids for Modernization of the Webb County Jail Elevator System. [Requested by Martin Cuellar, Webb County Sheriff; (Capital Outlay Series 2008A)]
- 51. Discussion and possible action to authorize the installation of a steel automatic security rolling gate at the Sheriff's Office Administration Building. [Requested by Martin Cuellar, Webb County Sheriff; Account #168-2001-8801 (Capital Outlay)]
- 52. Discussion and possible action to accept the following ARRA Weatherization Program assignments. These assignments are the initial homes to be weatherized.

Laredo Accurate Insulation

- 1. Mario Nieto 3207 Locust
- 2. Guadalupe De Luna 4109 Eagle Pass
- 3. Francisco Castillo Rt.3, 27
- 4. Blanca Rangel 119 E. Travis
- 5. Basilia Flores 3019 Barcelona
- 6. Alberto Telles Mines Rd., Rt.7
- 7. Rosa Cruz 120 E. Lyon
- 8. Melissa B. Olivares 3511 S. Juarez

Border Insulation

- 1. Eva Delgado 3117 Flores
- 2. Carlos Blanco, Jr. 3205 Market

Zertuche Construction

- 1. Jesus Saenz 3820 Santa Maria
- 2. Gregorio Espinoza 3909 Bannock
- 3. Gloria Escobedo 2902 E. Lyon
- 4. Carlos Blanco 3205 Market
- 5. Sara A. Ibarra 1792 Patricia Lane

Marion Services

- 1. San Juanita Ramirez 1805 Lane
- 2. Veronica Martinez 17226 Fawn Dr.
- 3. Maria C. Lozano 316 Coke

AA Builders

- 1. Crispin Bernal 941 Ranchito Penitas
- 2. Alicia Herrera 1219 Price

[Requested by Javier Martinez, Webb County Community Action Agency Director; Account (ARRA Funds)]

53. Discussion and possible action to appoint Dr. Cecilia May Moreno, Webb County Purchasing Agent, as the P3 successor representative to the Texas Council of Urban Counties (CUC) Aggregation Project Inc., for the purchase of electric service.
54. Discussion and possible action to solicit bids for a client tracking system software program for the Webb County Community Action Agency. [Requested by Javier Martinez, Webb County Community Action Agency Director Account #920-4200-8402]
55. Discussion and possible action to approve the purchase of Tensa Guide Posts in the amount of \$1,715.00 for the Judge Solomon Casseb, Jr., Webb County Youth Village lobby area. [Requested by Dr. Cecilia May Moreno, Webb County Purchasing Agent Account #684-1306-8601 (Construction Account)]
56. Discussion and possible action to award or reject Bid 2010-16 Self Help Center houses and/or authorize the Purchasing Agent to re-bid the project after adjustment to the specifications.

1. Jorge Gutierrez
2. Mario Tejeda
3. Julia Benitez
4. Fransico Degollado

[Requested by Alice Garcia, Webb County Self Help Center Director]

Road and Bridge

57. Discussion and possible action to approve an exemption to the current Webb County hiring freeze and authorize Dept. 0108 Vehicle Maintenance to transfer employee and fill the following position:

<u>Transfer:</u>	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	0056	Tire Repairman	\$10.85
To:	0062	Senior Tire Repairman	\$11.77
Fill:	0056	Tire Repairman	\$10.85

Closed Session/Executive Session

- 58.** Discussion and possible action to authorize the Webb County Attorney's Office to represent Webb County on a Civil Action lawsuit No. 2010-CVQ-000236 D4 and any matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

- 59.** Discussion and possible action to authorize the Webb County Attorney's Office to represent former Rick Flores on a Civil Action lawsuit No. L-08-152 and any matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

- 60.** 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 March, 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 March, 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 March, 2010

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Imelda Diaz, Deputy Clerk