



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
April 12, 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 March 22nd, 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.

BY  DEPUTY

WEBB COUNTY, TEXAS

2010 APR -9 AM 8:56

MARGIE R. IBARRA
COUNTY CLERK
FILED

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

7. Status report from the County Attorney Ms. Anna Laura Cavazos Ramirez and Purchasing Agent Ms. Cecilia Moreno, regarding the El Cenizo Library Project with discussion and possible action and any other matters incident thereto.

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

8. Discussion and possible action on implementing a recreational program for girls and boys at the Fred & Anita Bruni Community Center at Penitas-West with concentration on self-defense instruction so as to build self-esteem and confidence and deter the youth from gang membership and affiliation at a cost of \$3,500 to be funded out of account #605-0204-8801.

MEDIA BREAK

Honorable Anna L. Cavazos Ramirez, County Attorney

9. Discussion and possible action to enter into a One (1) year (April 12, 2010 through March 11, 2011) maintenance agreement with ThyssenKrupp Elevator Corporation for the maintenance of Five (5) elevators located at the Webb County Justice Center at a cost of SEVENTEEN THOUSAND FIFTY-THREE DOLLARS AND SEVENTY-THREE CENTS (\$17,053.73), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. **[Requested by Raul R. Elizondo, Webb County Facilities Department Director; Account #001-0106-6401 (Repairs and Maintenance)]**.
10. Discussion and possible action to enter into a One (1) year (April 12, 2010 through April 11, 2011) maintenance agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) elevator located at the Webb County Justice of the Peace Precinct 2 building at a cost of TWO THOUSAND FIVE HUNDRED THIRTY-SEVEN DOLLARS AND TWENTY-FIVE CENTS (\$2,537.25), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024 (a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. **[Requested by Raul R. Elizondo, Webb County Facilities Department Director; Account #001-0106-6401 (Repairs and Maintenance)]**
11. Discussion and possible action to enter into a One (1) year (April 12, 2010 through April 11, 2011) maintenance agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) elevator located at the Webb County Court House at a cost of TWO THOUSAND SEVEN HUNDRED FIFTY-SEVEN DOLLARS AND FIFTY-FIVE CENTS (\$2,757.55), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. **[Requested by Raul R. Elizondo, Webb County Facilities Department Director; Account #001-0106-6401 (Repairs and Maintenance)]**
12. Discussion and possible action to amend a Third Party Agreement between County of Webb and Gateway Health Center, Inc. for disbursement of funds in equal monthly installments of \$12,000.00 instead of \$7,200.00, and agreement not to exceed the budgeted amount of \$144,000.00 as stated on the agreement approved by Commissioners Court on December 17, 2009 to be effective on October 1, 2009 and authorizing the County Judge to execute all relevant documents. **[Requested by Anna Laura Cavazos Ramirez, Webb County Attorney]**

13. Discussion and possible action to enter into a Thirty-Nine (39) months (April 12, 2010 through July 11, 2013) FMV Lease Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3530C copier located in the Webb County Maintenance Department at a cost of TWO HUNDRED EIGHTY-SIX DOLLARS AND SEVENTY-TWO CENTS (\$286.72) PER MONTH for a total cost of ELEVEN THOUSAND ONE HUNDRED EIGHTY-TWO DOLLARS AND EIGHT CENTS (\$11,182.08) 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. **[Texas Buy-Board Contract #299-08] [Requested by Raul Elizondo, Building and Maintenance Department Director]**
14. Discussion and possible action to enter into a Thirty-Nine (39) months (April 12, 2010 through July 11, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3530C copier Contract # 211718-ES3530C located in the Building Maintenance 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 with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. **[Texas Buy-Board Contract #299-08] [Requested by Anna Laura Cavazos Ramirez, Webb County Attorney]**
15. Discussion and possible action to enter into a contract Amendment One and Exhibit A to Amendment One of and 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) additional Basic Workstation with monitor, CPU, keyboard, printer, software support, and cash drawer at an annual cost of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) and authorizing the Webb County Judge to sign all relevant documents. **[Requested by Patricia Barrera, Webb County Tax-Assessor Collector].**
16. Discussion and possible action to enter into a Software License Agreement between Webb County and Aptitude Solutions, Inc. for a OnCore System License fee of ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) and a corresponding Software Maintenance Agreement having an annual fee of TWENTY-SIX THOUSAND DOLLARS (\$26,000.00) and authorizing the County Judge to sign all relevant documents. **[Requested by Margie Ramirez Ibarra, Webb County Clerk; Account #009-1120-6022 (Professional Services) and Account #005-1120-6022 (Professional Services)]**

Honorable Joe Lopez, 49th District Court Judge

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

From:	001-1050-7000	Other Litigation Expense	10,000
To:	001-1050-6018	Transcripts	6,000
	001-1050-6029	Court Interpreter/Reporter	4,000

Honorable Alvino "Ben" Morales, County Court at Law 1 Judge

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

From:	001-1010-6402	Equip/Maint	\$2,000
From:	001-1010-7050	Adult Misdemeanor	\$2,000
To:	001-1010-6205	Materials & Supplies	\$4,000

Honorable Hector Liendo, Justice of the Peace Pct. 1 Pl. 1

19. Discussion and possible action to authorize the purchase of combo pitching machine model #CASEY 25B at a cost of \$1,400.00. Machine to be donated to the National Little League. **[Budget Account Numbers: 605-0200-8801, 605-0201-8801, 605-0202-8801, 605-0203-8801, 605-0204-8801 (CAMP HUISACHE ACCOUNT)]**

Honorable Martin Cuellar, Sheriff

20. Discussion and possible action to approve the acceptance of an Edward Byrne Justice Assistance Grant (JAG) from the Criminal Justice Division in the amount of \$400,000 for COPsync equipment and overtime for border security operations. This action will have no impact on the county's general fund. **[Requested by Martin Cuellar, Webb County Sheriff]**

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

Qty	Grant Title	Job Title	Hr. Rate
1	HIDTA - Laredo Financial Task Force Grant	Investigator Slot No. 2552	\$22.56

- 22.** Discussion and possible action to authorize the County Auditor to approve the payment in the amount of \$8,268.67 in compensatory time for members of the Collective Bargaining unit that have exceeded the 480 hour cap at their current hourly rate as described under Section C – Compensatory Time of the Collective Bargaining agreement between Webb County and the Webb County Deputy Sheriff's Association.

Empl #	Full Name	Actual		Over	Rate	Total	Fringe Benefits	Total Needed
2390	CHRISTOPHER E. GARZA	510.08	480	30.08	21.2500	\$ 639.20	\$ 147.59	\$ 786.79
1393	SAUL G. RUBIO	513.14	480	33.14	21.2500	\$ 704.23	\$ 162.61	\$ 866.83
2371	ABEL GARCIA	559.54	480	79.54	21.2500	\$ 1,690.23	\$ 390.27	\$ 2,080.50
2940	MARIO GAMEZ	570.71	480	90.71	21.3100	\$ 1,933.03	\$ 446.34	\$ 2,379.37
2042	CESARIO MORALES	574.49	480	94.49	18.5300	\$ 1,750.90	\$ 404.28	\$ 2,155.18
						\$ 6,717.58	\$ 1,551.09	\$ 8,268.67

- 23.** Discussion and possible action to authorize the County Auditor to approve the expenditure of funds from the Laredo High Intensity Drug Trafficking Area (HIDTA) initiative for CY 2010, for the months of March 1, 2010 through April 30, 2010; pending the receipt of grant continuation award by the funding agency, City of Laredo.

- 24.** Discussion and possible action to authorize the County Auditor to transfer salary savings from Sheriff's Office payroll cost accounts totaling \$100,000.00 to the Overtime Account under the Sheriff's General fund Jail Division (2060) budget to offset potential shortfalls in the overtime account. The savings identified are from October 1, 2010 through March 25, 2010.

Transfer From:	001-2001-5001	Payroll Cost	\$ 30,000.00
	001-2060-5001	Payroll Cost	\$ 50,000.00
	001-2061-5001	Payroll Cost	\$ 20,000.00

Transfer To:	001-2060-5003	Overtime account	\$100,000.00
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- 25.** 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 slot to support overall operations.

Grantee-Defined Line Item	OOG Funds	Cash Match	In Kind Match	GPI	Total Project	Qty / % of Time
Officer I - will contribute 100% (salaries & fringe benefits) of his/her time working in grant-related activities	\$52,299.00	\$0.00	\$0.00	\$0.00	\$52,299.00	100
Slot 2590						
\$18.4572 per hour plus benefits						

Honorable Margie Ibarra, County Clerk

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

From:	605-1043-8801	JP Garcia	\$13,900.00
	733-8108-8801	Interest Income Series 2008	\$19,000.00
	733-2005-8801	Mental Health Unit	\$1,000.40
	733-2503-8801	Constable Reyes	\$620.60
	660-0204-8801	Commissioner Pct. #4	\$257.00
	660-1111-8801	District Clerk Central Jury	\$176.00
	660-1200-8801	Basic Supervision	\$3,616.00
	660-6101-8801	El Cenizo Community Center	\$55.00
	660-6105-8801	Rio Bravo Community Center	\$1,655.00
To:	605-8108-8801	Capital Outlay	\$40,280.00

[Requested by Margie Ramirez Ibarra, Webb County Clerk / Co-Sponsored by Leo Flores, Webb County Auditor]

Honorable Patricia A. Barrera, Tax Assessor-Collector

27. Discussion and possible action to approve refund of:

\$4,776.33 to Webb County Tax Office for Account #720-00001-046 thru Account #949-00003-011, (Overpayment Refund to pay accounts as per backup)

[Requested by Patricia A. Barrera, RTA; Account #001-2139]

Administrative Services

28. Discussion and possible action to extend Webb County's Agreement with Robert W. Lazarus & Associates, Inc. and RWL Benefits, Inc. d/b/a RWL Group for insurance consulting services for a period of time to be determined by Commissioner's Court for the amount of \$4,000.00 per month. Services to be provided include preparation of a request for services related to property and casualty insurance coverage and employee benefits such as employee enrollment/eligibility system, disease management, prescription drug network, claim administration service, w/c audit, P/C renewals, stop loss insurance matters and retiree Medicare supplement insurance as well as a possible proposal for group health and dental insurance coverage, and other matters incident thereto. Commissioners' Court is requested to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government.

Building Maintenance

29. Discussion and possible action to approve the purchase of one laptop computer and the labor for transferring and testing all air conditioning energy management programs and data files in the amount of \$6,794.97. **[Requested by Raul R. Elizondo Webb County Building Maintenance Director; Account #001-0106-6402 (Repairs and Maintenance of Equipment)]**

Community Action Agency

30. Discussion and possible action to accept a check in the amount of \$10,842.03 from TXU Energy. The Webb County Community Action Agency will utilize these funds to assist qualified TXU energy clients. **[Requested by Javier Martinez, Webb County Community Action Director; Account #902-4200-7004]**
31. Discussion and possible action to ratify the submission of an application to the FEMA Emergency Food & Shelter Program Phase # 28, in the amount of \$20,000.00 to provide rent and utility assistance for qualified applicants and, authorizing the County Judge to sign all relevant documents. **[Requested by Javier Martinez, Webb County Community Action Agency Director; Account #902-4200-7004-01]**

Engineer

32. Discussion and possible action to approve temporary water dispenser hours of operation of the Colorado Acres Plant. Regular hours will be modified during the time necessary for the repair of the department water tanker; further, all commercial trucks intending to purchase drinking water for non-residential use in quantities in excess of 150 gallons per day will be disallowed during this time. The dispenser will be in operation from 12 PM (noon) through 8 PM daily. **[Requested by Fitzgerald G. Sanchez, Webb County Engineer]**
33. Discussion and possible action to approve the following line item transfer:

From:	801-3001-6014	Equipment Rental	\$9,000.00
To:	801-3002-6402	Repair and Maint. Vehicle	\$9,000.00

[Requested by Fitzgerald G. Sanchez, Webb County Engineer]

Head Start

34. Discussion and possible action to fill the following slots for the 2009 – 2010 Program Year:

Slot#	Title	Hourly Salary	Pay Periods
1665	AA Teacher	\$12.72	21

[Requested by Aliza Flores Oliveros, Webb County Head Start Director; Account #903-4208-5001]

Juvenile Probation

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

From:	001-1301-6022	Professional Services	\$15,000
To:	001-1301-6208	Groceries	\$15,000

Planning

36. 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 5, Lot 2, 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.

Public Defender

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

From	001-1102-6205	Materials and Supplies	\$200
To:	001-1102-6005	Postage & Courier Service	\$200

Purchasing

38. Discussion and possible action to approve the purchase of labor and parts for the HP Flight pump at El Cenizo from Delta House Inc. in the amount of \$5,963.09. **[Requested by John Amaya, Webb County Water Utilities Director; Account #801-3004-6402 (Repairs and Maintenance Equipment)]**
39. Discussion and possible action to approve the purchase of Two (2) FV660 Freedom View Fiberscope, including window wedge and electro static discharge cord plus One (1) year warranty as of the date of purchase and repairs (90) days from the date of the invoice, from Optim in the amount of \$12,339.54. **[Requested by Martin Cuellar, Webb County Sheriff; Account #309-2001-8801 (Capital Outlay, Grant funds)]**
40. Discussion and possible action to purchase a vehicle for Sheriff's Department from Grant Funds , pursuant to Section 271.1101, and 271.201, Subchapter F., Cooperative Purchasing Program, Texas Local Government Code from Philpott Motors, H-GAC contract no. VE03-06, for a total amount of \$42,124.00. **[Requested by Martin Cuellar, Webb County Sheriff; Account #315-2001-8801 (Capital Outlay)]**
41. Discussion and possible action to authorize the purchase of Uniforms from Nardis Public Safety GSA #GS-07F-0596T, (TXMAS Contract # 8-84010) in the amount of \$41,793.34 for the Webb County Sheriff's Department Pursuant to: Subchapter F Cooperative Purchasing Program Section 271.101., 271.102., Subchapter G, Purchase Federal Schedule Sources of Supply; Section 271.03, Texas Local Government Code. **[Requested by Martin Cuellar, Webb County Sheriff; Account #001-2001-6202, #001-2060-6202, #168-2001-6202]**
42. Discussion and possible action to approve the purchase of 36 Drug Awareness shows at a price of \$29,608.00 to be organized thru the Webb County Sheriff's Department. **[Requested by Martin Cuellar, Webb County Sheriff; Account #337-2001-6022 (Grant Funds, Professional Services)]**
43. Discussion and possible action to purchase One (1) M.U.S.T. Mobile Utility Surveillance Tower from TerraHawk, LLC, pursuant to Texas Local Government Code under Subchapter C. Competitive Section 262.024 Discretionary Exemptions, (a),(7), (11), sole source and grant an exemption for competitive bidding, in the amount of \$171,495.00 for the Sheriff's Department. **[Requested by Martin Cuellar, Webb County Sheriff; Account #319-2001-8410 (Equipment)]**
44. Discussion and possible action to approve the purchase of 2,500 gallons of emulsion from Martin Asphalt in the amount of \$6,875.00. **[Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #010-7002-6405]**

- 45.** Discussion and possible action to purchase One (1) Lap Top Computer, One (1) Notebook Carrying Case and One (1) Extended Service (including parts and labor for 3 years), from Southern Computer Warehouse in the amount of \$2,772.92 for the Auditor's Department. **[Requested by Leo Flores, Webb County Auditor; Account #660-0400-8801 (Capital Outlay)]**
- 46.** Discussion and possible action to approve the purchase of the following hardware necessary to scan and archive public records in the Webb County Clerk's pursuant to Subchapter F. Cooperative Purchasing Program, sections §271.101, §271.102, Texas Local Government Code in the amount of \$51,693.43.

IBM

(1) Database Server	\$ 9,230.00
(1) Web Server	\$ 6,705.00
(1) Image Server	\$ 8,546.00

DELL

(2) VLA SQL Server STD 2008 Per Processor WIN32/64BIT	\$ 7,199.40
(3) VLA Windows Server STD 2008 R2	\$ 1,366.98
(7) VLA Exchange ENT Device CAL 2010	\$ 184.66
(7) VLA Windows Server 2008 Device Client	\$ 128.73
(7) VLA Office PRO PLUS 2007	\$ 2,126.39

GovConnection

(4) Fujitsu Scanner FI-6140	\$ 6,200.00
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CDW-G

(7)Dymo Labelwriter 450 Turbo	\$ 875.00
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Southern Computer Warehouse

(7) HP Pro 3000 1 x Core 2 Duo E7500	\$ 4,027.10
(7) HP Compaq LA2205wg 22" widescreen	\$ 1,544.20
(7) HP Memory 2 GB(upgrade)	\$ 484.40
(7) Extended Service Agreement –parts and labor (3 yrs)	\$ 446.95
(7) HP Laserjet PRO P1102W printers	\$ 960.96
(1) HP Laserjet P4015n Printer	\$ 1,069.21

Total **\$51,094.98**

[Requested by Margie Ramirez Ibarra, Webb County Clerk; Account #605-8108-8801 (Capital Outlay)]

47. Discussion and possible action to approve inter local agreements and participation with the following purchasing cooperatives.

1. The Buyboard- Local Government Purchasing Cooperative
2. TCPN-The Cooperative Purchasing Network
3. TIPS- The Interlocal Purchasing System
4. DIR- Texas Department of Information Resources
5. TXPASS- State Comptroller of Public Accounts Texas Procurement and Support Services
6. HCDE- Harris County Department of Education
7. TCI-Texas Correctional Industries
8. TIBH- Texas Industries for Blind and Handicapped
9. TXMAS – Texas Multiple Award Schedule

48. Discussion and possible action to accept the ARRA Weatherization Program assignments made to the different contractors; these assignments are the continuous homes to be weatherized.

AA Builders

1. Guadalupe Castillo-3408 Main Ave.

A-1 Insulation

1. Gregorio Lerma 359 Old Milwaukee
2. Debora Lozano 2213 San Jorge

Efficient Attic System

1. Mario Castaneda 5319 Springfield
2. Maria Factor 1620 Constantinople
3. Jose D. Chapa 1404 E. San Carlos
4. Diana San Miguel 2419 Chihuahua St.

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

49. Discussion and possible action to solicit Requests for Proposal (RFP) for an IBM iSeries Backup Server with Software. **[Requested by Jaime F. Alvarado, M.I.S. Director; Account #733-0500-8801 (Capital Outlay)]**

Closed Session/Executive Session

50. Discussion and possible action on status report by the Webb County Attorney's Office regarding pending lawsuit, Cause No. 1992CVQ0000009 D3 styled Callaghan Ranch, Ltd vs. Radcliffe Killam and wife, Sue Killam and Webb County, Texas. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

51. Discussion and possible action to retain counsel to represent Webb County in Cause No. 2010-CVQ-000296-D3; Good Government League, Cut Fat, Xavier Cantu, M.D., and Marissa Martinez vs. Webb County; In the 341st Judicial District Court of Webb County, Texas; and to take any other action pertaining to this lawsuit and related matters. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**

52. 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 9th DAY OF April, 2010

By: Michelle Limon
Michelle Limon for 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 9th day of April, 2010 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 9th DAY OF April, 2010

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: Imelda Diaz
Imelda Diaz, Deputy Clerk

