



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
July 26, 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 July 7, 2010 and July 12, 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 Danny Valdez, Webb County Judge

- 7.** Discussion and possible action regarding the current Interlocal Agreement with the City of Laredo for fire protection, emergency medical and rescue services for the unincorporated areas of Webb County; and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code, Title 5, subchapter D, section 551.071 (consultation with attorney)]
- 8.** Discussion and possible action on negotiations with Kansas City Southern Railroad regarding the purchase of the property known as Block 213 WD, City of Laredo, Texas and located immediately north of the Webb County Administration Building. Discussion may include a second counter-offer for purchase of the subject property. [Executive session is requested pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.072 (real property transactions)]

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

- 9.** Discussion and possible action to rescind the motion taken by Commissioner's Court on the special meeting of July 7, 2010 regarding the proposed closure of the county water dispenser station located at Masterson Rd; and any other matters incident thereto.
- 10.** Discussion and possible action to accept a donation of surveillance video cameras from Boys and Girls Club of Laredo for the El Cenizo community Center, at no cost to the county.

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

- 11.** Discussion and possible action for approval of the Webb County fines/fees collection contract with Linebarger, Goggan, Blair & Sampson, and to allow the County Judge to execute all relevant documents; and any other matters incident thereto.
- 12.** Discussion and possible action to establish/open an account with Mr. Israel Garcia, d/b/a G & G Grocery, Hwy. 359, Bruni, Texas for the Quad City Volunteer Fire Department for the purchase of fuel and any other matters incident thereto.

- 13.** Discussion and possible action to enter into an Agreement with Kansas City Southern for a Railroad Crossing Closure at Vaquillas Road and to direct the County Attorney to prepare the necessary agreement(s) and negotiate all terms to eliminate the inadequate and dangerous crossing at Aguilares subject to acquisition or realignment of the existing road to safely connect with Jennings Road which possesses a safer, signalized crossing and authorize the County Judge to execute all relevant documents and any other matters thereto. **[Executive Session is requested pursuant to Texas Government Code, Title 5, subchapter D, section 551.071 (consultation with attorney)]**
- 14.** Discussion and possible action to:
- a). recognize the Vaquillas Road from its beginning point at the intersection with Jennings Road as further depicted on a 1961 survey by E. J. Foster and authorize the Road & Bridge Department to re-establish prior maintenance activities; or
 - b). direct the County Attorney and county staff to acquire new right-of-way dedication from Kansas City Southern Railroad Company and others as necessary to connect the existing alignment of Vaquillas Road to Jennings Road.
[Executive Session is requested pursuant to Texas Government Code, Title 5, subchapter D, section 551.071 (consultation with attorney)]
- 15.** Discussion and possible action to authorize the purchase of 10 acres of land known as Tract 71 in Ranchito Las Lomas Subdivision from Mrs. Maria Veronica Villarreal. Said tract is needed for the expansion of the existing evaporation ponds at the existing Reverse Osmosis Water Treatment Plant. The Court is also being asked to authorize a title search and/or title policy and survey as well as all matters necessary to consummate the purchase of the subject property. **[Executive session is requested pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.072 (real property transactions)]**

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

- 16.** Discussion and possible action regarding Cause No. 2007-CVQ-00168004 Killam Ranch Properties, Ltd vs. County of Webb in the 406th Judicial District Court of Webb County, Texas; with discussion and possible action to proceed with the final closing and sale of county property to highest bidder; and any other matters incident thereto. **[Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney handling case)]**

- 17.** Status report by the County Attorney's office on the lawsuit, Cause #2010-CVF-000701-D1; entitled Webb County vs. Balt Ramos, Inc. and Baltazar Ramos, Guarantor in the 49th District Court of Webb County, Texas for payment of the outstanding debt owed to Webb County.
- 18.** Status report on the lawsuit, Cause #2010-CVQ-000296; entitled Good Government League, Cut Fat, Xavier Cantu, M.D. and Marissa Martinez vs. Webb County in the 341st District Court of Webb County, Texas regarding the use of Road & Bridge funds.

Commissioners Court

- 19.** Presentation by Madeline Anz Slay Architectural firm regarding substantial completion and recommendations of Tex-Mex feasibility study with discussion and possible action to accept or amend final contract for additional work at additional fees, if necessary; and any other matters incident thereto.
- 20.** Status report and recommendations by office space committee regarding best use of county buildings for departments, including but not limited to the former Webb County Title & Abstract building; and any other matters incident thereto.

MEDIA BREAK

Honorable Anna L. Cavazos Ramirez, County Attorney

- 21.** Discussion and possible action to approve and ratify the OAG Statewide Automated Victim Notification Services (SAVNS) grant program Contract No. 1121797 between the Office of the Attorney General and Webb County for the the State Fiscal Year 2011, this grant will provide relevant offender release information, notification of relevant court settings or events, promote public safety and support the rights of victims of crime and authorize the County Judge to sign all relevant documents. **[Requested by Martin Cuellar, Webb County Sheriff]**
- 22.** Discussion and possible action to obtain permission to utilize some of the School District lands and roads for a survey to be performed by ETC Texas Pipeline to reroute a pipeline through Webb County School Lands and authorize the County Judge to sign all relevant documents. **[Requested Anna Laura Cavazos Ramirez, Webb County Attorney]**
- 23.** Discussion and possible action to approve a Lease Agreement with USDA for the use of an approximately 2.2 acre tract also known as the former dipping vat site located off of Mines Rd., for monthly lease fee of \$1,000.00 and authorizing the county judge to execute all documents.
- 24.** Discussion And Possible Action to approve the agreement for Engineering Services between Webb County and Civil Engineering Consultants (CEC) Don Durden, Inc., for Construction Management, Inspection, and Testing Engineering Services related to the construction of the ARRA Projects; CSJ:0922-33-123,CSJ:0922-33-124,And CSJ: 0922-33-126 In Webb County, Texas, in an amount not to exceed \$271,432.82.

Honorable Oscar Hale, 406th District Court Judge

- 25.** Discussion and possible action to approve the filling of Slot #2296 by the 406th Judicial District Court effective August 3, 2010, and to approve appointment of the designee of Judge Oscar J. Hale, Jr., pursuant to §21.022 of the Texas Civil Practice and Remedies Code.

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

From:	001-1004-6022	Professional Services	1,500
To:	001-1004-5601	Administrative Travel	500
	001-1004-6011	Training & Education	1,000

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

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

From:	001-1111-6724	Central Jury Petit Jurors	20,000
To:	001-1010-7052	County Court at Law # 1 (Juvenile Felony)	20,000

Honorable Rudy Rodriguez, Constable Pct. 1

28. Discussion and possible action to approve an exemption to the current county wide hiring freeze and allow to fill the following position, Effective July 27, 2010:

<u>Slot #</u>	<u>Title</u>	<u>Salary</u>
001-2005-2467	Clerk-Employee Slot (Part-time)	16.40/hr

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

From:	001-2005-6204	Fuel & Lubricants	2,500.00
To:	001-2005-5605	Special Travel	2,500.00

Special Travel is used for transporting mental patients out of town which includes (meals, fuel and on occasions, lodging).

Honorable Martin Cuellar, Sheriff

30. Discussion and possible action to accept an award of \$1,305,378 for the 2009 Operation Stonegarden for overtime, fringe benefits, fuel, vehicle maintenance, and law enforcement equipment; and designating the County Judge to act as authorized official in all matters related to this grant. This grant would have no impact on the general fund.

- 31.** Discussion and possible action to approve the addition of Three (3) vehicles to the Sheriff's Office fleet inventory and provide the necessary insurance coverage.

Vehicle Description:

- (1) Truck (Hummer), VIN #W56HZV0111Y500F
- (2) 2010 Ford Econoline (TerraHawk Unit), VIN #1FTSS3ES9ADA27075
- (3) 2005 Ford F-250, VIN #1FTSW21P05EB68665

Honorable Patricia A. Barrera, Tax Assessor- Collector

- 32.** Discussion and possible action to allow the Tax Assessor-Collector to adjust salaries of the following slots as per original budget after successful completion of probationary period effective 08-13-2010.

<u>Slot #</u>	<u>Title</u>	<u>Current</u>	<u>Budgeted</u>
123	Mail Rm./Supply Inventory Clerk	11.00/hr.	12.65/hr.
2272	Deputy Tax Collector	12.00/hr.	14.23/hr.

- 33.** Discussion and possible action to approve an exemption to the current County wide hiring freeze and allow the Tax Assessor-Collector to fill the following position effective 07-26-2010.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2462	General Clerk	12.05/hr.

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

From:	001-0700-6005	Postage	4,600
	001-0700-6006	Advertisement	600
	001-0700-6010	Books & Subscriptions	1,400
	001-0700-6022	Professional Services	800
	001-0700-6202	Uniforms	<u>200</u>
		Total	7,600
To:	001-0700-5601	Admin. Travel	1,000
	001-0700-6402	Repairs & Maint. Equipment	1,600
	001-0700-6411	Repairs & Maint. Software	<u>5,000</u>
		Total	7,600

35. Presentation by Tax Assessor-Collector, Patricia A. Barrera, on growth and needs of the Tax Office.

Administrative Services

36. Discussion and possible action to determine the hiring process for the Buenos Aires Community Center Director including, but not limited to, instructing Human Resources to formulate a job posting and publicizing same; establishing a screening process for applicants; determining which applicants are to be interviewed; scheduling interviews for applicants; and any matter incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**
37. Discussion and possible action to authorize the Facilities Department to proceed with alterations and improvements to the Administrative Services Department. (Dividing a large area into an individual office and a workroom to comply with HIPPA Confidentiality requirements). Estimated repairs not to exceed \$1,000.00. **[Requested by Cynthia Mares, Webb County Administrative Services Director; Account #001-0114-6205 (Materials & Supplies)]**
38. Discussion and possible action to approve the content of the proposed RFP for insurance consultants or to hire insurance consultant(s) for employee benefits, property and casualty and workers compensation as well as any other matters incident thereto. The Court may also consider or take action to extend the contract with the current consultants(s), authorize a new contract and/or grant an exemption from competitive bidding or competitive proposals for the purpose of professional services pursuant to Local Government Code Section 262.024 (a)(4). **[Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 for Consultations with Attorney]**
39. Discussion and possible action for the approval of the following line item transfers:

From:	816-0105-9201	Claims Paid Medical	250,000
	816-0105-6022	Professional Services	4,000
	001-0114-5601	Administrative Travel	1,000
To:	816-0105-9203	Claims Paid Prescription	250,000
	816-0105-6039	Cafeteria Administration	4,000
	001-0114-6205	Materials & Supplies	1,000

- 40.** Discussion and possible action to authorize Administrative Services Department to obtain and bind additional insurance coverage for the Old Juvenile Detention Center, located at 4104 Juarez St. This insurance is namely “vacant building” insurance coverage, to be placed with Admiral Insurance Company, for an annual premium of \$6,912.00, and for the County Judge to sign all relevant documents. **[Requested by Cynthia Mares, Webb County Administrative Services Director; Account #001-0114-6032 (Property Casualty Premium)]**

Community Action Agency

- 41.** Discussion and possible action to accept a check in the amount of \$5,138.85 from First Choice Power, L.P. The Webb County Community Action Agency will utilize these funds to assist qualified First Choice Power, LP clients. **[Requested by Javier H. Martinez, Webb County Community Action Agency Director; Account #902-4200-7004]**
- 42.** Discussion and possible action to accept additional monies for the Department of Energy (DOE) ARRA Weatherization Program from the Texas Department of Housing & Community Affairs (TDHCA), for contract period (September 1, 2009 through August 31, 2011), in the amount of (\$1,213,005.00) for a total award of \$2,426,010.00 and authorizing the County Judge to sign all relevant documents. **[Requested by Javier H. Martinez, Webb County Community Action Agency Director; Account #917]**
- 43.** Discussion and possible action to approve additional funding for the Elderly Nutrition Program. The amount necessary to cover the Elderly Nutrition Program through the end of our fiscal year (September 30, 2010) will include:

Labor and Fuel	22,350.00
Food Cost	<u>19,000.00</u>
Total	41,350.00

To approve the transfer of funds in the amount of \$41,350.00 from CSBG County Matching funds. **[Requested by Javier H. Martinez, Webb County Community Action Agency Director, Account # 001-0112-7200-8]**

- 44.** Discussion and possible action to approve \$48,911.00 in Department of Energy (DOE) funds from the Texas Department of Housing & Community Affairs (TDHCA) to be used in the Weatherization Program from April 1, 2010 through March 31, 2011 and authorizing the County Judge to sign all relevant documents. **[Requested by Javier H. Martinez, Webb County Community Action Agency Director, Account #912-4224]**

Economic Development

45. Discussion and possible action to authorize the Economic Development Department to submit a request for \$7,209.86 to the Texas Comptroller of Public Accounts under Section 74.604 of the Texas Property Code which authorizes the Comptroller to allocate a portion of the unclaimed capital credits received from electric cooperatives back to counties in the cooperatives' service area. The requested funds may be used for eligible activities under Section 381.004 of the Local Government Code; and authorizing the County Judge to act as the County's Executive Officer and authorized representative in all matters pertaining to the County's request for Texas Comptroller of Public Accounts funding.
46. Discussion and possible action to grant the Oilton Water Supply Corporation a sanitary control easement to comply with TCEQ requirement of having a 150 foot radius from the location of the new water well located on property of Webb County and allowing the County Judge to sign all relevant documents. This will not impact the general fund.
47. Discussion and possible action to approve an Order of the Commissioners Court establishing a policy regarding the use of excessive force during non-violent civil rights demonstrations as required by the Texas Department of Rural Affairs for grant eligibility and authorizing the County Judge to sign said Order on behalf of the Commissioners Court. This action will not have an impact on the County's General Fund.
48. Discussion and possible action to authorize the Economic Development Department to develop a Staffing for Adequate Fire and Emergency Response Program (SAFER) – Job Recruitment and Retention of Volunteer Firefighters Application to the U.S. Department of Homeland Security. The purpose of the application is to create a net increase in the number of trained and certified volunteer firefighters through the development and implementation of a Recruitment/Retention Plan that shall provide for incentives such as accident and/or injury insurance, compensation for lost wages and reimbursement for firefighter certification training expenses. This action will not have an impact on the County's General Fund.
49. Discussion and possible action to authorize the purchasing agent to solicit bids for the drilling of the Mirando Water Well Project contingent upon approval of the plans and specs by the the County Egnineer. [This will not impact the general fund]. **[Requested by Juan Vargas, Webb County Economic Development Director; Account #640-8001-8701 & 641-8001-8701]**

Elections

- 50.** Discussion and possible action to order a General Election be held on the 2nd day of November, 2010, as required by Article XVI, Section 65 of the Texas Constitution, for the purpose of electing county and precinct officers.
- 51.** Discussion and possible action to approve a Resolution and Order to authorize the conduct of Joint Elections between the County of Webb, the City of Laredo, the City of El Cenizo, the Laredo Community College District, the Laredo Independent School District, and the United Independent School District to be conducted November 2, 2010 pursuant to Chapter 271, Texas Election Code.
- 52.** Discussion and possible action to approve a Resolution and Order authorizing and establishing the main and temporary branch early voting polling sites for the November 2, 2010 Joint Elections within Webb County, Texas, pursuant to Chapter 85, Texas Election Code.
- 53.** Discussion and possible action to approve a Resolution and Order authorizing and establishing election day polling sites for the November 2, 2010 Joint Elections within Webb County, Texas, in accordance with Chapter 43, Texas Election Code.
- 54.** Discussion and possible action to approve a Resolution and Order authorizing and establishing the salaries for presiding judges and clerks and establishing the maximum number of election day clerks for each election precinct pursuant to Sections 32.091(a), and 32.033, Texas Election Code, for the November 2, 2010 Joint Elections.
- 55.** Discussion and possible action to approve a Resolution and Order authorizing and establishing a central counting station, appointing the central counting station manager, tabulation supervisor, assistant tabulation supervisors, presiding judge, and establishing their respective salaries for the November 2, 2010 Joint Elections pursuant to Section 127, Texas Election Code.

Engineer

56. Discussion and possible action to approve the following line item transfers for the water utilities department:

From:	801-3001-6006	Advertising	1,000
	801-3002-6006	Advertising	<u>1,500</u>
		Total	2,500
To:	801-3001-6214	Chemicals	<u>2,500</u>
		Total	2,500

Facilities

57. Discussion and possible action to ratify the repair of the Central Chiller Plant for the Facility Department from Johnson Controls in the amount of \$5,449.30. [**Account #001-0106-6401 Repair/Maintenance Equipment**]

Fred M. & Anita Bruni Community Center

58. Discussion and possible action to approve an exemption to county wide hiring freeze and allow the Fred M. and Anita Bruni Community Center to fill the following slot effective July 26, 2010:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2342	Driver/Maintenance	10.50/hr.

Head Start

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

From:	903-4208-5001	Payroll	94,000
		Fringe Benefits	<u>36,000</u>
		Total:	130,000
To:	903-4208-6502	Janitorial Supplies	20,000
	903-4208-6012	Space Rental	31,000
	903-4208-6201	Utilities	58,000
	903-4208-6004	Telephone	<u>21,000</u>
		Total:	130,000

Juvenile Probation

60. Discussion and possible action authorizing the following line item transfer:

From:	001-1301-6023	Contract Services	32,021
To:	001-1301-6201	Utilities	32,021

Planning

61. 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 2, Lot 5, San Carlos Subdivision, Phase I for One (1) 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.

- 62.** 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) (1), Local Government Code to an unplatted tract of land containing 0.88 acres, out of Tract A, La Presa (Unplatted/Unrecorded Subdivision), as described in Vol. 1247, Pgs. 212-214, of the Webb County Deed Records (one dwelling only);

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

Public Defender

- 63.** Discussion and possible action to approve an exemption to the current County wide hiring freeze and allow the Webb County Public Defender’s Office to fill the following position effective August 3, 2010.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1972	Investigator	\$17.41

Purchasing

- 64.** Discussion and possible action to purchase AQUALUM (Liquid Aluminum Sulfate, etc.) for Water Utilities Department, from Fort Bend Services Inc., in the amount of \$5,711.86. **[Requested by Fitzgerald Sanchez, Webb County Engineer; Account #801-3001-6214 (Water Utilities)]**
- 65.** Discussion and possible action to purchase Red Wing Boots for the Road & Bridge Department from J.C. Twiss, in the amount of \$7,479.00. **[Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #010-7002-6202 (Road & Bridge Fund)]**
- 66.** Discussion and possible action to purchase classroom supplies for the Head Start Department, from Education Products Inc., in the amount of \$10,190.23. **[Requested by Aliza Oliveros, Webb County Head Start Director; Account #903-4208-6069 (Head Start Fund, Classroom Supply Account)]**

67. Discussion and possible action ratify the purchase of computer equipment and to purchase Two (2) cash drawers for the District Clerk's Department, pursuant to Section 271.101, and 271.201, Subchapter F., Cooperative Purchasing Program, TCPN Contract No. R4713, Texas Local Government Code from CDW-G in the amount of \$3,261.11. **[Requested by Manuel Gutierrez, Webb County District Clerk; Account #016-1110-6224 (Technology Account)]**

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

From:	001-0600-6005	Postage & Courier Services	600.00
	001-0600-6022	Professional Services	200.00
To:	001-0600-6205	Materials & Supplies	800.00

69. Discussion and possible action to acquire the services of E-3 Systems, to assist with the preparation and submission of an e-rate grant application, including a technology plan at a total estimated cost of \$9,000.00; and any other matters incident thereto. **[Requested by Dr. Cecilia May Moreno, Webb County Purchasing Agent]**

70. Discussion and possible action to solicit bids for the irrigations system for Casa Blanca Golf Course. **[Requested by Southern Golf Properties]**

71. Discussion and possible action to approve the specifications of the RFP for EMS-MICU service to unincorporated Webb County. **[Requested by Dr. Cecilia May Moreno, Webb County Purchasing Agent]**

72. 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 23rd DAY OF July, 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 23rd day of July, 2010 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 23rd DAY OF July, 2010

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Imelda Diaz, Deputy Clerk