



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
November 8, 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 October 25, 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 to proclaim November as National Adoption Awareness Month in Webb County, Texas.
8. Presentation by Juan Carrizales and Rogelio Trevino from Laredo Family Economic Success Coalition regarding the Voluntary Income Tax Assistance (VITA) program and family economic success initiative, with discussion and possible action.
9. Status report by the Webb County Fire/EMS Coordinator regarding the Fire Suppression and Emergency Medical Services rendered for the month of October for the unincorporated areas of Webb County; with discussion and possible action to approve payment for services rendered by Laredo MedX in the amount of \$49,472.00; and any other matters incident thereto. **[Co-Sponsored by Rosaura “Wawi” Tijerina, Commissioner Pct. 2]**
10. Discussion and possible action to approve the appointment of a Webb County representative to the Border Region MHMR Community Center Board of Trustees for a Two (2) year term, effective November 8, 2010.
11. Discussion and possible action to appoint a county management team to formulate a corrective action plan to the Texas Department of Housing and Community Affairs (TDHCA) to address the temporary suspension of grant funding for the following Webb County Social Services Programs: ARRA Weatherization Assistance Program (WAP), Comprehensive Energy Assistance Program (CEAP), and the Department of Energy Weatherization Assistance Program (DOE WAP); and any other matters incident thereto. **[Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)] [Co-Sponsored by Jerry Garza, Commissioner Pct. 3]**

Honorable Rosaura “Wawi” Tijerina, Webb County Commissioner Pct. 2

12. Presentation on behalf of H.E.B. by Viridiana Paramo and Ricardo Martinez regarding the Annual H.E.B. Thanksgiving Feast of Sharing event.

Honorable Sergio “Keko” Martinez, Webb County Commissioner Pct. 4

13. Discussion and possible action, and any and all disciplinary action necessary, including termination of Employment regarding the Executive Director of the Webb County Community Action Agency Javier Martinez in connection with alleged violations of Grant monies, regulations, expenditures, violation of “whistleblower” statute and wrongdoings that occurred with regulations of grant monies provided by the State of Texas and ARRA funds. Including appointing a person to monitor and supervise all departments of the Webb County Community Action Agency and any other matters incident thereto necessary to continue the operation of all programs of the Webb County Community Action Agency. The Commissioners Court may take such other action as may be necessary to facilitate any decisions made in this matter. **[Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]**
14. Discussion and possible action to instruct the Human Resources division of the Administrative Services Department to issue and publicize a request for qualifications to solicit applicants for the position of Director of the Webb County Community Action Agency, 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)]**
15. Discussion and possible action to authorize County Attorney to take the necessary steps including, the filing of a lawsuit to recover reimbursement amounts from any County employee who received funds from the Weatherization Assistance Program and for ARRA funds used in the Weatherization Assistance Program, who did not qualify for the Weatherization Assistance Program according to eligibility guidelines. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Commissioners Court

16. Status report regarding the Webb County fines/fees collection contract with Linebarger, Googan, Blair & Sampson; with discussion and possible action. **[Requested by Rosaura “Wawi” Tijerina, Commissioner Pct. 2]**

MEDIA BREAK

Honorable Anna L. Cavazos Ramirez, County Attorney

17. Discussion and possible action to enter into a Memorandum of Understanding between Vortex Global Innovations Inc., and Webb County in support of a pilot program for a Demonstration Model to provide Affordable, Sustainable Housing for Border Colonias; and authorizing the County Judge to execute all relevant documents. **[Requested by Jose R. Gutierrez, Webb County Fred M. & Anita Bruni Community Center Director]**
18. Discussion and possible action to enter into an Agreement between Webb County Community Action Agency and Oliver Products Company for a “Free Machine” program which allows the Agency (Meals on Wheels Elderly Nutrition Program) to lease the machine to package and seal meal trays, by only paying for purchased products. The terms of the Lease equipment shall continue as long as customer purchases Oliver Products Company supplies trays/film; and authorizing the County Judge to execute all relevant documents. **[Requested by Javier Martinez, Webb County Community Action Agency Director]**
19. Discussion and possible action to enter a Resolution and Order of the Webb County Commissioners Court to authorize the submission of a contract/grant application to the Texas Department of Aging and Disability Services to fund the County’s Community Action Agency in conjunction with Border Area Nutrition Council, Inc (“Meals on Wheel’s Program”) and authorizing the County Judge to sign all relevant documents. **[Requested by Javier Martinez, Webb County Community Action Agency Director]**
20. Discussion and possible action to enter into a Non-Financial Cooperative Agreement with the Community Action Corporation of South Texas Project Ninos Childhood Intervention Program for children enrolled in the Webb County Head Start/Early Head Start Program for a period of Twenty-Four (24) months beginning on September 1, 2010 through August 31, 2012 and authorizing the County Judge to execute all relevant documents. **[Requested by Aliza Oliveros, Webb County Head Start Program Director]**
21. Discussion and possible action to enter into a Two (2) year (September 1, 2010 through August 31, 2012) Non-Financial Interlocal Cooperative Agreement with the Laredo Independent School District through its Special Education Program, Transition Program, and LISD Pregnancy Education Program (PEP) for the delivery of services to Pre-School age children enrolled in the Webb County Head Start/Early Head Start Program and their parents, and authorizing the County Judge to execute all relevant documents. **[Requested by Aliza Oliveros, Webb County Head Start Program Director]**

- 22.** Discussion and possible action to enter into a Memorandum of Understanding with the Laredo Independent School District concerning the coordination and collaboration of preschool educational services to children enrolled in the Webb County Head Start/Early Head Start Program and authorizing the County Judge to execute all relevant documents. **[Requested by Aliza Oliveros, Webb County Head Start Program Director]**
- 23.** Discussion and possible action to authorize the county Fire/EMS committee to negotiate with Air Evac, medical air ambulance service, for possible lease of Webb County property for a headquarters, hangar and helipad preferably adjacent to the proposed Webb County Fire and EMS Department headquarters; and any matters incident thereto. **[Requested by Fire/EMS Committee]**

Honorable Isidro Alaniz, District Attorney

- 24.** Discussion and possible action to authorize the Webb County District Attorney's Office to partner with the Drug Enforcement Administration in the creation and submission of a grant proposal which shall provide funding for a task force working to combat organized crime along the Texas Border. Should the grant be awarded, then the District Attorney's Office shall provide matching funds in the amount of Twenty-Five Percent for salaries of designated personnel as outlined by the terms of the grant.

Honorable Raul Vasquez, 111th District Court Judge

- 25.** Discussion and possible action to approve the transfer of employee within the following slots, effective November 8, 2010:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	1560	Assistant Coordinator/Civil	\$20.99
To:	1559	Court Administrator	\$24.86

- 26.** Discussion and possible action to approve the transfer of employee within the following slots, effective November 8, 2010:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	1561	Court Administrative Assistant	\$16.08
To:	1560	Assistant Coordinator/Civil	\$16.08

27. Discussion and possible action to ratify the filling of the following slot, effective November 1, 2010:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1561	Court Administrative Assistant	\$15.87

Honorable Joe Lopez, 49th District Court Judge

28. Discussion and possible action to approve the amended Webb County Indigent Defense Attorney Fee Schedule as approved by the Board of Judges on October 6, 2010.

Honorable Martin Cuellar, Sheriff

29. Discussion and possible action to approve the addition of One (1) seized vehicle to the Sheriff's Office fleet inventory and provide the necessary insurance coverage.

Seized Vehicle Description:

2006 Dodge 2500 PK
VIN #107HA18276J199097

Honorable Patricia A. Barrera, Tax Assessor- Collector

30. Discussion and possible action to approve the filling of the following slot effective, November 8, 2010:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1516	Clerk	\$11.36

Administrative Services

31. Discussion and possible action to approve the annual costs associated with the "Early Retirement Reinsurance Program" approved by the Commissioner's Court on July 12, 2010. The fees will be \$6,000.00 for the first year and \$3,000.00 for the second year. **[Acct. #863-0105-6022]**

Community Action Agency

32. Discussion and possible action to approve the filling of the following slot:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1149	Food Service Worker/Food Transporter (30 hr/wk)	\$ 9.00

[Account #952-4200-3500]

Economic Development

33. Discussion and possible action to accept the recommendations from the Webb County Housing Rehabilitation Scoring Committee on eligible applicants to receive assistance under the Self-Help Center and/or Economic Development Initiative Special Project Housing Rehabilitation Programs from San Carlos I Subdivision and San Carlos II Subdivision; and to authorize the Purchasing Agent to solicit construction bids for the rehabilitation of these homes.
34. Discussion and possible action to authorize the release of the 10% retainage payment of (\$3,000.00) to AA Builders for the housing rehabilitation of a home located in Colonia D-5 Acres, under the HOME Program Contract #1001027. **[Account #470-4228-7029 (Grant Funds)]**
35. Discussion and possible action to accept a Housing Preservation Grant (HPG) from the USDA Rural Development in the amount of \$100,000.00 (One Hundred Thousand Dollars) effective date of contract shall be September 24, 2010 and shall terminate September 24, 2012 for Housing Rehabilitation of Four (4) homes in Colonia Penitas West and designating the County Judge as the County's Chief Executive Officer and authorized representative to act in all matters in connections with this project. **[Account #470-4228-7029 (Grant Funds)]**
36. Discussion and possible action to authorize the approval of a test Water Well (in the amount of \$21,340.00) by the Project Engineer, Puig Engineering/Civil Engineering Consultants, data from this test water well will be used for the design and specifications in the Construction of the Mirando Water Well for the Mirando Rural Water Supply Corporation and authorize the County Judge to sign all relevant documentation.

Engineer

37. Discussion and possible action to approve Change Order No. 1 that reduces Item 0310-2016, PRIME COAT (RC-250) and Item 0316-2387,AGGR (TY-PE GR-5) for approximately 3,000 feet of shoulder work on the Mangana Hein CSJ:0922-33-124 Project. This change order will reduce the project cost by \$2,636.91. Final approval is to be contingent on TxDOT concurrence (ARRA funding); and authorizing the County Judge to sign all relevant documents. **[Account #661-7501-8621-03]**
38. Discussion and possible action to approve Change Order No. 2 changing Item 0340-2243-003,D-GR HMA (METH) TY-C PG 70-22 (LEVEL-UP) to Item 0340,D-GR HMA (METH) TY-B PG 64-22 for approximately 2,300 feet length of roadway on the Mangana Hein Project. This will reduce the project cost by \$1,584.72. Final approval is to be contingent on TxDOT concurrence (ARRA funding); and authorizing the County Judge to sign all relevant documents. **[Account #661-7501-8621-03]**
39. Discussion and possible action to allow the Facilities Department to contract the remodeling of the Webb County Title & Abstract second floor foyer to accommodate the Engineering Department space lost to MIS equipment placed in the room in the second floor previously allocated to the Engineering Department; and any other matters incident thereto; and authorizing the County Judge to sign all relevant documents.
40. Discussion and possible action to approve and accept the August 6, 2010 Emergency Action Plan (EAP) for Lake Casa Blanca Dam, TX02267 approved by TCEQ on October 5, 2010, and any other matters incident thereto.
41. Discussion and possible action to accept funding from FEMA, through Governor's Division of Emergency Management, that reimburses 75% of allowable expenses to repair various portions of the Webb County wastewater collection system as a result of the Rio Grande floodwaters due to Hurricane Alex event on and after July 7, 2010; to allow the County Purchasing Agent to advertise any necessary professional services procurement; to appropriate funds for the Webb County 25% matching funds as deemed necessary; and any other matters incident thereto.

Fire Suppression & EMS Services

- 42.** Discussion and possible action to authorize the Economic Development Department to submit an application to the Texas Forest Service on behalf of the Webb County Fire Service for the acquisition of Ten (10) complete sets of Personal Protection Equipment (PPE), and authorizing 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 application.
- 43.** Discussion and possible action to approve the use of stipends for volunteers with the Webb County Fire and EMS Department; and any matters incident thereto. These monies would be paid out of funds previously approved for the department.
- 44.** Discussion and possible action to fill the following slots under Department #2203 Fire Suppression & EMS Services effective November 8, 2010; and any other matters incident thereto.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Salary</u>
2599	Assistant Coordinator	\$19.23
2601	Administrative Assistant	\$12.02

[Requested by Jerry Arizola, Webb County Fire/EMS Coordinator]

Head Start

- 45.** Discussion and possible action to approve the filling of the following slots for the 2010 – 2011 Program Year:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Salary</u>	<u>Pay Periods</u>
1028	AA Teacher Assistant	\$ 10.19	21
1107	Part Time Substitute	\$ 7.92	21

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

From:	908-4208-6069	Classroom Supplies	11,000
	908-4208-6001	Office Supplies	2,000
	908-4208-6502	Janitorial Supplies	2,000
	908-4208-6201	Utilities	10,000
	908-4208-6401	Building Maintenance	<u>8,172</u>
		Total	33,172
To:	908-4208-8801	Payroll	27,643
		Fringe Benefits	<u>5,529</u>
		Total	33,172

47. Discussion and possible action to create and fill the following positions for the 2010-2011 Program Year:

<u>Title</u>	<u>Hourly Rate</u>	<u>Pay Periods</u>
Part Time EHS Teacher Floater (30 hr/wk)	\$ 8.86	26
Part Time EHS Teacher Floater (30 hr/wk)	\$ 8.86	26

Planning

48. Discussion and possible action to issue a “Certificate of Compliance with Plat Requirements Regarding the Connection of Utilities” pursuant to Section 232.028, L.G.C. and authorize an electrical service connection pursuant to Section 232.029 (b), L.G.C. to the following property:

1. An unplatted 0.5 acre tract known as Tract C-3 Tanquecitos, Phase II, being an unplatted/unrecorded subdivision, as more particularly described in Vol. 1463, Pgs. 52-53 Webb County Deed Records. Approval is limited to one dwelling only (limited to a total of one dwelling unless replatted).

Staff recommends the Court’s approval contingent upon receipt of the Premise Report from the City of Laredo Health Department evidencing the decommissioning of existing septic systems.

Purchasing

49. Discussion and possible action to purchase Websense Software for the M.I.S. Department from ANIDIRECT Network Security Solution in the amount of \$32,707.89. **[Requested by Jaime Alvarado, Webb County MIS Director; Account #001-0500-6411 (General Fund)]**
50. Discussion and possible action to award RFQ-2010-05 “Architectural Services for El Cenizo Library” to Metaformstudio Architecture, the firm with the highest evaluation score. **[Account #605-0201-8801]**
51. Discussion and possible action to ratify the acquisition of a consultant for the preparation of the specifications and design documents for the Golf Course irrigation system in the amount of \$6,500.00. **[Account #665-6001-8601 (Series 2003)]**
52. Discussion and possible action to approve the purchase of products/materials to be used in the installation of the irrigation system for the Golf Course; pursuant to Section 271.101, and 271.102, Subchapter F., Cooperative Purchasing Program Buy Board Contract #GS-BB-2010-VS, Texas Local Government Code, from Professional Turf Products in the amount of \$67,199.64. **[Accounts #665-6001-8601 and #631-6001-8601 (Series 2003 and 2010)]**
53. Discussion and possible action to Award RFP 2010-38 “Casa Blanca Irrigation System” to the lowest responsible bidder and to approve the proposed contract with said bidder.
54. Discussion and possible action to reject Bid 2011-19 “Annual Contract for Pharmaceutical” and rebid the contract.
55. Discussion and possible action to approve solicitation for proposals for the inmate and coin operated telephone service to the Webb County Sherriff’s Department. **[Requested by Martin Cuellar, Webb County Sheriff]**
56. Discussion and possible action to solicit bids for the construction of the Webb County JJAEP facility.
57. Discussion and possible action to solicit bids for the e-rate infrastructure projects and maintenance services identified in the e-rate application to be submitted for JJAEP and the Youth Village.

58. Discussion and possible action to approve the recommended Price per Unit Billing Listing for Webb County for Emergency Medical Services provided through Webb County.
59. Discussion and possible action to purchase diapers for the Head Start Department from McKesson in the amount of \$10,977.60. **[Requested by Aliza Oliveros, Webb County Head Start Director; Account #908-4208-6205 (Early Head Start ARRA Funds/ Materials and Supplies)]**
60. Discussion and possible action to purchase Six (6) Scanners for the District Clerk's Department, pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program TCPN, Contract No. R4713, Texas Local Government Code, CDW-G in the amount of \$8,934.00. **[Requested by Manuel Gutierrez, Webb County District Clerk; Account #018-1110-6224 (Preservation Fund)]**
61. Discussion and possible action to approve the purchase of Five (5) Samsung Rugby2 Devices (radio/cell phone) (total cost \$99.95) with a monthly plan cost of \$104.35 for all 5; and an additional cost of \$44.40 per month for unlimited data, from AT&T. Total cost for the year will be \$1,884.95. **[Requested by Rhonda Tiffin, Webb County Planning Director; Accounts #010-2202-6004-2 and #010-0102-6004-2 (Cell Phone Fund, Road & Bridge Fund)]**

Road and Bridge

62. Discussion and possible action to authorize the Road & Bridge Department to construct a retaining wall on the South side of the property East of the American Legion Building to control erosion caused by rains. This property belongs to Webb County.

Closed Session/Executive Session

63. Discussion and possible action to provide direction to the County Attorney and to take any other action related to Civil Action No. 5:09-cv-107; Robert Ramos, Jr. vs. Webb County, Texas, et al.; In the United States District Court for the Southern District of Texas, Laredo Division. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

64. Discussion and possible action to amend §9.07 of the Webb County Personnel Policies regarding paid Citizenship Leave relative to jury duty or subpoenaed testimony in Federal Court, and any matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**
65. Discussion and possible action to authorize the Community Action Agency director to utilize payroll savings or CSBG county match to cover leave for wages for Two (2) employees pending discharge; and any other matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]**
66. Discussion and possible action to determine the conditions relative to the lay-off of Community Action Agency employees because of the suspension of programs by the State of Texas, to determine any benefits that may be available to affected employees, to determine the manner in which the Webb County Employee Policies manual is applied, and any matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**
67. Status report by county attorney's office and attorney Steve Whitworth on properties and leases in the area of Casa Blanca Golf Course, Casa Blanca State Park, and LIFE Downs as well as any possible action required to clarify status of any pending leases and title issues on said properties; and any other matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Section 551.071 and 551.072 for (Consultation with Attorney and Discussions on Real Estate matters)]**
68. 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 5th DAY OF November, 2010

By: _____
Melinda Mata
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 5th day of November, 2010 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 5th DAY OF November, 2010

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Margie Ramirez-Ibarra, County Clerk