

Official Minutes for Webb County
Commissioners Court Meeting

MONDAY November 26, 2007 at 9:00 AM
(approved December 10, 2007)

Call to order by Judge Danny Valdez

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

| | |
|-------------------------|----------------------|
| Danny Valdez | County Judge |
| Frank Sciaraffa | Commissioner, Pct. 1 |
| Rosaura "Wawi" Tijerina | Commissioner, Pct. 2 |
| Jerry Garza | Commissioner, Pct. 3 |
| Sergio "Keko" Martinez | Commissioner, Pct. 4 |

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 20TH of November 2007. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 1. ROLL CALL BY MRS. KRISTINA RAMIREZ GUERRA, CHIEF DEPUTY, ON BEHALF OF MRS. MARGIE RAMIREZ IBARRA, WEBB COUNTY CLERK

Item No. 2. PLEDGE OF ALLEGIANCE

Item No. 3. APPROVAL OF MINUTES FOR NOVEMBER 13, 2007

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 4. APPROVAL OF BILLS, PAYROLL, AND MONTHLY REPORTS

Ms. Delia Perales, Webb County Treasurer, explained her monthly report.

Judge Valdez motioned to bring up item #10. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10. Discussion and possible action to enter into a Deposit Express Agreement with International Bank of Commerce/Commerce Bank to provide for electronic deposits of checks by Webb County, at no cost to Webb County, and authorizing the Webb County Judge to execute all relevant documents. [Requested by Delia Perales, Webb County Treasurer]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to approve item #4. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5. COMMUNICATIONS

Cmr. Sciaraffa had no items under communications.

Cmr. Tijerina stated that hopefully everyone had a wonderful Thanksgiving Day. She mentioned that she was excited that US Speaker of the House Nancy Pelosi was in town and was able to tour the Colonias and hoped that her visit will assist in bringing more money for the Colonias. She thanked Andy Arellano, Jose Luis Ramos, Cassie Alldred, Juan Vargas, and Judge Valdez. Cmr. Tijerina sent special thanks to Congressman Henry Cuellar and his staff who were very helpful in organizing this event. She also congratulated Cmr. Garza on his award received by The Muscular Dystrophy. Cmr. Tijerina sent her condolences to the parents and family of RJ Lopez and the family of Rosa Maria Casso Ramirez.

Cmr. Garza had no items under communications.

Cmr. Martinez thanked Mr. Mike Kazen and the C.A.A. (Community Action Agency) staff for their assistance at the Thanksgiving Meal provided to the families from La Ladrillera area by him on Friday, November 23rd.

Item No. 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.

1st witness card – Jesus Gonzalez (Webb County Clerks Office)

Mr. Gonzalez, representing the Webb County Clerks Staff, invited all to participate in The Webb County Clerks Blanket Drive that was currently taking place until December 14th. He advised that there were already several families signed up to receive a blanket.

Addendum No. 1. Status report from the Webb County Attorney's office regarding a requested Attorney General's opinion with respect to Webb County hiring policies with convicted felons/misdemeanor convictions involving moral turpitude.

Discussion on file at the Webb County Clerks Office under the November 26th Commissioner's Court DVD.

Cmr. Sciaraffa motioned to table the item. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum No. 2. Status report by the Engineering Department and the facilities director regarding the Casa Blanca Golf Course Clubhouse, restroom facilities and the barnhouse.

Discussion on file at the Webb County Clerks Office under the November 26th Commissioner's Court DVD.

Judge Valdez advised Mr. Raul Elizondo, Facilities Director, and Mr. Tony Alderete, Engineering Department, to forward a copy of their report to the entire Commissioner's Court.

Cmr. Garza asked both of them to look into the last Health Department report and forward a copy of it to the entire Commissioner's Court.

Commissioners Court

Item No. 7. Presentation by Tiffany Melvin, Executive Director of North America’s Supercorridor Coalition, Inc. (NASCO), with possible action to renew Webb County membership dues for fiscal year 2007-2008.

Judge Valdez motioned to defer item. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 8. Discussion and possible action to cancel the regularly scheduled Commissioners Court Meeting of December 27, 2007

Cmr. Garza motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Webb County Attorney

Item No. 9. Discussion and possible action to enter into the following third party funding contracts and authorizing the County Judge to sign all relevant documents:

| Contractor Organization | Contract amount |
|---------------------------------------------------|------------------------|
| General Fund | |
| AVANCE- Laredo Chapter | 5,000 |
| TAMIU Dance Program | 1,000 |
| Laredo-Webb County Food Bank (Kid’s Café Program) | 30,000 |
| Laredo-Webb County Food Bank | 18,750 |

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11. Discussion and possible action to enter into a contract amendment to the Historical Scanning Agreement with Landata Technologies, Inc. to provide for data conversion and data entry (indexing) services at the Webb County Clerk’s Office at a cost of ONE HUNDRED TWENTY-NINE THOUSAND EIGHT HUNDRED THIRTY-THREE DOLLARS AND SEVENTY-FIVE CENTS (\$129,833.75) and authorizing the County Judge to execute all relevant documents. [Requested by Margie Ramirez Ibarra, Webb County Clerk, Account Number; 009-1120-6022]

Cmr. Garza motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12. Discussion and possible action to enter into a contract amendment to the Software License Purchase Agreement with Landata Technologies, Inc. to provide for software support and services to the Plat Scanner at the Webb County Clerk’s Office at a cost of THREE THOUSAND ONE HUNDRED FIFTY DOLLARS (\$3,150.00) and authorizing the County Judge to execute all relevant documents. [Requested by Margie Ramirez Ibarra, Webb County Clerk, Account Number; 009-1120-6022]

Cmr. Sciaraffa motioned to approve item submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13. Discussion and possible action to enter into a Vendor Agreement between Webb County for the Community Action Agency) and Medina Electric Cooperative, Inc. for the "Comprehensive Energy Assistance Program" whereby Medina Electric will provide funding to Webb County Community Action Agency for bill payment assistance to eligible low-income households for a term beginning January 1, 2007 and ending on December 31, 2007 and authorizing the County Judge to execute all relevant documents. [Requested by Mike Kazen, Community Action Agency Director, Account Number; 911-4227-7016 (Utility Payments)]

Cmr. Garza motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14. Discussion and possible action to enter into an Interlocal Agreement with Laredo Community College "LCC" for FY 2007-2008 (October 1, 2007 – September 30, 2008), wherein LCC will provide students with an opportunity to work at various county offices and departments as part of the Federal-Work Program at a cost to the County not to exceed TEN THOUSAND DOLLARS (\$10,000.00.) over term of the agreement, and authorizing the County Judge to execute all relevant documents. [Requested by Cynthia Mares, Administrative Services Director, Account Number; 001-0109-7459]

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 15. Discussion and possible action to enter into a One (1) year (October 1, 2007 through September 30, 2008) software support agreement with PAPCON for the District Clerk's Office Child Support Software at a cost of ONE THOUSAND THIRTY-FIVE DOLLARS (\$1,035.00), and authorizing the County Judge to execute all relevant documents. [Requested by Jaime Alvarado, M.I.S. Director, Account Number; 001-0500-6411(Repairs and Maintenance Software)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16. Discussion and possible action to enter into a One (1) year (November 1, 2007 through October 31, 2008) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES 350 Copier located in the office of the 49th Judicial District Court-Drug Impact Court at a cost of THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and with copy overages being billed at .009000 cents per copy and authorizing the County Judge to execute all relevant documents. [Requested by Judge Joe Lopez, 49th District Court , Account Number; 001-1004-6402]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17.** Discussion and possible action to enter into a One (1) year (November 1, 2007 through October 31, 2008) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba Fax Machine located in the office of the 406th Judicial District Court at a cost of TWO HUNDRED NINETY-FIVE DOLLARS (\$295.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents. [Requested by Judge Oscar Hale, Jr., 406th Judicial District Court; Account Number 001-1004-6402 Repairs & Maintenance]
- Item No. 18.** Discussion and possible action to enter into a One (1) year (November 1, 2007 through October 31, 2008) maintenance agreement with Toshiba Business Solutions of Texas concerning an ES 28 Copier located in the office of the Webb County Justice of the Peace Precinct 4 at a cost of THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and with copy overages billed at .008500 cents per copy and authorizing the County Judge to execute all relevant documents. [Requested by Judge Oscar Martinez, Justice of the Peace Precinct 4, Account Number; 001-1044-6402 Repair & Maintenance]
- Item No. 19.** Discussion and possible action to enter into a One (1) year (October 1, 2007 through September 30, 2008) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES 2500C Copier located in the Engineering Department at a cost of ONE THOUSAND NINE HUNDRED and NINETY-NINE DOLLARS AND NINETY-THREE CENTS (\$1,999.93) over the term of the agreement and with copy overages being billed at .0010000 cents per black copy and .0850 cents per color copy authorizing the County Judge to execute all relevant documents. [Requested by Tony Alderete, Interim Webb County Engineering Department, Account Number; 010-0115-6402]
- Item No. 20.** Discussion and possible action to enter into a One (1) year (November 1, 2007 through October 31, 2008) maintenance agreement with Toshiba Business Solutions of Texas concerning an ES 230 Copier located in the office of the Webb County Sheriff at a cost of THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and with copy overages billed at .009000 cents per copy and authorizing the County Judge to execute all relevant documents. [Requested by Rick Flores, Webb County Sheriff, Account Number; 001-2060-6014]

Cmr. Sciaraffa motioned to approve items 17, 18, 19, and 20 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21.** Discussion and possible action to enter into a One (1) year (October 1, 2007 thru September 30, 2008) professional service agreement with Hector Lopez, D.D.S. to provide dental services to inmates for THREE THOUSAND DOLLARS (\$3,000.00) per month or an annual amount of THIRTY THOUSAND DOLLARS (\$30,000.00) or by fee schedule in Section V. and authorizing the County Judge to execute all relevant documents. [Requested by Rick Flores, Webb County Sheriff, Account Number; 001-2062-6022 (Professional Services)]

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Nathan Bratton, County Attorney's Office, advised Cmr. Garza that he was correct and that it was a typographical error and the annual amount should be \$36,000.00.

Motion carried 5-0 by unanimous consent.

Mr. Nathan Bratton, County Attorney's Office, advised the Court that on item #16 the correct account should be 001-1001-6022.

Item No. 22. Discussion and possible action to enter into an architectural services agreement with Sepulveda and associates in an amount not to exceed TEN THOUSAND DOLLARS (\$10,000.00) for design modifications to the third floor of the William Hall administration building and authorizing the county Judge to sign all relevant documents [Requested by: Honorable Homero Ramirez, Webb County Attorney]

Discussion on file at the Webb County Clerks Office under the November 26th Commissioner's Court DVD.

Cmr. Garza motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Tijerina motioned to bring up item #7. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Garza not present.

Item No. 7. Presentation by Tiffany Melvin, Executive Director of North America's Supercorridor Coalition, Inc. (NASCO), with possible action to renew Webb County membership dues for fiscal year 2007-2008.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 4-0 with Cmr. Garza not present.

Presention made by Mr. Jerry Schwebel, International Bank of Commerce and Tiffany Melvin, Executive Director of North America' Supercorridor Coalition, Inc. (NASCO). (On file at the County Clerks Office)

Cmr. Garza motioned to approve payment of \$15,000.00 and appoint Cmr. Tijerina to serve on the NASCO Board. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

(MEDIA BREAK 10:28 A.M. – 10:55 AM)

Webb County Sheriff's Department

Item No. 23. Discussion and possible action to authorize the Purchasing Agent to solicit bids for an SUV vehicle and a passenger van for the Webb County Sheriff's Department [Account Number; Forfeiture Funds, 168-2001-8801, Capital Outlay]

Cmr. Martinez motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 4-0 with Cmr. Garza not present.

Item No. 24. Discussion and possible action to authorize the Purchasing Agent to solicit bids for GPS mobile fleet management equipment for the Webb County Sheriff's Department [Account Number; Forfeiture Funds, 168-2001-8801, Capital Outlay]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 4-0 with Cmr. Garza not present.

Webb County Tax Assessor Collector

Item No. 25. Discussion and possible action to approve the purchase of an IBM TS3100 Tape Solution from Clear Technologies at a cost of \$10,857.42 to replace the old Tape Library that was purchased in 1996. [Account Number; Repairs & Maintenance of Equipment, 001-0700-6402]

Item No. 26. Discussion and possible action to approve the following line item transfer:

| | | |
|-------|-----------------------------------------|-------------|
| From: | 001-0700-6402 (Repairs & Maintenance) | \$ 6,513.32 |
| | 001-0700-6224 (Minor Tools & Apparatus) | \$ 4,344.10 |
| | | \$10,857.42 |
| To: | 001-0700-8801 (Capital Outlay) | \$10,857.42 |

Cmr. Tijerina motioned to approve items 25 and 26 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 27. Discussion and possible action to increase the Petty Cash Fund from \$5,000.00 to \$10,000.00 to provide the adequate amount of change for tellers.

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 28. Discussion and possible action to approve the following refund of in the amount of \$8,024.22 to Conoco Phillips Company as account #994-2989-15390-100 & 900-11522- 029 were added twice.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Community Action Agency

Item No. 29. Discussion and possible action to accept a grant award of \$476,910 from the Texas Department on Aging and Disability Services for the delivery of meals to homebound clients (Meals on Wheels) and to amend the salaries of the following slots as per approved budget. The positions are grant funded there is no impact to the general fund.

| Slot # | Description | From | To |
|--------|---------------------|---------|---------|
| 1149 | Food Service Worker | 8.84/hr | 9.11/hr |

| | | | |
|------|----------------------------|----------|----------|
| 1150 | Food Service Worker | 8.84/hr | 9.11/hr |
| 1213 | Program Manger | 15.14/hr | 19.04/hr |
| 1215 | Food Transporter | 11.47/hr | 11.81/hr |
| 1216 | Food Transporter | 11.47/hr | 11.81/hr |
| 1217 | Food Service Worker | 8.25/hr | 8.50/hr |
| 1219 | Food Transporter | 11.47/hr | 11.81/hr |
| 1220 | Food Service Worker | 8.84/hr | 9.11/hr |
| 1222 | Food Service Worker | 8.84/hr | 9.11/hr |
| 1855 | Program Support Specialist | 9.38/hr | 9.66/hr |
| 1856 | Food Service Worker | 8.25/hr | 8.50/hr |
| 2209 | Food Service Worker | 8.66/hr | 8.92/hr |

[Requested by Mike Kazen, Account Number; 952-4216-5001]

Discussion on file at the Webb County Clerks Office under the November 26th Commissioner's Court DVD.

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

After discussion, Cmr. Martinez and Cmr. Garza withdrew their motions.

Cmr. Martinez motioned to defer item. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Economic Development

Item No. 30. Discussion and possible action to authorize the Webb County Economic Development Department to submit a grant application to the National Endowment for the Humanities in the amount of \$500,000 for the purpose of developing a Veteran's Museum and designating the County Judge to sign all relevant documents. The County's previous allocation and commitment to this project will be used as a match.

Cmr. Tijerina motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31. Discussion and possible action to authorize the Webb County Economic Development Department to submit a grant application to the Institute of Museum and Library Sciences in the amount of \$500,000 for the purpose of developing a Veteran's Museum and designating the County Judge to sign all relevant documents. The County's previous allocation and commitment to this project will be used as a match.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Elections

Item No. 32. Discussion and possible action to approve the purchase of One (1) Model 650 High Speed Scanner #50650 (v 1.2.0.0) including installation, steel table, dust cover and

start-up kit from Election Systems & Software in the amount of \$40,700.00 for the purpose of tabulating optical scan ballots and authorizing the county judge to sign all relevant documents; and any matters incident thereto. [Requested by Oscar Villarreal, Webb County Elections Administrator, Account Surplus Elections fund 54981]

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Purchasing Department

Item No. 33. Discussion and possible action to authorize the Purchasing Agent to purchase timber from Lowe's Home Center in the amount of \$25,232.60 for the Road and Bridge Department. [Requested by Jose Luis Ramos, Road and Bridge Superintendent, Account Number; 010-7002-6404 Repairs & Maintenance Bridges]

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34. Discussion and possible action to authorize the Purchasing Agent to purchase (36) Thirty-Six BTU Units and One (1) Heat Pump in the amount of \$16,656.76 from Grainger for the Community Action Agency. [Requested by Ricardo Villagomez, Account Number; 911-4227-7018 Heating & Cooling Systems]

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35. Discussion and possible action to accept the recommendation of Community Action Agency to award Bid 207-103 "Water Heater Installations" to AA Builder as the lowest bidder. [Requested by Rodolfo Ramirez, Account Number; CEAP Program]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and possible action to accept the recommendation of Robert Martinez, El Aguila Transportation to award Bid 2007-104 "One Medium Duty Cutaway w/2 Rear Wheelchairs Type III Bus" to National Bus Sales. [Requested by Robert Martinez, El Aguila Director, Account Number; 980-8001-8801 Capital Outlay]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37. Discussion and possible action to authorize the Purchasing Agent to purchase school supplies in the amount of \$9,964.91 from Discount School Supply for Head Start. [Requested by Estela Salazar, Account Number; 903-4208-6069 Classroom Supplies]

Com. Sciaraffa motioned to approve item as submitted. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38. Discussion and possible action to accept the recommendation of Sheriff Rick Flores to reject Bid 2008-61 "Two Year Contract for Tortillas for the Jail" and re-start the bidding process again. [Requested by Webb County Sheriff Rick Flores]

Com. Martinez motioned to not accept the recommendation of Sheriff Rick Flores. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39. Discussion and possible action to approve Change Order Number One (1) for the Sheriff's Substation Improvements in the amount of \$8,260.00 to Rhino Builders, Ltd. from Forfeiture Funds Account. [Requested by: Sheriff Rick Flores, Account Number: [Forfeiture Fund 170-2001-6401 Building Maintenance]

Com. Garza motioned to approve item as submitted. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Self Help Center

Item No. 40. Discussion and possible action to accept recommendations from the Webb County Housing Rehabilitation Scoring Committee on the following eligible applicant to receive assistance under the Self-Help Center Rehabilitation Program: Mr. Alfredo Guajardo, from Colonia Tanquecitos I, and to authorize the purchasing agent to solicit construction bids for the rehabilitation of the home. [This action will not have an impact on the County's General Fund. Acct# 506-5500-7037-3]

Com. Martinez motioned to approve item as submitted. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Garza motioned to go into Executive Session. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

(Closed Session/Executive Session 11: 28 a.m. to 12:45 pm)

Judge Valdez advised that no action was taken in Executive Session.

Item No. 41. Discussion and possible action regarding Cause No. 2006-CVO-000810-D1, 359 P4 L.L.C. v. City of Laredo; in the 49th Judicial District Court of Webb County, Texas; and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

- Item No. 42. Discussion and possible action regarding Application of Regional Land Management Services, Ltd. For Permit No. 2286, TCEQ Docket No. 2003-0729-MSW; SOAH Docket No. 582-04-0975 and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- Item No. 43. Discussion and possible action regarding Cause No. 506-CV-00168, Mario A. Compean et al v. County of Webb, et al; in the Southern District of Texas, Laredo Division; and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- Item No. 44. Discussion and possible action regarding Cause No. 2006-CVQ-001710-D Killam Ranch Properties, Ltd. v. County of Webb; in the 341st Judicial District Court of Webb County, Texas; and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- Item No. 45. Discussion and possible action regarding Cause No. 2007-CVQ-00168004, Killam Ranch Properties, Ltd. v. County of Webb; in the 406th Judicial District Court of Webb County, Texas; and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- Item No. 46. Discussion and possible action regarding Cause No. 2004-CVE-001299-D1, Barbara Jeanne Goodman v. Webb County, Texas in the 49th Judicial District Court of Webb County, Texas; and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- Item No. 47. Discussion and possible action as well as consultation with Attorney M'Liss Christian concerning Civil Action No. L-05-CV-191; Maricela Arredondo, et al. vs. Rick Flores, Sheriff of Webb County, Texas, and Webb County, Texas; 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)]
- Item No. 48. Discussion and possible action as well as consultation with Attorney M'Liss Christian concerning Civil Action No. L-05-CV-00129; Gregorio Castañeda, Jr. d/b/a Castañeda Bail Bonds vs. Webb County, Texas Sheriff Rick Flores, Individually and in his Official Capacity as the Sheriff of Webb County, and Webb County; 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)]

Mr. Homero Ramirez, Webb County Attorney, advised that no action was needed on items 41, 42, 43, 44, 45, 46, 47, and 48 since they were all consultation with counsel.

- Item No. 49. Discussion and possible action concerning the recommendation of the Webb County Employee Grievance Committee regarding the grievance filed by former Community Action Agency Employee Monica Ortega [Executive Session is

requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Discussion on file at the Webb County Clerks Office under the November 26th Commissioner's Court DVD.

Mr. Homero Ramirez explained that a grievance was filed and the committee has met and is recommending that the former employee be placed back in her former position at the same rate of pay or if not possible for her to be given another county position at the same rate of pay for which she is qualified for. Mr. Ramirez suggested that Judge Valdez call out the name of Mrs. Monica Ortega and have the Baliff call her name outside the courtroom for her presence giving her an opportunity to speak. (NO RESPONSE)

Cmr. Martinez motioned to uphold Mr. Mike Kazen's termination of Monica Ortega. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez recommended that the motion be to consider strongly the recommendation of the Grievance Committee to engage Ms. Monica Ortega in a position for which she is suitable and not disqualified.

Cmr. Sciaraffa motioned to consider strongly the recommendation of the Grievance Committee to engage Ms. Monica Ortega in a position for which she is suitable and not disqualified. Cmr. Tijerina seconded the motion.

Motion carried 4-1 with Cmr Martinez voting against.

Item No. 50. Discussion and possible action regarding Texas Commission on Environmental Quality Proposed Order in Enforcement Action in docket No. 2007-1035-PWS-E; Enforcement Case No. 34039 and any matters incident thereto [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, County Attorney's Office, asked for authorization to settle and enter into a supplemental environment project with TCEQ in the amount of \$5980.00.

Cmr. Garza motioned to authorize settlement and enter into a supplemental environment project with TCEQ in the amount of \$5980.00. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to bring back item #29. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 29. Discussion and possible action to accept a grant award of \$476,910 from the Texas Department on Aging and Disability Services for the delivery of meals to homebound clients (Meals on Wheels) and to amend the salaries of the following slots as per approved budget. The positions are grant funded there is no impact to the general fund.

| Slot # | Description | From | To |
|--------|---------------------|----------|----------|
| 1149 | Food Service Worker | 8.84/hr | 9.11/hr |
| 1150 | Food Service Worker | 8.84/hr | 9.11/hr |
| 1213 | Program Manger | 15.14/hr | 19.04/hr |
| 1215 | Food Transporter | 11.47/hr | 11.81/hr |
| 1216 | Food Transporter | 11.47/hr | 11.81/hr |

| | | | |
|------|----------------------------|----------|----------|
| 1217 | Food Service Worker | 8.25/hr | 8.50/hr |
| 1219 | Food Transporter | 11.47/hr | 11.81/hr |
| 1220 | Food Service Worker | 8.84/hr | 9.11/hr |
| 1222 | Food Service Worker | 8.84/hr | 9.11/hr |
| 1855 | Program Support Specialist | 9.38/hr | 9.66/hr |
| 1856 | Food Service Worker | 8.25/hr | 8.50/hr |
| 2209 | Food Service Worker | 8.66/hr | 8.92/hr |

[Requested by Mike Kazen, Account Number; 952-4216-5001]

Discussion on file at the Webb County Clerks Office under the November 26th Commissioner's Court DVD.

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 3-2 with Cmr. Sciaraffa and Cmr. Tijerina voting against.

Item No. 51. Adjourn

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.