

Official Minutes for Webb County  
Commissioners Court Meeting

Monday, March 10, 2008 at 9:00 AM  
(APPROVED MARCH 25, 2008)

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 7<sup>th</sup> of March 2008. 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 Honorable Margie Ramirez-Ibarra, Webb County Clerk**

**Item No. 2. Pledge of Allegiance**

**Item No. 3. Approval of Minutes for February 25, 2008**

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

Motion carried 5-0 by unanimous consent.

**Item No. 4. Approval of Bills, Payroll, and Monthly Report**

Mr. Leo Flores, County Auditor, explained the monthly report.

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

Motion carried 5-0 by unanimous consent.

**Item No. 5. Communications**

Com. Sciaraffa congratulated Com. Garza on his victory. He sent his condolences to former Mayor Aldo Tatangelo and welcomed all LCC officials.

Com. Tijerina congratulated Com. Garza on his victory and wished Com. Sciaraffa well on his runoff election. She sent her condolences to the Families of former Mayor Aldo Tatangelo, Melecio Landin, and Ruben Ortiz. Com. Tijerina stated that she needed all department heads to provide job descriptions for all employees since it was a required on the implementation of the Civil Service. She also congratulated Mr. David Ender, President of LIFE for a fantastic job.

Cmr. Garza thanked all Commissioners for their kind words and all citizens who supported him. He congratulated and wished Cmr. Sciaraffa good luck on his runoff election. He sent his condolences to the family of former Mayor Aldo Tatangelo who while in office did an exceptional job with the city.

Cmr. Martinez congratulated Cmr. Garza on his victory and wished Cmr. Sciaraffa well on his runoff election. He stated that he expected the cooperation of all department heads to complete the job descriptions since they are important to proceed with the implementation of the Civil Service. Cmr. Martinez sent his condolences to the family of former Mayor Aldo Tatangelo.

Judge Valdez congratulated Cmr. Garza for a great victory and wished Cmr. Sciaraffa well on runoff election. He sent his condolences to the family of former Mayor Aldo Tatangelo and the Arambula Family.

**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.**

No one signed in for Public Comment.

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

**Item No. 7. Discussion and Possible action to Amend the General Order to restrict the use of Webb County Public property including but not limited to Commissioners' Courthouse, Court rooms and parking areas for Political purposes and propaganda.**

Discussion on file at the Webb County Clerks Office in the March 10<sup>th</sup> Commissioner's Court DVD.

Cmr. Martinez motioned to amend the General Order to prohibit posting of any political signs on county property. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Martinez motioned to prohibit county employees to attend rallies unless they have clocked out and/or submitted leave for time taken. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Martinez motioned to prohibit the use of county equipment such as chairs, microphones, podiums, and/or utilities for political purposes. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Martinez motioned to prohibit the use of any county property by a candidate to promote his/her candidacy including parking areas.

Motion died for lack of second.

**Commissioners Court**

**Item No. 8. Consideration and adoption of an ORDER APPROVING "WEBB COUNTY, TEXAS COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008"; A PAYING AGENT/REGISTRAR AGREEMENT IN CONNECTION THEREWITH; AND OTHER MATTERS RELATED THERETO.**

Presentation on file at the Webb County Clerks Office.

Comr. Tijerina motioned to table the item until the committee meets. Comr. Martinez seconded the motion.

After discussion, Comr. Tijerina and Comr. Martinez withdrew their motions.

Comr. Garza motioned to approve item as submitted and include Fitzgerald Sanchez, County Engineer, Utilities Department Head, and Mr. Leo Flores, County Auditor to be part of the committee. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

## Commissioners Court

**Addendum Item No. 1. Discussion and possible action to enter an Order of the Commissioners Court to establish a ninety day burn ban for the unincorporated areas of Webb County.**

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

Motion carried 5-0 by unanimous consent.

**(MEDIA BREAK 10:14 a.m. - 10:31 a.m.)**

## Webb County Attorney

**Item No. 9. Discussion and possible action to enter into a third party funding contract with The Laredo Philharmonic payable in a one lump sum in the amount of EIGHT THOUSAND FOUR HUNDRED DOLLARS (\$8,400.00) and authorizing the County Judge to sign all relevant documents.[Requested by Honorable Homero Ramirez, Webb County Attorney].**

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

Motion carried 5-0 by unanimous consent.

**Item No. 10. Discussion and possible action to enter into a one (1) year (March 10, 2008 to March 9, 2009) electronic monitoring service Agreement with Secure Alert, Inc. for Indigent Defense Services Department clients at a daily rental rate of \$8.00 per day, and authorizing the County Judge to execute all relevant documents. [Requested by Cornell Mickley, Director, Indigent Services Department; Account No. 001-2100-27(GPS Indigent Defense)]**

Comr. Garza motioned to table the item as submitted. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 11. Discussion and possible action to accept the following 6 rights of way, out of; Old Milwaukee:**

**Property**

**Grantors**

Old Milwaukee	
Tract A-1	Juan Manuel Molina and Wife Elia J. Molina
Tract C-1	Juan Manuel Molina and Wife Elia J. Molina
Tract C-2	Juan Manuel Molina and Wife Elia J. Molina
Tract C-3	Juan Manuel Molina and Wife Elia J. Molina
Tract D-1	
Lots 14/15	Reynold Rodriguez
Tract D-2	
Lot 10	Esperanza Castellano
Tract F-3	Ariel A. Garza

**Quitclaim Deed**

La Presa  
 50 Ft. Strip of Land  
 Utility and Working Easement Palmito Estates, Inc.

and authorizing the County Judge to sign all relevant documents.

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 Cooperative Working Agreement with the South Texas Council on Alcohol and Drug Abuse (STCADA) beginning September 1, 2007 and ending August 31, 2008, to allow STCADA to provide drug abuse services as well as HIV Intervention services for referrals made by the Webb County Larga Vista Community Center to STCADA during the term of the Agreements and authorizing the County Judge to sign all relevant documents. [Requested by Alice Garcia, Director; Larga Vista Community Center]

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

Motion carried 5-0 by unanimous consent.

**Item No. 13.** Discussion and possible action to authorize the submission of "El Aguila" Rural Transportation Program's 5311 (Fiscal Year 2009) grant to the State of Texas, Office of the Governor, Texas Review and Comment System ("TRACS") Division, for comment and review, and authorizing the County Judge to execute all relevant documents. [Requested by Mike Kazen, Director; Community Action Agency]

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

Motion carried 5-0 by unanimous consent.

**Item No. 14.** Discussion and possible action to enter into a non-financial "Electronic Data Interchange Agreement with Request for Electronic Services" with Texas Medicaid & Health Care Partnership (an approved State Medicaid Contractor) which will allow the Community Action Agency Meals on Wheels Program to process client claims

electronically and authorizing the Webb County Judge to execute all relevant documents. [Requested by Mike Kazen, Director; Community Action Agency]

Cmr. Martinez 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 Project Grant Application (No. RPT0804(22)31) with the State of Texas, Texas Department of Transportation, for the operation of the Community Action Agency's "El Aguila" Transportation Program in the amount of TWO HUNDRED AND TWENTY-FOUR THOUSAND EIGHT HUNDRED AND THIRTY-SEVEN DOLLARS (\$224,837.00) and with a Webb County match of SIXTY-SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$67,700.00), and authorizing the County Judge to execute all relevant documents. [Requested by Mike Kazen, Director; Community Action Agency, Account Number 980-4200-3502]

Cmr. Garza 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 (October 29, 2007 through October 28, 2008) equipment maintenance agreement with Eastman Kodak Company to provide maintenance support for a "Kodak Digital Science Scanner 1500 D" utilized by the Planning Department at a cost of ONE THOUSAND SEVENTY-SEVEN DOLLARS (\$1,077.00) and authorizing the County Judge to execute all relevant documents. [Requested by Rhonda Tiffin, Director; Planning Department, Account No. 010-102-6402]

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

Motion carried 5-0 by unanimous consent.

**Item No. 17.** Discussion and possible action to accept a public utility easement and right-of-way from the D.D. Hachar Charitable Trust, said easement being approximately 0.8478 acres and located next to the Vela Tract in south Webb County. [Requested by Fitzgerald G. Sanchez, Engineering Department]

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

Motion carried 5-0 by unanimous consent.

**Item No. 18.** Discussion and possible action to enter into a professional services contract for a one year period (March 15, 2008 – March14, 2009) with Robert W. Lazarus & Associates, Inc. and RWL Benefits, Inc. D/B/A RWL Group to negotiate employee benefits (Employee enrollment/eligibility system, Disease Management, Caremark prescription drug network, Blue Cross claim administration services (TPA), Blue Cross medical network, Blue Cross stop loss insurance and Retiree Medicare supplement insurance) for a monthly fee of THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00) with an option to commission a full Request for Proposal process of the employee benefits at a monthly fee of FOUR THOUSAND DOLLARS (\$4,000.00) a month. [Requested by Cynthia Mares, Administrative Services Department]

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

Motion carried 5-0 by unanimous consent.

#### **Administrative Services Department**

**Item No. 19.** Discussion and possible action to approve the following line item transfer:

From:	001-2100-30	Flex Spending Plan	\$2,000.00
To:	001-0114-6701	Health Education Program	\$2,000.00

**Item No. 20.** Discussion and possible action to approve the following line item transfer:

From:	001-0114-6014	Equipment Rental	\$1,000.00
To:	001-0114-6224	Minor Apparatus & Tools	\$1,000.00

Cmr. Tijerina motioned to approve items # 19 and 20 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

#### **Community Action Agency**

**Item No. 21.** Discussion and Possible action to recognize and seat two elected Category "B" members:

**Ms. Olivia Pena/Representative from Area I- Lilia B. Perez, and  
Mr. Jesus Mendoza Alternate from Area I- Lilia B. Perez.**

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

Motion carried 5-0 by unanimous consent.

#### **Community Supervision and Corrections Department**

**Item No. 22.** Presentation by Mrs. Rebecca Ramirez Palomo, Community Supervision and Corrections Department Director, on the development of a new DWI/Drug Court for Webb County with discussion and possible action to ratify the submission of a grant application to Criminal Justice Division of Texas for partial funding for said DWI/Drug Court program. The application was submitted on February 29, 2008 in the amount of \$291,795.00.

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

Motion carried 5-0 by unanimous consent.

#### **Economic Development**

**Item No. 23.** Discussion and possible action to fill the following slot effective March 10, 2008 at an amount not to exceed the budgeted amount for this position:

**Slot #1383 Grant Writer \$48,639.00**

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

Motion carried 5-0 by unanimous consent.

**Head Start**

**Item No. 24. Discussion and possible action to fill slot #1945 and 1698, Substitute Teacher (Part-time 30 hrs/week for 10 months) with an annual salary of \$9,370.12, effective March 11, 2008.**

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

Motion carried 5-0 by unanimous consent.

**Indigent Health Care Services**

**Item No. 25. Discussion and possible action to fill the following slot effective March 10, 2008:**

**Slot #1891 Front Desk Coordinator I up to \$10.96/hr**

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

Motion carried 5-0 by unanimous consent.

**Planning**

**Item No. 26. Discussion and possible action to approve the issuance of "Certificates of Compliance with Plat Requirements Regarding the Connection of Utilities" to authorize water and sewer service connections pursuant to the provisions of Section 232.028(b), Local Government Code and contingent upon the owner's execution of required affidavits regarding present and future dwellings/structures limitations, uses and sales for the following properties:**

**Los Altos Subdivision, Phase I**

**Block 7, Lot 8 (1 dwellings only)**

**Block 7, Lot 6 (1 dwelling only)**

**Tanquecitos South Acres Subdivision (a.k.a., Phase I)**

**Lot 42 (1 dwelling only)**

**Staff recommends approval of the above-referenced property as submitted containing 3 dwellings on 3 Lots.**

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

Motion carried 5-0 by unanimous consent.

**Public Defender**

Item No. 27. Discussion and possible action to earmark \$8,000 from the incoming funds from the additional payment of \$79,961.00 to Webb County from the Texas Task Force on Indigent Defense for the purchase of the Defender Data Program, a data management system that allows for the efficient management of all criminal cases.

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

Motion carried 5-0 by unanimous consent.

**Purchasing Department**

Item No. 28. Discussion and possible action to authorize the Purchasing Agent to purchase One (1) E-Studio 603 Digital Copier in the amount of \$8,605.20 from Office Communications Systems for the 49th District Court. [Requested by Honorable Joe Lopez 49th District Court; Account Number 8801 Capital outlay]

Item No. 29. Discussion and possible action to authorize the Purchasing Agent to obtain a cellular phone from Verizon Wireless with 450 minutes at \$44.99 per month for the County Engineer. [Requested by Fitzgerald G. Sanchez, Engineer; Account Number 001-0109-6004-2 Cell Phones]

Item No. 30. Discussion and possible action to authorize the Purchasing Agent to purchase the following computer, monitors and software for the Justice of Peace Pct. 4:

QTY.	DESCRIPTION	VENDOR	AMOUNT
1	Computer	Dell (DIR-SDD-192)	\$1,347.60
2	Monitors	Lenovo	378.00
1	Color Printer	CDW-G TCPN #r4713	450.00
1	License	SHI (DIR-SDD-198)	353.00
			\$2,528.60

[Requested by Judge Oscar Martinez; Account Number 016-1044-8801 Capital Outlay]

Item No. 31. Discussion and possible action to authorize the expenditure of \$22,258.03 to RDO Equipment to remove and overhaul transmission and replace monitor on a 1997 John Deere Tractor Unit #10-83 for the Road and Bridge Department. [Requested by Jose Luis Ramos, Road & Bridge Director; Account Number 010-7002-6402]

Cmr. Garza motioned to approve items # 28, 29, 30, and 31 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Proposals for Professional Engineering Services for the re-plating of colonia lots situated along the EDAP area of Hwy. 359 (with no impact on the general fund). [Requested by Juan Vargas, Economic Development Director]

**Item No. 33.** Discussion and possible action to authorize the Purchasing Agent to purchase school supplies from Discount School Supply in the amount of \$9,065.15 for the Head Start Program. [Requested by Estela Salazar, Account Number 903-4208-6069 Classroom Supplies]

Comr. Sciaraffa motioned to approve items # 32 and 33 as submitted. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

### **Road and Bridge**

**Item No. 34.** Discussion and possible action to fill the following slot:

**Slot #2403 Motorgrader Operator \$12.68/hr**

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

Motion carried 5-0 by unanimous consent.

Comr. Sciaraffa motioned to go into executive session. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

## **(Closed Session/Executive Session 10:43 am – 11:25 am)**

Judge Valdez stated that no action was taken in executive session.

**Item No. 35.** 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)]

Mr. Nathan Bratton, County Attorney's Office, explained that no action was requested nor required.

**Item No. 36.** 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)]

Mr. Nathan Bratton, County Attorney's Office, explained that no action was requested nor required.

**Item No. 37.** 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)]

Mr. Nathan Bratton, County Attorney's Office, explained that no action was requested nor required.

**Item No. 38.** 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)]

Mr. Nathan Bratton, County Attorney's Office, explained that no action was requested nor required.

**Item No. 39.** Discussion and possible action to approve earnest money contract with Cornell Correction of California, Inc. for the purchase of the Juvenile Detention Center property located at 4902 Juarez, Laredo, Texas and any matters incident thereto. [Executive session may be requested pursuant to Texas Government Code §551.071 Consultation with Attorney and §551.072 Deliberations Regarding Real Property]

Mr. Nathan Bratton, County Attorney's Office, recommended approval of the contract of \$1,300,000.00 with \$20,000.00 earn interest money and asked for the Court's authority to negotiate dates.

Mr. Garza motioned to approve the contract and set a date no later than November 30<sup>th</sup>. Mr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

#### **Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1**

**Addendum Item No. 1.** Presentation by Laredo Community College representative Mr. Blas Castaneda regarding the L.C.C. South Campus Sports Complex Project with discussion and possible for Webb County to support and participate with L.C.C. to further develop said project; any other matters incident thereto.

Discussion on file at the Webb County Clerks Office in the March 10<sup>th</sup> Commissioner's Court DVD.

Mr. Garza motioned to initiate a letter of intent to commit to L.C.C., and include the \$200,000 in funding and also the development of the main complex. Mr. Tijerina seconded the motion.

Mr. Sciaraffa asked what the total amount of the project was; to which, Mr. Blas Castaneda, L.C.C. Representative, explained that the total amount was approximately \$1.9 million. He stated that L.C.C. had \$1.395 million in bond monies, a minimum of \$200,000.00 would be from Commissioner's Court, and that the City would be funding an equal amount as the Commissioner's Court.

Motion carried 5-0 by unanimous consent.

**Item No. 40. Adjourn**

Mr. Garza motioned to adjourn. Mr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.