

Official Minutes for Webb County  
Commissioners Court Meeting

Monday, April 28, 2008 at 9:00 AM  
(approved May 12, 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 25<sup>th</sup> April 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 April 14, 2008**

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

Motion carried 5-0 by unanimous consent.

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

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

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

Motion carried 5-0 by unanimous consent.

**Item No. 5. Communications**

Cmr. Sciaraffa congratulated Judge Valdez on a successful 14<sup>th</sup> Annual Fishing Derby.

Cmr. Tijerina congratulated Judge Valdez on the 14<sup>th</sup> Annual Fishing Derby as well as the Webb County Public Defender's Office and Federal Public Defender's Office on their Bachelor and Bachelorette auction. She also congratulated Mr. Joe Rubio for being honored by the Children's Advocacy Center for his vision towards the center. Cmr. Tijerina stated that she attended the ribbon cutting ceremony for the new Bruni Middle School held in Bruni, Texas.

Cmr. Garza congratulated Judge Valdez on the 14<sup>th</sup> Annual Fishing Derby. He reminded all Department Heads that the Needs Assessments sent by Mr. Sanchez is due as soon as possible. He welcomed the Boys Scouts and reminded everyone that early voting started today.

Cmr. Martinez advised that there were still ten Department Heads that have failed to cooperate in submitting the job descriptions. He urged everyone to send the descriptions before Friday. Cmr. Martinez congratulated Judge Valdez on his 14<sup>th</sup> Annual Fishing Derby as well as everyone involved in the construction of the Girls Scouts Youth Village Facility. He thanked Judge Valdez for his attendance to the April 19<sup>th</sup> Town Hall Meeting and advised that several people have already donated the Right of Ways.

Judge Valdez thanked the Commissioners for their attendance to the 14<sup>th</sup> Annual Fishing Derby as well as all the staff and sponsors that assisted in putting together the event. He explained how all members of the Court were full time employees being that they go to meetings and attend events after five and on the weekends. Judge Valdez reminded everyone that early voting started today and to keep in mind that every vote counts.

**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.**

1<sup>st</sup> witness card – Juan P. Molina (Boys Scouts)

Mr. Molina thanked the Court for their donation and advised them that the donation will serve approximately 625 boys scouts. Mr. Abraham Reyna, Aztec District Manager, also thanked the Court for their support. Mr. Marty Sepulveda, from Corpus Christi branch, also thanked the Court for their support.

2<sup>nd</sup> witness card – Javier Mendoza

Mr. Mendoza spoke on items 17 and 35. He commended Cmr. Tijerina and Cmr. Martinez on their support in bringing Civil Service to Webb County and making things fair for the employees. He spoke regarding item 35 stating that his belief was that the mold remediation was a little flawed. Mr. Mendoza explained that he has asked for several documentation pertaining to the remediation and has not received them.

**Honorable Danny Valdez, Webb County Judge**

**Item No. 7. Discussion and possible action to proclaim the month of May as “Community Action Agency Month” in Webb County, Texas.**

Members of the Community Action Advisory Board thanked the Court for their support. Present were:

Mr. Gamboa, Councilman Juan Ramirez’s representative

Ms. Pena, Lily Perez Center representative

Ms. Rios, Azteca Center representative

Dr. Carranza, Councilman Juan Chavez representative

Conrado Cruz, Webb County Judge Valdez’s representative

Javier Martinez, Cmr. Tijerina’s representative

Judge Valdez read Proclamation.

**Item No. 8. Discussion and possible action to proclaim the month of May as “Elderly Abuse Month” in Webb County, Texas.**

Mr. Jesus Gonzalez, Adult Protective Services Specialist, thanked the Court and Judge Valdez for bringing awareness to Webb County.

Judge Valdez read Proclamation.

**Item No. 9.** Presentation by Vanessa Botello, Miss Webb County, on her upcoming participation in the 2008 Miss Texas USA Pageant.

**Item No. 10.** Discussion and possible action to authorize and disburse \$5,000.00 to promote Miss Webb County for all activities related to the 2008 Miss Texas USA Pageant. [Account Number 007-0101-7502]

Ms. Vanessa Botello, Miss Webb County, thanked the Court for their support and advised them that she would be representing Webb County on June 29<sup>th</sup>.

Judge Valdez congratulated her and advised the Court that Ms. Botello was available to attend any scheduled functions that they had.

Cmr. Garza motioned to approve item #10 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

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

**Item No. 11.** Discussion and possible action to appropriate \$15,000.00 for the Ruthe B. Cowl Rehabilitation Center. [Co-Sponsored by Honorable Jerry Garza, Commissioner Pct. 3; Account Number 605-0201-8801 & 605-0203-8801]

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

Motion carried 5-0 by unanimous consent.

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

**Item No. 12.** Discussion and possible action to approve a Resolution to Authorize the request for Technical Assistance Funding from the Border Environment Cooperation Commission (BECC) for Highway 59 Facility Plan Update and Environment Information Document Completion; and authorize the County Judge to sign all relevant documents and be designated as primary CEO contact and Grantee Representative for Webb County, Texas, and any matters related thereto.

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 approve the appointment of Mr. Javier H. Martinez, Jr. as Precinct 2 representative on the Webb County Community Action Agency Advisory Board.

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

Motion carried 5-0 by unanimous consent.

**Item No. 14.** Discussion and possible action to appoint Ambrosio Garza, Leticia Martinez and Margie Arce to the Board of the Webb County Drainage District No. 1 pursuant to Texas Water Code Section 56.061.

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

Motion carried 5-0 by unanimous consent .

### **Honorable Jerry Garza, Webb County Commissioner Pct. 3**

**Item No. 15. Discussion and possible action to appoint a staff committee to begin exploring options available to Webb County for the operations of the Casa Blanca Golf Course; and any other matters incident thereto.**

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

Judge Valdez appointed Cmr. Garza and Cmr. Tijerina to co-chair the committee, and also included Mr. Leo Flores, Mr. Jose Luis Ramos, Mr. Homero Ramirez, Mr. Leroy Medford, Mr. Raul Elizondo, Mr. Fitzgerald Sanchez, and Mr. Eloy Ramirez to be part of the committee.

Motion carried 5-0 by unanimous consent.

**Item No. 16. Discussion and possible action for the Commissioner's Court to consider conducting a Commissioner's Court meeting in each of the County precincts to give people in the rural areas access to Commissioner's Meetings; and any other matters incident thereto.**

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

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

**Item No. 17. Discussion and possible action to approve a slot and job description for the position of Civil Service Commission Coordinator; and any other matters incident thereto including but not limited to transferring an available slot from any department to the Commissioner's Court to categorize, classify job positions, perform related duties and to take action on any other matters incident thereto. [Co-Sponsored by Honorable Rosaura "Wawi Tijerina", Commissioner Pct. 2] [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

Cmr. Martinez motioned to approve item with an amendment that the slot be under Administrative Services for Civil Service purposes only. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

### **Commissioners Court**

**Item No. 18. Consideration of and action on an order authorizing the issuance of "WEBB COUNTY, TEXAS LIMITED TAX REFUNDING BONDS, SERIES 2008," entering into**

**an escrow agreement and a paying agent/registrar agreement; and authorizing other matters related thereto.**

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

Mr. Don Gonzalez, from Estrada Hinojosa Investment Bankers, made presentation.

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

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

**Item No. 19. Discussion and possible action to, by Order, adopt the Guidelines and Criteria Governing Tax Abatements by Webb County for a period of two years pursuant to the Property Redevelopment and Tax Abatement Act effective upon passage by the Commissioners Court.**

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

**Item No. 20. Discussion and possible action to enter into a tax abatement agreement with Laredo WLE, LP, authorizing the County Judge to sign all relevant documents and any matters incident thereto.**

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

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring up item #33. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

#### **Auditor**

**Item No. 33. Presentation of the fiscal year ended September 30, 2007 independent audit by Garza and Martinez, CPAs and action to accept the Audited Basic Financial Statements of Webb County for fiscal year ended September 30, 2007.**

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to bring up item #35. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 35. Status Report and Presentation by Mr. Ron Greenburg of Astex Environmental Services, Inc., regarding the County Courthouse Mold Remediation project.**

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

Mr. Ron Greenburg, Astex Environmental Services Inc., gave a status report.

## **(MEDIA BREAK 10:56 a.m. – 11:11 a.m.)**

### **Webb County Attorney**

Item No. 21. Discussion and possible action to accept the following 5 rights of way out of Colonia Old Milwaukee:

<b>Property</b>	<b>Grantors</b>
Los Altos Lot 7, Block 1	Juan Manuel Chapa and Magdalena M. Chapa
Old Milwaukee Tract B-1C Tract D-2	Gregoria R. Lerma Arnulfo Saldana and Wife Evangelina Saldana
Tract D-2	Rene D. Bernardini and Margarita Bernardini
Ranchos Penitas West Tract 2, Unit VII	Maria Holanda Garcia AKA Holanda Jalomo

[Requested by Mr. Francisco Saldana]

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

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

Item No. 22. Discussion and possible action to enter into a One (1) year (April 28, 2008 through April 27, 2009) maintenance agreement (Contract No. 33904) with Toshiba Business Solutions of Texas concerning an ES603T Copier located in the office of Webb County Court at Law No. 1 at a annual cost of THREE HUNDRED DOLLARS (\$300.00) with copy overages being billed on a monthly basis at \$.007700 cents per black print copy and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hon. Alvino "Ben" Morales, Judge, Webb County Court at Law No. 1; Account Number 001-1010-6402 Equipment Maintenance]

Item No. 23. Discussion and possible action to enter into a One (1) year (April 1, 2008 through March 31, 2009) maintenance agreement (Contract No. 211190-003) with Toshiba Business Solutions of Texas concerning an E351C Copier located in the office of the Webb County Commissioner Precinct Two at a annual cost of TWO HUNDRED FORTY DOLLARS (\$240.00) with copy overages being billed on a quarterly basis at

\$.0097cents per black print copy and \$.0920 per color copy and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hon. Rosaura "Wawi" Tijerina, Webb County Commissioner Precinct 2; Account Number 001-0202-6402]

Cmr. Garza motioned to approve items #22 and #23 as submitted. Cmr. Martinez seconded the motin.

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

**Item No. 24.** Discussion and possible action to enter into a Three (3) year (April 28, 2008 through April 27, 2011) Software License Subscription Agreement with Defender Data for a Case/Docket Management system program with an initial licensing fee of FOUR THOUSAND DOLLARS (\$4,000.00) and a monthly software subscription fee of TWO DOLLARS (\$2.00) per new case opened, and authorizing the Webb County Judge to execute all relevant documents including a Confidentiality Agreement wherein Defender Data will protect any confidential information provided by the Webb County Public Defender. [Requested by Webb Public Defender, Hugo Martinez; Account No. 001-2100-Gen. Temporary Fund]

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

**Item No. 25.** Discussion and possible action to enter into a One (1) year (April 1, 2008 through March 31, 2009) maintenance agreement (Contract No. 211682-002) with Toshiba Business Solutions of Texas concerning an E352 Copier located in the office of the Webb County Sheriff Department at a annual cost of TWO HUNDRED FORTY DOLLARS (\$240.00) with copy overages being billed on a quarterly basis at \$.0085 cents per black print copy and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hon. Rick Flores, Webb County Sheriff; Account Number 001-2060-6402]

**Item No. 26.** Discussion and possible action to enter into a Three (3) year (May 15, 2008 through May 14, 2011) platinum premier maintenance agreement with Thyssen-Krupp Elevator Corporation for the maintenance of Three (3) Elevators located at the Webb County Law Enforcement Center at a monthly cost of ONE THOUSAND THREE HUNDRED FIFTY DOLLARS (\$1,350.00), ordering an exemption to the competitive bidding statute (Local Gov't Code section 262.024(a)(7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Hon. Rick Flores, Webb County Sheriff; Account Number 001-2001-6402].

**Item No. 27.** Discussion and possible action to enter into a Five (5) Year (April 29, 2008 to April 28, 2013) contract with Pitney Bowes, Inc. for an upgraded Postage Meter (Model No. DM450) to be located at the Sheriff's Office at a cost of TWO HUNDRED TWENTY THREE DOLLARS (\$223.00) per month for a total cost of THIRTEEN THOUSAND THREE HUNDRED EIGHTY DOLLARS (\$13,380.00) over the term of the agreement and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hon. Rick Flores, Webb County Sheriff; Account No. 001-2060-6014]

- Item No. 28. Discussion and possible action to enter into a One (1) year (September 1, 2008 through August 31, 2009) SAVNS (Statewide Automated Victim Notification Service) Maintenance Grant Contract (Contract No. 0908814) with the State of Texas, Office of the Attorney General, with Webb County receiving reimbursable costs of THIRTY THOUSAND ONE HUNDRED EIGHT DOLLARS (\$30,108.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hon. Rick Flores, Webb County Sheriff; Account Number 321-2001-6402/03]
- Item No. 29. Discussion and possible action to enter into a One (1) year (September 1, 2008 through August 31, 2009) service agreement with Apriss, Inc. for software/hardware support to SAVNS (Statewide Automated Victim Notification Service) in an amount not to exceed THIRTY THOUSAND ONE HUNDRED EIGHT DOLLARS (\$30,108.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hon. Rick Flores, Webb County Sheriff; Account Number 321-2001-6402/03]
- Item No. 30. Discussion and possible action to enter into an Architectural Services Agreement with Humphries & Sanchez, Architects, P.L.L.C. for the design of a 3,500 square foot building to be used by the Texas Parks and Wildlife Department and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Commissioners Court]

Cmr. Garza motioned to approve items #25, 26, 27, 28, 29, and 30 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

**Constable Rudy Rodriguez, Pct. 1**

- Item No. 31. Discussion and possible action to accept the donation of One (1) canine dog for Constable Pct. 1 from U.S. Customs at no cost.

Discussion on file at the Webb County Clerk's Office in the April 28<sup>th</sup> Commissioner's Court dvd.

Cmr. Sciaraffa motioned to defer item because Constable Rudy Rodriguez was on his way. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Honorable Jesus Garza, County Court at Law 2**

- Item No. 32. Discussion and possible action to approve the following line item transfer:

From:	001-1011-7052	Juvenile felony	5,000
To:	001-1011-5601	Administrative travel	3,000
	001-1011-6403	Vehicle maintenance	2,000

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. 34. Discussion and possible action for the approval of the following line item transfer:**

<b>From:</b>	<b>001-2100-30</b>	<b>Flex Spending Plan</b>	<b>3,000</b>
<b>To:</b>	<b>001-0114-6701</b>	<b>Health Education Program</b>	<b>3,000</b>

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

Motion carried 5-0 by unanimous consent.

### **Buenos Aires Community Center**

**Item No. 36. Discussion and possible action to fill the following slot effective April 28, 2008:**

**Slot # 2397      Administrative Technician**

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. 37. Discussion and possible action to accept an award in the amount of \$14,923.00 for FEMA Emergency Food & Shelter Program Phase # 26. Webb County Community Action Agency will utilize these funds for utility assistance and rent assistance.**

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

Motion carried 5-0 by unanimous consent.

### **Economic Development**

**Item No. 38. Discussion and possible action to authorize final payment of \$2,350 to AA Builders for the 10% retainage amount on the housing rehabilitation completion project of Ms. Aurora Hernandez, 419 Hernandez, El Cenizo, TX under the HOME Investment Partnership Program. This action will not have an impact on the County's General Fund.**

**Item No. 39. Discussion and possible action to accept a Community Outdoor Outreach Grant from Texas Parks & Wildlife in the amount of \$25,000; and designating the County Judge as the County's Chief Executive Officer and Authorized Representative to act in all matters in connection with this grant.**

Cmr. Sciaraffa motioned to approve items #38 and 39 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent

### **Engineer Department**

**Item No. 40. Discussion and possible action authorizing to transfer funds;**

<b>Water</b>			
<b>From:</b>	<b>Acct. No. 801-3001-6201</b>	<b>Utilities</b>	<b>5,000</b>

To: Acct. No. 801-3001-6048 License & Permits 5,000

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

Motion carried 5-0 by unanimous consent.

**Item No. 41. Discussion and possible action authorizing the use of the Betterment Allowance for Change Order No. 1 in the amount of \$9,400.00 to Zertuche Construction for the Justice Center 5th floor remodeling with no increase to the contract.**

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

Motion carried 5-0 by unanimous consent .

**Item No. 42. Discussion and possible action to appoint Mr. Fitzgerald G. Sanchez the County Engineer as the Webb County representative to the Board of the Rio Grande River Authority and authorizing the County Judge to sign all relevant documents.**

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

Motion carried 5-0 by unanimous consent.

#### Indigent Health Care Services

**Item No. 43. Discussion and possible action to fill the following slot effective April 28, 2008:**

Slot # 1891 (Front Desk Coordinator I) up to \$10.96/h

#### La Presa Community Center

**Item No. 44. Discussion and possible action to authorize the following line item transfer:**

From:	001-6115-6403	Repair & Maintenance Vehicle	1000
	001-6115-5601	Administrative Travel	300
To:	001-6115-6205	Materials & Supplies	700
	001-6115-6219-2	Goods for Special Events	200
	001-6115-6502	Janitorial Supply	400

#### Medical Examiner

**Item No. 45. Discussion and possible action to accept a gift for the new Medical Examiner's Office of art work valued at \$225.00 from the Legacy of Life Tissue Foundation.**

**Item No. 46. Discussion and possible action to approve the following line item transfer:**

From:	001- 2070-6401	Building Maintenance	200
	001-2070-5601	Administrative Travel	1,000
	001-2070-6010	Book Subscriptions	400
	001-2070-6022	Professional Services	1,000
To:	001-2070-6204	Fuel and Lube	2,600

**Public Defender**

**Item No. 47. Discussion and possible action to fill the following slot effective April 29, 2008:**

**Slot #2139 Legal Secretary \$13.31/hr**

Cmr. Garza motioned to approve items #43, 44, 45, 46, and 47 as submitted. Cmr. Martinez seconded the motion.

After recommendation from Mr. Leo Flores, County Auditor, Cmr. Garza amended his motion on item #43 to be effective May 2<sup>nd</sup>. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Purchasing Department**

**Item No. 48. Discussion and possible action to authorize the Purchasing Agent to purchase One (1) Short Bed V8 Single Cab Pick-up Truck from Philpott Motors (HGACBuy VE03-06) in the amount of \$16,500.00 for the Purchasing Department. [Requested by Eloy Ramirez, Jr. Purchasing Director; Account Number 605-8108-8801 Capital Outlay]**

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

Motion carried 5-0 by unanimous consent.

**Item No. 49. Discussion and possible action to award Bid 2008-21 "Sale of Webb County Courthouse Annex" to International Bank of Commerce.**

Mr. Eloy Ramirez, Purchasing Agent, stated that bid was for \$196,000.00.

Cmr. Garza motioned to reject the offer on bid 2008-21. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to move up item #31. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Constable Rudy Rodriguez, Pct. 1**

**Item No. 31. Discussion and possible action to accept the donation of One (1) canine dog for Constable Pct. 1 from U.S. Customs at no cost.**

Constable Rudy Rodriguez advised that all expenses would be out of the Forfeiture fund.

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

Motion carried 5-0 by unanimous consent.

**Item No. 50. Discussion and possible action to authorize the Purchasing Agent to purchase the following for County Court at Law 2:**

Description	Vendor	Amount
-------------	--------	--------

Carpeting	Intl Floor Covering of Laredo	9,986
Upholstery (Chair & Benches)	Laura's Upholstery	2,360
Copier	Nevill	9,389
	Total:	21,735

[Requested by Judge Jesus Garza, Account Number 605-8108-8801 Capital Outlay, Account 001-1011-6205 Materials and Supplies]

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

Motion carried 5-0 by unanimous consent.

**Item No. 51.** Discussion and possible action to authorize the Purchasing Agent to purchase the following vehicles in the amount of \$127,969.00 from Caldwell Country Chevrolet, HGAC, contract #VE03-06 Pursuant to Subchapter F, Cooperative Purchasing Program Sec. 271.101, 271.102, Texas Local Government Code.

One (1)	2008 Chevrolet 2500 Crew Cab	\$ 26,668.00
Three (3)	2008 Chevrolet Tahoe-CC10706 LS Unit price	\$ 33,767.00
	Total:	\$127,969.00

[Requested by Honorable Joe Rubio, District Attorney; Account Number 169-1100-8801 Forfeiture fund]

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

Motion carried 5-0 by unanimous consent.

**Item No. 52.** Discussion and possible action to authorize the Purchasing Agent to obtain a cellular phone with 900 minutes from Verizon Wireless for Judge Jesus Garza. [Requested by Judge Jesus Garza, Account Number 001-0109-6004-2 Cell Phones]

**Item No. 53.** Discussion and possible action to authorize the Purchasing Agent to purchase office furniture from National Business Furniture in the amount of \$5,500.00 for Judge Veliz' Office. [Requested by Judge Ramiro Veliz, Account Number 605-8108-8801 Capital Outlay]

Cmr. Sciaraffa motioned to approve items #52 and 53 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 54.** Discussion and possible action to award Bid 2008-22 "Webb County Vela Tract Water Improvements.

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

Motion carried 5-0 by unanimous consent.

**Item No. 55.** Discussion and possible action to authorize the Purchasing Agent to purchase One (1) E-Studio MFP Printer/Copier to include 5 Months Service and Supplies from Toshiba (BuyBoard Contract #231-05) in the amount of \$1,467.00 for Constable Pct. 3. [Requested by Constable Annette Munoz, Account Number 605-8108-7-8801 Capital Outlay]

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

Motion carried 5-0 by unanimous consent.

**Item No. 56.** Discussion and possible action to approve Change Order No.1 in the amount of \$24,815.00 to Rhino Builders for the Tax Office Improvements. [Requested by Honorable Patricia Barrera, Tax Assessor Collector; Account Number 605-0700-8801-2 (amount budgeted 350,000)]

Cmr. Sciaraffa motioned to table the item.

After discussion, Cmr. Sciaraffa withdrew his motion.

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

Motion carried 5-0 by unanimous consent.

**Item No. 57.** Discussion and possible action to award the following Computer items for the Purchasing Department:

Qty	Description	Vendor	Amount
6	Monitors	Dell Computers(DIR-SDD-192)	\$ 1,314.72
2	Scanners	Valcom Computers (DIR-SDD-223)	1,424.00
1	Fax Machine	Toshiba (BuyBoard 231-05)	715.48
6	Computers	Dell Computers (DIR-SDD-192)	4,668.00
6	Monitor Adapters	Dell Computers (DIR-SDD-192)	126.00
6	License Software	SHI (DIR-SDD-198)	2,118.00
1	Printer	Valcom Computers (DIR-SDD-223)	319.00
1	22" Monitor	Valcom Computers (DIR-SDD-223)	319.00

Total: \$11,004.20

[Requested by Eloy Ramirez, Jr., Purchasing Director; Account Number 605-8108-8801 Capital Outlay]

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

Motion carried 5-0 by unanimous consent.

**Item No. 58.** Discussion and possible action to award proposal P-2008-03 "Engineering Services for Re-Plat for Qualifying Applicants along Hwy 359".

Mr. Eloy Ramirez, Purchasing Agent, stated that the award would be to Puig Engineering.

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

Motion carried 5-0 by unanimous consent.

Cmr. Tijerina motioned to go into executive session. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**(Closed Session/Executive Session 11:50 a.m. to 12:38 pm)**

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

**Item No. 59. Discussion and possible action concerning Cause No. 2008-CVQ-000531-C1; Urbano Rosas vs. Sheriff Rick Flores, Individually; In County Court at Law No. 1 of Webb County, Texas; including request of Sheriff Flores for Webb County to retain outside counsel on his behalf. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Mr. Homero Ramirez, County Attorney, recommended that the Court authorize retention of outside counsel. He stated that the Sheriff is requesting M'Liss Christian who represents the Sheriff and the County in other matters.

Cmr. Martinez motioned to authorize the hiring of M'Liss Christian with a cap of \$15,000.00. Cmr. Tijerina seconded the motion.

Motion carried 3-2 with Cmr. Sciaraffa opposing and Cmr. Garza abstaining.

**Item No. 60. Discussion and possible action to compromise and reduce Webb County's right of recovery for payment of indigent health care expenses to facilitate settlement of litigation filed by an Indigent Health Care Services client against a third party tortfeasor. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Mr. Homero Ramirez, County Attorney, stated that no action was necessary in this item.

**Item No. 61. Discussion and possible action to direct payment of amounts due but unpaid to certain members of the Webb County Deputy Sheriffs Collective Bargaining Unit pursuant to the collective bargaining agreement that expired on September 30, 2007. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]**

Mr. Leo Flores, County Auditor, explained that according to the information that the Auditor's Office has worked with regarding the twenty grievances filed, he recommended that only fifteen of those are eligible for the wage increase and five are not. He stated that it would cost approximately \$62,800.00 and would be out of payroll savings from the Sheriff's Office.

Cmr. Martinez motioned to approve the recommendation from Mr. Leo Flores, County Auditor, for he wage increase of the fifteen slots. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 62. Discussion and possible to consider claim of Foster Engineering Company for services performed and unpaid. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Mr. Homero Ramirez, County Attorney, stated that he needed time to review and asked that the item be deferred.

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

Motion carried 5-0 by unanimous consent.

**Item No. 63.** Consultation with County Attorney regarding tentative proposed settlement between Texas Health and Human Services Commission and the federal Center for Medicare and Medicaid Services, with possible action to authorize the County Attorney and other County representatives to confer with Texas Health and Human Services Commission on behalf of Webb County concerning the Commission's suggestion that Webb County pay \$1.7 million towards that settlement. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, recommended to authorize an appointee to begin discussion.

Cmr. Tijerina motioned to authorize Mr. Frank Salinas, Mr. Leroy Medford, Cmr. Garza and Cmr. Martinez to attend a meeting in Austin for discussion. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 64. Adjourn**

Cmr. Tijerina motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.