

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 23, 2009, at 9:00 AM
(approved March 9, 2009)

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 February 2009. 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

Cmr. Sciaraffa motioned to excuse Cmr. Garza in case he would not make the meeting. Cmr. Tijerina seconded the motion.

Motion carried 4-0 by unanimous consent.

Item No. 2. Pledge of Allegiance

Item No. 3. Approval of Minutes for February 9, 2009

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

Motion carried 4-0 by unanimous consent.

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

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

Cmr. Garza walked in at 9:08 a.m.

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

Motion carried 5-0 by unanimous consent.

Item No. 5. Communications

Judge Valdez congratulated everyone involved in the WBCA events. He acknowledged Mr. Joe Lamantia, Dr. Francisco Cigarroa, and Ms. Pati Chapoy on their honorees.

Cmr. Sciaraffa congratulated Mr. Ray Garner on being hired as the new UISD Police Chief. He sent his condolences to the families of Hector Rodriguez and congratulated everyone involved in the WBCA events.

Cmr. Tijerina congratulated all the WBCA crew as well as Dr. Francisco Cigarroa and Mr. Joe Lamantia.

Cmr. Garza congratulated all the WBCA crew on all the successful events.

Cmr. Martinez sent his condolences to the family of Jorge Benavidez in their tragic loss. He congratulated all the WBCA crew for their hard work.

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 – Anthony Peterson

Mr. Peterson advised the Court that they had promised timely evaluations for all county employees and those have not been done. He also stated that the Court promised to maintain an open door policy to everyone to which they have not abided by.

2nd witness card – Zaturino Ramos Jr.

Mr. Ramos expressed his opinion regarding the relocation of the golf course and the projected race track.

3rd witness card – Sheriff Martin Cuellar

Sheriff Cuellar presented Deputy Merced Martinez and Deputy Jose de Jesus Benavidez with the Metal of Value. Ms. Leticia Martinez presented Sheriff Martin Cuellar with a plaque in appreciation of the recognition presented to Deputy Merced Martinez.

Honorable Danny Valdez, Webb County Judge

Item No. 7. Discussion and possible action to proclaim the month of February 2009 as the 100th anniversary of the Salesian Sisters, Daughters of Mary Help of Christians.

Judge Valdez read the proclamation.

Item No. 8. Presentation by Martin Villarreal, Chief Appraiser with the Webb County Appraisal District, regarding the financial forecast, mineral valuations and market condition outlook for Webb County with discussion and possible action for the Commissioners Court to determine what the appropriate course of action for Webb County should be; and any other matters incident thereto.

Presentation on file at the Webb County Clerks Office under the February 23, 2009 Commissioner's Court dvd.

Item No. 9. Discussion and possible action to ratify the submission of a grant application to the Office of Justice Programs Office on Violence Against Women Safe Havens: Supervised Visitation and Safe Exchange Grant Program in the amount of \$350,000.00 with \$0 cash/in-kind match, to designate the Texas Migrant Council as the subcontractor in the execution and administration of the Webb County Safe Havens Program; and to designate County Judge Danny Valdez as the County's authorized official.

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

Motion carried 5-0 by unanimous consent.

Ms. Mary Capello, CEO Texas Migrant Council, thanked the Court.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

Item No. 10. Discussion and possible action to authorize the County Attorney to develop a Memorandum of Understanding between Webb County and the City of Laredo for the use of the old Santo Nino Library Location for a Community Use Center; and any other matters incident thereto. [Co-sponsored by Danny Valdez, Webb County Judge]

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

Motion carried 5-0 by unanimous consent.

Item No. 11. Discussion and possible action to accept the recommendations of the Radio Communications Tower Committee and designate the area located by La Presa Community Center off of Mangana Hein Road in Webb County, Texas as the proposed site for the South Webb radio tower site; subject to compliance with any and all FAA requirements; and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the February 23, 2009 Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

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

Item No. 12. Presentation by Debbie Jasek, Research Specialist, Center for Professional Development, Texas Transportation Institute; Mr. Pedro "Pete" Lara, Associate Director, Central Rio Grande Region Colonias Program, Center for Housing and Urban Development, College of Architecture, Texas A&M University, and Alice H. Garcia, Director, Larga Vista Community Center regarding the Texas Construction Career Academy Conference which will be held March 9th- 20th, 2009 at the Webb County Larga Vista Community Center, 5401 Cisneros, off HWY 359.

Presentation by Mr. Pedro 'Pete' Lara and Mrs. Alice Garcia on file at the Webb County Clerks Office under the February 23, 2009 Commissioner's Court dvd.

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

Item No. 13. Discussion and possible action to set dates for evaluation of all non-elected Webb County Department Directors; and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the February 23, 2009 Commissioner's Court dvd.

Cmr. Tijerina motioned to approve item subject to Administrative Services contacting all Court for available dates for evaluations to take place. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Commissioner's Court

Item No. 14. Discussion and possible action regarding the request of AEP to acknowledge, authorize, approve or ratify a Construction Material Storage Lease Agreement between AEP and L.I.F.E. for a one year period with FIFTY THOUSAND (\$50,000.00) DOLLARS annual rental payable to L.I.F.E. and an option to renew for one additional year at FIVE THOUSAND (\$5,000.00) DOLLARS per month; and authorizing the Webb County Judge to execute all relevant documents. [Requested by AEP] [Closed Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney)]

Cmr. Sciaraffa motioned to make this item part of the executive session items. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 15. Discussion and possible action to ratify the use of EIGHT (8) county golf carts from the Casa Blanca Golf Course used by the City of Laredo and the WBCA to conduct operational business at the Stars and Stripes Air Show which was held on Sunday, February 15th at the Laredo International Airport grounds.

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

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to take a media break. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

(MEDIA BREAK 10:15 a.m. – 10:35 a.m.)

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 16. Discussion and possible action to enter into a One (1) year (December 22, 2008 through December 21, 2009) Premium Plus Maintenance Agreement with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba E-Studio 600 Copier to be located at the Webb County Clerk's Office in the amount of FORTY-FIVE DOLLARS (\$45.00) per quarter being ONE HUNDRED EIGHTY DOLLARS (\$180.00) over the term of the agreement and copy overages of \$0.006200 per copy and authorizing the County Judge to sign all relevant documents. [Requested by Margie Ibarra, County Clerk; Account #001-1120-6022]

Item No. 17. Discussion and possible action to enter into a One (1) year (May 22, 2008 through May 21, 2009) Premium Plus Maintenance Agreement with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba E-Studio 452 Copier to be located at the Webb County Self Help Center in the amount of SEVENTY-FIVE DOLLARS (\$75.00) per quarter being THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and with copy overages of \$0.0077 per copy and authorizing the County Judge to sign all relevant documents. [Requested by Javier Martinez, Self Help Center; Account #001-0105-6402]

Item No. 18. Discussion and possible action to enter into a Twelve (12) month (February 10, 2009 through February 9, 2010) Premium Plus Maintenance Agreement with Office Communications Systems, Inc. (Contract No. 305420-ES453) for the maintenance of One (1) Toshiba E-Studio 453 copier located at the Webb County Treasurer's Office in the amount of EIGHTY-SIX DOLLARS AND THIRTY-FOUR CENTS (\$86.34) per month with a total of ONE THOUSAND THIRTY-SIX DOLLARS AND EIGHT CENTS (\$1,036.08) with an overage charge of 0.007120 per copy and authorizing the County Judge to execute all relevant documents. [Requested by Delia Perales, Webb County Treasurer; Account #001-0300-6402]

Item No. 19. Discussion and possible action to enter into a contract to a Letter Agreement between Webb County for the Community Action Agency and First Choice Power AEP Central Bill Payment Assistance Program Amendment which will provide funding in an amount not to exceed \$40,000.00 to assist qualifying AEP Central First Choice Power Customers with electric utility expenses for a term beginning January 29, 2009 and ending January 29, 2010, and authorizing the County Judge to execute all relevant documents. [Requested by Mike Kazen, Community Action Agency Director; Account #902-4200-7004-02]

Cmr. Sciaraffa motioned to approve items 16, 17, 18, and 19 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20. Discussion and possible action to enter into a Cooperative Working Agreement between Webb County, Texas for the Community Action Agency and the South Texas Council on Alcohol and Drug Abuse (STCADA) beginning September 1, 2008 and ending August 31, 2009, to allow STCADA to provide services in the area of HIV Early Intervention Services Program (HEI) – Bridges of Life and authorizing the County Judge to sign all relevant documents. [Requested by Mike Kazen, Community Action Agency Director and Alice H. Garcia, Larga Vista Community Center Director]

Cmr. Sciaraffa motioned to approve item 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 Letter Agreement between Webb County for the Community Action Agency and Reliant Energy Retail Services, LLC CARE Retail Services, LCC which will provide funding to Webb County Community Action Agency to be utilized to help the needy pay home energy expenses for a term beginning March 25, 2009 and ending on March 24, 2010 and authorizing the County Judge to execute all relevant documents. [Requested by Mike Kazen, Community Action Agency Director; Account #902-4202-700]

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

Motion carried 5-0 by unanimous consent.

Item No. 22. Discussion and possible action to enter into a Cooperative Working Agreement between Webb County, Texas for the Community Action Agency and the South Texas Council on Alcohol and Drug Abuse (STCADA) beginning September 1, 2008

and ending August 31, 2009, to allow STCADA to provide services in the area of Adult Outpatient Treatment Program (TRA & TRF), Substance Abuse and Mental Health Services Association Program (SAMHSA), and Co-Occurring Psychiatric Substance Use Disorders (COPSD) Program and authorizing the County Judge to sign all relevant documents. [Requested by Mike Kazen, Community Action Agency Director and Alice H. Garcia, Larga Vista Community Center Director]

Item No. 23. Discussion and possible action to approve and enter into a VCR Grant Amendment No. 51922F7124 with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts a grant amount of EIGHTY-EIGHT THOUSAND DOLLARS (\$88,000.00) and FOURTEEN THOUSAND NINE HUNDRED SIXTY DOLLARS (\$14,960.00) of TDC's (transportation development credits) for the "El Aguila" Rural Transportation program and authorizing the Webb County Judge to execute all relevant documents. [Requested by Mike Kazen, Community Action Agency Director]

Cmr. Sciaraffa motioned to approve items 22 and 23 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 24. Discussion and possible action to enter into a construction contract between Webb County and Master Construction (Contractor Vicente Lopez) Contract No. SHC-2009-01 for the Webb County Nutrition Health & Learning Center located at 8116 Hwy. 59 in the amount of FORTY-NINE THOUSAND EIGHT HUNDRED NINETY DOLLARS (\$49,890.00) to be completed within a period of Seventy-Five (75) days. [Requested by Juan Vargas, Economic Development Director]

Cmr. Sciaraffa 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 approve Home Program Owner Occupied Assistance Application #2008-0084 and Contract #1001027 and First Amendment to Home Program Contract #1001027 for adoption of Home 2009 Rules and authorizing the County Judge to execute all relevant documents. [Requested by Juan Vargas, Economic Development Director]

Item No. 26. Discussion and possible action to accept the following rights of way, out of: D-5 Acres, Old Milwaukee and Vela Tract.

Property	Grantor
D-5 Acres	
Lot 5	John R. Daves
Lot 20	John R. Daves
Lot 20	Lorenzo Rodriguez and San Juana Rodriguez
Lot 33	John R. Daves
Old Milwaukee1	

Tract F-1
Tract F-1

Rene Cantu and Petra Lucio
L. O. Ramirez Brick, Inc.

Vela Tract
Share 5

Juan Ramon Vela, Mirta Oralia Vela, Maria
Magdalena Vela, Jaime Vela, Santos Vela,
Jr., Antonia Vela, Esperanza Vela,
Sara Isabel Vela, and Rocio Vela

and authorizing County Judge to sign all relevant documents.

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

Motion carried 5-0 by unanimous consent.

Item No. 27. Discussion and possible action to enter in to a Twelve month contract between Webb County and Sprint/Nextel Account #611266083 with a monthly cost of NINETY DOLLARS (\$90.00) for an annual cost of ONE THOUSAND EIGHTY DOLLARS (\$1,080.00) for Three (3) walkie talkie units for a period of one year. [Requested by Raul R. Elizondo, Facilities Department Director; Account #001-0109-6004-1]

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

Motion carried 5-0 by unanimous consent.

Item No. 28. Discussion and possible action to adopt a sealed bid or sealed proposal procedure for sale or lease of county property including space in or on county property as required by Texas Local Government Code Section 263.007.

Item No. 29. Discussion and possible action pursuant to adopted County procedure to solicit sealed proposals for lease of the Webb County property known as the Casa Blanca Golf Course for the conduct of a simulcast racing facility as well as the construction and operation of a racetrack and all operations incident thereto. Proposers shall be required to be licensed by the State of Texas to conduct simulcast and racing operations as those are defined by the Texas Racing Commission and shall be required to renovate the existing facility to accommodate this operation. Such renovations shall include public restroom facilities, parking, electrical upgrades and all necessary repairs and alternations to the existing building and property as designated by Webb County in its request for proposal.

Discussion on file at the Webb County Clerks Office under the February 23, 2009 Commissioner's Court dvd.

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

After discussion, Cmr. Sciaraffa stated that his motion was to approve items 28 and 29 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent on item 28.

Motion carried 4-1 with Cmr. Martinez voting against on item 29.

Honorable Margie Ibarra, County Clerk

Item No. 30. Discussion and possible action to approve the following line item transfer:

From:	005-1120-6022	Professional Services	23,000
To:	005-1120-5005	Part time	23,000

[Account #005-1120-6022 & 005-1120-5005]

Item No. 31. Discussion and possible action to approve the following line item transfer:

From:	001-1120-6005	Postage	3,000
To:	001-1120-6205	Materials & Supplies	3,000

Com. Sciaraffa motioned to approve items 30 and 31 as submitted. Com. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32. Status Report on the Webb County Clerk's Office projected revenues for Fiscal Year 2008-2009.

Mrs. Margie Ramirez Ibarra, Webb County Clerk, presented projections for the ending FY 2009.

Honorable Rudy Rodriguez, Constable Pct. 1

Item No. 33. Discussion and possible action to approve the following line item transfers:

From :	001-2500-5001	8,142.00
	001-2500-5006	82.00
	001-2500-5011	4,200.00
	001-2500-5301	678.00
	001-2500-5303	617.00
	001-2500-5304	2,016.00
	001-6115-5001	2,500.00 (La Presa CC)
	001-6114-5001	2,500.00 (S.Teresita CC)
	001-6113-5001	1,200.00 (B. Aires CC)
To:	001-2500-5002	13,463.00
	001-2500-5004	5,554.00
	001-2500-5305	1,775.00
	001-2500-5306	1,143.00

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

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No. 34. Discussion and possible action to approve the following line item transfer:

From:	170-2001-8801	Capital Outlay	50,400
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To: 170-2001-6022 Professional Services 50,400

Item No. 35. Discussion and possible action to approve a professional service contract between Webb County for Webb County Sheriff Martin Cuellar and Webb County Sheriff's Department and Adolph Thomas, Independent Contractor, DBA Fourth Amendment and More Seminars, for training in various law enforcement areas and by order of Commissioners Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the County Judge to execute all relevant documents. The effective date of this contract shall be February 1, 2009 through January 31, 2010. The annual contract amount shall equal \$72,000.00 to be paid on a monthly basis or as services are rendered. [Federal Forfeiture Fund #170-2001-6022]

Cmr. Sciaraffa motioned to approve item 34 and 35 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and possible action to approve a professional service contract between Webb County for Webb County Sheriff Martin Cuellar and Webb County Sheriff's Department and Strother & Company, Consultant, for consulting services for law enforcement related policies and procedures and by order of Commissioners Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the County Judge to execute all relevant documents. The effective date of this contract shall be February 1, 2009 through January 31, 2010. The annual contract amount shall not exceed \$50,400.00 to be paid on a monthly basis at a rate of \$4,200.00 or as services are rendered. [Federal Forfeiture Fund #170-2001-6022]

Item No. 37. Discussion and possible action to approve the transfer of Two (2) vacant Slots to County Court of Law #1 to include base salary plus fringe benefits as approved by FY 2008-2009 Budget. The proposed vacant slots to be transferred are as follows:

Slot #	Title	Salary	Payroll	FICA	Retirement	Insurance	W/C	Unemployment	Total
			5001	5301	5303	5304	5305	5306	
0393	Officer I	38,638	22,886	1,751	2,012	2,892	1,201.49	377.61	31,119
1976	Officer IV	47,651	28,224	2,159	2,481	2,892	1,481.76	465.70	37,703
			51,110	3,910	4,493	5,784	2,683.00	843.00	68,822

Cmr. Sciaraffa motioned to approve items 36 and 37 as submitted. Cmr. Tijerina seconded the motion.

Mrs. Teresa Hunter, County Attorney's Office, asked that item 36 be tabled till the next meeting.

Cmr. Sciaraffa and Cmr. Tijerina withdrew their motions.

Cmr. Sciaraffa motioned to table item 36. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to approve item 37 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38. Discussion and possible action to approve an annual contract with Justice Benefits, Inc. to help the Webb County Sheriff's Office apply for federal financial participation for federal reimbursement of the costs of housing illegal aliens at the Webb County Jail at the rate of 11% compensation for amounts up to \$111,000.00 (baseline) and 22% compensation for the amounts over \$115,000.00 through Justice Benefit's efforts, and authorizing the County Judge to sign all relevant documents.

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

Motion carried 5-0 by unanimous consent.

Item No. 39. Discussion and possible action to approve the following line item transfer:

From:	170-2001-8801	Capital Outlay	20,000
To:	170-2001-6950	Investigation Expenditure	20,000

Auditor

Item No. 40. Discussion and possible action to approve the following line item transfer:

From:	001-0109-6022	Professional Services	2,500
To:	001-0200-6007	Dues & Memberships	2,500

Cmr. Garza motioned to approve items 39 and 40 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41. Discussion and possible action to adopt the proposed final budget for the Casa Blanca Golf Course for Fiscal Year 2008-2009. The budget combines the first Golf Course budget submitted to the Court by the County Auditor with the Golf Course budget submitted to the County by Southern Golf Properties (budgets can be seen in the backup information).

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

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

Economic Development

Item No. 42. Discussion and possible action to authorize the Purchasing Agent to solicit "Annual Contract" bids for house to line connection services for the Self-Help Center Program (Contract # 728023).

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

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

Item No. 43. Discussion and possible action to authorize the submission of a Texas Community Development Block Grant application to the Office of Rural Community Affairs for the Colonia Construction Fund Program in the amount of \$500,000.00; 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 the Colonia Construction Fund Program.

- Item No. 44. Discussion and possible action to authorize the submission of a Texas Community Development Block Grant application to the Office of Rural Community Affairs for the Colonia Comprehensive Planning Fund Program in the amount of \$60,000.00; 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 the Colonia Comprehensive Planning Fund Program.

Cmr. Sciaraffa motioned to approve items 43 and 44 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

- Item No. 45. Discussion and possible action to approve Change Order No. 2; an increase in the amount of \$4,932.00 to Jimmy Closner Construction Company for the Camino Nuevo Road Project. The increase in the contract amount is to be paid by Mr. Richard Haynes, Developer. Final approval is to be contingent on Mr. Richard Haynes payment. [Account #684-1301-8621]

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

Motion carried 5-0 by unanimous consent.

- Item No. 46. Discussion and possible action to approve Change Order No. 1, in the amount of \$10,960.00, to Leyendecker Construction Inc. for the extension of a sewer line for the Webb County Youth Village Project. This will be taken from contingency and will not increase the contract amount. [Account #684-1306-8601(Youth Village)]

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

Motion carried 5-0 by unanimous consent.

- Item No. 47. Discussion and possible action to approve Change Order No. 4, for a decrease in the amount of \$1,513.00 for a deleted plaque to Leyendecker Construction Inc. for the Girl Scouts Project. [Account #729-8114-8601 & 729-2311]

El Cenizo Community Center

- Item No. 48. Discussion and possible action to approve the following line item transfer:

From:	001-6101-5601	Administrative Travel	500
To:	001-6101-6205	Good for Public Events	500

Facilities

- Item No. 49. Discussion and possible action to fill the following Slot effective February 24, 2009.

Slot #	Title	Hourly Rate
0035	General Repairs Person	\$9.00

Com. Sciaraffa motioned to approve items 47, 48, and 49 as submitted. Com. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Juvenile Detention Center

Item No. 50. Discussion and possible action to authorize the submission of a grant application to the Criminal Justice Division of the Governor's Office for the continuation of the Juvenile Accountability Block Grant (JABG) and authorizing the County Judge to execute all forms relevant to said grant. [Fund #153]

Planning

Item No. 51. Discussion and possible action to fill the following Slot, effective February 23, 2009.

Slot #	Title	Hourly Rate
2471	Planning Coordinator	\$12.50

Com. Garza motioned to approve items 50 and 51 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 52. 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:
San Carlos Subdivision Phase I

1) Block 5, Lot 10 (1 dwelling only)

Staff recommends approval of the above-referenced properties as submitted containing One (1) dwelling on One (1) lot

Public Defender

Item No. 53. Discussion and possible action to fill the following Slot, effective March 13, 2009.

Slot #	Title	Hourly Rate
2139	Secretary	\$13.85

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

Motion carried 5-0 by unanimous consent.

Item No. 54. Discussion and possible action to approve the selection of office space for the Juvenile Public Defender's Office.

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

Motion carried 5-0 by unanimous consent.

Purchasing

Item No. 55. Discussion and possible action to approve the lease of Sixteen (16) Sharp AR-208D Multi-print Copiers for 48 months at \$820.00 per month from Nevill for the Head Start Program. [Requested by Aliza Oliveros, Head Start Director; Account #903-4207-6014]

Item No. 56. Discussion and possible action to rescind action of January 26, 2009 to obtain satellite television services from Prime One/Direct, Inc. (Direct TV) in the amount of \$502.88 for the Anita and Fred Bruni, Penitas West and Santa Teresita Community Center. [Requested by Joe Gutierrez, Anita & Fred Bruni Community Center]

Cmr. Sciaraffa motioned to approve items 55 and 56 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 57. Discussion and possible action to obtain satellite television service from Direct TV Commercial Package & Pricing (Business Choice) in the amount of \$59.99 per month for a yearly total of \$719.88 for the Fred and Anita and Santa Teresita Community Center. [Requested by Joe Gutierrez, Fred & Anita Community Center; Account #001-6104-6201 (Utilities) and Juanita Puente, Santa Teresita Community Center; Account #001-6114-6201 (Utilities)]

Item No. 58. Discussion and possible action to ratify the contracted services and equipment rental from Enrique Flores in the amount of \$7,920.00 (original amount \$2,880.00 and increase of \$5,040.00) for the Colonia Clean-up Campaign spearheaded by the Self Help Center. [Requested by Javier Martinez, Self Help Center; Account #507-6500-6401 (Repairs & Maintenance Sites)]

Item No. 59. Discussion and possible action to approve a 48 Month Term PRI Connect from Valley Telephone Cooperative (VTCI) in the amount of \$1,222.75 and to authorize the County Judge to execute all relevant documents. [Requested by Eloy Ramirez, Jr., Purchasing Agent; Account #001-0109-6001-1]

Cmr. Sciaraffa motioned to approve items 57, 58, and 59 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 60. Discussion and possible action to authorize the purchase of the following computers and other office equipment from F.Y. 2008-2009 Capital Outlay:

Department	Qty	Item	Total
341st District Court	(2)	Complete PCs	\$3,000.00
Administrative Services	(2)	Complete PCs	
	(1)	Projector	5,000.00

Community Action Agency	(6)	Notebook Computer	12,000.00
Constable Pct 1	(6)	Complete PC's	
	(1)	Printer	9,500.00
Constable Pct 2	(1)	Complete Pc	1,500.00
Constable Pct 4	(2)	Complete Pc's	
	(2)	Notebook Computer	6,500.00
County Clerk	(2)	Complete Pc's	3,000.00
County Court at Law 2	(5)	Complete Pc's	
	(1)	Notebook Computer	
	(1)	Printer	10,000.00
District Clerk	(5)	Complete Pc's	
	(5)	Document Scanners	17,500.00
District Clerk Central Jury Room	(1)	Document Scanner	1,600.00
Economic Development	(5)	Complete Pc's	
	(3)	Printers	9,000.00
Engineering	(3)	Complete Pc's	
	(2)	Printers	5,500.00
JP Pct. 2 Pl. 2	(1)	Telephone System	
	(1)	Complete Pc	7,500.00
Larga Vista Community Center	(3)	Complete Pc's	4,500.00
Management Information Systems	(1)	IBM Series Backup Server with Software	
	(2)	IBM Servers (Planning)	
	(1)	IBM LTO-4 Tape Drive	
	(1)	Physical Hard Drive Destroyer	
	(27)	Sysco Gigabit Switches	408,770.00
Public Defender	(6)	Complete Pc's	
	(6)	Printers	12,000.00
Public Information Office	(1)	Notebook Computer	2,000.00
Purchasing	(6)	Complete Pc's	
	(1)	Printer	9,000.00
Rio Bravo Community Center	(7)	Complete Pc's	4,500.00
Treasurer	(7)	Complete Pc's	
	(3)	Printers	12,000.00
Veterans	(2)	Complete Pc's	
	(4)	Printers	5,000.00

TOTAL: (C.O. Computer Requests) \$549,370.00

*Proposed Funding of County
Technology Fund 50,630.00
Grand Total \$600,000.00

[Requested by Certificates of Obligations Committee; Account #8801 (Capital Outlay)]

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

Mr. Eloy Ramirez, Purchasing Agent, stated that there was a typographical error under the Rio Bravo Community Center and the amount of PC's should be 3 instead of seven.

Motion carried 5-0 by unanimous consent.

Item No. 61. Discussion and possible action to ratify the repair of tract dozer Unit 10-45 from Road and Bridge in the amount of \$8,795.69 by Holt Company of Texas. [Requested by Jose Luis Ramos, Road & Bridge Director; Account #010-7002-6402 (Repairs & Maintenance Equipment)]

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

Motion carried 5-0 by unanimous consent.

Item No. 62. Discussion and possible action to retain the services of A-ROD CONSTRUCTION, INC in the amount of \$24,000.00 to clean-up 6,605 liner feet of creeks and ponds located at the Casa Blanca Golf Course. [Requested by Southern Golf Properties, Inc., Account #665-6001-8601]

Discussion on file at the Webb County Clerks Office under the February 23, 2009 Commissioner's Court dvd.

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

Motion carried 4-0 with Cmr. Martinez abstaining from voting.

Cmr. Sciaraffa motioned to go into executive session. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to bring up item 14 and Addendum Item 1 under executive session. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

(Closed Session/Executive Session 12:03 p.m. – 1:30 p.m.)

Judge Valdez advised that no action was taken during executive session.

Addendum Item No. 1 Discussion and possible action to appoint a committee to investigate possibilities for the relocation of the Casa Blanca Golf Course or for the construction of a new County-owned golf course, and to report back to Commissioner's Court. [Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, recommended keeping the existing Golf Course Committee.

Cmr. Garza motioned to approve the recommendation of the County Attorney. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14. Discussion and possible action regarding the request of AEP to acknowledge, authorize, approve or ratify a Construction Material Storage Lease Agreement between AEP and L.I.F.E. for a one year period with FIFTY THOUSAND (\$50,000.00) DOLLARS annual rental payable to L.I.F.E. and an option to renew for one additional year at FIVE THOUSAND (\$5,000.00) DOLLARS per month; and authorizing the Webb County Judge to execute all relevant documents. [Requested

by AEP] [Closed Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, recommended denying this item and including communication to AEP and LIFE indicating that LIFE does not have the authority to enter into this type of agreement and advise them that Webb County does have authority to enter into an agreement with them to which could be discussed at a later meeting. Mrs. Cavazos Ramirez also requested authority to look into other agreements of this nature that LIFE could have entered and bring back a report to the Court.

Cmr. Martinez motioned to approve the County Attorney's recommendations and include authorization for the County Attorney to look into nonprofit corporate charters regarding activities that are not conforming to the purposes stated in the license agreement and expedite such inquiries to the State Attorney General's Office and any other agencies that might be able to assist. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 63. Discussion and possible action concerning status of case and expenses related to Civil Action No. 5:08-cv-00128; Cynthia Alcala, Rosalinda Cantu, Erika Castillo, Raquel Farias, Bertha Garcia, Maribel Gonzalez, Julissa Guajardo, Diana Hernandez, and Ileana Rincon vs. Webb County, Texas; Patricia Barrera, Individually and in her Official Capacity as Webb County Tax Assessor-Collector; Mary Ethel Novoa, Individually and in her Official Capacity; Rosa Hernandez, Individually and in her Official Capacity; and Dora Jimenez, Individually and in her Official Capacity; 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)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, recommended that the Court approve a bill of \$16,343.00 of legal expenditures and explained that there was an amount of \$4,372.00 that should be credited which would leave an amount due to the attorney of \$11,971.00. Mrs. Cavazos Ramirez included in her recommendation to instruct counsel to be more detailed in their billing and also include everything that is not privileged that Webb County be copied on all documentation related to the bills being submitted to Webb County.

Cmr. Sciaraffa motioned to approve County Attorney's recommendation. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 64. Discussion and possible action regarding Civil Action No. L-05-CV-76; Luis Montes vs. Webb County, Texas, and Cynthia Mares; 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)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, recommended to proceed with Mr. Watson's, representative for Webb County, recommendation to move forward and try the case.

Cmr. Tijerina motioned to approve County Attorney's recommendation. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 65. Discussion and possible action to approve settlement agreement by and

between Foster Engineering Company and Webb County, to terminate the following contracts: Border Access Colonias Program, Tanquesitos South Acres I and II; Lake Casa Blanca Dam; Contract No. 724195 – Vela Tract, and to reassign the retainage on the foregoing contracts back into County Funds. [Requested by Ms. Teresa A. Hunter, Webb County Attorney's Office] Executive Session is requested pursuant to Texas Government Code tile 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, recommended that the monies left over from Foster Engineering be applied to those contracts and approve the settlement agreement.

Cmr. Sciaraffa motioned to approve County Attorney's recommendation. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 66. Discussion and possible action to authorize the County Attorney to join Webb County as a party Plaintiff in the pending case styled State of Texas vs. Roberto Lopez, Cause No. 1-GV-08-001637, pending in the 98th District Court of Travis County, Texas, said joinder would allow the payments paid by residents to Roberto Lopez under a contract for deed, who are residing in the Los Altos Subdivision, be diverted into the Registry of the Court for the purpose of securing platting and installing water and sewer services. [Requested by Anna L. Cavazos Ramirez, Webb County Attorney, Account #. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, stated that the Attorney General is asking Webb County to intervene in this lawsuit; to which, she recommended the intervention.

Cmr. Sciaraffa motioned to approve County Attorney's recommendation. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 67. Adjourn

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

Motion carried 5-0 by unanimous consent.