

Official Minutes for Webb County  
Commissioners Court Meeting

Monday, March 9, 2009 at 9:00 AM  
(approved March 23, 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 6<sup>th</sup> of March 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**

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

**Item No. 3. Approval of Minutes for February 17, and February 23, 2009**

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina 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, presented the Court with the February monthly report.

Judge Valdez motioned to bring up item #40. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

**Auditor**

**Item No. 40. Discussion regarding revenues coming in below budget and possible action to accept the recommendations of the County Auditor to counter the expected shortfalls with a hiring freeze and a reduction in operational budgets for all county departments.**

Discussion on file at the Webb County Clerks Office under the March 9, 2009 Commissioner's Court meeting dvd.

Comr. Garza motioned to have a workshop scheduled for next week to meet with all Department Heads, Elected Officials, and Mr. Leo Flores so that each can give their inputs on their budgets. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Patricia Barrera, Tax Assessor Collector, gave a report on the monthly tax report as of February 27, 2009.

## **Item No. 5. Communications**

Judge Valdez thanked Congressman Henry Cuellar, Representative Richard Raymond and Ryan Guillen, Senator Judith Zaffirini on their assistance in obtaining 35 million dollars for the Cuatro Vientos Corridor. He also acknowledged the work by Mr. Juan Vargas, Mr. Fitzgerald Sanchez, Mr. Jose Luis Ramos and all staff involved in putting together all details involved in the obtaining of the 35 million dollars in funding along with Comr. Sciaraffa, Comr. Martinez and Commissioner's Court in prioritizing everything.

Comr. Martinez thanked everyone involved in obtaining the funding for the County Roads as well as for the Cuatro Vientos Corridor. He asked everyone to join in the fight along with the Texas A&M students to not allow the U.S. Border Patrol to kill all the Carrizo found along the river.

Comr. Garza thanked everyone involved in the Cuatro Vientos project. He sent his condolences to the Juan Lucio Family and informed the community that this week an FCC commissioner will be in town to educate people on the DTV conversion that will be coming up in June 12<sup>th</sup>. Comr. Garza wished Comr. Sciaraffa a belated happy birthday and congratulated Mr. Rudy Gonzalez from Southern Golf Properties on a job well done at the golf course.

Comr. Tijerina wished Comr. Sciaraffa a belated happy birthday. She thanked everyone involved in obtaining funding for the Cuatro Vientos Project and the County Roads. Comr. Tijerina also congratulated LIFE and the WBCA along with Mr. & Mrs. Carney Guerra, Mr. Dickman from Fasken Oil, and Mr. Carlos Mejia, from Mejia Engineering on their inductees. She sent her condolences to the Juan Lucio Family. Comr. Tijerina thanked Ms. Alice Garcia, Pete Lara for putting out the Flaggers Conference, and Rudy Gonzalez on doing a great job in the golf course. She welcomed several representatives from St. Augustine High School and as well as the Catholic School Superintendent Dr. Rosa Vida.

Comr. Sciaraffa thanked everyone involved in obtaining the funding for the Cuatro Vientos Project and stated that south Laredo would benefit a lot from this. He thanked Rudy Gonzalez from Southern Golf Properties on a job well done in the golf course.

**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 under Public Comment.

Comr. Tijerina motioned to bring up item 29. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Honorable Isidro R. Alaniz, District Attorney**

**Item No. 29. Discussion and possible action to donate a 2001 Burgundy, Dodge X-Cab, Vin #1B7HC13421J254279, Tx. Lic. #61L JW2, Unit #09-37, Mileage-103,870 and a 2000 Silver, 2 door, Chevy Monte Carlo, Vin #2G1WW12EY9240728, Unit #09-41, Mileage (digital-cannot be turned on to check) to Webb County Attorney's Office.**

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

Motion carried 5-0 by unanimous consent.

Comr. Sciaraffa motioned to bring up items 10 and 11. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 10. Presentation of Certificates of Achievement to the 2009 Border Olympics Champions, United High School Girl's Golf Team.**

**Item No. 11. Presentation of Certificates of Achievement to the 2009 Border Olympics Champions, St. Augustine High School Boy's Golf Team**

Comr. Tijerina stated that the students from United High School were currently taking several exams; therefore, she would forward the certificates to them.

Comr. Tijerina presented the following students with certificates:

Coach Gilbert Rios, Joaquin Dominguez, Rogelio Jimenez, Rey Reyes, Pedro Arguindegui, and Eloy 'Chito' Gonzalez

Coach Rios expressed his appreciation to the Court.

Judge Valdez motioned to bring up item 43. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

### **Community Action Agency**

**Item No. 43. Discussion and possible action to proclaim the month of March as "March For Meals" month.**

Discussion on file at the Webb County Clerks Office under the March 9, 2009 Commissioner's Court meeting dvd.

The Court read the Proclamation.

### **Honorable Danny Valdez, Webb County Judge**

**Item No. 7. Discussion and possible action to authorize the County Engineer to propose a county road improvement plan based on the Metropolitan Planning Organization's (MPO) approved project funding being allocated from the American Recovery and Reinvestment Act (federal stimulus package); and any other matters incident thereto.**

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

Motion carried 5-0 by unanimous consent.

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

**Item No. 8. Discussion and possible action to allow Rio Bravo Colonia Initiative of SCAN, Inc., to host an Outdoor Spring Dance at the Rio Bravo Community Center grounds on March 14, 2009, and any matters incident thereto. [Co-Sponsored by Webb County Judge Danny Valdez]**

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

After discussion, Cmr. Tijerina amended her motion to include approval subject to SCAN getting insurance and naming Webb County as an insured. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

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

**Item No. 9. Discussion and possible action to approve the plaque design and wording for the Webb County Nutrition/Health Learning Center.**

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

Motion carried 4-0 with Judge Valdez not present.

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

**Item No. 12. Discussion and possible action to contract with Totem Asset and Project Management, LLC in the amount of \$2,600.00 per month for a period of Six (6) months to provide grant writing services (research/preparation) for Precinct 3. Funding is available in Precinct 3. [Account #605-0203-8801]**

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

Motion carried 4-0 with Judge Valdez not present.

**Item No. 13. Discussion and possible action to accept the recommendations of Hickey/Pena Architects to award the contract for construction of the North Side International Park to Zertuche Construction. Subject to negotiation and value engineering yielding a price consistent with Webb County's budget without significant change in scope.**

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

Motion carried 4-0 with Judge Valdez not present.

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

- Item No. 14. Discussion and possible action to approve a donation of \$5,000 to the Texas A&M Colonia Program from Commissioner Precinct 4. [Account #605-0204-8801]**

Discussion on file at the Webb County Clerks Office under the March 9, 2009 Commissioner's Court meeting dvd.

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

Motion carried 5-0 by unanimous consent.

**Honorable Anna L. Cavazos Ramirez, County Attorney**

- Item No. 15. Discussion and possible action to enter into a One (1) year (February 13, 2009 through February 12, 2010) Premium Plus Maintenance Agreement No. 353785-001 with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba E-Studio 352 Copier to be located at the Webb County Head Start/Floyd's Kitchen in the amount of SEVENTY-FIVE DOLLARS (\$75.00) per quarter being THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and copy overages of \$0.0095 per copy and authorizing the County Judge to sign all relevant documents. [Requested by Aliza Oliveros, Head Start Center Director/Floyd's Kitchen]**

- Item No. 16. Discussion and possible action to enter into a One (1) year (January 28, 2009 through January 27, 2010) Premium Plus Maintenance Agreement No. 211173-003 with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba E-Studio 3510 Copier to be located at the Webb County Judge's Office in the amount of SEVENTYFIVE DOLLARS (\$75.00) per quarter being THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and with copy overages of \$0.0099 per copy in black and \$0.0880 per copy in color and authorizing the County Judge to sign all relevant documents. [Requested by Danny Valdez, Webb County Judge]**

- Item No. 17. Discussion and possible action to approve the form for the 2009/2010 Third Party Funding Application, including Hotel/Motel funding, and set submission dates and deadlines for application for all Third Party Funding, and any matters incident thereto.**

- Item No. 18. Discussion and possible action to enter into a One (1) year (February 11, 2009 through February 10, 2010) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-281C Copier located in the Webb County Sheriff Administrative Building at a cost of FIFTY DOLLARS (\$50.00) per quarter in an amount of TWO HUNDRED DOLLARS (\$200.00) over a term of the agreement and with copy overages being billed at \$0.0099 cents per black copy and \$0.0880 per color copy and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Sheriff, Account #2001-001-6402]**

- Item No. 19. Discussion and possible action to enter into a One (1) year (February 11, 2009 through February 10, 2010) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-352 Copier located in the Webb County Sheriff Substation U.S. Highway 59 at a cost of FIFTY DOLLARS (\$50.00) per quarter in an amount of TWO HUNDRED DOLLARS (\$200.00) over a term of the agreement and with copy overages being billed at \$0.0085 cents per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Sheriff; Account #2001-001-6402]
- Item No. 20. Discussion and possible action to enter into One (1) year (February 11, 2009 through February 10, 2010) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-353 Copier located in the Webb County Sheriff Radio Dispatch at a cost of EIGHTY-THREE DOLLARS (\$83.00) per quarter in an amount of THREE HUNDRED THIRTY-TWO DOLLARS (\$332.00) over a term of the agreement and with copy overages being billed at \$0.0085 cents per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Sheriff, Account #316-2100-6402]
- Item No. 21. Discussion and possible action to approve Amended Agreement between Webb County and URS Group, Inc., obtain limited title search reports prepared by a Title Company licensed by the Texas Department of Insurance in conjunction with La Presa Colonia Facility Plan project (for the design of certain water and wastewater improvements), U.S. Army Corp. of Engineers contract number DACW64-02-D-0001, Task Order 0018. [Requested by Fitzgerald G. Sanchez, Engineer]

Cmr. Sciaraffa motioned to approve items 15, 16, 17, 18, 19, 20, 21, and on item 17 the deadline would be May 15, 2009 at 5:00 p.m. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner Pct 3

Addendum Item No. 1. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Proposals to lease, purchase or acquire additional office space with a minimum square footage of 7,000 sq. ft. for the Indigent Health Care Services or any other county office. Building is to be located in the "downtown area" as defined and recommended by the Building Committee with Commissioners Court approval; and any other matters incident thereto. [The Commissioners Court may meet in a Closed Meeting (Executive Session) pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071(Consultation with Attorney) and 551.072 (Deliberation Regarding Real Property)]

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

Motion carried 5-0 by unanimous consent.

**(MEDIA BREAK 10:45 a.m. - 11:05 a.m.)**

- Item No. 22. Discussion and possible action to accept formal dedication of Welhousen and Torrecillas Road in Oilton, Texas, such roads previously had been acquired by Webb County by prescriptive easements, such property being described as follows:

Tract No. 1: Welhousen

Being 1.16 acre tract of land, being the right-of-way of Welhousen Street from the south line Carolina Avenue to north line Molina Avenue in Oilton, Webb County, Texas recorded in Volume 2, Page 57, Plat Records, Webb County, Texas, situated in Survey 786, J. M. Garcia, Abstract 1956, Webb County, Texas.

Tract No. 2: Torrecillas

Being a 0.51 acre tract of land, being the right-of-way of Garcia Street from the south line Laredo Avenue to north line Teresa Avenue in Oilton, Webb County, Texas recorded in Volume 2, Page 57, Plat Records, Webb County, Texas, situated in Survey 786, J. M. Garcia, Abstract 1956, Webb County, Texas.

[Requested by Rhonda Tiffin, Planning & Zoning Director]

- Item No. 23. Discussion and possible action to enter into a "Texas Framework Agreement" with Bearing Point, Inc. which will provide for E-Filing and Electronic Payment services through the Texas online website for the District and County Clerk's Office for a period of Three (3) years beginning January 9, 2009 and authorizing the County Judge to execute all relevant documents. [Requested by Manuel Gutierrez, District Clerk]

- Item No. 24. Discussion and possible action to enter into and approve a Professional Contract between Webb County and Justice Benefits, Inc. for Jail Costing Study, wherein Justice Benefits, Inc. agrees to deliver a Draft Report within Ninety (90) days of the contract approval. Within Thirty (30) days of the completion of the county's review of the Draft Report, Justice Benefits will deliver to the county a final Report and by order of Commissioner's Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the Webb County Judge to execute all relevant documents. [Requested by Leo Flores, Auditor; Fund #168 (Sheriff's State Forfeiture Fund)]

Item No. 25. Discussion and possible action to enter into a Memorandum of Understanding with the Laredo Independent School District concerning the coordination and collaboration of preschool educational services to children enrolled in the Head Start Program and as allowed under the "Improving Head Start for School Readiness Act of 2007" and authorizing the County Judge to sign all relevant documents. [Requested by Aliza Oliveros, Head Start Program Director]

Item No. 26. Discussion and possible action to enter into a Memorandum of Understanding with the United Independent School District concerning the coordination and collaboration of preschool educational services to children enrolled in the Head Start Program and as allowed under the "Improving Head Start for School Readiness Act of 2007" and authorizing the County Judge to sign all relevant documents. [Requested by Aliza Oliveros, Head Start Program Director]

Item No. 27. Discussion and possible action to enter an Order to establish a Ninety day burn ban for the unincorporated areas of Webb County effective March 9, 2009. [Recommended by Texas Forest Service]

Cmr. Sciaraffa motioned to approve items 22, 23, 24, 25, 26, and 27 as submitted. Cmr. Tijerina seconded the motion.

Mrs. Teresa Hunter, County Attorney's Office, stated that on item 24 the Sheriff's Department State Forfeiture Fund will pay half of the amount.

Motion carried 5-0 by unanimous consent.

Honorable Margie Ibarra, County Clerk

Item No. 28. Discussion and possible action to approve the following line item transfer:

From: 001-1120-6204 Fuel & Lubricants	1,000
To: 001-1120-6011 Training & Education	1,000

[Account #001-1120-6204 & 001-1120-6011]

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

Motion carried 5-0 by unanimous consent.

Honorable Alvino Morales, County Court at Law 1 Judge

Item No. 30. Discussion and possible action to approve the following title changes:

Slot #	Title
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<b>From:</b> 2324 1976 0393	<b>Warrant Peace Officer          Officer V          Officer I</b>
<b>To:</b> 2324 1976 0393	<b>Warrant Peace Officer I          Warrant Peace Officer II          Warrant Peace Officer III</b>

**Item No. 31. Discussion and possible action to approve the following salary adjustments:**

	Slot #	Title	Salary
<b>From:</b>	2324	Warrant Peace Officer I	\$41,600
	1371	Bailiff	\$45,426
	1976	Warrant Peace Officer II	\$47,651
<b>To:</b>	2324	Warrant Peace Officer I	\$42,925
	1371	Bailiff	\$46,751
	1976	Warrant Peace Officer II	\$45,000

Discussion on file at the Webb County Clerks Office under the March 9, 2009 Commissioner's Court meeting dvd.

Cmr. Sciaraffa motioned to approve items 30 and 31 and include the exception that the Court would do for such change in the operational budget to occur.

After discussion, motion died for lack of second.

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

<b>From:</b>	001-1010-7050 Adult Misdemeanor	5,000.00
<b>To:</b>	001-1010-6026 Visiting Judges	5,000.00

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

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring back item 4. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

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

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

Motion carried 5-0 by unanimous consent.

**Honorable Rudy Rodriguez, Constable Pct. 1**

**Item No. 33. Discussion and possible action to approve the following line item transfer from forfeiture funds.**

From: 166-2500-6707 Drug Free Campaign	2,000
166-2500-6709 Support Assistance	1,000
To: 166-2500-6202 Uniforms	3,000
From: 166-2500-6709 Support Assistance	1,000
166-2500-6708 Exp. For Other Law Enforcement	1,000
To: 166-2500-6228 Fire Arms & Ammunition	2,000

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

Motion carried 5-0 by unanimous consent.

**Honorable Martin Cuellar, Sheriff**

**Item No. 34.** Discussion and possible action to approve a Professional 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 by order of Commissioner's Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the Webb County Judge to execute all relevant documents.

**Item No. 35.** Discussion and possible action to approve a Professional Service Contract between Webb County for and on behalf of Webb County Sheriff Martin Cuellar and Strother & Company, Consultant, for consulting services for Law Enforcement related policies and procedures and by order of Commissioner's Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the Webb 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. Funding is available in the Federal Forfeiture fund.

Com. Sciaraffa motioned to approve items 34 and 35 as submitted. Com. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 36.** Discussion and possible action to approve a Budget Amendment to the FY 2008-2009 Sheriff's Office Federal Forfeiture Fund (170) by appropriating revenues and expenditures in the amount of \$98,964.05 to be used for Law Enforcement purposes as permitted by Federal Forfeiture guidelines. See

attached worksheet for detailed proposed revenue and expenditure appropriations.

**Item No. 37.** Discussion and possible action to authorize the submission of an application for a Rural Emergency Responders Grant (with notice to the Economic Development Department) to the United States Department of Agriculture for Law Enforcement equipment and designating the Webb County Judge as the authorized official in all matters pertaining to this grant. This grant requires no match; and, thus, is at no cost to Webb County.

**Item No. 38.** Discussion and possible action to authorize the submission of an application for a Fund 421 Grant (with notice to the Economic Development Department) to the Criminal Justice Division Office of the Governor for Law Enforcement equipment and designating the Webb County Judge as the authorized official in all matters pertaining to this grant. This grant requires no match; and, thus, is at no cost to Webb County.

Cmr. Sciaraffa motioned to approve items 36, 37, and 38 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

#### **Honorable Patricia A. Barrera, Tax Assessor- Collector**

**Item No. 39.** Discussion and possible action to approve refund of \$5,196.37 to Triangle B Ranch, for Account #900-30591-006, 900-00781-006 and 900-00781-008, for applying Agricultural-Use Type 1 as per Court Judgement #2007CVQ001638-D2,111th District Court for 2007. [Requested by Patricia A. Barrera, Tax Assessor-Collector, Account #001-0700-3063]

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

Motion carried 5-0 by unanimous consent.

#### **Administrative Services**

**Item No. 41.** Discussion and possible action to authorize the Facilities Department to proceed with alterations and improvements to the Administrative Services Department. [Requested by Cynthia Mares, Administrative Services Director, Account #001-0114-6205 (Materials and Supplies)]

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

Motion carried 5-0 by unanimous consent.

#### **Buenos Aires Community Center**

**Item No. 42.** Discussion and possible action to approve the following line item transfer:

From: 001-6113-6401 Repairs & Maintenance 1,000  
To: 001-6113-6219-2 Goods for Public Events 1,000

[Requested by Jerry Garza, Commissioner Pct. 3]

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

Motion carried 5-0 by unanimous consent.

### Economic Development

Item No. 44. Discussion and possible action to approve a change order to deduct a total amount of \$1,783.08 to contractor AA BUILDERS, under housing rehabilitation project of resident Rosa Estevis, due to an exclusion of items regarding a utility room construction that homeowner no longer needs. USDA-Rural Development Contract for this project would change from \$22,622.56 to \$20,839.48. This action will have no impact on the County's General Fund.

Item No. 45. Discussion and possible action to accept a \$1,500,000 grant, TCDP contract # 728023, from the Texas Dept. of Housing and Community Affairs, Office of Colonia Initiatives to operate and administer the Webb County Self-Help Center Program effective November 1, 2008 to terminate October 31, 2012 and authorizing the County Judge to sign all pertinent paperwork associated with this grant contract.

Cmr. Sciaraffa motioned to approve items 44 and 45 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

### Planning

Item No. 46. 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:

D-5 Acres Subdivision  
1) Lot 39 (One (1) dwelling only)

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

Item No. 47. Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements Regarding the Connection of Utilities" to authorize an

electrical service connection pursuant to Section 232.028 (b), Local Government Code to the following properties:

1. Block 2, Lot 17, Los Altos Subdivision for Two dwellings only (limited to a total of Three dwellings unless replatted)

Staff recommends the Court's approval of this item since all dwellings on these properties are connected to water and sewer service.

Cmr. Martinez motioned to approve items 46 and 47 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

### Public Defender

- Item No. 48.** Discussion and possible action to approve the purchase of a Toshiba E-Studio 450s Copier to be located at the District Attorney's office to be used by the Public Defender's office to make copies of police reports, and any other matters incident thereto. [Account #022-1205-8405 (Equalization Disbursement Grant)]

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

Motion carried 5-0 by unanimous consent.

### Purchasing

- Item No. 49.** Discussion and possible action to authorize the purchase of classroom toys and materials for the Head Start Program in the amount of \$22,550.84 from the following:

National Education Systems Classroom Toys	\$ 8,049.38
Discount School Supplies Classroom Materials	14,501.46

Total: \$22,550.84

[Requested by Aliza Oliveros, Head Start Program Director; Account #903-4207-6069 (Classroom Supplies)]

Cmr. Sciaraffa 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 lease of a Toshiba E-Studio 233 from Toshiba Business Solutions (Texas Buyboard Contract #288-09) in the amount of \$99.54 monthly for the Veterans' Service Department. [Requested by Antonio Silva, Veterans' Service Director; Account #001-5050-6014 (Equipment Rental)]

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

Motion carried 5-0 by unanimous consent.

- Item No. 51.** Discussion and possible action to ratify repairs to Casa Blanca Golf Course Pump Station by Five Star Services (original amount of \$2,910.00 was approved by Commissioner Court 2/9/09 and increased by \$1,150.00 for a total of \$4,060.00). [Requested by Eloy Ramirez, Jr., Purchasing Agent Director; Account #665-6001-8601]
- Item No. 52.** Discussion and possible action to authorize the purchase of a Walk Through Metal Detector in the amount of \$3,985.99 from Gall's for the Judge Solomon Casseb, Jr., Webb County Youth Village. [Requested by Eloy Ramirez, Jr., Purchasing Agent Director; Account #684-1301-8410 (Equipment)]
- Item No. 53.** Discussion and possible action to award Bid 2009-03 Flexible Base (Caliche) to Brothers Materials, LTD at \$4.75 per cubic yard loaded by vendor for the Road and Bridge Department. [Requested by Jose Luis Ramos, Road & Bridge Director; Account #010-7002-6405 (Repairs & Maintenance Roads)]
- Item No. 54.** Discussion and possible action to authorize the Purchasing Agent to obtain a cellular phone limited to 300 minutes per month from Verizon Wireless at a rate of \$36.89 monthly for Mr. Greg Araiza, Van Driver for Larga Vista Community Center. [Requested by Alice Garcia, Larga Vista Community Center Director; Account #001-0109-6004-2 (Cell Phones)]

Cmr. Tijerina motioned to approve items 51, 52, 53, and 54 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 55.** Discussion and possible action to authorize the purchase of a Court Recording Machine in the amount of \$5,636.30 from Exhibit One for the 111th District Court. [Requested by Raul Vasquez, 111th District Court Judge; Account #605-8108-8801 (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 contract the services of Miranda's Concrete Works for a fee of \$23,783.20 to perform scope of work for the project at Finley Elementary location as specified by Howland Engineering for Head Start Program. [Requested by Aliza Oliveros, Head Start Program Director; Account #903-4207-6401 (Repairs & Maintenance)]

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

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

### **(Closed Session/Executive Session 11:25 a.m. – 11:50 a.m.)**

**Item No. 57. Discussion and possible action to retain specialized legal counsel and a medical expert in connection with expected claim arising from the death of an inmate following incarceration at the Webb County Law Enforcement Center. [Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**

Ms. Anna Laura Cavazos Ramirez, County Attorney, advised the Court that instead of the item reading a medical expert, it should read other experts. She recommended to the Court authorization to allow negotiation with Mr. Albert Lopez for a fee schedule and come back with recommendations to the Court.

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

Motion carried 5-0 by unanimous consent.

**Item No. 58. Discussion and possible action to terminate the Legal Services of outside counsel in Cause No. 2008-CVQ-001426-D4; Irene Alegria, as Next Friend of Robert Perales, Jr., Joe A. Perales and Veronica Y. Perales, minors; and Francisca Hernandez, Individually and as Representative of the Estate of Christina Hernandez v. Webb County Sheriff's Department; in the 406th Judicial District Court of Webb County, Texas; and to reassign the case to the Office of the Webb County Attorney. [Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**

Ms. Anna Laura Cavazos Ramirez, County Attorney, explained that this item was to remove Ms. M'Liss Christian of outside counsel and allow the County Attorney's office to take over the matter.

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

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

**Item No. 59. Discussion and possible action to appoint a committee to represent Webb County in negotiations for a collective bargaining agreement with the Webb County Deputy Sheriffs Association pursuant to Texas Local Government Code Chapter 174. The current agreement expires on September 30, 2009. [Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**

Ms. Anna Laura Cavazos Ramirez, County Attorney, explained that the former committee was composed of Mr. Leroy Medford, Cmr. Tijerina, Mr. Leo Flores, County Attorney and the only change would be the adding of Cmr. Sciaraffa.

Cmr. Sciaraffa motioned to approve the committee along with the change. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Tijerina motioned to bring back items 30 and 31. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 30. Discussion and possible action to approve the following title changes:**

	Slot #	Title
From:	2324	Warrant Peace Officer
	1976	Officer V
	0393	Officer I
To:	2324	Warrant Peace Officer I
	1976	Warrant Peace Officer II
	0393	Warrant Peace Officer III

**Item No. 31. Discussion and possible action to approve the following salary adjustments:**

	Slot #	Title	Salary
From:	2324	Warrant Peace Officer I	\$41,600
	1371	Bailiff	\$45,426
	1976	Warrant Peace Officer II	\$47,651
To:	2324	Warrant Peace Officer I	\$42,925
	1371	Bailiff	\$46,751
	1976	Warrant Peace Officer II	\$45,000

Cmr. Martinez motioned to approve items 30 and 31 except that on item 31 the Bailiff would be excluded. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 60. Adjourn**

Cmr. Sciaraffa motioned to adjourn. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.