

# Official Minutes for Webb County Commissioners Court Meeting

Monday, March 23, 2009 at 9:00 AM  
(approved April 14, 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 20<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**

Cmr. Garza motioned to excuse Cmr. Martinez for being absent. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 by unanimous consent.

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

## **Item No. 3. Approval of Minutes for March 9, 2009**

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

Motion carried 4-0 by unanimous consent.

Cmr. Martinez walked in at 9:01 a.m.

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

Ms. Delia Perales, County Treasurer, explained her end of the month report.

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

Motion carried 5-0 by unanimous consent.

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

Judge Valdez sent his condolences to the families of Ms. Pat Campos and Mr. Gustavo Guevara. He thanked Congressman Henry Cuellar and C.A.A. Director Mike Kazen for obtaining funds for El Aguila Transportation.

Com. Sciaraffa had no items under communications.

Com. Tijerina sent her condolences to Ella Spruiell, Dr. Spruiell's wife, and the families of Ms. Pat Campos, Mr. Gustavo Guevara, Mr. Eduardo Guadalupe Rodriguez, and the Foster Family. She stated that the flaggers' training was a success and that on Wednesday, March 25<sup>th</sup> there was to be a 2010 Census Workshop to be held at the Courthouse. Com. Tijerina advised the public that the 300 jobs that were available for the Census have been filled and that training was to start on March 30<sup>th</sup> – April 3<sup>rd</sup> at the Larga Vista Community Center. She also sent her condolences to the family of Ricardo Castor Jr. Com. Tijerina went on to invite everyone to The G.I.F.T.S which will take place this coming Wednesday from 5-6.

Com. Garza advised the public that everything was going well on the legislative agenda and that some members of the committee were scheduled to travel to Austin sometime this week.

Com. Martinez welcomed everyone present including Sgt. 1<sup>st</sup> Class U.S. Army Active Duty Omar Delgado and expressed his sincere gratitude for the flag that was sent to him last year.

Judge Valdez asked Mr. Tony Silva, Veterans Officer, and Mr. Richard Rosell to approach the podium for a special presentation.

Mr. Tony Silva, Mr. Richard Rosell, and Mr. Ernesto Sanchez were present to send their condolences to the family of Ricardo Castor Jr. and for the presentation of the 1<sup>st</sup> P.O.W. M.I.A flag that was presented to Commissioner's Court.

**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 – Javier Mendoza

Mr. Mendoza spoke on items 37 and 59. Mr. Mendoza stated that he favored the line item transfers and that the Court should not get rid of them completely; however, should request that all line item transfers be submitted with a backup in the agenda so that the public know what is the reason for the transfer. On item 59, he stated that the courthouse roofing is not specific as to which location the repairs should be done; therefore, asked the Court to be more specific.

2<sup>nd</sup> witness card – George Algett

Mr. Algett stated that he was representing Ms. Patricia Aguilar who is a 19 yr old veteran with the County and currently works as an Indigent Healthcare Screener. Mr. Algett stated to the Court that Civil Service in Webb County exists only partially on paper and is considered a myth. He advised the Court that he filed a grievance in accordance to the new Civil Service rules since December and they are still to be heard. Mr. Algett informed to the Court that *"Justice Delayed is Justice Denied"*.

3<sup>rd</sup> witness card – Horacio De Leon Jr., Assistant City Manager for the City of Laredo

Mr. De Leon stated that he was to speak on item 4. He explained to the Court that both the county and the city were facing hard times and that he would ask that the county consider a little bit more dialogue with the city regarding this item. He suggested placing this item on the next city county meeting.

**Honorable Danny Valdez, Webb County Judge**

**Item No. 7. Discussion and possible action to proclaim the month of April 2009 as Head Start Month in Webb County, Texas.**

Ms. Aliza Oliveros, Headstart Director, recognized several employees of the Headstart program along with Mr. Kenneth Ames, Policy Council president representing all the parents of the Headstart program. She also recognized several students present representing each Headstart. Judge Valdez read the proclamation.

Judge Valdez motioned to bring up item 14. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 14. Discussion and possible action to enter into an inter-local agreement between the City of Laredo and the County of Webb regarding the charging of a processing fee for "City arrested prisoners".**

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

Cmr. Martinez motioned to defer this item to the city county committee and bring back recommendations to the Court. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

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

**Item No. 8. Discussion and possible action to request that the Webb County Sheriff's Department increase security at the Webb County Justice Center, Webb County's Billy Hall Administrative Building and the Webb County Courthouse as recommended by the Webb County Security Review Committee, and any matters incident thereto. [Co-Sponsored by the Honorable Frank Sciaraffa, Commissioner, Pct. 1]**

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

Cmr. Tijerina motioned to authorize Sheriff Martin Cuellar as the Chief Officer for Webb County to take immediate action as far as security is concerned until a study is done. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 9. Discussion and possible action to approve the following line item transfer:**

From:	605-0202-8801	Capital Outlay	2,000
To:	001-0110-7433	Third Party Funding	2,000

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

Motion carried 5-0 by unanimous consent.

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

**Item No. 10. Presentation by the Webb County/City of Laredo DTV Transition Committee, on the local campaign underway to educate and assist the local citizenry on the transition to Digital Television. Local broadcasters will be converting from analog to digital on June 12, 2009. A series of Town Hall meetings, 311 assistance and volunteers are in place.**

Mr. Larry Sanchez, Public Information Officer for Webb County, Ms. Xochitl Mora, Public Information Officer for the City of Laredo, Sgt. Alberto Salinas, Laredo Police Department, Ms. Linda Tayes, 311 call center supervisor, and Mr. Jerry Leal, Public Access Channel were present to make a presentation on transition to Digital Television.

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

**Item No. 11. Discussion and possible action to implement a garbage collection fee in Webb County for Residential and Commercial Customers and any other matters incident thereto.**

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

Judge Valdez agreed that the committee which is composed of Mr. Jose Luis Ramos, County Attorney, Cmr. Sciaraffa, Cmr. Martinez and include the County Auditor, Purchasing Agent, Ms. Patricia Barrera, and the County Treasurer to meet and bring back recommendations.

Cmr. Martinez motioned to authorize the committee to further discuss this matter and bring back a recommendation to the Court. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 12. Discussion and possible action to increase the Golf fees at Lake Casa Blanca Golf Course by \$2.00 per 18 hole round and \$1.00 per a 9 hole round and any other matters incident thereto.**

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

Cmr. Martinez motioned to table the item and have the committee meet with the representatives from Southern Golf Properties and bring back the recommendations. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 13. Status report from the Webb County Attorney's office regarding any legal action taken to collect on a promissory note due by Balt Ramos, Inc. and Balt Ramos, Individually, to Webb County; with discussion and possible action; and any other matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Cmr. Martinez motioned to defer item to executive session. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez stated that the Court would take a 15 minute media break.

**(MEDIA BREAK 10:32 a.m. – 10: 48 a.m )**

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

**Item No. 15. Discussion and possible action to enter into a One (1) year (February 26, 2009 through February 25, 2010) Premium Plus Maintenance Agreement No. 211185-003 with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba**

E-Studio 720 Copier located at the Webb County District Clerk's Office in the amount of SIXTY-SIX DOLLARS (\$66.00) per quarter being TWO HUNDRED SIXTY-FOUR DOLLARS (\$264.00) over the term of the agreement and with copy overages of \$0.0077 per copy in black and authorizing the County Judge to sign all relevant documents. [Requested by Manuel Gutierrez, District Clerk]

- Item No. 16. Discussion and possible action to enter into a One (1) year (January 1, 2009 through December 31, 2009) Premium Plus Maintenance Agreement No. 664332-001 with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba E-Studio 720 Copier located at the Webb County District Clerk's Office in the amount of FIFTY DOLLARS (\$50.00) per quarter being TWO HUNDRED DOLLARS (\$200.00) over the term of the agreement and with copy overages of \$0.0085 per copy in black and authorizing the County Judge to sign all relevant documents. [Requested by Mike Kazen, Community Action Agency Director]
- Item No. 17. Discussion and possible action to enter into a One (1) year (March 15, 2009 through March 14, 2010) maintenance agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) elevator located at the Webb County Justice of the Peace Precinct Two building at a cost of TWO THOUSAND THREE HUNDRED SEVENTYONE DOLLARS AND TWENTY-SIX CENTS (\$2,371.26), and ordering an exemption to the competitive bidding statute (Local Government Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Facilities Director; Account #001-0106-6401 (Repairs and Maintenance)]
- Item No. 18. Discussion and possible action to enter into a One (1) year (March 15, 2009 through March 14, 2010) maintenance agreement with ThyssenKrupp Elevator Corporation for the maintenance of Two (2) elevators located at the Webb County Administration Building at a cost of SIX THOUSAND TWO HUNDRED EIGHTY-NINE DOLLARS AND TWENTY CENTS (\$6,289.20), and ordering an exemption to the competitive bidding statute (Local Government Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Facilities Director; Account #001-0106-6401 (Repairs and Maintenance)]
- Item No. 19. Discussion and possible action to enter into a One (1) year (March 15, 2009 through March 14, 2010) maintenance agreement with ThyssenKrupp Elevator Corporation for the maintenance of Five (5) elevators located at the Webb County Justice Center at a cost of FIFTEEN THOUSAND NINE HUNDRED THIRTY-EIGHT DOLLARS AND SEVEN CENTS (\$15,938.07), and 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 Raul R. Elizondo, Facilities Director; Account #001-0106-6401 (Repairs and Maintenance)]
- Item No. 20. Discussion and possible action to enter into a One (1) year (March 15, 2009 through March 14, 2010) maintenance agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) elevator located at the Webb County Courthouse at a cost of TWO THOUSAND FIVE HUNDRED SEVENTY-SEVEN DOLLARS AND FIFTEEN CENTS (\$2,577.15), and ordering an exemption to the competitive bidding statute (Local Government Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by

Raul R. Elizondo, Facilities Director; Account #001-0106-6401 (Repairs and Maintenance)]

Cmr. Sciaraffa motioned to approve items 15, 16, 17, 18, 19, and 20 as submitted. Cmr. Garza seconded the motion.

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

**Item No. 21.** Discussion and possible action to accept the following rights of way, out of: D-5 Acres, Los Altos, San Carlos I and Ranchos Penitas West:

Property	Grantor
D-5 Acres Tract FAA	Unites States of America, Federal Aviation Administration
Los Altos Lot 10, Block 1	Jesus Murillo
San Carlos I Lot 2, Block 1	Hilario Alfaro
Ranchos Penitas West Tract 23, Unit III	Fidel Flores and Raul Flores
Tract 23, Unit III	Eusebio Alva
Tract 23, Unit III	Alicia Flores, Imelda Flores Ortega and Victor Joseph Flores

and authorizing County Judge to sign all relevant documents.

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

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

**Item No. 22.** Discussion and possible action to extend Webb County's Agreement with Robert W. Lazarus & Associates, Inc. and RWL Benefits, Inc. d/b/a RWL Group for insurance consulting services for a One (1) year period (March 16, 2009 to March 15, 2010) in the amount of \$4,000.00 per month. Services to be provided include preparation of a request for proposals for group health and dental insurance coverage as well as services related to property and casualty insurance coverage and employee benefits such as employee enrollment/eligibility system, disease management, prescription drug network, claim administration service, stop loss insurance matters, and retiree Medicare supplement insurance. Commissioners Court is requested to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and to authorize the Webb County Judge to execute all relevant documents. [Requested by Cynthia Mares, Administrative Services Director]

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

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

**Item No. 23.** Discussion and possible action to enter into a State/Local Public Transportation Project Grant Agreement (State Project Number ED 0904 (22) MISC. Contract No.

51922F7224) in the amount of THIRTY THOUSAND SEVEN HUNDRED SEVENTYONE DOLLARS (\$30,771.00) for preventive maintenance and authorizing the County Judge to sign all relevant documents. [Requested by Mike Kazen, Community Action Agency Director]

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

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

Item No. 24. Discussion and possible action to authorize the Webb County Attorney to purchase Twelve (12) Prosecutor II software licenses from Microfirm Corp. database conversion from current management system and installation for an amount not to exceed SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$7,700.00) and for Commissioners' Court to grant an exemption to competitive bidding pursuant to Texas Local Government Code §262.024(a)(7)(A) (sole source-copyright), and to establish an account for the County Attorney's Office within the appropriate Capital Outlay/Certificates of Obligation Series for these purchases, and to authorize the County Judge to sign all relevant documents. [Requested by Anna L. Cavazos Ramirez, County Attorney; Account #016-010-8801]

Item No. 25. Discussion and possible action to authorize the Webb County Attorney to purchase Two (2) desktop computers, Two (2) monitors, One (1) server and networking software for the server to be purchased through the State of Texas Department of Information Resources and to establish an account for the County Attorney's Office within the appropriate Capital Outlay/Certificates of Obligation Series for these purchases, and authorizing the County Judge to sign all relevant documents. [Requested by Anna L. Cavazos Ramirez, County Attorney; Account #016-010-8801]

Cmr. Sciaraffa motioned to approve items 24 and 25 as submitted. Cmr. Tijerina seconded the motion.

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

Item No. 26. Discussion and possible action to authorize the Webb County Purchasing Officer to request bids for the lease or rental of a portable backup generator system at the Webb County Jail or by Order of the Commissioners Court grant an exemption for the lease or rental of said portable backup generator system pursuant to Texas Local Government Code §262.024(a) (1) an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county; or (a) (2) an item necessary to preserve or protect the public health or safety of the residents of the county; or (3) an item necessary because of unforeseen damage to public property, and authorizing the County Judge to sign all relevant documents. [Requested Anna L. Cavazos Ramirez, County Attorney and Eloy Ramriez, Purchasing Agent]

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

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

Honorable Isidro R. Alaniz, District Attorney

Item No. 27. Discussion and possible action to approve the following line item transfer:

From:	169-1100-6205	Materials & Supplies	2,000
	169-1100-6224	Minor Tools & Apparatus	3,000
To:	169-1100-6403	Repair & Maintenance of Vehicles	5,000

Honorable Alvino "Ben" Morales, County Court at Law 1 Judge

Item No. 28. Discussion and possible action to authorize the Facilities Department to proceed with alterations and improvements to the County Court at Law 1. Expanding supply room into offices for Warrant Officers, estimated cost (\$400-\$500). [Account #001-1010-6205 (Materials & Supplies)]

Honorable Martin Cuellar, Sheriff

Item No. 29. Discussion and possible action to approve the following line item transfer:

From:	001-2001-6730	Narcotics Disposal	5,989
	001-2001-6403	Repairs & Maintenance Vehicles	10,000
To:	001-2003-5002	Incentive Pay	4,735
	001-2003-5006	Education Degree/Incentive	1,254
	001-2001-6401	Repairs & Maintenance Buildings	10,000

Cmr. Sciaraffa motioned to approve items 27, 28, and 29 as submitted. Cmr. Garza seconded the motion.

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

Ms. Teresa Hunter, County Attorney's Office, stated that on item 26 there needed to be specification of which choice would be taken.

Mr. Joe Lopez, Sheriff's Department, recommended authorizing the exemption to the bidding process due to them having to take immediate action for the safety of both the officers and the inmates.

Cmr. Sciaraffa motioned to authorize the exemption as part of previous motion that was approved.

Item No. 30. Discussion and possible action to approve a Budget Amendment to the FY 2008-2009 Sheriff's Office State Forfeiture Fund (168) by appropriating revenues and expenditures in the amount of \$87,592.72 to be used for Law Enforcement purposes as permitted by State Forfeiture guidelines.

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

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

Motion carried 5-0 by unanimous consent.

Cmr. Martinez advised that the record should reflect that from items 19-29 he was not present while these items were voted on.

Honorable Patricia A. Barrera, Tax Assessor- Collector

**Item No. 31.** Discussion and possible action to approve refund in the amount of THREE THOUSAND ONE HUNDRED SEVENTY-FOUR DOLLARS AND EIGHTY-FOUR CENTS (\$3,174.84) to Key Energy Services, Inc., for Account #900-90321-267, as account had already been paid. [Account #001-2139]

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

Motion carried 5-0 by unanimous consent.

Ms. Patricia Barrera, Tax Assessor Collector, submitted her monthly reports to the Court.

**Honorable Delia Perales, Treasurer**

**Item No. 32.** Discussion and possible action to form a committee to hear presentations from vendors selected from M.I.S. Department for a possible implementation of a software for time and attendance to automate hours uniformed with new world software system for the whole county, with the Sheriff's Department possibly paying for their share of the cost.

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

Cmr. Garza motioned to authorize the formation of the committee which is composed of Ms. Delia Perales, Mr. Leo Flores, representative from the County Attorney's Office, Mr. Jaime Alvarado, Cmr. Martinez, Ms. Cynthia Mares, and Mr. Joe Lopez. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

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

From:	001-0300-5601	Administrative Travel	1,200
To:	001-0300-6205	Materials & Supplies	1,200

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

Motion carried 5-0 by unanimous consent.

**Administrative Services**

**Item No. 34.** Discussion and possible action for the approval of the following line item transfer:

From:	001-0114-6032	Property Casualty Premium	3,500
To:	001-0114-6205	Materials & Supplies	3,500

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

Motion carried 5-0 by unanimous consent.

**Item No. 35.** Discussion and possible action to authorize the repair to Vehicle Unit #96 in the amount of \$5,267.68. Item is covered under our comprehensive insurance, and our carrier will be sending check to County in the amount of \$4,267.68. County has a \$1,000.00 deductible for auto liability; therefore the \$1,000.00 will be paid by the Rural Transportation Dept. [Account #980-4205-6034 (Vehicle Insurance)]

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

Motion carried 5-0 by unanimous consent.

**Item No. 36. Discussion and possible action for the approval of the following line item transfers:**

<b>From:</b>	<b>001-2100-30</b>	<b>Flexible Spending Plan</b>	<b>5,000</b>
<b>To:</b>	<b>001-0114-6701</b>	<b>Health Education Program</b>	<b>5,000</b>

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

Motion carried 5-0 by unanimous consent.

### **Auditor**

**Item No. 37. Discussion and possible action to adopt the following recommendations effective immediately in an effort to offset the shortfalls in the revenue budgeted for FY 2008-2009:**

- Reduce all General Fund Operational Budgets by 10%
- Initiate a County wide hiring freeze
- Disallow line item transfers and spend only in strict compliance with the adopted budget
- Disallow title changes and pay increases in compliance with the Operational General Order

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

Judge Valdez motioned to approve the recommendations made by the County Auditor effective immediately. Cmr. Martinez seconded the motion.

Motion carried 4-1 with Cmr. Sciaraffa voting against.

### **Community Action Agency**

**Item No. 38. Discussion and possible action to grant the County Auditor authority to expend funds from the General Bank Account for the Weatherization Program and to be reimbursed by Fund #912, effective April 1, 2009 for a 90 day period, pending the receipt of all required documents for the new program year.**

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

Motion carried 5-0 by unanimous consent.

### **Economic Development**

**Item No. 39. Discussion and possible action to proclaim the month of April 2009 as Fair Housing Month and April 13th - 17th, 2009 as Fair Housing Week and designating the Webb County Community Action Agency responsible for monitoring Fair Housing in Webb County.**

**Item No. 40. Discussion and possible action to approve and accept the Webb County Self-Help**

Center Policies and Procedures as approved by the Texas Department of Housing and Community Affairs for Contract #728023.

- Item No. 41. Discussion and possible action to approve and accept the following Self-Help Center Guidelines; House to Line Connection Program Guidelines, Housing Rehabilitation/Reconstruction/New Construction Guidelines and Housing Rehabilitation Accessibility (Home Improvement) Guidelines as approved by the Texas Department of Housing and Community Affairs for Contract #728023.
- Item No. 42. Discussion and possible action to authorize the submission of a contract extension request on Webb County's contract #52-000439 with the Texas Parks and Wildlife Department to extend Webb County's 2008-2009 Community Outdoor Outreach Program to December 2009. This extension will have no impact on the general fund.
- Item No. 43. Discussion and possible action to release 10% retainage in the amount of \$2,083.95 to contractor AA Builders for housing rehabilitation project of Rosa Estevis, Colonia San Enrique, under USDA Rural Development Housing Preservation Program. This action will have no impact to County's general fund.
- Item No. 44. Discussion and possible action to release 10% retainage in the amount of \$2,025.00 to contractor Master Construction for housing rehabilitation project of Mirella Hernandez, Colonia San Carlos, under USDA Rural Development Housing Preservation Program. This action will have no impact to County's general fund.

Cmr. Tijerina motioned to approve items 39, 40, 41, 42, 43, and 44 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Engineer**

- Item No. 45. Discussion and possible action to authorize the Purchasing Agent to purchase the following for the Engineering Department:

Qty	Description	Vendor	Cost
8	4-Drawer File Cabinets	Patria Office Supply	\$1,688.00

[Account #605-0115-8801]

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

Motion carried 5-0 by unanimous consent.

- Item No. 46. Discussion and possible action to approve Zerthuche Construction's Change Order #2 decreasing the Justice Center 5th Floor Remodeling Contract by \$5,090.16. Reducing the contract to \$489,988.84. [Account #700-8001-8601]

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

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

- Item No. 47. Discussion and possible action to approve Change Order #1, to Jimmy Closner & Sons Construction, an increase to the Rio Bravo Waterline Replacement Phase II

Contract by \$20,000.00 and fifty one days. This will increase the contract to \$1,937,307.35 and 191 days. Final acceptance is to be contingent on TWDB approval of funding. [Account #648-8008-8801-11]

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

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

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

<b>From:</b>	<b>801-3002-6204</b>	<b>Fuel and Lubricants</b>	<b>1,000</b>
<b>To:</b>	<b>801-3002-6006</b>	<b>Advertising</b>	<b>1,000</b>

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

Motion carried 5-0 by unanimous consent.

Cmr. Tijerina motioned to have all approved recommendations from Mr. Leo Flores, County Auditor, to be effective after the meeting. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

#### **Facilities**

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

<b>Slot #</b>	<b>Title</b>	<b>Hourly Rate</b>
0623	Grounds Keeper	\$9.00

[Account #001-6002-5001 (Payroll)]

**Item No. 50. Discussion and possible action to approve the following line item transfer:**

<b>From:</b>	<b>001-6002-6205</b>	<b>Materials &amp; Supplies</b>	<b>600</b>
<b>To:</b>	<b>001-6002-6402</b>	<b>Repairs &amp; Maintenance Equipment</b>	<b>600</b>

#### **Head Start**

**Item No. 51. Discussion and possible action to fill the following Slots effective March 27, 2009.**

<b>Slot #</b>	<b>Title</b>	<b>Annual Salary</b>
1105	Substitute Teacher	\$9,463.82
1108	Substitute Teacher	\$9,463.82
1696	Substitute Teacher	\$9,463.82

[Account #903-4208-5001 (Part-time 30 hrs/week for the 10 month program)]

**Item No. 52. Discussion and possible action to approve the 2008 - 2009 Quality Improvement Plan developed based on information gathered during the Local Self-Assessment.**

Cmr. Tijerina motioned to approve items 49, 50, 51, and 52 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

### La Presa Community Center

**Item No. 53.** Discussion and possible action to approve the following line item transfer:

From:	001-6115-6402	Repair & Maintenance Equipment	500
	001-6115-6204	Fuel & Lubricants	1000
To:	001-6115-6401	Repair & Maintenance Building	1500

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

Motion carried 5-0 by unanimous consent.

### Management Information Systems

**Item No. 54.** Discussion and possible action to authorize the purchase of network equipment from Calence Insight Networking Solutions (DIR-SDD-236) in the amount of \$146,792.00 for the M.I.S. Department. [Account #733-0500-8801 (Capital Outlay)]

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

Motion carried 5-0 by unanimous consent.

### Planning

**Item No. 55.** 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 8, Lot 12 (One (1) dwelling only)

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

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

Motion carried 5-0 by unanimous consent.

### Purchasing

**Item No. 56.** Discussion and possible action to authorize the Purchasing Agent to obtain a cellular phone with a limit of 500 minutes per month from Verizon Wireless at a rate of \$36.89 monthly for new employee Jesse Cedillo, Death Investigator at the Webb County Medical Examiner's Office. [Requested by Dr. Corine E. Stern, Chief Medical Examiner; Account #001-0109-6004-2 (Cell Phones)]

Cmr. Martinez 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 obtain the professional services of O'Connor Engineering & Science, Inc. to survey the Mirando City Community Center areas of renovation for suspected asbestos containing materials and lead-based paint for a fee consisting of the following:.

ACBM/BP Survey and Report, (Lump Sum )	\$2,800.00
Abatement Specifications/TDSHS Notification Assistance, (Lump Sum )	\$1,000.00
On-site Air Monitoring /Documentation of Proj Progress, (Per Day)	\$500.00
Abatement Clearance Report, (Lump Sum)	\$600.00

[Requested by Eloy Ramirez, Jr., Purchasing Agent; Account #732-6100-8103  
(Building Improvement)]

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

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Purchasing Agent, stated that if there was an abatement, he would come back to the Court to advise on the number of days will be needed.

**Item No. 58.** Discussion and possible action to authorize the Purchasing Agent to solicit bids for the following Annual Contracts for Commodities and Services for the Community Action Agency CEAP Program:

Commodity	Service
1. Central Heating/Cooling Units	6. Construct a Water Heater Shed
2. Window A/C Units	7. Installation of Water Heater and Wall Furnace
3. Refrigerators	8. Installation of A/C Window Units, Evaporative
4. Water Heaters Coolers and Refrigerators	
5. Evaporative Coolers	

[Requested by Mike Kazen, Community Action Agency Director; Account #911-4227-7018 (Cooling & Heating System)]

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

Motion carried 4-0 with Judge Valdez not present.

**Item No. 59.** Discussion and possible action to authorize the Purchasing Agent to solicit bids for the replacement of the Courthouse Roof. [Requested by Eloy Ramirez, Jr., Purchasing Agent ]

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

Motion carried 4-0 with Judge Valdez not present.

- Item No. 60. Discussion and possible action to authorize the purchase of 3,200 reusable shopping bags in the amount of \$7,000 from Gold Medal Sports for the Self Help Center. [Requested by Juan Vargas, Economic Development Director; Account #502-6500-6205 (Materials and Supplies)]
  
- Item No. 61. Discussion and possible action to award a Purchase Order contract in the amount of \$27,815.00 to Chavarria's Plumbing, Inc. for replacement of 4th Floor Jail water heater. [Requested by Martin Cuellar, Sheriff; Account #001-2060-6402 (Repairs & Maintenance Equipment)]
  
- Item No. 62. Discussion and possible action to authorize the Purchasing Agent to solicit bids to prune and trim approximately 75 - 85 palm trees at the Casa Blanca Golf Course. [Requested by Eloy Ramirez, Jr., Purchasing Agent; Account #665-6001-8601]

Rio Bravo Community Center

- Item No. 63. Discussion and possible action to approve the following line item transfer:

From:	001-6105-5601	Administrative Travel	300
	001-6105-6401	Repair & Maint. Building	600
To:	001-6105-6219-2	Goods for Public Events	300
	001-6105-6205	Materials & Supplies	600

Com. Tijerina motioned to approve items 60, 61, 62, and 63 as submitted. Com. Sciaraffa seconded the motion.

Motion carried 4-0 with Judge Valdez not present.

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

Motion carried 5-0 by unanimous consent.

**(Closed Session/Executive Session 11: 56 a.m. - 12:25 p.m.)**

Judge Valdez stated that no action was taken.

- Item No. 13. Status report from the Webb County Attorney's office regarding any legal action taken to collect on a promissory note due by Balt Ramos, Inc. and Balt Ramos, Individually, to Webb County; with discussion and possible action; and any other matters incident thereto. [Executive Session may be 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 wishes of the Court are that no credit would be granted to Mr. Balt Ramos and ask him to render payment within the next thirty days.

Com. Tijerina motioned to approve that no credit be granted to Mr. Balt Ramos and ask him to render payment within the next thirty days. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 64.** 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. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Discussion on file at the Webb County Clerks Office under the March 23<sup>rd</sup>, 2009 Commissioner's Court meeting dvd.

Comr. Tijerina motioned to render payment to M'Liss Christian of \$11,991.00. Comr. Sciaraffa seconded the motion.

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

Comr. Garza motioned to bring back item 37. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

#### **Auditor**

**Item No. 37.** Discussion and possible action to adopt the following recommendations effective immediately in an effort to offset the shortfalls in the revenue budgeted for FY 2008-2009:

- Reduce all General Fund Operational Budgets by 10%
- Initiate a County wide hiring freeze
- Disallow line item transfers and spend only in strict compliance with the adopted budget
- Disallow title changes and pay increases in compliance with the Operational General Order

Comr. Sciaraffa stated that he would like the record to reflect his vote be in favor of the item.

Judge Valdez motioned to accept Comr. Sciaraffa's vote as *AYE*. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 65. Adjourn**

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

Motion carried 5-0 by unanimous consent.