

Official Minutes for Webb County
Commissioners Court Meeting

Monday, April 27, 2009 at 9:00 AM
(approved on May 11, 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 24th of April 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 April 14, 2009

Cmr. Garza 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

Ms. Delia Perales, County Treasurer, explained her ending March 2009 report.

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

Motion carried 5-0 by unanimous consent.

Mr. Leo Flores, County Auditor, submitted a memorandum to the Court on estimated projections for the ending fiscal year.

Judge Valdez recognized former councilwoman Consuelo "Chelo" Montalvo and District Judge Elma Salinas Ender for being present.

Item No. 5. Communications

Judge Valdez sent his condolences to the Fernando Gutierrez and Arellano family. He thanked Rhonda Tiffin, Cmr. Jerry Garza, and Mr. Leroy Medford on their work with Senate Bill 2253. Judge Valdez also thanked Mr. Jose Luis Ramos for helping at the Fishing Derby and everyone present during his celebration of thirty years of public service.

Cmr. Sciaraffa welcomed Judge Ender and Mrs. Montalvo. He congratulated Judge Valdez on his thirty years of public service as well as the Fishing Derby and also Mrs. Margie Ramirez Ibarra on being named Women of the Year. Cmr. Sciaraffa sent his condolences to the Gutierrez and Arellano family.

Cmr. Tijerina sent her condolences to the family of Andie Arellano and Fernando Gutierrez. She congratulated Mrs. Margie Ramirez Ibarra for being named Women of the Year and thanked Cmr. Jerry Garza on a job well done as Chair of the Legislative Committee, as well as Frank Salinas, Rafael Vidaurri, Leroy Medford, and Judge Valdez who also took part. Cmr. Tijerina also congratulated Judge Valdez on a successful Fishing Derby.

Cmr. Garza advised that Senate Bill 2253 has already been passed out of committee and explained the benefits that it would have on the Colonia residents. He thanked Senator Zaffirini and Senator Lucio for helping to get Senate Bill 2253 passed. Cmr. Garza thanked everyone involved on their hard work and efforts and congratulated Judge Valdez on his 15th Annual Fishing Derby. He went on to send his condolences to the Arellano family.

Cmr. Martinez sent his condolences to the Arellano and Guterrez Family and congratulated Judge Valdez on his successful fishing derby. He also thanked his brother Alberto Martinez for his assistance at the fishing derby. Cmr. Martinez advised the public that there was a *swine flu* epidemic and asked that everyone get educated on this epidemic. He thanked Mr. Javier Martinez for helping take care of the problem with Mr. Flores as well as Mr. Pete Lara for his successful GED program.

(RECESS 9:21 a.m. – 9:31 a.m.)

Judge Valdez asked Dr. Corrine Stern, Medical Examiner, for a briefing on the *swine flu*.

Dr. Stern stated that there was a press conference held at the Border Patrol station and briefed the public on the *swine flu*.

Mr. George Gonzales, Webb County Extension Agent, also briefed the public on the *swine flu*.

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 up for public comment.

Honorable Danny Valdez, Webb County Judge

Item No. 7. Discussion and possible action to approve the allowances and other modifications associated with the final completion of the courtroom and other areas (gymnasium & kitchen) located at the Judge Solomon Casseb Jr., Webb County Youth Village; and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the April 27th Commissioner's Court meeting dvd.

Cmr. Tijerina motioned to approve item as submitted. Cmr. Martinez 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 approve the conversion of the rain gutters at the Las Blancas Park Pavilion. The conversion will serve as a Rainwater Harvesting Catchment for a water conservation demonstration by Webb County AgriLife Extension Service, Texas Water Resource Institute and the Rio Grande Basin Initiative. Additionally, the rain water harvested will serve to irrigate the soccer field and playground at the Las Blancas Park.

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

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to move up item 44. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44. Discussion and possible action to proclaim the month of May as "Community Action Agency Month" in Webb County, Texas.

Judge Valdez read the proclamation.

Members present were: Mariela Montemayor, President of the Advisory Board, Consuelo Montalvo, Rafaela Sanchez, Jaime Arispe, representative for City Council Jose Valdez Jr., Ms. Pena, Dr. Carranza, Santiago M. Juarez, and Javier Martinez

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No. 9. Discussion and possible action to authorize and approve the submission of a grant application to the Texas Department of Housing and Community Affairs for the Veterans Rental Assistance Program in the amount of \$250,000 and authorizing the County Judge Danny Valdez as the County's executive officer and authorized representative in all matters pertaining to the County's participation in the Veterans Rental Assistance Program and to approve and adopt a resolution named Webb County Veterans Assistance Program 2009, pursuant to the requirements of grant application named herein. This grant does not require a grant match and will have no impact to the general fund.

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

Motion carried 5-0 by unanimous consent.

Item No. 10. Discussion and possible action to authorize and approve the submission of grant application to the City of Laredo and US Department of Housing and Urban Development for the Homeless Prevention and Rapid Re-Housing Program, under the American Recovery and Reinvestment Act of 2009, in the amount of \$362,267 and authorizing County Judge Danny Valdez as the County's executive officer and authorized representative in all matters pertaining to the County's participation in the Homeless Prevention and Rapid Re-housing Program. This grant does not require a grant match and will have no impact to the general fund.

Item No. 11. Discussion and possible action to authorize and approve the submission of grant application to the US Department of Homeland Security for the Citizenship Grant

Program in the amount of \$100,000 and authorizing County Judge Danny Valdez as the County's executive officer and authorized representative in all matters pertaining to the County's participation in the Citizen Grant Program. This grant does not require a grant match and will have no impact to the general fund.

Comr. Tijerina motioned to approve items 10 & 11 as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12. Discussion and possible action to approve a Memorandum of Understanding with the following non-profit agencies to provide referral services to Webb County for the Citizenship Grant Program. The agencies include: Second Chance Adult Education, Literacy Volunteers of America, and the TAMIU Colonias Program; and any other matters incident thereto.

Item No. 13. Discussion and possible action to approve a Memorandum of Understanding with the following non-profit agencies to provide referral services to Webb County Veterans Assistance Program 2009. The agencies include: Webb County Veterans Coalition, Bethany House, Border Region MHMR, and South Texas Workforce Solutions; and any other matters incident thereto.

Judge Valdez motioned to approve items 12 and 13 as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14. Presentation by Mr. Bob Zachariah of the Laredo Hotel/Motel Association on the upcoming Laredo RiverFest to be held on October 16th and 17th. With Discussion and possible action to consider financial participation from Webb County for the promotion of the event to attract tourism to Webb County.

Discussion on file at the Webb County Clerks Office under the April 27th Commissioner's Court meeting dvd.

Comr. Garza motioned to sponsor with the Laredo River Fest and leave pending the financial issue which would allow the Court extra time. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Item No. 15. Discussion and possible action to approve the installation of Forty Two (42) Street Lights and Two (2) Electric Transformers in the Penitas West, Rancho Penitas Road in the amount of \$6,738.78 from AEP, Texas and authorizing the County Judge to execute all relevant documents. [Co-Sponsored by Webb County Judge Danny Valdez; Account #605-0204-8801 and #605-0200-8801 (Capital Outlay)]

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

Motion carried 5-0 by unanimous consent.

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 16. Discussion and possible action to enter into a contract between Webb County

and Nationwide Retirement Solutions, Inc. as Third Party Administrator of the National Association of Counties Deferred Compensation Program to permit loans to Webb County Enrollees in the 457 Plan and to authorize the County Judge to sign all relevant documents. [Requested by Cynthia Mares, Administrative Services Director]

- Item No. 17. Discussion and possible action to enter into a Three (3) year contract between Webb County and Toshiba Business Solutions for a Premium Plus Maintenance Agreement No. 211190-ES351, Serial No. CEA725010 for a Toshiba E-Studio 351C Copier located at the Webb County Commissioner's Pct. 2 Office at a rate of SEVENTY-FIVE DOLLARS (\$75.00) per quarter with a total amount of NINE HUNDRED DOLLARS AND NO/100THS (\$900.00) and an overage charge of \$.009000 per black copy and \$.0850 per color copy. [Requested by Anna L. Cavazos Ramirez, County Attorney]
- Item No. 18. Discussion and possible action to enter into a Three (3) year contract between Webb County and Toshiba Business Solutions for a Premium Plus Maintenance Agreement No. 349704-ES600 for a Toshiba E-Studio 600 Copier, Serial No. CQB614727 located at the Webb County 341st District Court at a rate of SEVENTY-FIVE DOLLARS (\$75.00) per quarter with a total amount of NINE HUNDRED DOLLARS AND NO/100THS (\$900.00) and an overage charge of \$.008000 per black copy. [Requested by Anna L. Cavazos Ramirez, County Attorney]
- Item No. 19. Discussion and possible action to enter into a Three (3) year contract between Webb County and Toshiba Business Solutions for a Premium Plus Maintenance Agreement No. 211174-ES810 for a Toshiba E-Studio 810 Copier Serial No. XL416056 located at the Webb County District Attorney at a rate of SEVENTY-FIVE DOLLARS (\$75.00) per quarter with a total amount of NINE HUNDRED DOLLARS AND NO/100THS (\$900.00) and an overage charge of \$.008500 per black copy. [Requested by Anna L. Cavazos Ramirez, County Attorney]
- Item No. 20. Discussion and possible action to enter into a Three (3) year contract between Webb County and Toshiba Business Solutions for a Premium Plus Maintenance Agreement No. 695718-ES603Tfor a Toshiba E-Studio 603T Copier Serial No. CQB825026 located at the Webb County Court At Law No. 1 at a rate of SEVENTY-FIVE DOLLARS (\$75.00) per quarter with a total amount of NINE HUNDRED DOLLARS AND NO/100THS (\$900.00) and an overage charge of \$.008000 per black copy. [Requested by Anna L. Cavazos Ramirez, County Attorney]
- Item No. 21. Discussion and possible action to enter into a Three (3) year contract between Webb County and Toshiba Business Solutions for a Premium Plus Maintenance Agreement No. 211175-ES603 for a Toshiba E-Studio 603 Copier Serial No. CQB824752 located at the Webb County 49th District Court at a rate of SEVENTY-FIVE DOLLARS (\$75.00) per quarter with a total amount of NINE HUNDRED DOLLARS AND NO/100THS (\$900.00) and an overage charge of \$.008000 per black copy. [Requested by Anna L. Cavazos Ramirez, County Attorney]
- Item No. 25. Discussion and possible action to enter into a Sixty-Three (63) month contract beginning May 1, 2009 through August 31, 2014 between Webb County and Toshiba Business Solutions for a Premium Plus Maintenance Agreement No. 211186-ES5520CT for a Toshiba E-Studio 5520CT Copier Serial No. CSJ810529 located at

the Webb County MIS Dept. at an overage charge of \$.007750 per black copy and overage charge of \$0.0625 per color copy and to authorize the County Judge to sign all relevant documents. [Requested by Anna L. Cavazos Ramirez, County Attorney]

- Item No. 26. Discussion and possible action to enter into a Sixty-Three (63) month contract between Webb County and Toshiba Business Solutions FMV Lease Agreement beginning on May 1, 2009 and ending on August 31, 2014 for a Toshiba Digital Color E-Studio 5520CT Copier Serial No. CSJ810529 Copier located at the Webb County MIS Dept. at a monthly payment of TWO HUNDRED EIGHTY-ONE DOLLARS AND EIGHTY-NINE CENTS (\$281.89) for a period of Sixty-Three (63) months for a total amount of SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY-NINE DOLLARS AND SEVEN CENTS (\$17,759.07) and a one time document charge of SEVENTY FIVE DOLLARS (\$75.00) and to authorize the County Judge to sign all relevant documents. [Requested by Anna L. Cavazos Ramirez, County Attorney]

Cmr. Sciaraffa motioned to approve items 16, 17, 18, 19, 20, 21, 25, and 26 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22. Discussion and possible action to enter into an Agreement between Webb County and South Texas Food Bank for the Webb County Community Action Agency Meals on Wheels/Elderly Nutrition Programs and to authorize 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 5-0 by unanimous consent.

- Item No. 23. Discussion and possible action to negotiate and enter into a Contract between Webb County and Brown and Caldwell Engineering Contract for the TCDP #728449 Water Wells Project in Oilton, Mirando and Hwy. 59, subject to acceptance of Deed of Trust from Gonzalez Properties and to authorize the County Judge to sign all relevant documents. [Requested by Juan Vargas, Economic Development Director; Account #709-8001-6022]

- Item No. 24. Discussion and possible action to enter into a Contract between Webb County and Espey Consultants, Inc. for the Lake Casa Blanca Dam Project regarding the repair and rehabilitation of Lake Case Blanca Dam and to authorize the County Judge to sign all relevant documents. [Requested by Fitzgerald Sanchez, County Engineer; Account #717-0115-8601]

Cmr. Tijerina motioned to approve items 23 and 24 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27. Discussion and possible action to approve a corrected utility easement to City of Laredo for the installation of a Twenty-Four Inch (24") Chacon Creek Interceptor

and to authorize the County Judge to execute all necessary documents. [Requested by Fitzgerald Sanchez, County Engineer]

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

Motion carried 5-0 by unanimous consent.

Item No. 28. Discussion and possible action to enter into an engineering agreement with Gilpin Engineering Company in the amount of THIRTY-THREE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$33,650.00) for Roadway Plan Revisions for the Tanquesitos South Acres Phase I and Phase II, area off State Highway 359 and to street paving and storm drainage plans and authorizing the Webb County Judge to execute all relevant documents. [Requested by Fitzgerald Sanchez, County Engineering; Account # 707-8001-6023-7(TxDot Border Colonia Access Program)]

Item No. 29. Discussion and possible action to ratify and approve the submission of a grant application to the Department of Justice for a State and Local Law Enforcement Assistance Program in Category I-Combating Narcotics Activity and Designating the County Judge as authorized official in all matters pertaining to this grant-related issue. This grant has no immediate cash match. Additionally, this grant focuses on combating criminal narcotics activity among juvenile offenders. The amount requested in the grant is no more than SEVEN HUNDRED FIFTEEN THOUSAND TWO HUNDRED TWENTY-FOUR DOLLARS AND NO/100THS (\$715,224.00). [Requested by Anna L. Cavazos Ramirez, County Attorney]

Comr. Garza motioned to approve items 28 and 29 as submitted. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30. Discussion and possible action to ratify the installment payment to the State of Texas in connection with Webb County UPL Program in the amount of ONE HUNDRED NINETYSIX THOUSAND SEVEN HUNDRED NINETY-FOUR DOLLARS AND FORTY-FOUR CENTS (\$196,794.44) and to authorize the County Judge to execute all necessary documents. [Requested by Frank Salinas, Director, Indigent Health Care Services Director]

Discussion on file at the Webb County Clerks Office under the April 27th Commissioner's Court meeting dvd.

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

Motion carried 5-0 by unanimous consent.

Item No. 31. Discussion and possible action to approve the filling of the following slots within the Webb County Attorney's Office as follows:

| Slot # | Title | Yearly Salary |
|--------|---|---------------|
| 1225 | Investigator | \$57,330.00 |
| 2270 | Liaison Officer for Mental Health Addictions & Criminal Justice Systems | \$42,000.00 |

Mrs. Anna Laura Cavazos Ramirez, County Attorney, explained that the yearly salaries were transposed and the Investigator should have a yearly salary of \$42,000.00 and the Liaison Officer should have a yearly salary of \$57,330.00.

Cmr. Sciaraffa motioned to approve the filling of slot 1225 Investigator. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza stated that there was a typographical error on slot 1225 which should be slot 1252.

Honorable Margie Ibarra, County Clerk

Item No. 32. Discussion and possible action to approve the transfer of current employees from one Slot to another effective April 27, 2009 as follows:

| | Slot # | Title | Hourly Rate |
|-------|--------|----------------------|-------------|
| From: | 2281 | Deputy Clerk earning | \$14.91 |
| To: | 0310 | Deputy Clerk earning | \$16.48 |
| From: | 0643 | Deputy Clerk earning | \$13.86 |
| To: | 2281 | Deputy Clerk earning | \$14.91 |

Discussion on file at the Webb County Clerks Office under the April 27th Commissioner's Court meeting DVD.

After discussion, Cmr. Garza motioned to bring up item 33. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 33. Discussion and possible action to approve filling of the following slots:

Slot #0642 – Deputy Clerk – budgeted at \$13.86 per hour. To be filled with the employee currently in Slot #2243 in the Records Archive (Fund #005) currently earning \$11.39 per hour.

Slot #0643 – Deputy Clerk – budgeted at \$13.86 per hour. To be filled with the employee in Slot #1738 in the Records Management & Preservation (Fund #009) currently earning \$11.39 per hour.

Cmr. Sciaraffa motioned to approve item 32 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Martinez motioned to approve item 33 as submitted.

Motion died for lack of second.

Cmr. Tijerina motioned to approve the filling of positions at their current pay of \$11.39.

Mrs. Margie Ramirez Ibarra, Webb County Clerk, asked the Court to table the item so that she can bring an item requesting a waiver to the hiring freeze.

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

Motion carried 5-0 by unanimous consent.

Mrs. Anna Laura Cavazos Ramirez, County Attorney, advised that the correction on the Slot 1225 that was being discussed under item 31 should be Slot 1255.

Cmr. Martinez motioned to make and accept notation of correction in slot number. Cmr. Sciaraffa seconded the motion.

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

Honorable Isidro Alaniz, District Attorney

Item No. 34. Discussion and possible action to authorize the Webb County District Attorney's Office to partner with the Webb County Office of Economic Development in the creation and submission of a grant proposal to the U.S. Department of Justice for the Recovery Act: Edward Byrne Memorial Competitive Grant Program; specifically for Category I and Category VI (Comprehensive Community Based Data-Driven Approaches to Preventing and Reducing Violent Crime and Improving Resources and Services of Victims of Crime, respectively). The amount of funding request shall not exceed Two Million Dollars; 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 this program.

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

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

Honorable Agustin "Tino" Juarez, Constable Pct. 4

Item No. 35. Discussion and possible action to approve the following line item transfer:

| | | |
|-------|--|-------|
| From: | 001-2502-5601 Administrative Travel | 1,000 |
| To: | 001-2502-6205 Materials & Supplies | 1,000 |
| From: | 001-2502-6204 Fuel & Lubricants | 3,000 |
| To: | 001-2502-6403 Repairs & Maint.Vehicles | 3,000 |

Discussion on file at the Webb County Clerks Office under the April 27th Commissioner's Court meeting dvd.

Cmr. Martinez motioned to approve item as submitted.

Motion died for lack of second.

Cmr. Garza motioned to approve transfer of \$3,000.00 to Repairs and Maintenance of Vehicles and advise the Constable's Office that he and Sheriff Cuellar can assist them with materials and supplies. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No. 36. Discussion and possible action to approve financial support to Laredo ISD Crime Stoppers in the amount of \$5,000.00 to support rewards for tips about illegal activities at school campuses, educational programs and administrative expenses. Funding is available in the State Forfeiture Fund.

Item No. 37. Discussion and possible action to approve the addition of one seized vehicle, a 2005 Chevrolet, Model 2500 Pickup, to the Sheriff's Office fleet inventory.

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

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor-Collector

Item No. 38. Discussion and possible action to authorize Tax Assessor-Collector to waive the penalty and interest for taxpayer, Guillermo Cavazos, due to oversight in processing the ownership and address change for 2008 tax year on Acct. #900-90221-113, by the Webb County Appraisal District.

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

Motion carried 5-0 by unanimous consent.

Administrative Services

Item No. 39. 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 (May 01, 2009 to April 30, 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, w/c audit, P/C renewals, 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 Judge to execute all relevant documents. [Account #001-0114-6032]

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

Motion carried 5-0 by unanimous consent.

Community Action Agency

Item No. 40. Discussion and possible action to accept a check in the amount of \$20,372.78 from TXU Energy. The Webb County Community Action Agency will utilize these funds to assist qualified TXU energy clients. [Account #902-4200-7004]

Item No. 41. Discussion and possible action to approve \$306,166.00 in Low Income Energy Assistance (LIHEAP) funds from the Texas Department of Housing & Community Affairs to be used in the Weatherization Program from April 1, 2009 through March 31, 2010.[Account #912-4224]

- Item No. 42. Discussion and possible action to submit a grant application for up to \$10,000.00 to the Meals On Wheels Association of America. There are no matching funds required. No impact on the General Fund. [Account #952-4200-3501]
- Item No. 43. Discussion and possible action to accept a check in the amount of \$625.03 from Valley Telephone Cooperative, Inc. to assist in the payment of phone bills related to the Community and Social Services Program [Account #920-4200-6004]
- Item No. 45. Discussion and possible action to approve \$91,799.00 in Department of Energy (DOE) funds from the Texas Department of Housing & Community Affairs to be used in the Weatherization Program from April 1, 2009 through March 31, 2010 and authorize the County Judge to sign all relevant documents. [Account #912-4206]
- Item No. 46. Discussion and possible action to accept a check in the amount of \$10,000.00 from First Choice Power, L.P. to the Webb County Community Action Agency which will utilize these funds to assist qualified First Choice Power, LP clients.

Cmr. Garza motioned to approve items 40, 41, 42, 43, 45, and 46 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

- Item No. 47. Discussion and possible action to approve an exception to the Commissioners Court March 23, 2009 freeze on Line Item Transfers for the Utilities Department. Transfer is needed to pay the outstanding balance, for emergency pump rental, in the amount of \$14,996.28 (Water Department).

| | | |
|--------|--------------------------------|--------|
| From : | 801-3001-6202 Utility | 13,300 |
| To: | 801-3001-6014 Equipment Rental | 13,300 |

[Account #801-3001-6202 & #801-3001-6014]

- Item No. 48. Discussion and possible action to approve acceptance and final payment and release of retainage in the amount of \$71,893.00, to Leyendecker Construction Inc. for the Girl Scouts Project. [Account #729-8114-8601& #729-2311]

Cmr. Martinez motioned to approve items 47 and 48 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Head Start

- Item No. 49. Discussion and possible action to approve the filling of the following slot effective April 28, 2009. This position is grant funded. [Account #903-4208-5001]

| Slot # | Title | Annual Salary |
|--------|------------------|--|
| 1695 | Accounting Clerk | \$11,700.04 (Part-time, 25 hrs/week, 26 Pay Periods) |

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

| | | |
|-------|---|---------|
| From: | 903-4208-5001 Payroll & Fringe Benefits | 121,835 |
| To: | 903-4207-8801 Capital Outlay | 121,835 |

[Account #903-4208-5001, #903-4207-8801]

Com. Garza motioned to approve items 49 and 50 as submitted. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51. Discussion and possible action to approve a Supplemental Application for American Recovery and Reinvestment Act (ARRA) funds in the amount of \$143,027 for a mandated, temporary 1.84% Cost of Living Adjustment for all Head Start employees. [Account #903-4208-5001]

Item No. 52. Discussion and possible action to approve a Supplemental Application for American Recovery and Reinvestment Act (ARRA) funds in the amount of \$434,617 for Quality Improvement Funds to be used consistent with the provisions of Section 640(a)(5) of the Head Start Act. [Account #903 – various Head Start Accounts]

Com. Martinez motioned to approve items 51 and 52 as submitted. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Planning

Item No. 53. Discussion and possible action to approve the issuance of "Certificates of Compliance with Plat Requirements Regarding the Connection of Utilities" to authorize water and sewer service connections pursuant to the provisions of Section 232.028(b), Local Government Code and contingent upon the owner's execution of required affidavits regarding present and future dwellings/structures limitations, uses and sales for the following properties:

Los Altos Subdivision, Phase I

1) Block 1, Lot 18 (1 dwelling only)

San Carlos Subdivision, Phase II

2) Block 5, Lot 2 (2 dwellings only)

Staff recommends approval of the above-referenced properties as submitted containing Three (3) dwellings on Two (2) lots

Item No. 54. Discussion and possible action to approve/deny Preliminary and Final Plat Approval of Lot 7, Block 2, Los Corralitos Subdivision for non-residential purposes (currently known as Tract 24, Los Corralitos).

Com. Martinez motioned to approve items 53 and 54 as submitted. Com. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Purchasing

Item No. 55. Discussion and possible action to authorize the Purchasing Agent to solicit bids for One (1) medium duty cut-a-way with Two (2) wheelchairs bus for the CAA Transportation Department. [Requested by Mike Kazen, Community Action Agency Director; Account #980-8001-8801 (Capital Outlay)]

Item No. 56. Discussion and possible action to authorize the Purchasing Agent to solicit bids/proposals for the following projects:

1. Texas Water Development Board Pond Rehabilitation & Old Demolition Project.
2. Texas Water Development Board 12-inch Waterline Project between Rio Bravo and El Cenizo.
3. Request for Proposal for Design Build-Bruni Park Appurtenances. [Requested by Fitzgerald Sanchez, Engineer; Account #648-8008-8801-11 (TWDB Projects), #605-0202-8801(Bruni Park)]

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 award Bid 2009-17 "Contract for Palm Tree Maintenance at Casa Blanca Golf Course" to Triple O Landscaping. [Requested by Eloy Ramirez, Jr., Purchasing Agent Director; Account #800-6011-6780 (Trees and Landscaping)]

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

Motion carried 5-0 by unanimous consent.

Item No. 58. Discussion and possible action to inform the Commissioners Court of the Architectural Firms that were short listed to participate in the second phase of the Request for Qualifications – Feasibility Study – Tex-Mex Building:

1. Madeline Anz Slay, PLLC's
2. Brinkley Sargent Architects
3. Sepulveda Associates Architects, Inc.

[Requested by Eloy Ramirez, Jr. Purchasing Agent Director]

No action required under this item.

Item No. 59. Discussion and possible action to award the following CEAP Annual Contract as follows:

| Bid Number | Description | Vendor |
|------------|---------------------|-----------------------|
| 2009-10 | Evaporative Coolers | Lowe's Home Center |
| 2009-11 | Refrigerators | Lowe's Home Center |
| 2009-12 | Water Heater Shed | AA Builders (Primary) |

| | | |
|---------|---|--|
| 2009-13 | Water Heaters | Morales Construction (Second) |
| 2009-14 | Window A/C Units | Lowe's Home Center |
| 2009-15 | Water Heater and Wall Furnace Installations | AA Builders (Primary) Morales Construction (Second) |
| 2009-16 | Window Units, Space Heaters and Refrigerators Installations | AA Builders (Primary) Morales Construction (Second) |

[Requested by Manuel Guerra, CAA Social Services Manager]

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

Motion carried 5-0 by unanimous consent.

Road & Bridge

Item No. 60. Discussion and possible action to authorize Dept. 7002 Road & Bridge to fill the following slots previously approved by Commissioners Court (prior to hiring freeze):

| Slot # | Title | Hourly Rate |
|--------|--------------------|-------------|
| 2402 | Equipment Operator | \$11.07/hr. |
| 2354 | Maintenance Aide | \$ 9.52/hr. |
| 2355 | Maintenance Aide | \$ 9.52/hr. |

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez 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 12:00 p.m. - 1:37 p.m.)

Judge Valdez stated that no action was taken.

Item No. 61. Discussion and possible action to retain expert witness for purposes of conducting accident reconstruction and analysis and render expert opinions in Cause No. 2008CVE697-D2; Manuel Ayala and Paula Ayala v. Webb County; in the 111th Judicial District Court of Webb County, Texas. [Requested by Anna L. Cavazos Ramirez, County Attorney] [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, requested authorization to retain the services of Michael Raines as an accident reconstruction expert at the rate of \$200.00 an hour with a retainer of \$2000.00 with permission that the retainer be paid no later than Friday of this week.

Cmr. Sciaraffa motioned to approve Mrs. Cavazos Ramirez's request and authorize that the check be issued out by tomorrow. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 62. Discussion and possible action, including possible disciplinary action, in connection with alleged violations of the Webb County Personnel Policies by a department head who is subject to the authority of the Webb County Commissioners Court. [Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, requested that a hearing be scheduled for a thorough report on Tuesday, May 5th at 9:00 a.m. and be posted as a closed session under consultation with attorney and personnel matters. She advised that the employee has an option of choosing whether they want an open session. Mrs. Cavazos Ramirez also asked for authorization for the Court to issue subpoenas for all the witnesses that might be necessary to this case to appear in that hearing.

Cmr. Martinez motioned to follow Mrs. Anna Laura Cavazos Ramirez's recommendation to call a special meeting for 9:00 a.m. on Tuesday, May 5, 2009, have a closed session and authorize for subpoenas to be issued by the County Attorney.

Cmr. Tijerina and Judge Valdez stated that they would abstain.

Cmr. Sciaraffa asked if the meeting would only call for three commissioners to be present; to which, Mrs. Anna Laura Cavazos Ramirez acknowledged.

Cmr. Sciaraffa seconded the motion.

Motion carried 3-0 with Judge Valdez and Cmr. Tijerina abstaining from voting.

Item No. 63. Discussion and possible action to schedule performance evaluations for Webb County Department Heads and to determine a format and/or the content for the evaluations. [Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney)]

Discussion on file at the Webb County Clerks Office under the April 27th Commissioner's Court meeting dvd.

Mrs. Anna Laura Cavazos Ramirez, County Attorney, stated that a form for the evaluations had been suggested and that Mr. Mike Bukiewicz has recommended adding two additional categories. Mr. Mike Bukiewicz, Asst. County Attorney, stated that he recommended adding one more section that would evaluate the Department Heads in terms of motivation of employees and leadership skills.

Cmr. Sciaraffa motioned to approve the performance evaluation form and to include the additional two categories that were being recommended by Mr. Mike Bukiewicz. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Martinez motioned to advise the public through the Public Information Officer and through Judge Valdez's office that they would have an opportunity to make public comment in writing starting on Friday, May 1st through May 10th and to be sent to Administrative Services.

Motion dies for lack of second.

Cmr. Martinez stated that he welcomed any comments in writing regarding any Department Head to be submitted to Sergio 'Keko' Martinez, at 1000 Houston St., Laredo, Webb County, Texas 78040.

Judge Valdez motioned to bring up addendum item 1. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum Item No. 1 Discussion and possible action for the Webb County Commissioners Court to pass a Resolution in support of submitting a request for funding under the 2010 Surface Transportation Re-Authorization bill. The projects that funding will be sought after are as follows:

**Loop 20 Mainlane Improvements
Cuatro Vientos Southern Extension
Interchange at Cuatro Vientos & Mangana-Hein Rd.
Interchange at US 83 & Cuatro Vientos**

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

Motion carried 5-0 by unanimous consent.

Item No. 64. Adjourn

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

Motion carried 5-0 by unanimous consent.