

Official Minutes for Webb County Commissioners Court Meeting

Monday, August 10, 2009 at 9:00 AM
(approved August 24, 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 6th of August 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 July 27, 2009

Com. Sciaraffa motioned to approve item as submitted. Com. 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, explained his monthly report.

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

Motion carried 5-0 by unanimous consent.

Item No. 5. Communications

Com. Sciaraffa had no items under communications.

Com. Tijerina sent her condolences to various families who lost a loved one and wished Judge Valdez a happy birthday.

Com. Garza announced that his office initiated a grant for veteran assistance and was happy to inform that the community was going to get \$250,000. He advised that there would be a formal press conference to inform everyone of all the details. Com. Garza also wished Judge Valdez a happy birthday.

Cmr. Martinez sent his condolences to the Benavides Family on the loss of Jorge Benavides. He informed everyone that a grant was received from Congressman Henry Cuellar in the amount of \$690,000 of which \$190,000 would be used for rehabilitation of the colonias and the other \$500,000 would be for water connections that are year marked for Penitas West Colonia. Cmr. Martinez also informed everyone that there will be some FEMA mobile homes that will be for sale at low prices which will be financed by the County as a non-profit organization. He also wished Judge Valdez a happy birthday.

Judge Valdez sent his condolences to the Benavides Family and sent his congratulations to Mr. Dennis Nixon on being named WBCA Mr. South Texas 2010. He thanked everyone involved in the balancing of the budget which was submitted on July 31st. Judge Valdez emphasized that there were a lot of difficult decisions that needed to be made and advised everyone to watch their spending. He recognized Dr. Ruben Saldana.

Dr. Ruben Saldana, District Extension Administrator introduced Ms. Tina Trevino as the new Extension Agent.

Item No. 6. Public Comment - This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of Three (3) minutes within which to make any/all public comments.

1st witness card – Andres Reyes

Mr. Reyes spoke against the item on the consolidation of the voting sites. He expressed his opinion of why the various sites should not get eliminated.

Honorable Danny Valdez, Webb County Judge

Item No. 7. Presentation by Mr. Javier Santos of the Fernando Salinas Trust and member of the Laredo Historical Committee on plans to fabricate and install a stained glass window to commemorate the 100th anniversary of the Webb County Courthouse; with discussion and possible action. Plans are to invite area students to compete in the design of the window to be installed on the third floor of the Webb County Courthouse. [Co-Sponsored by Commissioner Jerry Garza, Pct. 3]

Discussion on file at the Webb County Clerks Office under the August 10th, 2009 Commissioner's Court meet dvd.

Cmr. Tijerina motioned to continue with the committee to move forward with the stain glass on behalf of Mr. Javier Santos. 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 appoint Pedro "Pete" Lara, Sr., to the Community Action Agency Advisory Board.

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

Motion carried 5-0 by unanimous consent.

Commissioners Court

Item No. 9. Presentation by David Quin, Program Manager for Public Power Pool, regarding an

overview of the Public Power Pool program for Webb County. [Requested by Eloy Ramirez, Purchasing Agent]

Presentation on file at the Webb County Clerks Office under the August 10th, 2009 Commissioner's Court meeting dvd.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Addendum Item No. 1. Discussion and possible action to authorize and approve the submission of a grant application to the U.S. Department of Commerce, Broadband Technology Opportunities Program, in the amount of \$2.5 million for an advanced Technology Center and authorizing the County Judge as the County's executive officer and authorized representative in all matters pertaining to the County's participation in the Broadband Technology Opportunities Program. The County will request a match waiver from the funding source for this grant. There will be no impact to the general fund.

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

Motion carried 5-0 by unanimous consent.

Addendum Item No. 2. Status report on operations at the Casablanca golf course by Southern Golf Properties with discussion and possible action.

Status report on file at the Webb County Clerks Office under the August 10th, 2009 Commissioner's Court meeting dvd.

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 10. Discussion and possible action to enter into a Cooperative Working Agreement with the South Texas Council on Alcohol and Drug Abuse (STCADA) beginning September 1, 2009 and ending August 31, 2010, to allow STCADA to provide services in the area of Adult Outpatient Treatment Program (TRA & TRF), Substance Abuse and Mental Health Services Association Program (SAMHSA), and Co-Occurring Psychiatric Substance Use Disorders (COPSD) Program and authorizing the County Judge to sign all relevant documents. [Requested by Alice Garcia, Larga Vista Community Center Director]

Item No. 11. Discussion and possible action to enter a Cooperative Working Agreement with the South Texas Council and Alcohol & Drug Abuse (STCADA) beginning September 1, 2009 through August 31, 2010 to allow STCADA to provide services in the area of HIV prevention through the Voices/Voces Program at no cost to the County and authorizing the County Judge to sign all relevant documents. [Requested by Alice Garcia, Larga Vista Community Center Director]

Item No. 12. Discussion and possible action to enter a Cooperative Working Agreement with the South Texas Council and Alcohol & Drug Abuse (STCADA) beginning August 1, 2009 through October 31, 2010 to allow STCADA to provide services for Youth Prevention and Rural Border Intervention Programs at no cost to the County and authorizing the County Judge to sign all relevant documents. [Requested by Alice Garcia, Larga Vista Community Center Director]

- Item No. 13. Discussion and possible action to enter into a Speech, Physical and/or Occupational Therapy service agreement with Elite Therapeutic Specialists, LLC for children enrolled in the Webb County Head Start Program for a period of Twelve (12) months beginning on (August 1, 2009 through July 31, 2010) at reduced fees as set forth in the agreement, authorizing an exemption from Texas Local Government Code, Section 262.024 (2)(4) for Professional Services (Competitive Bidding and Competitive Proposal requirements), and authorizing the County Judge to execute all relevant documents. [Requested by Aliza Oliveros, Head Start Director; Account #903-4207-6078]
- Item No. 14. Discussion and possible action to enter into a One year (1) Lease and Maintenance Agreement (August 10, 2009 to August 9, 2010) with Ikon Office Solutions, Inc. for a MP80010 copier, with a monthly cost of FOUR HUNDRED DOLLARS (\$400.00) with copy overages of \$0.01 per copy and authorizing the County Judge to sign all relevant documents. [Requested by Patricia Barrera, Tax Assessor Collector]
- Item No. 15. Discussion and possible action to enter into a One year (1) Lease and Maintenance Agreement (August 10, 2009 to August 9, 2010) with Ikon Office Solutions, Inc. for a MPC2550 copier, with a monthly cost of TWO HUNDRED FIFTY DOLLARS (\$250.00) with copy overages of \$0.0110 per copy and authorizing the County Judge to sign all relevant documents. [Requested by Patricia Barrera, Tax Assessor Collector]
- Item No. 16. Discussion and possible action to enter into a Twelve (12) month (September 1, 2009 through August 31, 2010) boat storage lease amendment allowing for such term extension with the Texas Parks & Wildlife Department, at a monthly cost of ONE HUNDRED DOLLARS (\$100.00), and authorizing the County Judge to sign all relevant documents.
- Item No. 17. Discussion and possible action to authorize submission of a Grant Application to the Texas Department of Transportation for Fiscal year 2010 Grant Application Part I for Transit Providers and Service Agencies and authorizing the County Judge to sign all relevant documents. [Community Action Agency]
- Item No. 18. Discussion and possible action to ratify LexisNexis Subscription agreement for a term of Three (3) years with the first year to begin on August 1, 2009 through July 31, 2010 for a monthly cost of ONE THOUSAND FIVE HUNDRED SIXTY-FIVE DOLLARS (\$1,565.00) the second year to begin on August 1, 2010 through July 31, 2011 for a monthly cost of ONE THOUSAND FIVE HUNDRED NINETY-SIX DOLLARS (\$1,596.00) and the third year to begin August 1, 2011 through July 31, 2012 for a monthly cost of ONE THOUSAND SIX HUNDRED TWENTY-EIGHT DOLLARS (\$1,628.00) and authorizing the County Judge to sign any relevant documents. [Requested Anna Laura Cavazos Ramirez, Webb County Attorney]
- Item No. 19. Discussion and possible action to enter into a Three (3) year (August 10, 2009 through August 9, 2010) Lease/Purchase agreement with Unitech for one Copystar CS2560 Copier in the amount of ONE HUNDRED TWENTY-ONE DOLLARS AND FORTY-EIGHT CENTS (\$121.48) and authorizing the County Judge to sign all relevant documents. [Requested by Cassie Allred, Program Administrator, Webb County Self Help Center; Account #500-6500-6402 (Repairs & Maintenance Equipment)]

Item No. 20. Discussion and possible action to enter into a Three (3) year (July 24, 2009 through July 23 2012) Premium Plus Maintenance Agreement (Contract Number 211283-ES850) with Toshiba Business Solutions of Texas concerning a Toshiba ES-850 Copier located in the office of the Webb County Attorney's office at a cost of SEVENTY FIVE DOLLARS PER QUARTER (\$75.00) for a yearly cost of THREE HUNDRED DOLLARS (\$300.00) and with copy overages being quarterly billed at .008000 cents per copy and authorizing the Webb County Judge to execute all relevant documents. [Requested by Anna Laura Cavazos Ramirez, Webb County Attorney]

Discussion on file at the Webb County Clerks Office under August 10th, 2009 Commissioner's Court meeting dvd.

Comr. Sciaraffa motioned to approve items 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 as submitted. Comr. Martinez seconded the motion.

After discussion Comr. Sciaraffa amended his motion to approve items 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, and table item 19. Comr. Martinez seconded the motion.

After further discussion, Comr. Sciaraffa amended his motion to approve items 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 as submitted. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Comr. Sciaraffa motioned to bring up items 28 and 29. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No. 28. Discussion and possible action to approve the acceptance of a 2010-2011 Other Victim Assistance Grant (OVAG) award from the Office of the Attorney General in the amount of \$100,000 for the salary and fringe benefits for a Crime Victim Advocate. This action will have no impact on the county's general fund.

Item No. 29. Discussion and possible action to approve the acceptance of a Recovery Act Justice Assistance Grant (JAG) award from the Bureau of Justice Assistance Department of Justice in the amount of \$27,982 for the purchase of law enforcement equipment. This action will have no impact on the county's general fund.

Comr. Tijerina motioned to approve items 28 and 29 as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 21. Discussion and possible action on status report from Garbage Committee including possible action to prohibit any increase of level of service or number of consumers until such time as a collection fee is imposed by Webb County.

Discussion on file at the Webb County Clerks Office under August 10th, 2009 Commissioner's Court meeting dvd.

Mrs. Teresa Hunter, County Attorney's Office, asked that the Court authorize freezing the current level of service and number of customers that are being served until the next meeting when a decision is made on the policy and the fee schedule.

Cmr. Garza motioned to authorize the freezing of the current level of service and number of customers that are being served until the next meeting when a decision is made on the policy and the fee schedule. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22. Discussion and possible action to amend Webb County policy regarding burial of indigent persons to consider cremation as an alternative to be added to said policy.

Discussion on file at the Webb County Clerks Office under August 10th, 2009 Commissioner's Court meeting dvd.

Cmr. Tijerina motioned to appoint a committee to look into the issue and bring back a recommendation. Judge Valdez seconded the motion.

Judge Valdez stated that the committee would be composed of Mr. Eloy Ramirez, Mr. Leroy Medford, Mr. Frank Salinas, Dr. Corrine Stern, and a member of the County Attorney's Office.

Motion carried 5-0 by unanimous consent.

(MEDIA BREAK 10:43 a.m. – 11:01 a.m.)

Honorable Margie Ibarra, County Clerk

Item No. 23. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From:	001-1120-6402	Repairs & Maintenance Equip.	700
To:	001-1120-6205	Materials & Supplies	700

Honorable Manuel Gutierrez, District Clerk

Item No. 24. Discussion and possible action to approve an exception to the current County wide hiring freeze and to allow the District Clerk's office to fill the following Slots, effective August 10, 2009.

Slot#	Title	Hourly Rate
2331	Deputy Clerk	\$11.74
2329	Deputy Clerk	\$11.74

Honorable Oscar Hale, Jr., 406th District Court

Item No. 25. Discussion and possible action to approve a resolution to ratify the submission of the 406th District Court Drug Court Program grant application #20056402 from office of the Governor, Criminal Justice Division and to accept the grant funding on behalf of the 406th District Court to use in accordance with application; and any other matters incident thereto.

Honorable Joe Lopez, 49th District Court

Item No. 26. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfers:

From:	001-1001-6024	Court Appointed Attorney	5,000
	001-1001-6026	Visiting Judge	5,000
To:	001-1001-5601	Administrative Travel	500
	001-1001-6205	Materials & Supplies	1,000
	001-1001-6022	Professional Services	3,000
	001-1001-7001	Indigent Defense	5,500

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

Item No. 27. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From:	001-1010-5005	Part Time	1,000
To:	001-1010-5004	Longevity Pay	1,000

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

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor-Collector

Item No. 30. Discussion and possible action to approve the 2009 Certification of the Tax Roll.

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

Motion carried 5-0 by unanimous consent.

Item No. 31. Discussion and possible action to approve the anticipated collection for 2009 of 94%.

Discussion on file at the Webb County Clerks Office under August 10th, 2009 Commissioner's Court meeting dvd.

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

After discussion, Cmr. Tijerina and Cmr. Garza withdrew their motions.

Item No. 32. Discussion and possible action on Tax Rate; if proposed tax rate will exceed the effective tax rate, take record vote (to consider the tax increase) and schedule public hearings (date, time and place).

Cmr. Tijerina motioned to table items 31 and 32. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Administrative Services

Item No. 33. Discussion and possible action to consider possible dates to interview and/or evaluate applicants for the position of Webb County CAA Director; to appoint a CAA Director; and to take other action incident thereto. [Closed Session may be

requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters)]

Cmr. Garza motioned to defer item 33 until executive session. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34. Discussion and possible action to approve and implement a County Wide Safety Program. The program will consist of incentives for safe work practices, trainings, inspections (emphasize on good housekeeping) and utilization of various resources to achieve a safer work environment and simultaneously defeat the high cost of liability and workers compensation claims.

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

Motion carried 5-0 by unanimous consent.

Bruni Community Center

Item No. 35. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From: 001-6108-6204	Fuel & Lubrication	800
To: 001-6108-6205	Materials & Supplies	800

Community Action Agency

Item No. 36. Discussion and possible action to grant the County Auditor authority to expend funds from the General Bank Account for the Transportation Program and to be reimbursed by Fund # 980, effective September 1, 2009 for a 30 day period, pending the receipt of all required documents for the new program year. [Account #980 (Rural Transportation)]

Item No. 37. Discussion and possible action to approve payment by the Webb County Community Action Agency totaling \$570.57 to the Texas Department of Housing and Community Affairs for expenditures made by the Weatherization Program (WAP). Funds are to come from County Grant Matching. [Account #001-0112-7200-08]

Item No. 38. Discussion and possible action to accept a check in the amount of \$10,000.00 from First Choice Power, L.P. The Webb County Community Action Agency will utilize these funds to assist qualified First Choice Power, LP clients.

Cmr. Tijerina motioned to approve items 35, 36, 37, and 38 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39. Discussion and possible action to approve conducting Category "B" Elections to fill a current vacancy due to an expired term as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency. (The Advisory Board shall be composed of membership that complies with the Community Services Block Grant Issuance #2002-2.3). Election will be held on Thursday,

August 13, 2009 for Area VI- Three Points, Lamar, Chacon in the South Laredo Center 2201 Piedra China from 10:00 a.m. to 11:00 a.m.

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

Motion carried 5-0 by unanimous consent.

Elections

Item No. 40. Discussion and possible action to approve a Resolution and Order authorizing and establishing the main, temporary branch and mobile branch early voting polling sites for the November 3, 2009 Constitutional Amendment Election pursuant to Chapter 85, Texas Election Code.

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

Motion carried 5-0 by unanimous consent.

Item No. 41. Discussion and possible action to approve a Resolution and Order authorizing and establishing election day polling sites and consolidating certain precincts for the November 3, 2009 Constitutional Amendment Election in accordance with Chapter 43 and Section 42.008, Texas Election Code.

Discussion on file at the Webb County Clerks Office under August 10th, 2009 Commissioner's Court meeting dvd.

Com. Martinez motioned to table item and have the Court meet with Mr. Oscar Villarreal, Elections Administrator, to provide feedback as to which sites are appropriate. Com. Tijerina seconded the motion.

Com. Garza asked Mr. Oscar Villarreal to provide the Court in a memorandum of how much more funding would be needed for the March if all sites were to be opened.

Motion carried 5-0 by unanimous consent.

Item No. 42. Discussion and possible action to approve a Resolution and Order authorizing and establishing the salaries for presiding judges and clerks and establishing the maximum number of election day clerks for each election precinct for the November 3, 2009 Constitutional Amendment Election pursuant to Sections 32.091(a), and 32.033, Texas Election Code.

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

Motion carried 4-1 with Com. Garza voting against.

Item No. 43. Discussion and possible action to approve a Resolution and Order authorizing and establishing a central counting station, appointing the central counting station manager, tabulation supervisor, assistant tabulation supervisors, presiding judge, and establishing their respective salaries for the November 3, 2009 Constitutional Amendment Election pursuant to Section 127, Texas Election Code.

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

Motion carried 5-0 by unanimous consent.

Engineer

Item No. 44. Discussion and possible action to approve an exception to the County wide freeze on the following line item transfers:

From:	801-3001-6201	Utilities	7,000
	801-3004-6204	Fuel & Lubricants	3,524
	801-3002-6001	Office Supplies	200
	801-3004-6014	Equipment Rental	826
	801-3004-6214	Chemicals	1,000
			12,550
To:	801-3001-6022	Professional Services	6,750
	801-3001-6407	Repairs & Maintenance Water Lines	580
	801-3001-6022-8	Lab Work and Testing	1,955
	801-3001-6004	Telephone	1,200
	801-3004-6402	Repairs & Maintenance Equipment	1,000
	801-3002-6214	Chemicals	1,065
			12,550

Item No. 45. Discussion and possible action to approve the assignment of a cell phone with 300 min. to Mr. Mario G. Cavazos, Radio Communications Officer, so that he may be reached via phone when out on the tower sites and away from the office.

Item No. 46. Discussion and possible action to approve a Resolution and Order of the Webb County Commissioners Court, accepting a Border Colonia Access Program Grant between Webb County and the Texas Department of Transportation in the amount of \$629,735.00 for the City of Rio Bravo paving and drainage improvements and authorizing the Judge to act as the County's Chief Elected Officer and authorized representative in all matters pertaining to the County's participation in the Border Colonia Access Program.

Item No. 47. Discussion and possible action to amend approved Change Order No. 2, for the Camino Nuevo Road and to decrease the amount from \$4,932.00 to \$2,466.00. The Change Order to the contract amount is to be paid by Mr. Richard Haynes, Developer. [Requested by Fitzgerald G. Sanchez, Webb County Engineer; Account #684-1301-8621]

Head Start

Item No. 48. Discussion and possible action to approve an exception to the filling of the following slots effective August 14, 2009. [Requested by Aliza F. Oliveros; Head Start Director; Account #903-4208-5001]

Slot#	Title	Annual Salary
2163	AA Teacher (21 Pay Periods)	\$20,733.13
1807	AA Teacher Assistant (21 Pay Periods)	\$15,927.88

Item No. 49. Discussion and possible action to extend the length of employment for Slot #976 (Staff Development Manager) from 21 Pay Periods to 22 Pay Periods for FY 2008-2009. [Requested by Aliza F. Oliveros, Head Start Director; Account #903-4208-5001]

Indigent Healthcare Services

Item No. 50. Discussion and possible action to authorize a line item transfer necessary to cover a shortfall in the Webb County Burial program (state mandated program) as follows:

From:	001-4101-5001 Payroll (Indigent Health Care)	12,000
	001-0109-6022 Professional Services	23,000
To:	001-4101-7003 Indigent Burial	35,000

Com. Tijerina motioned to approve items 44, 45, 46, 47, 48, 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 authorize the County Auditor to locate funds to finish out the year for the Indigent Health Care mandated program in an amount not to exceed \$55,000.00.

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

Motion carried 5-0 by unanimous consent.

Medical Examiner

Item No. 52. Discussion and possible action to approve an exception to the County wide freeze on the following line item transfer:

From:	001-2070-6204 Fuel & Lube	2,500
	001-0109-6022 Professional Services	2,500
To:	001-2070-6205 Materials & Supplies	5,000

Planning

Item No. 53. Discussion and possible action to “conditionally” authorize water and sewer connections under recently enacted legislation through S.B. 2253 (by Senator Zaffirini) pursuant to the provisions of Sections 232.029 (n) and (o), Texas Local Government Code (TLGC) and contingent upon the applicant’s connection to adequate sewer services prescribed by Section 232.028(b)(3), TLGC, the execution of all required forms and service contracts, and the payment of all associated connection fees; authorization for the County Judge to execute written certifications upon an applicant’s compliance with the prescribed conditions set-forth by the Court; and, any matter incident thereto to the following described existing, EDAP grant-eligible dwellings:

Tanquecitos South Acres Subdivision (Recorded in Vol. 5, Pg. 67, W.C.P.R.)

- 1) 7904 Enlace Rd located on an unplatted 0.3082 acre tract out of Tract 34 (known as Tract 34-A)
- 2) 210 El Lucero Rd. located on an unplatted 0.4002 acre tract out of Tract 34 (known as Tract 34-E)
- 3) 206 Riata Rd. located on Tract 11, Tanquecitos South Acres Subdivision, Phase I
- 4) 7064 State Highway 359 on Tract 11, Tanquecitos South Acres Subdivision, Phase I
- 5) 167 Riata Rd., Unit A, located on unplatted tract out of Tract 13 (known as Tract 13-B)
- 6) 167 Riata Rd., Unit C, located on unplatted tract out of Tract 13 (known as Tract 13-B)

Tanquecitos Subdivision, (known as Phase II) (Unplatted /Unrecorded.)

- 7) 6828 Desperado Rd., Unit A, located on unplatted tract known as B-1W
- 8) 6828 Desperado Rd., Unit B, located on unplatted tract known as B-1W
Laredo Ranchettes Subdivision (Recorded in Vol. 2, Pg. 230, W.C.P.R.)
- 9) 7860 State Highway 359 Unit A located on an unplatted 7.9046 acre tract out of Tracts 5 & 10
- 10) 7860 State Highway 359 Unit B located on an unplatted 7.9046 acre tract out of Tracts 5 & 10

Los Altos Subdivision (Recorded in Vol. 4, Pg. 52, W.C.P.R.)

- 11) 113 Los Altos Dr., Unit A located on Block 7, Lot 25
 - 12) 109 Los Altos Dr., Unit A located on Block 7, Lot 26
 - 13) 109 Los Altos Dr., Unit B located on Block 7, Lot 26
 - 14) 109 Los Altos Dr., Unit C located on Block 7, Lot 26
 - 15) 133 Los Altos Dr., Unit A located on Block 7, Lot 20
 - 16) 133 Los Altos Dr., Unit B located on Block 7, Lot 20
 - 17) 133 Los Altos Dr., Unit C located on Block 7, Lot 20
 - 18) 253 Amanecer Rd., Unit A located on Block 2, Lot 14
 - 19) 253 Amanecer Rd., Unit B located on Block 2, Lot 14
 - 20) 253 Amanecer Rd., Unit C located on Block 2, Lot 14
- Ranchitos 359 East Subdivision (Recorded in Vol. 4, Pg. 67, W.C.P.R.)
- 21) 176 Pinzon Rd. located on Lot 8

Staff recommends approval as submitted

- Item No. 54. Discussion and possible action to approve the issuance of a "Certificate 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, Local Government Code and contingent upon the owner's execution of required affidavits regarding present and future dwellings/structures limitations, uses and sales to.

Block 8, Lot 10, San Carlos Subdivision, Phase I (1 dwelling only)

Staff recommends approval as submitted

Public Information Officer

Item No. 55. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer.

From:	001-0550-5601	Administrative Travel	1,237
To:	001-0550-6205	Materials & Supplies	1,237

Cmr. Martinez motioned to approve items 52, 53, 54, and 55 as submitted. Cmr. Tijerina seconded the motion.

Cmr. Tijerina stated that there was a correction on item 53 on Tanquecitos South Acres Subdivision number 1 should be 7094 instead of 7904.

Motion carried 5-0 by unanimous consent.

Purchasing

Item No. 56. Discussion and possible action to ratify the purchase of One (1) sign for the Texas Parks & Wildlife Building in the amount of \$500.00 by Rapid Signs & Neon. (From: Contingency allowance construction fund). [Requested by Eloy Ramirez, Jr., Purchasing Agent; Account #605-8108-8801-17]

Item No. 57. Discussion and possible action to award Bid #2009-24 to Jupe Environmental, Inc. in the amount of \$7,200 for Mirando Community Center remediation of the vinyl floor tile. [Requested by Eloy Ramirez, Purchasing Agent; Account Fund #732 (Quad City Improvement)]

Item No. 58. Discussion and possible action to authorize the purchase of parts and service repair in the amount of \$9,161.08 to Fleet Pride Inc. for the repair of Unit #1017, 1999 International Water Truck. [Requested by Jose Luis Ramos, Road & Bridge Director; Account #010-7002-6403 (Repairs & Maintenance Vehicles)]

Item No. 59. Discussion and possible action to authorize the engine repair (engine overhaul) in the amount of \$10,474.17 to Rotex Truck Center for Unit #1032, 2004 International 7600 Tractor. [Requested by Jose Luis Ramos, Road & Bridge Director; Account #010-7002-6403 (Repairs & Maintenance Vehicles)]

Item No. 60. Discussion and possible action to authorize the purchase of a 8 Channel Mirra IV Recording System, from Voice Products Inc. (DIR Contract # DIR-SDD-786) in the amount of \$9,145.00. [Requested by Martin Cuellar; Webb County Sheriff; Account #170-2001-8801 (Federal Forfeiture Funds)]

Item No. 61. Discussion and possible action to authorize the purchase of Three (3) metal detectors from Ceia USA in the amount of \$13,375.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #168-2001-8801 (Capital Outlay) (State Forfeiture Funds)]

(2) HIPE Multizone 720mm passage in the amount of \$3,450.00 each total of \$6,900.00

(1) SMD600 Multizone Walk Through Metal Detector in the amount of \$6,475.00.

Item No. 62. Discussion and possible action to authorize the Purchasing Agent to solicit Bids for Building Contractors for the Webb County Community Action Agency Weatherization Program. [Requested by Community Action Agency]

Cmr. Martinez motioned to approve items 56, 57, 58, 59, 60, 61, and 62 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

(Closed Session/Executive Session 12:13 p.m. – 12:48 p.m.)

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

Item No. 33. Discussion and possible action to consider possible dates to interview and/or evaluate applicants for the position of Webb County CAA Director; to appoint a CAA Director; and to take other action incident thereto. [Closed Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters)]

Ms. Anna Laura Cavazos Ramirez, County Attorney, recommended to table the item.

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

Motion carried 5-0 by unanimous consent.

Item No. 63. Discussion and possible action pursuant to Texas Tax Code §312.402, as amended, to enter and order approving a Tax Abatement Agreement between Webb County, Texas and Martifer Renewables Wind, LLC, a Texas Limited Liability company, the owner of eligible taxable property/improvements to be constructed within Webb County, Texas Wind Energy Reinvestment Zone No. 2 for a maximum term of Ten (10) years and any other matters relevant thereto, and authorizing the Webb County Judge and Webb County Clerk to execute and deliver the Tax Abatement on behalf of Webb County, Texas and all other relevant documents. [Closed Session is requested pursuant to Texas Government Code Title 5 Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.087 (Economic Development Negotiations)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, asked that the Court approve the parameters of this agreement and that the parameters be identical as possible to the other agreement calling for a 60/40 abatement which would be 60% during the first five years and 40% during the second five years, a requirement that 5-10 jobs be created, and include a long list of reports and other items which seek compliance with the requirements of the reinvestment zone. Mrs. Cavazos Ramirez asked the Court to allow them to bring back the agreement on the next meeting of the 24th.

Cmr. Tijerina motioned to approve the recommendation from the County Attorney. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 64. Discussion and possible action to approve the property damage payment of SIX THOUSAND NINETY-THREE DOLLARS AND SEVENTY-FIVE CENTS (\$6,093.75), representing a total loss payment as a result of a rear end motor vehicle collision which occurred on March 13, 2009 and involved a vehicle of the Road & Bridge Department. [Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

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

Motion carried 5-0 by unanimous consent.

Item No. 65. Discussion and possible action to consider possible reassignment of Mr. Javier Martinez as a result of conflict with existing governing board and/or advisory board by laws as previously submitted and approved by Texas Department of Housing and Community Affairs. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters)]

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

Motion carried 5-0 by unanimous consent.

Item No. 67. Discussion and possible action on audit findings of the Community Action Agency by Texas Department of Housing and Community Affairs including but not limited to possible amendments to the bylaws of the governing board and advisory board regarding service on advisory board and employment or prior employment with Webb County as well as possible authorization to submit amendments of said bylaws to TDHCA. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, recommended to make two changes to the bylaws which included the first as further defining the term *shall assist* to read that the board members can confer with the members of the Commissioner's Court as the governing board to give any input they may want the Court to consider in the selection process of the Director but shall not be defined in including them in the interview process of the Director or applicants. She stated that the second amendment be to remove the impediment that an Advisory Board Member cannot serve or be selected as the Director within one year of having served on the Advisory Board.

Cmr. Tijerina motioned to approve the item as submitted along with the amendments to the bylaws. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 66. Discussion and possible action to authorize County Attorney to initiate legal proceedings regarding monies due under prior contract for rental of Webb County School Lands by Mr. Margarito Benavides. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, recommended authorization to proceed with litigation against Mr. Margarito Benavides.

Cmr. Martinez motioned to approve recommendation from the County Attorney's Office. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 68. Discussion and possible action to authorize County Attorney to initiate legal proceedings regarding monies due Webb County for excess rentals paid on property formerly occupied by the Webb County Attorney's Office and the Webb County Auditor while temporarily housed on Village Blvd. and Seymour Ave., respectively. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mrs. Anna Laura Cavazos Ramirez, County Attorney, stated that there were debts owed by Mr. Troy Van Brunt in the amount of \$8,750.00 of principal for offices previously occupied by the Webb County Attorney's Office and a sum of \$4,300.00 that is owed by the Estate of Paul Garza of which they were asking for authorization to proceed with litigation to collect these amounts.

Cmr. Garza motioned to authorize to proceed with litigation. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 69. Adjourn

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

Motion carried 5-0 by unanimous consent.