

Official Minutes for Webb County Commissioners Court Meeting

Monday, September 14, 2009 at 9:00 AM
(APPROVED SEPTEMBER 28, 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 11th of September 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 August 24, 2009, September 3, 2009

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza 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 the end of the month report and provided the Court with a corrected page to be submitted in place of Pg 26 on his report.

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

Motion carried 5-0 by unanimous consent.

Item No. 5. Communications

Judge Valdez sent her condolences the family of Assistant City Manager Jesus Olivares as well as the De La Garza family. He congratulated Cmr. Sciaraffa, Cmr. Garza, and City Councilman Mike Garza on raising a lot of money for scholarships and the food bank. Judge thanked everyone that participated in the SOS event and congratulated the First United Methodist Church on their 60th anniversary.

Cmr. Sciaraffa thanked all the participants in the Hoop it up for Scholars events as well as the Planning Department for their hard work in the Vela Tract project. He congratulated Judge Valdez on a successful SOS concert.

Cmr. Tijerina sent her condolences to the families of Katherine Cardenas, Assistant City Manager Jesus Olivares, Olga Jimenez and Norberto De La Garza. She congratulated the bikers on a successful 911 event, Ms. Cynthia Mares on a successful health fair, Judge Valdez on the SOS concert, Cmr. Sciaraffa and Cmr. Garza along with all the participants in the Hoop it up for Scholars event. Cmr. Tijerina also congratulated Nuevo Laredo on celebrating their 199th Independence Day and the First United Methodist Church on their 60th anniversary.

Judge Valdez thanked the offices of the Constables, Sheriffs, and Laredo Police Department for their assistance at the SOS.

Cmr. Garza sent his condolences to the family of Norberto De La Garza. He congratulated the First United Methodist Church on their 60th anniversary and thanked Mr. Leo Flores for finding a claim in the unclaimed property in the amount of \$18,000. He thanked everyone for participating in the Hoop it up for Scholars and congratulated Judge Valdez on a successful SOS event. Cmr. Garza extended his sincere thanks to all law enforcement for helping him in the back to school extravaganza in which there were able to distribute a lot of backpacks.

Cmr. Garza presented several members of law enforcement agencies with Certificates of Appreciation.

Cmr. Martinez had no items under communications.

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- Marissa Martinez

Ms. Martinez spoke on item 60 and advised the Court that her concern regarding this item as well as last week's item is found on Chapter 256 of the Transportation Code Section 256.01 section a and b. Ms. Martinez read the section and explained that the general fund must reimburse the Road and Bridge fund.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

Item No. 7. Discussion and possible action to "conditionally" authorize water and sewer connections to the grant eligible dwellings in the Felix Vela Tract Project (platting and water/sewer improvements) as funded by the Office of Rural Community Affairs through Texas Community Development Program Contract No. 724195; authorization to be granted 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); approval contingent upon each 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 the Planning Department's verification that applicants have complied with the prescribed conditions set-forth by the Court; and, any matter incident thereto. [Requested by Rhonda M. Tiffin, Planning Director/Floodplain Administrator]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza 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 authorize the Road and Bridge Department to provide assistance in the form of manpower and equipment to the Self-Help Center Clean Up Campaign Activities in order to meet grant performance, and to authorize the auditor to reimburse the appropriate Road and Bridge Department accounts from the General Fund or other appropriate account, the amount of funds that account for total costs of the manpower time utilized and the total costs for equipment use, gasoline and any other associated expenses. The Self-Help Center grant funds will cover all landfill tipping fees associated with this activity. [Requested by Alice Garcia, Self-Help Center Interim Director]

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

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner, Pct. 3

Addendum Item No. 1. Discussion and possible action to approve a resolution supporting Union Pacific's application of a TIGER grant to the United States Government, for rail projects in Webb County designed to alleviate congestion, increase capacity, and enhance safety, and any other matters incident thereto.

Cmr. Garza asked that this item be deferred until later in the meeting.

Addendum Item No. 2. Discussion and possible action to approve the acceptance of the 2009 Texas Department of Housing and Community Affairs -Veterans Rental Assistance (VRA) grant award in the amount of \$250,000. This grant will assist low-income veterans with housing rental assistance for a period of no more than 36 months during a 40 month contract period. This action will have no impact on the county's 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. 3. Recognition for participation with "Commissioner Jerry Garza's Back to School Extravaganza" to the following agencies: Laredo Police Department, U.S. Border Patrol, U.S. Customs and Border Protection, Webb County Sheriffs Department, GNC, Posh, Sam's Club, HEB and TAMIU Colonias Program.

Recognition was done under Communications by Cmr. Garza.

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

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

From:	001-0109-6022	Professional Services	8,500
To:	001-0106-6401	Building Maintenance/ Repairs & Maintenance	8,500

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

Motion carried 5-0 by unanimous consent.

- Item No. 10. Status Report by Webb County's members of the City-County Committee regarding the issue of a City-County Cemetery with discussion and possible action for the purchase of acreage and development for a Webb County Cemetery with the purpose of designating 20% of burial plots for Webb County's Armed Services Veterans and their respective spouses and any other matters incident thereto.**

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Cmr. Martinez motioned to form a committee headed by members of the Court composed from representatives of the Auditor's Office, Purchasing Department, Planning Department, and County Attorney's Office to start looking at possible sites and everything involved in running a county owned cemetery. Cmr. Sciaraffa seconded the motion.

Judge Valdez appointed Cmr. Martinez, Cmr. Garza, Veteran's Officer, Mr. Leo Flores, Mr. Eloy Ramirez, Ms. Rhonda Tiffin, and a representative from the County Attorney's Office.

Motion carried 5-0 by unanimous consent.

Commissioners Court

- Item No. 11. Discussion and possible action to approve the Webb County Tax Rate of 0.055375 for General Fund Debt Service and 0.001990 for the Road and Bridge Fund Debt Service for a total Debt Service rate of 0.057365 per \$100 taxable valuation for tax year 2009 (Fiscal Year 2009-2010) pursuant to Chapter 26, Texas Property Tax Code.**

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

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

- Item No. 12. Discussion and possible action to approve the Webb County Tax Rate of .354589 for General Fund Maintenance and Operation and 0.008101 for the Road and Bridge Fund Maintenance and Operation for a total Maintenance and Operation rate of 0.362690 per \$100 taxable valuation for tax year 2009 (Fiscal Year 2009-2010) pursuant to Chapter 26, Texas Property Tax Code. THIS TAX RATE WILL NOT RAISE MORE TAXES FOR MAINTENANCE AND OPERATION THAN LAST YEARS TAX RATE.**

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

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

- Item No. 13. Discussion and possible action to adopt, by Order, the Webb County Tax Rate of .420055 per \$100 taxable valuation for tax year 2009 (Fiscal Year 2009-2010) pursuant to Chapter 26, Texas Property Tax Code.**

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

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

Item No. 14. Discussion and possible action regarding the setting of salaries, expenses, and other allowances of Webb County Elected Officers for Fiscal Year 2009-2010.

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

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

Judge Valdez motioned to open public hearing. Cmr. Sciaraffa seconded the motion.

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

PUBLIC HEARING

Item No. 15. Public Hearing to consider the proposed budget pursuant to Texas Local Government Code Section 111.007. At the conclusion of this Public Hearing, the Commissioners Court shall take action on the proposed budget pursuant to Texas Local Government Code Section 111.008(a).

1st witness card – Barbara Kazen, President of Board of Directors at Bethany House and Jerry Linn Ortiz, Executive Director

Ms. Kazen explained to the Court the daily operations of the Bethany House and asked for their support not to decrease their funding.

Ms. Ortiz also asked the Court for their funding to remain at the current level as it was last year.

2nd witness card – Sylvia Bruni, Executive Director for the Children's Advocacy Center and Deputy Chief Arredondo.

Ms. Bruni urged the Court to reconsider their annual funding as their center serves critical needs.

Chief Arredondo along with Commander Juan Rendon explained how the Children's Advocacy Center assists the Sheriff's Office and Police Department in collecting evidence that they use to prosecute.

3rd witness card – Marissa Martinez

Ms. Martinez asked the Court that during these hard economic times it was vitally important to cut expenditures where possible. She questioned why there were two Public Information Officer slots when only one is needed, discretionary funds, and the Right of Way slots at the Engineering Department. Ms. Martinez also advised the Court that they were only the temporary custodian of records which should not be kept from the public.

4th witness card – Cornell Mickley, Indigent Defense Services

Mr. Mickley asked the Court to consider the recommendation from the Oversight Committee which was to grant him a salary increase of \$13,491.50 coming from a grant.

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

6th witness card – Maru De La Paz, Jesse Gonzalez, Joe Lopez, Rudy Valdez, and Federico Garza

Chief Federico Garza explained that only three individuals were to speak on the item. Sheriff Martin Cuellar, Chief Federico Garza, and Mr. Joe Lopez made presentation to the Court.

Presentation on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Judge Valdez motioned to close public hearing. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

CLOSE PUBLIC HEARING

Judge Valdez motioned to bring up items 27, 29, 30, 31, 32, 48, and 68. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Chilo Alaniz, District Attorney

Item No. 31. Discussion and possible action to approve the following re-organization of the District Attorney's Office support staff and to fill the following vacant slots; effective October 1, 2009.

Transfer Employee	Title	Hourly Rate
From: 231	CCL1 Secretary	\$13.65
To: 226	Accounts Payable	\$19.73
From: 227	Drug Court Secretary	\$14.29
To: 2138	49th Secretary	\$20.23
From: 169-2484	Special Crime Unit	\$14.42
To: 231	Special Crime Unit	\$13.65
From: 229	341st Secretary	\$12.08
To: 227	Drug Court Secretary	\$14.29
From: 1722	Intake Officer	\$11.20
To: 229	DV Unit Secretary	\$12.08
From: 235	Criminal Investigator	\$20.94
To: 222	Criminal Investigator	\$23.34
From: 1723	Criminal Investigator	\$18.95
To: 235	Criminal Investigator	\$20.94
Vacant Slot #	Title	Hourly Rate
1722	CCL1 Secretary	\$11.20
2328	Intake Officer	\$10.56
1723	Criminal Investigator	\$18.95

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

Motion carried 5-0 by unanimous consent.

Item No. 16. Discussion and possible action to adopt the Webb County budget for Fiscal Year 2009-2010 pursuant to Chapter 111, Texas Local Government Code. The Court may make any modifications to the County Judge's proposed budget that it considers warranted by law and required by the interest of the taxpayers by majority vote.

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Mr. Leo Flores, County Auditor, submitted a copy of several proposed changes to the budget. **(On file with the backup of this meeting)**

Com. Sciaraffa motioned to approve page 1 items 1-10. Com. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Garza motioned to approve page 2 items 11-13. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Martinez motioned to approve page 3 items 14, 15, 16, 17, 18, 19, 20, 21, and 22 as submitted. Com. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent on items 14, 15, 16, 17, 18, 19, 21, and 22.

Motion carried 4-0 with Com. Sciaraffa abstaining from voting on item 20

Com. Tijerina motioned to approve page 4 items 23-25. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Sciaraffa motioned to approve page 5 items 26-28. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Among several other items discussed and approved were the following: *(Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.)*

Judge Valdez motioned to decrease the sales tax revenue from 12 million to 11.7 million. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Tijerina motioned to transfer the light bill account from Quad City Community Center to Parks and Ground and allocate \$20,000 to finish the year. Com. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Sciaraffa motioned to create a line item for the Nutrition Center in the amount of \$10,000. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Sciaraffa motioned to increase the funding to the Children's Advocacy Center to \$65,000 and Bethany House to \$12,500 which total the increase to \$17,500. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Com. Martinez motioned to increase Mr. Cornell Mickley's salary by half of the recommended amount which would be \$6,750.

After discussion, Cmr. Martinez withdrew his motion.

Item died for lack of motion.

After further discussion, Cmr. Martinez motioned to increase Mr. Cornell Mickley's salary by half of the recommended amount which would be \$6,750. Cmr. Sciaraffa seconded the motion.

Motion carried 4-1 with Judge Valdez voting against.

Mr. Leo Flores explained the property valuations in the proposed budget and asked the Court whether they would like to decrease the property valuations by 30 million or if they would like to leave them as is. He stated that no action would be needed at this time but would like to advise the Court.

Item No. 48. Discussion and possible action to approve a personnel re-organization for the Treasurer's office within the 2010 Budget (No increase to the proposed Budget).

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Cmr. Garza motioned to approve the item and eliminate Slot 0075 from the General Order. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 27. Discussion and possible action to adopt as part of Webb County's annual budget a district court records archive fee in the amount of \$5.00 in accordance with Texas Government Code § 51.305; to give required notice and schedule a public hearing on this fee; and to take any other action required or advisable for the implementation of the fee. This fee is for the preservation and restoration services performed in connection with maintaining a district court records archive. It will be charged for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition in a district court. [Requested by Manuel Gutierrez, Webb County District Clerk]

Honorable Margie Ibarra, County Clerk

Item No. 29. Discussion and possible action to approve an increase to the recording fees for Plats recorded at the Webb County Clerks Office from \$46.00 to \$61.00 and each additional page from \$10.00 to \$20.00. This increase will be effective October 1, 2009.

Item No. 30. Discussion and possible action to adopt as part of the Webb County's annual budget a civil filing fee of \$10.00 and fund (Court Records Preservation Fund) in accordance to HB 3637. The fees are to be used only to digitize court records and preserve the records from natural disasters. This fee is to become effective January 1, 2010.

Honorable Manuel Gutierrez, District Clerk

Item No. 32. Discussion and possible action to approve for Fiscal Year 2009-2010 reimbursement to grand and petit jurors in the amount of \$6.00 1st day \$15.00 1st day if selected and \$40.00 2nd day and everyday thereafter. This includes small

claims court, justice courts, constitutional county courts, county courts at law, or district courts.

- Item No. 68. Discussion and possible action to itemize and set fees by Order as part of the FY 09-10 budget preparation process for Floodplain Management Activities including, but not limited to, Floodplain Development Permits, Certifications, and Inspections as prescribed by the provisions of Section 16.324, Texas Water Code. [Requested by Rhonda M. Tiffin, CFM, Planning Director & Floodplain Administrator; Revenue Account #010-0102-3740 (Permits)]

Judge Valdez motioned to approve items 27, 29, 30, 32, and 68 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41. Discussion and possible action to create a new budgeted position effective October 1, 2009 for Mr. Adrian Vera, former Deputy Sheriff whose employment was terminated by former Sheriff Rick Flores. The Webb County Grievance Committee is recommending that Mr. Vera be rehired and reinstated to his previous rank of Sergeant. [Executive 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)]

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

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

Motion carried 5-0 by unanimous consent.

Mr. Leo Flores asked for clarification since this would be considered a position in the budget. He advised the Court that when Mr. Vera was working for the Sheriff's Department he was making a salary of \$45,827.34.

Mr. Joe Lopez, Sheriff's Office, advised the Court that if Mr. Vera had stayed with the Sheriff's Department under the Bargaining Agreement he would have qualified for the across the board increase this past October.

Judge Jesus Garza, County Court at Law #2, asked the Court to transfer several slots (**list of slots filed as backup in the September 14, 2009 Commissioner's Court meeting**) to Constable Rudy Rodriguez and to his office so that Constable Rodriguez continue with the Mental Health Unit. (*Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.*)

Cmr. Tijerina motioned to approve transferring of all slots along with the Mental Health Unit operations to Constable Rudy Rodriguez's office. Cmr. Garza seconded the motion.

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

Judge Garza motioned to defer this item until after lunch. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

(Recess 12:18 p.m. – 1:45)

After continued discussion of the Mental Health Unit, no action was taken.

Item No. 16. Discussion and possible action to adopt the Webb County budget for Fiscal Year 2009-2010 pursuant to Chapter 111, Texas Local Government Code. The Court may make any modifications to the County Judge's proposed budget that it considers warranted by law and required by the interest of the taxpayers by majority vote.

Judge Valdez motioned to approve item and include any modification approved by Commissioner's Court. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17. Discussion and possible action to adopt the "Operational General Order" for fiscal year 2009-2010.

Mr. Leo Flores, County Auditor, submitted a change to the Operational General Order (on file at the Webb County Clerks Office).

Cmr. Garza motioned to approve the item with the change submitted by Mr. Leo Flores. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18. Discussion and possible action to designate meeting dates and times on which the Commissioners Court shall convene in regular term each month during the Fiscal Year 2009-2010 Pursuant to Section 81.005, Texas Local Government Code. The Court may convene on any other day as deemed necessary and as authorized by law.

Cmr. Sciaraffa motioned to designate the second and fourth Monday of the month and eliminate the December 28th meeting. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 19. Discussion and possible action to approve the proposed Holiday Schedule for Fiscal Year 2009-2010; and any other matters incident thereto.

- Columbus Day - October 12, 2009 (Monday)
- Veteran's Day - November 11, 2009 (Wednesday)
- Thanksgiving- November 26 & 27, 2009 (Thursday & Friday)
- Christmas - December 24 & 25, 2009 (Thursday & Friday)
- New Years - December 31, 2009 & January 1, 2010 (Thursday & Friday)
- Martin Luther King - January 18, 2010 (Monday)
- President's Day - February 15, 2010 (Monday)
- Easter - April 2 & 5, 2010 (Friday & Monday)
- Memorial Day - May 31, 2010 (Monday)
- Independence Day - July 5, 2010 (Monday)
- Labor Day - September 6, 2010 (Monday)

*Three Personal Holidays
*In accordance with Section 9.4 of the Webb County Personnel Policies and Procedures Manual, the three personal holidays will remain in effect.

Cmr. Tijerina 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. 20. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfers:

From:	001-1101-5601	Administrative Travel	1,962
	001-1101-5602	Local Mileage	500
	001-1101-6028	Witness Expenditures	500
To:	001-1101-6010	Books & Subscriptions	2,962

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

Motion carried 5-0 by unanimous consent.

Item No. 21. Discussion and possible action to enter into a contract Amendment One, for the use of Automated Equipment with the State of Texas, through the Texas Department of Transportation-Vehicle Titles and Registration Division to lease One (1) Basic Workstation with monitor, CPU, keyboard, printer, software support, and cash drawer at an annual cost of ONE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$1500.00), and authorizing the Webb County Judge to sign all relevant documents. [Requested by Patricia Barrera; Webb County Tax Assessor-Collector]

Item No. 22. Discussion and possible action to enter into a contract Amendment One to the Rural Transportation Federal Fund Grant agreement No. ED 0904(22) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts an increase of FORTY THREE THOUSAND FOUR HUNDRED DOLLARS (\$43,400.00) to the original grant amount of THIRTY THOUSAND SEVEN HUNDRED SEVENTY-ONE DOLLARS (\$30,771.00) for a maximum amount of SEVENTY FOUR THOUSAND ONE HUNDRED SEVENTY-ONE DOLLARS (\$74,171.00) for "El Aguila" Rural Transportation program and authorizing the County Judge to sign all relevant documents. [Requested by Javier Martinez; Community Action Agency Interim Director]

Item No. 23. Discussion and possible action to enter into a agreement between Webb County and The Brokerage Store Inc. for accidental insurance for Head Start Program participants for a total cost of FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$5,750.00) and authorizing the County Judge to sign all relevant documents. [Requested by Aliza Oliveros, Head Start Director]

Item No. 24. Discussion and possible action to enter into a One (1) year (September 1, 2009 through August 31, 2010) Interlocal Agreement with United Independent School District (UISD) for Three (3) Justices of the Peace Juvenile Court Coordinators in the amounts of FIFTEEN THOUSAND SEVEN HUNDRED THREE DOLLARS AND FORTY-SIX CENTS (\$15,703.46) for the coordinator assigned to J.P. Court Precinct 2, Place 1, EIGHTEEN THOUSAND SEVEN HUNDRED TWENTY ONE DOLLARS AND TWENTY-FIVE CENTS(\$18,721.25) for the coordinator assigned to J.P. Court Precinct 2, Place 2, and NINETEEN THOUSAND FOUR HUNDRED FIFTY-TWO

DOLLARS AND EIGHT CENTS (\$19,452.08) for the coordinator assigned to J.P. Court Precinct 4, and authorizing the County Judge to sign all relevant documents. [Requested by J.P. Pct. 2, Pl. 1; Pct. 2, Pl. 2; and Pct. 4, Anna Laura Cavazos Ramirez, Webb County Attorney; Account #001-1045-6022, 001-1044-6022, and 001-1042-6022]

Item No. 25. Discussion and possible action to enter into a Personal Service Agreement with Ana Maria Peña, registered dietician, for children enrolled in the Webb County Head Start Program for a period of Two (2) years (October 1, 2009 through September 31, 2010), at fees as set forth in the agreement, and authorizing, by Order of the Commissioners Court, an exemption from Local Government Code Section 262.024(a)(4) (Personal or Professional Services), and authorizing the County Judge to execute all relevant documents. [Requested by Aliza Oliveros; Head Start Director, Account #903-4211-6083]

Cmr. Martinez motioned to approve items 21, 22, 23, 24, and 25 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26. Discussion and possible action to specify which categories of Webb County employees and workers are subject to the County's living wage policy. [Requested by Delia Perales, Webb County Treasurer]

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Ms. Delia Perales, County Treasurer, advised the Court that federal minimum wage went up to \$7.25 effective July 2009.

Cmr. Martinez motioned to ratify the \$9.00 an hour for full time Webb County employees, include the \$9.00 an hour for part time Webb County employees as well as the temporary Webb County employees, and leave all grant employees under the same classification in which the only requirement would be to comply with federal minimum wage requirement. Cmr. Tijerina seconded the motion.

Cmr. Tijerina withdrew her second.

After discussion, Cmr. Martinez amended his motion to reflect \$9.00 an hour for full time Webb County employees, no less than the federal minimum wage for part time Webb County employees and temporary Webb County employees, and leave all federal grant employees to meet their own criteria of complying with federal minimum wage. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 28. Discussion and possible action to accept the following right of way, out of Vela Tract

Property

Grantors

Vela Tract

Part 2, Share 4

Armandina Valentina Jaramillo
Lara

and authorizing the County Judge to sign all relevant documents. [Requested by Law Offices of Francisco J. Saldana and Ana Laura Cavazos Ramirez, Webb County Attorney]

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

Motion carried 5-0 by unanimous consent.

Honorable Oscar Hale, 406th District Court Judge

Item No. 33. Discussion and possible action to approve an exception the the current County wide freeze for the following line item transfers:

From:	001-1050-6028	Witness Expense	4,000
	001-1050-7000	Litigation Expense	6,000
	001-1050-6006-30	Legal Advertisement	1,500
To:	001-1050-6029	Court Reporter	11,500

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

Item No. 34. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfers:

From:	001-1010-5013	Licensed Interpreter	2,000
	001-1010-7053	Detention Hearings	5,000
	001-1010-6029	Crt. Apptd. Atty.	3,000
To:	001-1010-6205	Materials & Supplies	10,000

Honorable Ruben Reyes, Constable Pct. 2

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

From:	001-2503-6005	Postage and Courier Service	10
To:	001-2503-6014	Equipment Rental	10

Cmr. Sciaraffa motioned to approve items 33, 34, and 35 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No. 36. Discussion and possible action to accept a Community Oriented Policing Services (COPS) Hiring Recovery Program (CHRP) grant award from the United States Department of Justice Office of Community Oriented Policing Services in the amount of \$167,607 (for a Three (3) year period) for One (1) Certified Peace Officer to engage in community-oriented policing activities and designating the Webb County Judge as authorized official in all matters pertaining to this grant.

Item No. 37. Discussion and possible action to approve an exemption to the current County wide hiring freeze to allow the Sheriff's Office to fill the following vacant law enforcement slot funded through the COP Grant (See attached award letter).

1 - COP Grant Slot \$18.57/hr.

Item No. 38. Discussion and possible action to approve the submission of an Operation Border Star application (Grant No. 979003) in the amount of \$202,332 to the Office of the Governor Criminal Justice Division for salaries and fringe benefits for Certified Peace Officers and designating the Webb County Judge as the authorized official in all matters pertaining to this grant. This action will have no impact on the County's general fund.

Item No. 39. Discussion and possible action to accept a Fiscal Year 2009 Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States: Enhancing Southern Border Jails in the amount of \$783,615 from the Office of Justice Programs Department of Justice for salaries and fringe benefits for correctional officers and related law enforcement equipment for a Two (2) year period; and designating the Webb County Judge as the authorized official in all matters pertaining to this grant. This action will have no impact on the county's general fund.

Item No. 40. Discussion and possible action to continue paying grant expenditures for no more than 30 days on Other Victims Assistance Grant (OVAG Grant Contract Agreement No. 0802512) pending receipt of executed contract from the Office of the Attorney General.

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Cmr. Martinez motioned to approve items 36, 37, 38, 39, and 40 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42. Discussion and possible action to approve a Memorandum of Understanding between the Webb County Sheriff's Office and the United States Marshals Office (USMS) to obligate funding in the amount of \$25,000.00 for the purchase of a vehicle to be utilized by Sheriff Deputy assigned to the USMS Fugitive Task Force. Funding is available through 2009 USMS asset forfeiture fund and payment for vehicle will be made directly from the USMS Finance Office.

Item No. 43. Discussion and possible action to approve an exemption to the current County wide hiring freeze to allow the Sheriff's Office to fill the following vacant law enforcement and civilian slots to support overall operations and to approve the following proposed changes of title. These slots are part of the current general order positions for FY2008-2009.

Dept#	Dept Description	Slot #	Title	Proposed Title Change	Hr. Rate
2060	BU-Jail Division	439	Officer II	no change proposed	\$19.51
2060	BU-Jail Division	484	Officer V	no change proposed	\$21.25
2060	BU-Jail Division	551	Communications	no change proposed	\$13.60

2060	BU-Jail Division	496	Officer III	Mental Health Specialist	\$19.51
2060	NBU-Jail Division	571	Criminal Division Clerk	Community Affairs Specialist	\$14.69
2001	BU-Patrol	358	Senior Captain	Commander - Administration	\$32.01
2060	BU-Jail Division	427	Major-Jail	Commander - Jail	\$32.01

Cmr. Tijerina motioned to approve items 42 and 43 as submitted. Cmr. Garza seconded the motion.

Mr. Joe Lopez, Sheriff's Department, stated that slots 358 and 427 are exempt positions.

Motion carried 5-0 by unanimous consent.

Item No. 44. Discussion and possible action to approve an Inter-Local Cooperative Agreement between Webb County and Zapata County for the purpose of providing housing of Webb County inmates in the amount of \$43.51 per inmate per day in order to help manage the inmate population of the Webb County Jail as needed. The term of this agreement is effective on July 1, 2009 and shall terminate on June 30, 2010.

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

Motion carried 5-0 by unanimous consent.

Item No. 45. Discussion and possible action to approve the following line item transfers:

From:	001-2001-5000	Salary Savings	180,200
	001-2001-6204	Fuel & Lubricants	20,000
	001-2060-5605	Special Travel	10,000
	001-2060-6005	Postage & Courier Services	2,000
	001-2060-6011	Training & Education	5,500
	001-2060-6014	Equipment Rental	3,500
	001-2060-6022	Professional Services	5,000
	001-2060-6204	Fuel & Lubricants	1,000
	001-2060-6401	Repairs & Maintenance Bldg.	4,062
	Total:		231,262
To:	001-2001-5011	Sick Leave Buy Back	10,465
	001-2001-6202	Uniforms	90,000
	001-2001-6224	Minor Appt & Tools	6,000
	001-2020-5011	Sick Leave Buy Back	3,811
	001-2060-5003	Overtime	5,966
	001-2060-5006	Education/Degree Incentive	561
	001-2060-5011	Sick leave Buy Back	14,751
	001-2060-5012	Retirement Buy Back	17,026
	001-2062-6208	Groceries	20,000
	001-2062-6209	Medicines	25,000
	001-2062-6714	Medical Services	30,000
	001-2600-5011	Sick leave Buy Back	7,682
	Total:		231,262

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

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

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor- Collector

Item No. 46. Discussion and possible action to waive the hiring freeze and authorize the Webb County Tax Assessor-Collector to fill the following slots effective September 14, 2009; and any other matters incident thereto.

Slot #	Title	Hourly Rate
136	Mail Room & Supply Inventory Mgr.	\$14.10
140	Deputy Tax Collector	\$14.23

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

Mr. Leo Flores, County Auditor, advised the Court that slot #136 is budgeted at \$13.29 on next years proposed budget of which difference will come out from within Ms. Barrera's own department.

Motion carried 5-0 by unanimous consent.

Honorable Delia Perales, Treasurer

Item No. 47. Discussion and possible action to allocate \$850.00 for postage (001-0300-6005) for the Treasurer's Office needed to finish the current Fiscal Year ending September 30, 2009. [Account #001-1009-6203 (Operational Reserves)]

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

Motion carried 4-0 with Judge Valdez not present.

Administrative Services

Item No. 49. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfers:

From:	816-0105-6022	Professional Services	27,500
	816-0105-9201	Claims Paid	12,000
	816-0105-6022	Professional Services	9,500
	Total:		49,000
To:	816-0105-6038	Administrative Fees (TAC)	3,500
	816-0105-6060	Basic Life Insurance	6,000
	816-0105-9202	Claims Paid Dental	18,000
	816-0105-9203	Claims Paid Prescripton	12,000
	816-0105-6038	Administrative Fee (TAC)	3,500
	816-0105-6060	Basic Llife Insurance	6,000
	Total:		49,000

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

Ms. Cynthia Mares, Administrative Services, stated that the total amount of money to be transferred would be \$39,500. She advised the Court to delete the Professional Services of \$27,500 transfer along with the Administrative Fees of \$3,500 and Basic Life Insurance of \$6,000.

Comr. Tijerina amended her motion to approve the total transfer of \$39,500. Comr. Sciaraffa seconded the motion.

Motion carried 4-0 with Judge Valdez not present.

Item No. 50. Discussion and possible action to approve renewal of the 2010 Retiree Silver Choice Benefit Program (over 65), with coverage offered thru Monumental Insurance (medical) and SilverScript Insurance (prescriptions), effective September 1, 2009 and for the County Judge to sign all relevant documents, these insurance programs are administrated thru Texas Association of Counties.

Item No. 51. Discussion and possible action to accept a proposal from Professional Actuarial Services, Inc. for the Actuarial Report of Webb County's Self-funded Workers' Compensation Program as of September 30, 2009 at a cost not to exceed \$5,000.00, and to approve an exemption from Section 262.024(a)(4) of the Local Government Code (Professional Services) and authorizing the County Judge to execute all relevant documents. [Account #817-0105-6022]

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

From:	001-0114-6032	Property & Casualty Premium	15,000
	001-0114-7469-01	Emergency Management Fund	10,000
To:	001-0114-9201	Claims Paid	25,000

Comr. Tijerina motioned to approve items 50, 51, and 52 as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 4-0 with Judge Valdez not present.

Auditor

Item No. 53. Discussion and possible action to approve/ratify the following line item transfers:

From:	001-0109-6203	General Operations - Operational Reserve	38,966
	001-0700-6011	Tax Office - Training & Education	4,000
	001-0700-6014	Tax Office - Equipment Rental	16,500
To:	001-0700-6005	Tax Office Postage	24,000
	001-0700-6205	Tax Office - Material & Supplies	24,680
	001-0700-6402	Tax Office - Repair & Maint. Equipment	10,786

Item No. 54. Discussion and possible action to approve exercise of the extension option in the contract between Webb County and the CPA Firm of Garza and Martinez for an additional Two (2) years to do the County's annual independent audit. The extension option calls for the following compensation increases:

Webb County	from	\$43,000.00	to	\$45,000.00
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Juvenile Probation	from	\$ 9,000.00	to	\$10,000.00
Adult Probation	from	\$13,000.00	to	\$15,000.00

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

Motion carried 4-0 with Judge Valdez not present.

Community Action Agency

Item No. 55. Discussion and possible action to approve the filling of the following slot. This position is grant funded.

Slot #	Title	Hourly Rate
1134	Administrative Technician (Full-Time)	\$10.25

[Account #980-4205-5001]

Item No. 56. Discussion and possible action to grant the County Auditor authority to expend funds for the Meals On Wheels Program Fund #952, effective October 1, 2009 for a 30 day period, pending the receipt of all required documents for the new program year.

Com. Sciaraffa motioned to approve items 55 and 56 as submitted. Com. Martinez seconded the motion.

Motion carried 4-0 with Judge Valdez not present.

Economic Development

Item No. 57. Discussion and possible action to accept TCDP Contract No. 729145 grant from the Office of Rural Community Affairs under the Texas Community Development Block Grant Program in the amount of \$500,000 (FIVE HUNDRED THOUSAND DOLLARS) effective date of contract shall be July 26, 2009 and shall terminate July 25, 2011 for House-to-Line Sewer/Water Connections in Colonia Penitas West and designating the County Judge as the County's Chief Executive Officer and authorized representative to act in all matters in connection with this project. This action will have no impact on the County's General Fund.

Item No. 58. Discussion and possible action to approve the development of a Memorandum of Understanding (MOU) between Webb County Community Action Agency and Laredo Independent School District (LISD), United Independent School District (UISD), Laredo Community College (LCC), South Texas Training Center, and LHCT Training Center beginning September 14, 2009 and ending September 30, 2010 to enter into a cooperative working agreement with these entities under the Community Service Block Grant (CSBG) 2009 American Recovery Reinvestment Act (ARRA) grant; authorizing the County Judge to sign all relevant documents. This action will have no impact on the County's General Fund.

Com. Sciaraffa motioned to approve items 57 and 58 as submitted. Com. Tijerina seconded the motion.

Motion carried 4-0 with Judge Valdez not present.

Engineer

- Item No. 59. Discussion and possible action to amend the existing agreement between TxDOT and Webb County, so that TxDOT can prepare Plans, Specifications & Estimates and Environmental Documentation regarding the American Recovery and Reinvestment Act (ARRA) County Road projects for Espejo Molina, Magana Hein and East Del Mar Boulevard and authorizing the County Judge to sign all relevant documents.
- Item No. 60. Discussion and possible action to approve the work addition for a revised contract and/or change order for the Mirando City Community Center. [Account #732-6100-8103] [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Cmr. Sciaraffa motioned to approve items 59 and 60 as submitted. Cmr. Martinez seconded the motion.

After discussion, Cmr. Sciaraffa amended his motion and approve item 59 only and have item 60 will be heard in executive session. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Fred & Anita Bruni Community Center

- Item No. 61. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfers:

From:	001-6104-6204	Fuel & Lubricants	300
	001-6104-6205	Material & Supplies	170
To:	001-6104-6402	Repairs & Maint. Equipment	470

Head Start

- Item No. 62. Discussion and possible action to fill the following slots for the 2009 – 2010 Program Year:

Slot#s	Title	Annual Salary	Pay Periods
978	AA Teacher	\$21,367.56	21
2039	AA Teacher Assistant	\$16,415.27	21
1698	Part Time Substitute Teacher	\$ 9,753.41	21
1431	Bus Driver	\$17,173.24	21

[Account #903-4208-5001]

Larga Vista Community Center

- Item No. 63. Discussion and possible action to approve an exception to the current County wide freeze for the following line-item transfers:

From:	001-6103-6403	Repairs & Maint. Vehicles	200
To:	001-6103-6204	Fuel & Lubricants	100
	001-6103-6205	Materials & Supplies	100

La Presa Community Center

Item No. 64. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From:	001-6115-6402	Repairs & Maintenance Building	400
To:	001-6115-6205	Materials & Supplies	400

Law Library

Item No. 65. Discussion and possible action to approve the following line item transfers.

From:	001-1130-6205	Materials and Supplies	482
	001-1130-6402	Repairs and Maintenance Equipment	1,000
	001-1009-6203	Operational Reserve	4,518
To:	001-1130-6010	Books and Subscriptions	6,000

Request for Funding for Books & Subscriptions to complete the Fiscal Year for July through September Invoices.

Cmr. Tijerina motioned to approve items 61, 62, 63, 64, and 65 as submitted. Cmr. Garza seconded the motion.

Mr. Leroy Medford, Executive Administrator to County Judge, stated that on item 64 the account description should read Repairs and Maintenance of Equipment.

Motion carried 5-0 by unanimous consent.

Planning

Item No. 66. 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:

Ranchitos Los Minerales Annex (Unplatted /Unrecorded.)

- 1) 434 Minerales-Annex Rd Unit A located on an unplatted tract known as Tract 54
- 2) 434 Minerales-Annex Rd Unit B located on an unplatted tract known as Tract 54

Staff recommends approval as submitted.

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

Motion carried 5-0 by unanimous consent.

Item No. 67. Discussion and possible action to adopt an Order establishing a plumbing inspection program, appointing department responsible for inspections, and the adoption of fees to offset the costs of inspections to ensure property and structures regulated by the provisions of Sections 232.028 and 232.029, Texas Local Government Code are connected to adequate sewer facilities in conformance with state and local laws and regulations. [Requested by Rhonda M. Tiffin, CFM, Planning Director & Floodplain Administrator; Revenue Account #010-0102-3740 (Permits)]

Item No. 69. Discussion and possible action to set fees by Order for the issuance of Certificates of Compliance, as prescribed by amendments to Section 232.028(g) and 232.029(n), Local Government Code, pursuant to Senate Bill 1676, 81st Legislative Session [Requested by Rhonda M. Tiffin, CFM, Planning Director & Floodplain Administrator; Revenue Account #010-0102-3740 (Permits)]

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Cmr. Sciaraffa motioned to approve items 67 and 69. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to include in item 67 authorizes the Planning Department as Department responsible for inspections and approve the fees. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Public Information Officer

Item No. 70. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From:	001-0550-6402	Repairs and Maintenance Equipment	70
To:	001-0550-6205	Materials and Supplies	70

Purchasing

Item No. 71. Discussion and possible action to add the following vendor to the Flexible Base Annual Contract:

Vendor	Price p/cubic yard picked-up by county	Price p/cubic yard loaded by vendor
El Tajo Caliche Pit (Bertha D. Aldrete)	\$2.00	N/A

[Requested by Jose Luis Ramos, Road & Bridge Superintendent]

Cmr. Sciaraffa motioned to approve items 70 and 71 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 72. Discussion and possible action to authorize the purchase of School Readiness Kits in English and Spanish and Science and Math Readiness Kits in the amount of \$76,105.98 from National Educational Systems for the Head Start Program. [Requested by Aliza Oliveros, Head Start Director; Account #904-4208-6069 (Classroom Supplies)]

Item No. 73. Discussion and possible action to ratify the services of Audio Dynamics in the amount of \$2,115.44 for the voice and data needed for the courtroom, kitchen and classrooms at the Judge Solomon Casseb, Jr., Webb County Youth Village. [Requested by Melissa Mojica, Juvenile Detention Director; Account #684-1301-8405 (Computerization Costs)]

Item No. 74. Discussion and possible action to authorize the purchase of the following from Executive System Software for a total amount of \$13,761.65 for the Elections Department:

1.	Elections Kits	\$1,187.79
2.	Audio for iVotronic	\$2,307.96
3.	Coding for M650, E.R.M. & iVotronics	\$4,767.46
4.	Layout Services	\$ 885.00
5.	Official/Sample & Test Ballots	\$4,613.44
	Total:	\$13,761.65

[Requested by Oscar L. Villarreal, Elections Director; Account #001-0107-6705 (Election Expense)]

Cmr. Sciaraffa motioned to approve items 72, 73, and 74 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 75. Discussion and possible action to award Bid 2009-25 "Courthouse Re-Roofing Project" to Zertuche Construction in the amount of \$128,128.00. [Requested by Eloy Ramirez, Jr., Purchasing Agent; Account #605-8108-8801-16 (Capital Outlay)]

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

Motion carried 5-0 by unanimous consent.

Item No. 76. Discussion and possible action to authorize the purchase of a 911 Radio Communication Generator in the amount of \$29,429.20 from A.M.P. Electric Co. for the Sheriff's Department. [Requested by Martin Cuellar, Webb County Sheriff; Account #170-2001-8801 (Capital Outlay)]

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

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

Item No. 77. Discussion and possible action to authorize the Purchase of Uniforms from Nardis Public Safety GSA #GS-07F-0596T, (TxMas Contract # TXMAS-8-84010) in the

amount of \$151,836.79 for the Webb County Sheriff's Department Pursuant to: Subchapter F Cooperative Purchasing Program Section 271.101., 271.102., Subchapter G, Purchase Federal Schedule Sources of Supply; Section 271.03, Texas Local Government Code. [Account #001-2001-6202, 001-2060-6202, 001-2600-6202]

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

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

Item No. 78. Discussion and possible action to authorize the Purchase of X-Ray Scanners accessories, software and training in the amount of \$50,400.00 from Smiths Detection, TXMAS Contract Number 6-84060 for the Webb County Sheriff's Department, Pursuant to Subchapter F Cooperative Purchasing Program 'section 271.101., 271.102., Texas Local Government Code.

Qty	Description	Amount
(2)	Hi- Scan X-Ray Scanners	\$44,800.00
(1)	Training and Testing Software	\$ 1,800.00
(4)	1 Meter (40 inches) Entry/Exit Table	\$ 3,800.00
Total		\$50,400.00
[Account #170-2001-8801 (Forfeiture Fund)]		

Rio Bravo Community Center

Item No. 79. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From:	001-6105-6204	Fuel & Lube	500
To:	001-6105-6403	Repair & Maintenance Vehicle	500

Santa Teresita Community Center

Item No. 80. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From:	001-6114-6201	Utilities	400
To:	001-6114-6401	Repairs & Maint. of Bldg	400

Cmr. Sciaraffa motioned to approve items 78, 79, and 80 as submitted. Cmr. Martinez seconded the motion.

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

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

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

(Closed Session/Executive Session 3:30 p.m. – 5:07 p.m)

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

Item No. 60. Discussion and possible action to approve the work addition for a revised contract and/or change order for the Mirando City Community Center. [Account #732-6100-8103] [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Comr. Tijerina stated that there was misinformation on someone's part either the Engineer or someone else but the question that has aroused is the difference in the contract amount. She specified that the monies are there, that according to Mr. Eloy Ramirez this is a Design Build Project, and that there were issues that were not anticipated like the asbestos.

Comr. Tijerina motioned to approve the change order from \$99,163 to \$208,890. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 81. Discussion and possible action to designate one or more Webb County representatives to a mediation of Civil Action No. 5:08-cv-00128; Cynthia Alcalá, Rosalinda Cantu, Erika Castillo, Raquel Farias, Bertha Garcia, Maribel Gonzalez, Julissa Guajardo, Diana Hernandez, and Ileana Rincon vs. Webb County, Texas; Patricia Barrera, Individually and in her Official Capacity as Webb County Tax Assessor-Collector; Mary Ethel Novoa, Individually and in her Official Capacity; Rosa Hernandez, Individually and in her Official Capacity; and Dora Jimenez, Individually and in her Official Capacity; In the United States District Court for the Southern District of Texas, Laredo Division; to grant possible settlement authority; and any matters incident thereto. [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 September 14, 2009 Commissioner's Court meeting dvd.

Mrs. Anna Laura Cavazos Ramirez, County Attorney, stated that after speaking to Mr. Kyle Watson and he has recommended to have the Court designate Webb County representatives to be present at the mediation and that immediately following the mediation if there is no resolution in this matter to proceed with discovery and that dispositive motions be filed as discussed with counsel.

Judge Valdez motioned to appoint Comr. Martinez and Mr. Leroy Medford to be representatives to the mediation. Comr. Sciaraffa seconded the motion.

Comr. Martinez specified that he wants the attorneys to continue doing the work that they are doing and that in no way what is being done today should impede any representation on behalf of the other defendants that the Court has provided attorneys for.

Mrs. Anna Laura Cavazos Ramirez stated that the county's insurance company would be designated as a representative for Webb County of which she asked the Court to include this as part of the motion along with designating Mr. Mike Bukiewicz as a Webb County representative to be able to attend the mediation.

Judge Valdez motioned to appoint Comr. Martinez and Mr. Leroy Medford to be representatives to the mediation and include Mr. Mike Bukiewicz and representatives from Travelers. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner, Pct. 3

Addendum Item No. 1. Discussion and possible action to approve a resolution supporting Union Pacific's application of a TIGER grant to the United States Government, for rail projects in Webb County designed to alleviate congestion, increase capacity, and enhance safety, and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the September 14, 2009 Commissioner's Court meeting dvd.

Cmr. Martinez stated that he would want the Resolution to include that the San Bernardo Corridor Project would be the primary project that the Court is supporting.

Cmr. Garza motioned to approve item including the language that Cmr. Martinez stated. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 82. Adjourn

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

Motion carried 5-0 by unanimous consent.