

Official Minutes for Webb County
Commissioners Court Meeting

Tuesday, October 13, 2009 at 9:00 AM
(APPROVED OCTOBER 26, 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 9th of October 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

Judge Valdez motioned to excuse Cmr. Martinez from being absent. Cmr. Sciaraffa seconded the motion.

Motion carried 3-0 by unanimous consent.

Judge Valdez motioned to excuse Cmr. Garza from being absent. Cmr. Tijerina seconded the motion.

Motion carried 3-0 by unanimous consent.

Item No. 2. Pledge of Allegiance

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

Item No. 3. Approval of Minutes for September 28, 2009

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

Motion carried 4-0 by unanimous consent.

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

Mr. Leo Flores, County Auditor, explained his monthly report. Mr. Flores stated that the General Fund ending balance as of 09/30/09 is \$13,365,335 of which a different amount is reflected in the report submitted for record. Mr. Flores also stated that under the general fund departmental revenues there was a 93% for a total of \$68,357,731 collections of which a different amount is also reflected in the report submitted for record.

Cmr. Garza walked in at 9:02 a.m.

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

Motion carried 5-0 by unanimous consent.

Item No. 5. Communications

Com. Sciaraffa sent his condolences to former Commissioner Judith Gutierrez. He also thanked all law enforcement agencies for keeping his family and his administrator's family safe after an incident that occurred at both their residences.

Com. Tijerina advised everyone that the Webb County Extension Office along with her office will be hosting a Rainwater Harvesting Workshop at the Self Help Center on Wednesday, October 21, 2009. She sent her condolences to the Garza Palumbo family, Herrera family, Jesse Martinez family, Daniel Castillon family, and to Judge Paul Gallegos' family.

Com. Garza sent his condolences to former Commissioner Judith Gutierrez.

Com. Martinez sent his condolences to the Garza family and the Daniel Castillon family. He thanked Ms. Rhonda Tiffin and Rafael Vidauri for going to Penitas West on Saturday and explained how all the people were excited about obtaining the water and sewer services. Com. Martinez also expressed his concern about the security measures being taken by the sheriff's department at the Webb County Justice Center.

Judge Valdez sent his condolences to the families of Jesse Martinez, Daniel Castillon, Judge Oscar Liendo, Judge Paul Gallegos, former Commissioner Judith Gutierrez and Mrs. Sylvia Palumbo. He reminded everyone that the Justices of the Fourth Court of Appeals will be in town and will be holding court on the 24th of October at Commissioner's Court. Judge Valdez also presented a plaque to Dr. Eduardo Miranda.

Dr. Eduardo Miranda thanked the Court for their support and explained what an honor it was for him to have the privilege to save many lives.

Judge Valdez invited Mr. Rolando Herrera. Mr. Rolando Herrera, Webb County Central Labor Council, advised the Court that he was present to seek the support of the Commissioner's Court regarding education in this area. He invited everyone to attend an event on Saturday, October 24th being that it was National Volunteer Day and asked Judge Valdez to take the lead in formulating a committee for support.

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 – Richard Rossell

Mr. Rossell spoke in support of the Veterans Service Officer and explained how dedicated and compassionate he is towards the veterans. Mr. Valentin Jorge Cuellar also advised the Court that Mr. Tony Silva, Veterans Service Officer, represents the Court very well.

2nd witness card – Juanita Puente, Santa Teresita Community Center

Ms. Puente explained how she has worked in public service for the last thirty years and how she has learned many things during her tenure. She advised the Court that she hopes to be part of the journey of many future projects.

3rd witness card – Paul Frey, Christ Church Episcopal

Mr. Frey spoke on behalf of Ms. Juanita Puente and advised that he has had the privilege of working with her as a member of the Rotary Club wherein a project was conducted at Santa Teresita Community Center which to him was one of the best along with an ongoing project put together by Congressman Cuellar that is currently taking place.

4th witness card – Amparo Ugarte, Administrative Services

Ms. Ugarte read a letter addressed to the Court by Ms. Armandina Gonzalez in support of Ms. Juanita Puente. In the letter read, Ms. Gonzalez explained how when employed at the risk management department, she never had a problem with Ms. Puente.

5th witness card – Sylvia Sanchez

Ms. Sanchez spoke in behalf of her sister Juanita Puente. She explained how her sister loved her job and does it for the people not because she is politically motivated. She stated that her only fault was that she does not play the political game and is fair across the board.

6th witness card – Christian Jackson

Mr. Jackson spoke on two items one being item #16 the approval for a property appraisal on Hidalgo St. He explained that he was representing Mr. Escoto who is one of the three properties that is under consideration for the County to look at and advised the Court not to go forward with the appraising of only one property but to consider that all three property owners be able to present their properties. Mr. Jackson also spoke on item #7 on how he is concerned that funds will be drawn out from the monies allocated for the three properties which will leave limited monies for these properties.

8th witness card – Jimmy Escoto

Mr. Escoto asked the Commissioners to vote against both items 16 and 7 and allow all three players a fair share for the court to judge the three properties.

9th witness card – Robert Synder

Mr. Synder recommended to the Court to table the recommendation being made by the building committee for the purchase of a building located on the corner of Hidalgo St. and San Bernardo. He recommended the study of purchasing the property of 1302 Washington St.

Honorable Danny Valdez, Webb County Judge

Item No. 7. Discussion and possible action to authorize the county attorney's office to send notice of intent to acquire (through real estate purchase or other means) the property located at 1101 Scott St. for the purpose of securing additional county parking and/or office space; and any other matters incident thereto. [Co-Sponsored by Commissioner Jerry Garza, Pct. 3]

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

Item No. 8. Discussion and possible action to authorize the filling of Slot #0068, Public Communication Officer, for the Webb County Judge's Office.

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

Motion carried 5-0 by unanimous consent.

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

Item No. 9. Discussion and possible action to authorize the Purchasing Agent to solicit Requests for Proposals for Engineering Services for a water well to be constructed for Mirando City, Texas. [Requested by Commissioner Rosaura "Wawi" Tijerina, Pct. 2 and Co-Sponsored by Juan Vargas, Economic Development Director; (Grant Fund TBA)]

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

Motion carried 5-0 by unanimous consent.

Item No. 10. Discussion and possible action to accept a resolution from the Mirando Rural Water Supply Corporation for the construction of a water well through the Texas Department of Rural Affairs TCDP #R72900R grant. [Requested by Commissioner Rosaura "Wawi" Tijerina, Pct. 2 and Co-Sponsored by Juan Vargas, Economic Development Director; (Grant Fund TBA)]

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

Motion carried 5-0 by unanimous consent.

Item No. 11. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Design Build Proposals for methods of project delivery for the expansion of the Fire Station located on HWY 359 between Oilton and Bruni. [Requested by Commissioner Rosaura "Wawi" Tijerina, Pct. 2 and Co-Sponsored by Juan Vargas, Economic Development Director; (Grant Fund TBA)].

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

Motion carried 5-0 by unanimous consent.

Item No. 12. Status report by the 2010 Census Co-Chairs Alice Herrera Garcia, Director/Interim Director Larga Vista Community Center/Self Help Center and Sara Buentello, Program Coordinator Texas A&M University Center for Housing and Urban Development Colonias Program regarding the 2010 Census Conference update that was held in Corpus Christi, Texas.

Status report given by Ms. Alice Herrera Garcia on file at the Webb County Clerks Office under the October 13th, 2009 Commissioner's Court dvd.

Item No. 13. Discussion and possible action to clarify the duties, responsibilities and compensation for Self-Help Center Interim Director for Fiscal Year 2009-2010 or until a permanent director is hired, and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No. 14. Presentation by Bob Zachariah on the upcoming Rio Fest with discussion and possible action to have Webb County become a financial sponsor of this event.

Presentation on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd. Cmr. Garza motioned to allocate \$5000 through the promotions line item. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 15. Status report by the Sheriff's office regarding the security measures at the Webb County Justice Center with discussion and possible action. [Co-Sponsored by Webb County Judge Danny Valdez]

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

Item No. 16. Discussion and possible action to authorize the Purchasing Agent to contract a property appraisal of the building located at 901 Hidalgo St. also known as Hidalgo Property. [Requested by the Webb County Building Committee]

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

During the discussion with Mrs. Anna Laura Cavazos Ramirez, County Attorney, she advised the Court that she does not agree with the recommendation being given by the Building Committee. Cmr. Martinez also specified that his wishes were not being represented by his committee member during the meeting but commended the committee for contributing their service free of charge.

Cmr. Tijerina motioned to allow all three submitters to make a presentation to Commissioner's Court. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Item No. 17. Discussion and possible action to clarify the policy regarding appointment and substitution of committee members appointed by the individual Commissioner, and any action necessary to set policy regarding this process if none exists; and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

Cmr. Garza motioned for the policy to remain the way it is wherein each Commissioner brings their appointees to Commissioner's Court for approval. Judge Valdez seconded the motion.

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

Cmr. Martinez motioned to change his current appointee Tony Gutierrez and appoint Mr. Arturo Tijerina to the Building Committee. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum Item No. 1. Discussion and possible action to approve a Resolution supporting the Webb County Joint Colonias Improvement Project and its future development of the project as presented by Vortex Global Innovations, Inc.

any matters incident thereto, and to authorize the County Judge to sign all relevant documents.

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

Commissioners Court

Item No. 18. Discussion and possible action to enter a Resolution and Order of the Webb County Commissioner's Court nominating a candidate for a Two (2) year term and casting its votes for the County's nominee to the Webb County Appraisal District Board of Directors and authorizing the County Judge to sign all relevant documents. [Requested by Martin Villarreal, Webb County Appraisal District Director]

Judge Valdez motioned to continue with the appointment of Comr. Martinez. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 19. Discussion and possible action to renew a Two (2) year contract with Johnson and Johnson, Attorneys at Law, effective October 15th 2009 through November 14th 2011, for legislative consulting services to Webb County; and ordering an exemption from Section 262.023 of the Local Government Code 262.024 (a) (4); and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto.

Comr. Martinez motioned to approve item including not exceeding what they are currently making and authorize staff to negotiate a better rate with them. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20. Discussion and possible action to approve a Resolution for Webb County's support of and participation in the South Texas Development Council Board and confirming the appointment of Webb County's representatives to said Board; and any other matters incident thereto.

Judge Valdez recommended the continued appointment of Comr. Jerry Garza and Comr. Frank Sciaraffa.

Comr. Tijerina motioned to approve appointees. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

(MEDIA BREAK 11:50 a.m. – 12:10 p.m.)

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 21. Discussion and possible action to review and approve, one of the following options, for a contract, pursuant to Texas Government Code §2254.004, between Webb County, Texas and Madeline Anz Slay Architecture, PLLC. Contract Option 1:

The preparation of a Feasibility Study to make recommendations as to the best use of the Tex Mex Building and possible expanded property acquisition, for fair and reasonable fees in the amount of \$29,000.00. Option 2: A two phase contract- Phase I Architect shall prepare a Feasibility Study, for fees of \$29,000.00 and thereafter under Phase II, upon Webb County's decision, the Architect will proceed to provide the Architectural Basic Service as described in the contract and fees described therein. [Requested by Eloy Ramirez, Jr., Webb County Purchasing Agent; Account #659-8001-8601]

Comr. Martinez motioned to approve Option I. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Rudy Rodriguez, Constable Pct. 1

Item No. 22. Discussion and possible action to authorize the Auditor's office to create the following operational line items and allocate funds in the amount of \$27,000.00 for the Mental Health Unit, Department #2005 for FY 09-10; and any other matters incident thereto:

Fuel and Lubricants	\$16,500.00
Uniforms	4,000.00
Training and Education	3,000.00
Membership Dues	500.00
Office Supplies	500.00
Repair and Maintenance- Equipment	500.00
Repair and Maintenance- Vehicles	2,000.00
Total	\$27,000.00

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

Motion carried 5-0 by unanimous consent.

Item No. 23. Discussion and possible action to authorize the transfer of Deputy Constable in Slot #2374 (Juvenile Board's Budget) to Slot #2466 and to waive the hiring freeze and allow the filling of Slot #2374 which is under the Juvenile Board's Budget.

Slot #	Title	Hourly Rate
2374	Deputy Constable	\$19.13

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

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No. 24. Discussion and possible action to approve the addition of Two (2) seized vehicles to the Sheriff's Office fleet inventory and to provide the necessary insurance coverage.

Seized Vehicle Descriptions:

2008 Chevrolet Silverado Pickup
VIN No. 1GCEC14J98Z107819

2004 Ford F-150 Pickup
VIN No. 1FTPX14534FA02673

Item No. 25. Discussion and possible action to approve an exemption to the current county wide hiring freeze and allow the Sheriff's Office to fill the following vacant Law Enforcement Slots to support overall operations and to re-title Slot #1732. These Slots are part of the current General Order positions for FY 2009-2010.

Dept. #	Dept. Description	Slot #	Title	Proposed Title Change	Hr. Rate
2001	BU-Sheriff's	383	Officer I	No Change Proposed	\$18.58
2001	BU-Sheriff's	1732	Officer I-IT	Officer I	\$18.33
2060	BU-Jail Division	505	Officer I	No Change Proposed	\$18.10

Com. Sciaraffa motioned to approve items 24 and 25 as submitted. Com. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26. 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 Grant Related slots to support overall operations.

Qty.	Grant Title	Job Title	Hr. Rate
4	FY09 Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the US: Enhancing Southern Border Jails & Detention Operations.	Detention Officer-Classification	\$18.57
2	FY09 Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the US: Enhancing Southern Border Jails & Detention Operations.	Detention Officer-Crime Analyst	\$21.15
1	FY09 Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the US: Enhancing Southern Border Jails & Detention Operations.	Detention Officer- Law Enforcement Liaison	\$18.57
1	Grant No. 2129001- Office of the Governor Criminal Justice Division. This certified peace officer will provide services for stalking, sexual assault, and domestic violence victims	Stalking, sexual assault, and domestic violence victims Peace Officer	\$18.55

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

Motion carried 5-0 by unanimous consent.

Honorable Patricia Barrera, Tax Assessor

Item No. 27. Discussion and possible to allow the Tax Assessor-Collector to fill the following vacant Slots:

Slot #	Title	Hourly Rate
1750	Deputy Tax Collector	\$14.23/hr.
1863	Deputy Tax Collector, VIT	\$14.09/hr.
2272	Deputy Tax Collector	\$14.23/hr.

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

Motion carried 5-0 by unanimous consent .

Auditor

- Item No. 28.** Discussion and possible action to clarify the re-organization approved by Commissioner's Court for the Treasurer's Office on September 14, 2009, specifically the part-timer account to be at \$26,837 as approved and to modify the fringe benefits accordingly at no increase to the FY 2010 Budget.

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

Cmr. Martinez motioned to allow for the adjustment from the health insurance to be made. Cmr. Sciaraffa seconded the motion.

After discussion, Cmr. Martinez amended his motion to allow for the adjustment from the health insurance to be made as an exception based on an unintentional error that was made. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Administrative Services

- Item No. 29.** Discussion and possible action to evaluate the performance of the following Webb County department heads:

Juanita Puente – Director, Santa Teresita Community Center
Antonio Silva – Veteran Service Officer

Action to be taken by Commissioners Court may include continuation of employment, reassignment, modification of duties, disciplinary action, dismissal, or other actions. The Commissioners Court may take such other action as may be necessary to implement its decisions including, but not limited to, appointment of interim department heads. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074(Personnel Matters)].

Cmr. Martinez motioned to defer item until executive session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30.** Discussion and possible action to approve the Recommendation from the Insurance Committee to award the Health & Dental Insurance Program to the Texas Association of Counties (HEBP), with Blue Cross Blue Shield as carrier from (November 01, 2009 – October 31, 2010). The claim administration services rates will be as follows, per month, per covered individual: \$41.75 for medical claim

administration services, \$3.56 for dental claim administration services, \$2.95 for disease management services, \$21.54 for specific stop loss insurance, with a \$200,000 deductible for medical claims, and \$3.40 for aggregate stop loss insurance with a 125% corridor for medical and prescription drug claim.

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

Comr. Sciaraffa motioned to have all proposers bring their submissions to Commissioner's Court. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Community Action Agency

Item No. 31. Discussion and possible to accept additional monies for the Comprehensive Energy Assistance Program (CEAP) Contract No. 5809000397 (CFDA # 93.568) Amendment Number: 1 from the Texas Department of Housing & Community Affairs (TDHCA), for FY-2009, in the amount \$50,945.00 for a total award of \$1,636,826.00. [CEAP # 911]

Item No. 32. Discussion and possible action to authorize the submission of "El Aguila" Rural Transportation Programs 5311 (Fiscal Year 2009-2010) grant to South Texas Development council for intergovernmental review, Texas Review and Comment System ("TRACS"), and authorizing the County Judge to execute all relevant documents.

Comr. Martinez motioned to approve items 31 and 32 as submitted. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 33. Discussion and possible action to enter into an Eleven (11) month (September 1, 2009 through August 31, 2010) rural transportation federal fund grant agreement (No.51022F7038) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts a grant amount not to exceed TWO HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED FIFTY-NINE DOLLARS (\$272,859.00) for the "El Aguila" Rural Transportation program and authorizing the Webb County Judge to execute all relevant documents.

Item No. 34. Discussion and possible action to accept a check in the amount of \$9,408.48 from TXU Energy. The Webb County Community Action Agency will utilize these funds to assist qualified TXU energy clients. [Account #902-4200-7004]

Item No. 35. Discussion and possible action to accept a grant award for the Weatherization Program from the Texas Department of Housing and Community Affairs (TDHCA), Contract Number 16090000682 for the American Recovery and Reinvestment Act (ARRA) for FY September 01, 2009 through August 31, 2011, in the amount of One Million Two Hundred Thirteen Thousand and Six Dollars (\$1,213,006.00). [Account #912]

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

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and possible action to accept amendment to contract CCAD #158100 from the Texas Department of Aging and Disability Services (TxDADS), for FY 2009-2010, in the amount of \$372,876. [Account #952-4200-3501]

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

Motion carried 5-0 by unanimous consent.

Item No. 37. Discussion and possible action to accept amendment to contract CBA #158100 from the Texas Department of Aging and Disability Services (TxDADS), for FY 2009-2010, in the amount of \$95,930. [Account # 952-4200-3501]

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

Motion carried 5-0 by unanimous consent.

Economic Development

Item No. 38. Discussion and possible action to approve the resolution authorizing the Webb County Commissioners Court to designate the Honorable Danny Valdez, Webb County Judge and the Honorable Rosaura "Wawi" Tijerina, Webb County Commissioner Precinct #2, as its authorized signatories on the TCDP #R72900A and TCDP #R72900B. This action will not have an impact on the County's General Fund.

Item No. 39. Discussion and possible action to approve and authorize the Webb County Commissioners Court the appointment of Mr. Juan Vargas as the Labor Standards Officer and the Equal Opportunity/Fair Housing Officer to the TCDP #R72900A and TCDP #R72900B grant contracts, and authorize the County Judge to sign all relevant documents. This action will not have an impact on the County's General Fund.

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

Motion carried 5-0 by unanimous consent.

Item No. 40. Discussion and possible action to authorize Webb County Economic Development Department staff to submit a Notification of Intent letter which shall serve as the Webb County acceptance of an Energy Efficiency and Conservation Block Grant (EECBG) Program amount of \$50,000 under the American Recovery and Reinvestment Act (ARRA). These funds will be used to stimulate the economy and to develop and implement projects that will improve energy efficiency and reduce energy use and fossil fuel emissions in our community.

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

Motion carried 5-0 by unanimous consent.

Item No. 41. Discussion and possible action to approve a Resolution authorizing the following County Officials: Honorable Danny Valdez, Honorable Sergio "Keko" Martinez, and Honorable Frank Sciaraffa to be designated as Authorized Signatories for the Texas

Department of Rural Affairs for the Penitas West House-to-Line Water & Sewer Connections Project (TCDP # 729145).

- Item No. 42.** Discussion and possible action to approve and authorize the Webb County Commissioners Court the appointment of Mr. Juan Vargas as the Labor Standards Officer and the Equal Opportunity / Fair Housing Officer to the TCDP # 729145 grant contracts, and authorize the County Judge to sign all relevant documents.

Cmr. Martinez motioned to approve items 41 and 42 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

- Item No. 43.** Discussion and possible action to approve a reduction of the original TWDB Rio Bravo Water Line Phase II contract retainage from 5% to 2%. Closner & Sons Construction Company has completed their original contract, but is being asked to install up to 400 additional water services. Final approval is to be contingent on TWDB. [Account #648-8008-8801-11]

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

Motion carried 5-0 by unanimous consent.

- Item No. 44.** Discussion and possible action to approve Change Order No.4 to Jimmy Closner & Sons Construction Company for the installation of water tap and house to line connections in the Rio Bravo & El Cenizo areas to the TWDB Rio Bravo Water Line Phase II Contract. This will increase the contract time by 150 days and increase the contract amount by \$300,000.00. Final approval is to be contingent on TWDB. [Account #648-8008-8801-11]

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

Motion carried 5-0 by unanimous consent.

- Item No. 45.** Discussion and possible action to ratify the granting of a right of way easement (electrical utilities) across Webb County Self Help Center Plat in the area of the Nutrition Center and authorize the County Judge to execute all relevant documents. [Requested by Alice H. Garcia, Interim Director Self Help Center]

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

Motion carried 5-0 by unanimous consent.

- Item No. 46.** Discussion and possible action to approve release of retainage to TEC Engineers and Consultants Inc. in the amount of \$1,484.85 for the completed design phase of the Border Colonia Access Program Street Paving Contract for D5 Acres Subdivision. [Account # 698-2311]

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

Motion carried 5-0 by unanimous consent.

Head Start

- Item No. 47. Discussion and possible action to ratify the Head Start Child and Adult Care Food Program Application for FY 2009–2010 (October 1, 2009–September 30, 2010). [Account #903-4209]

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

Motion carried 5-0 by unanimous consent.

Indigent Defense Services

- Item No. 48. Discussion and possible action to approve a resolution authorizing the submission of a 2010 grant application to the Texas Task Force on Indigent Defense for the Indigent Defense Formula Grant Program and designating the Public Defender as Program Manager and contact person and the Auditor as Financial Officer for the grant. [Requested by Hugo Martinez Public Defender and Cornell Mickley, Indigent Defense Services Director]

Planning

- Item No. 49. 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 law as stated below and contingent upon the applicant’s connection to adequate sewer services, 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 dwellings/tracts:

Connections qualifying under 232.029(n) and (o), TLGC

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

- 1) 237 Riata Rd located on an unplatted 4.98 acre tract out of and part of Tract 13 (formerly known as Tracts 13-D, 13-E and 13-F)
- 2) 7046 Enlace Rd located on Tract 31

Tanquecitos Subdivision (known as Phase II) (unplatted – unrecorded)

- 3) 111 Serrano Rd Unit A located on Tract A-1

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

- 4) 129 Los Altos Dr Units A thru E located on Block 7, Lot 21 (commercial/residential)
- 5) 241 Amanecer Rd located on Block 2, Lot 11
- 6) 243 Amanecer Rd located on Block 2, Lot 11
- 7) 238 Los Altos Dr Unit A located on Block 2, Lot 25 (South ½)
- 8) 266 Los Altos Dr located on Block 2, Lot 18
- 9) 268 Los Altos Dr located on Block 2, Lot 18
- 10) 146 Los Altos Dr located on Block 7, Lot 12 (South ½ - unplatted)

San Carlos, Subdivision Phase I Subdivision (Recorded in Vol. 4, Pg. 34, W.C.P.R.)

- 11) 275 Emiliano Rd Unit A located on Block 8, Lot 3
- 12) 275 Emiliano Rd Unit B located on Block 8, Lot 3
- 13) 186 Amy Rd Unit A located on Block 5, Lot 14 (commercial/residential)
- 14) 186 Amy Rd Unit B located on Block 5, Lot 14 (commercial/residential)
- 15) 192 Amy Rd located on Block 5, Lot 14 (commercial/residential)
- 16) 206 Amy Rd located on Block 5, Lot 14 (commercial/residential)
- 17) 212 Amy Rd located on Block 5, Lot 14 (commercial/residential)
- 18) 7407 Gutierrez Rd Unit A located on Block 2, Lot 5
- 19) 7407 Gutierrez Rd Unit B located on Block 2, Lot 5

San Carlos, Subdivision Phase II Subdivision (Recorded in Vol. 4, Pg. 34, W.C.P.R.)

- 20) 289 Welch Rd Unit D located on Block 5, Lot 5B (unplatted)
- 21) 293 Welch Rd located on Block 5, Lot 6B (unplatted)
- 22) 289 Welch Rd Unit A located on Block 5, Lot 5A (unplatted)
- 23) 113 Welch Rd located on Block 2, Lot 4
- 24) 297 Welch Rd located on Block 5, Lot 6A
- 25) 224 Barrera Rd located on Block 3, Lot 16 (South ½ - unplatted)
- 26) 226 Barrera Rd located on Block 3, Lot 16 (North ½ - unplatted)

Staff recommends approval of the above-referenced properties as submitted containing Thirty (30) dwellings on Twenty-Six (26) lots.

Cmr. Garza motioned to approve items 48 and 49 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50. Discussion and possible action to approve the Preliminary and Final plat approval to the Replat of Lot 20, Block 4, San Carlos Subdivision Phase I (a.k.a., San Enrique) as coapplicants in a plat submittal to the City of Laredo pursuant to the authority granted by the Commissioners Court on August 27, 2007.

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

Motion carried 5-0 by unanimous consent.

Purchasing

Item No. 51. Discussion and possible action to award proposal P-2009-11 "Routing Dispatch Tracking and Scheduling Software" to Shah Software, Inc. [Requested by Robert Martinez, El Aguila Transportation Director; Account #981-8001-8410 IT (Equipment – Dispatch System)]

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

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

Item No. 52. Discussion and possible action to ratify the purchase and installation of the following for the Webb County Youth Village:

Qty	Description	Vendor	Amount
1	A/C unit w/installation	Sunbelt	\$3,400.00
1	Electrical Power Line for A/C (Material & Labor Included)	Quantum Electric	\$2,000.00
			\$5,400.00

[Requested by Eloy Ramirez, Jr., Purchasing Agent; Account #684-1301-8410 (Equipment)]

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

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

Item No. 53. Discussion and possible action to authorize the Webb County Heritage Foundation to obtain a liquor license for the sale alcoholic beverages at the Villa Antigua premises during fundraising and other events. [Requested by Margarita Araiza, Webb County Heritage Foundation Director]

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

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

Motion carried 5-0 by unanimous consent.

Item No. 54. Discussion and possible action to authorize the Purchasing Agent to solicit bids for the following for the Community Action Agency Weatherization Program:

- (1) Weatherization Bid for Contractors "Insulation"
- (2) Weatherization Bid for Contractors "Labor and Materials"

[Requested by Javier Martinez, Community Action Agency Interim Director; Account Grant #16090000682]

Road and Bridge

Item No. 55. Discussion and possible action to authorize Dept. 7002 Road & Bridge, to transfer Unit #10-86 (Ford 1/2 Ton Pick Up VIN 1FTEF17L4VND22824) to Engineering Dept.

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

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent .

(Closed Session/Executive Session 1:10 p.m. - 1:30 p.m.)

Item No. 56. Discussion and possible action to consult with County Attorney's office regarding lease proposal between Webb County and Laredo Race Park LLC for the use of the Casa Blanca Golf Course property as a future site of a horse racetrack facility; and

any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberation regarding Real Property)]

Mrs. Teresa Hunter, County Attorney's Office, recommended authorization for the County Attorney's Office to negotiate a lease agreement with Laredo Race Park LLC.

Judge Valdez motioned to approve recommendation. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 29. Discussion and possible action to evaluate the performance of the following Webb County department heads:

**Juanita Puente – Director, Santa Teresita Community Center
Antonio Silva – Veteran Service Officer**

Action to be taken by Commissioners Court may include continuation of employment, reassignment, modification of duties, disciplinary action, dismissal, or other actions. The Commissioners Court may take such other action as may be necessary to implement its decisions including, but not limited to, appointment of interim department heads. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074(Personnel Matters)].

Discussion on file at the Webb County Clerks Office under the October 13th Commissioner's Court dvd.

Mrs. Anna Laura Cavazos Ramirez, County Attorney's Office, stated for the record that any investigation done, her office was not part of being that this occurred during the past administration.

Cmr. Martinez motioned to defer this item for next week or have a special meeting and allow Ms. Juanita Puente time to review and respond to any and all letters forwarded, plus advice Ms. Puente to submit any letters of support to the County Attorney's Office and be shared with the Commissioner's Court prior to the meeting, and instruct Ms. Puente to stay away from the Santa Teresita Community Center or communicating with anyone that attends the center and/or employees.

Judge Valdez asked the County Attorney's Office for clarification on the direction given to Ms. Mares or the County Attorney's Office regarding the classes that were discussed in executive session for Ms. Puente to attend.

Cmr. Tijerina asked Mrs. Cavazos Ramirez to have Ms. Cynthia Mares involved in getting and distributing the letters.

After discussion, Cmr. Martinez motioned to give copies of all the letters that were sent to Cmr. Tijerina to Ms. Janie Puente as well as allow her time to respond and admonish Ms. Puente not to go near the Santa Teresita nor its employees until the investigation is completed of which any violation of the admonishment would mean grounds for termination. Cmr. Sciaraffa seconded the motion.

Mrs. Cavazos Ramirez asked if the Court would like a written response; of which they all acknowledged.

Motion carried 5-0 by unanimous consent.

Item No. 57. Adjourn

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

Motion carried 5-0 by unanimous consent.