

# Official Minutes for Webb County Commissioners Court Meeting

Monday, January 25, 2010 at 9:00 AM  
(approved on February 8, 2010)

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 21<sup>st</sup> of January 2010. 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 January 5, 2010 and January 11, 2010**

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

Motion carried 5-0 by unanimous consent.

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

Ms. Delia Perales, County Treasurer, explained her ending December monthly report.

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

Motion carried 5-0 by unanimous consent.

**Item No. 5. Communications**

Comr. Sciaraffa had no items under communications.

Comr. Tijerina sent her condolences to the father of Dr. Oscar Perez, the families of Juan Saenz Jr., Jesus "Chuy" Jasso, Luis Francisco Puig, Jose "Pepe" Gonzalez, Blas Martinez, Adriana Guardiola, Anita Haber, and Mr. Jerry Contreras. She also congratulated the Jamboozie committee for a successful event and encouraged everyone to lend a hand to those affected in HAITI.

Comr. Garza sent his condolences to the families of Blas Martinez and Maria Elena Morales.

Comr. Martinez sent his condolences to the families of Blas Martinez and Adriana Garcia Guardiola.

Judge Valdez sent his condolences to the families of Blas Martinez, Maria Elena Morales and Jose Contreras. He congratulated all the special students of the month, the jamboozie coordinators as well as Ms. Valerie Cortinas on her birthday. He stated that Mr. Larry Sanchez, Public Information Officer, was going to make a presentation.

Comr. Martinez made an announcement that his 8 year old daughter had been featured in a national magazine for her progress in her piano classes.

Mr. Larry Sanchez made a presentation advising all Webb County residents and employees to donate to the Laredo Haitian Relief.

Ms. Xochilt Mora, City of Laredo Public Information Officer, made a presentation on how everyone could help with the Laredo Read campaign being held due to the closure of the only bookstore in the city.

Mr. Bill Ludwig, Regional Administrator of the Food and Nutrition Service in the Southwest region, made a presentation.

Mr. Javier Martinez, CAA Director, made presentation of plaques to the Advisory Board which consisted of Maria Elena Montemayor, Dr. Henry Carranza, Jaime Arispe, and Andres Cuellar as well as two employees Olga Vasquez and Judy Mendiola.

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

1<sup>st</sup> witness card – Dr. Ruben Saldana

Mr. Saldana spoke on item 47 wherein he brought forth the recommendation of Christine Sanchez for the filling of the 4-H position. He stated that they would like for the filling of the position to be effective February 1<sup>st</sup> of which they would pay and the County would start as of March 1<sup>st</sup>.

Comr. Sciaraffa motioned to bring up item 47. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

### **Extension Office**

**Item No. 47. Discussion and possible action to fill Slot No. 0607, County Extension Agent 4-H and Youth Development, within the Webb County Extension Office, effective January 25, 2010; and any other matters incident thereto. [Requested by George Gonzales, Webb County Extension Agent, Account No. 001-3000-5001]**

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

Motion carried 5-0 by unanimous consent.

### **Honorable Danny Valdez, Webb County Judge**

**Item No. 7. Discussion and possible action to disburse funds to Laredo Independent School District, United Independent School District, and Webb Consolidated Independent School District from the Permanent School Land Fund (with the exception of one**

million dollars to be retained in the permanent school land fund) held in trust by Webb County in the following amounts as recommended and agreed upon by the superintendents of each school district in Webb County as follows:

United Independent School District:	37,136.016	61.79%	\$ 547,597.96
Laredo Independent School District:	22,649.367	37.68%	\$ 333,929.30
Webb Consolidated ISD	319.436	0.53%	\$ 4,696.99
		<b>Total:</b>	<b>\$ 886,224.25</b>

**and any other matters incident thereto.**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting 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 repairs at the the Webb County Jail to the elevator system in an amount not to exceed \$475,000.00, to be funded from the issuance of a tax note; and any other matters incident thereto.**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

Mr. Joe Lopez, Sheriff's Office, asked the Court for their consideration to bring up the funding to \$500,000 as a contingency plan.

Cmr. Sciaraffa motioned to take the amount necessary from Capital Outlay Series 08A and anything needed for MIS would be taken out through the issuance of a note subject to the authorization from bond counsel and approve authorization to Mr. Eloy Ramirez, Purchasing Agent, to proceed with the bidding process. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

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

**Item No. 9. Discussion and possible action to approve the disbursement of funds in the amount of \$298.70 to Al & Rob Sales as approved at the January 11, 2010 Commissioner's Court meeting and to designate an account number for payment of invoice; and any other matters incident thereto.**

Cmr. Garza motioned to approve item and utilize account number 605-0203-8801. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 10. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Qualifications (RFQ's) for Webb County Bond Counsel; and any other matters incident thereto.**

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

Motion carried 5-0 by unanimous consent.

**Item No. 11. Discussion and possible action on the status of the Webb County Wage & Classification salary study; and any other matters incident thereto.**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

Judge Valdez stated that the initial committee who was assigned to work on this study to work together with the Civil Service Commission to be able to move forward. He stated that the committee was comprised of Cmr. Garza as Chair, Cmr. Martinez, Mr. Leroy Medford, Mr. Leo Flores, Mrs. Cynthia Mares, Mrs. Anna Laura Cavazos Ramirez, and a member from MIS.

Judge Valdez motioned to get the committee to work with the Civil Service Commission, have this committee classified as a Subcommittee to develop the Wage & Hour Classification study. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 12. Status report by the County Attorney's office regarding the Webb County fines/fees collection contract with Linebarger, Goggan, Blair & Sampson with discussion and possible action to approve said contract; and any other matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation With Attorney)]**

Judge Valdez motioned to defer this item until executive session. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mrs. Anna Laura Cavazos, County Attorney, stated that this item did not need to be discussed in executive session being that they have a status report ready to discuss in open court.

Cmr. Garza motioned to rescind previous motion. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Status report on file at the Webb County Clerks Office under the January 25, 2009 Commissioner's Court meeting dvd.

No action taken on this item.

**Item No. 13. Status report by the County Attorney's office regarding the Webb County, City of Laredo Veteran's Museum contract with FQR Architects; and any other matters incident thereto.**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

Cmr. Garza motioned to work on the contract with FQR Architects on the design of the Veteran's Museum. Cmr. Tijerina seconded the motion.

Mrs. Anna Laura Cavazos Ramirez, County Attorney, clarified if they were to proceed without the City and if the County would take over all fees. Cmr. Garza acknowledged and stated that at this point yes the County was to proceed without the city and that funding would come out of the monies allocated for the Veteran's Museum and should include the City of Laredo funding once they are received.

Motion carried 5-0 by unanimous consent.

**Item No. 14. Discussion and possible action to instruct the County Attorney's office to render an**

**opinion regarding the authority of the Commissioners Court to employ outside counsel to represent county officers and employees who are sued for conduct arising in the course and scope of their duties as provided by §157.901 of the Texas Local Government Code; including the discretion granted to the Commissioners Court in selecting and approving counsel; and for the Court to establish policy on these issues; and any other matters incident thereto. [Co-Sponsored by Webb County Judge Danny Valdez]**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

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

After discussion, Cmr. Garza stated that no action was required.

Cmr. Sciaraffa motioned to bring up the items under the District Attorney. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Honorable Isidro Alaniz, District Attorney**

**Addendum Item No. 1. Discussion and possible action to authorize the District Attorney's Office to acquire the use and designation of the empty office on the second floor of the Webb County Justice Center, which was previously designated to the Webb County Tax Assessor & Collector. [The Honorable Isidro R. Alaniz, District Attorney and the Honorable. Patricia Barrera, Tax Assessor and Collector are co-sponsors to this Agenda Item]**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

Mr. Isidro Alaniz, District Attorney, stated that there was an amendment to the item being done to reflect the office space to be authorized while the duration of the drug court grant exists.

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

Motion carried 5-0 by unanimous consent.

**Addendum Item No. 2. Discussion and possible action to approve a Memorandum of Understanding between the Webb County District Attorney's Office and the United States Marshals Office (USMS). The purpose of this MOU is to obligate funding from the USMS for overtime incurred by one of our full time Criminal Investigator assigned to the USMS DFTF joint law enforcement task forces. The amount of obligation is \$16,000.00 for Overtime.**

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

Motion carried 5-0 by unanimous consent.

**Addendum Item No. 3. Discussion and possible action to authorize the following Reorganization within the District Attorney's Office; effective January 20,2010:**

<b>Slot</b>	<b>Title</b>	<b>Annual Salary</b>
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<b>From:</b>	<b>001 - 235</b>	<b>Criminal Investigator</b>	<b>\$43,548</b>
<b>To:</b>	<b>001 - 222</b>	<b>Criminal Investigator</b>	<b>\$48,556</b>
<b>From:</b>	<b>001-1723</b>	<b>Criminal Investigator</b>	<b>\$39,416</b>
<b>To:</b>	<b>001 - 222</b>	<b>Criminal Investigator</b>	<b>\$43,549</b>
<b>From:</b>	<b>169- 2490</b>	<b>Criminal Investigator</b>	<b>\$45,000</b>
<b>To:</b>	<b>001 -1723</b>	<b>Criminal Investigator</b>	<b>\$39,416</b>

**Addendum Item No. 4. Discussion and possible action to authorize the following Reorganization within the District Attorney's Office effective January 29, 2010:**

	<b>Slot</b>	<b>Title</b>	<b>Annual Salary</b>
<b>From:</b>	<b>001-217</b>	<b>Assistant District Attorney</b>	<b>\$69,020</b>
<b>To:</b>	<b>001-1969</b>	<b>Assistant District Attorney</b>	<b>\$67,037</b>
<b>From:</b>	<b>001-1970</b>	<b>Assistant District Attorney</b>	<b>\$67,037</b>
<b>To:</b>	<b>001-217</b>	<b>Assistant District Attorney</b>	<b>\$69,020</b>
<b>From:</b>	<b>001-1882</b>	<b>Assistant District Attorney</b>	<b>\$61,580</b>
<b>To:</b>	<b>001-1970</b>	<b>Assistant District Attorney</b>	<b>\$67,037</b>
<b>Fill:</b>	<b>001-1882</b>	<b>Vacant Assistant District Attorney</b>	<b>\$61,580</b>

Mr. Isidro Alaniz, District Attorney, stated that there was correction under the 2<sup>nd</sup> item within addendum item 3 which should read 001-235 Criminal Investigator with an amount of \$43,548.

Comr. Sciaraffa motioned to approve addendum items 3 and 4 with its correction effective January 29, 2010. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Commissioners Court**

**Item No. 15. Discussion and possible action to authorize the use of Seven (7) county golf carts from the Casa Blanca Golf Course to be used by the City of Laredo International Airport for security patrols at the WBCA Air Show which will be held on Sunday, February 14, 2010 at the Laredo international Airport; and any other matters incident thereto. [Requested by Jose Luis Flores, City of Laredo Airport Manager]**

**Item No. 16. Discussion and possible action to authorize the placement of fencing and bleachers along the sidewalk areas in front of the County Courthouse, County Justice Center and the County Jail for the IBC Youth Parade and the Anheuser-Busch Washington's Birthday Parade. The areas will be used from Saturday, February 13, 2010 through Sunday, February 21, 2010. [Requested by Natalie Hernandez, WBCA Chairperson]**

Comr. Martinez motioned to approve items 15 and 16 subject to insurance being provided. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**(MEDIA BREAK 11:51 a.m. - 12:15 p.m. )**

Judge Valdez asked to bring back item 14 for clarification.

**Item No. 14. Discussion and possible action to instruct the County Attorney's office to render an opinion regarding the authority of the Commissioners Court to employ outside counsel to represent county officers and employees who are sued for conduct arising in the course and scope of their duties as provided by §157.901 of the Texas Local Government Code; including the discretion granted to the Commissioners Court in selecting and approving counsel; and for the Court to establish policy on these issues; and any other matters incident thereto. [Co-Sponsored by Webb County Judge Danny Valdez]**

Judge Valdez and Cmr. Sciaraffa withdrew their motions.

Cmr. Garza stated that no action was required under this item and that the County Attorney would bring back a recommendation at the next meeting.

Judge Valdez motioned to bring up Addendum Item 5 and items 62 and 63 in executive session. Cmr. Garza seconded the motion.

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

Mrs. Anna Laura Cavazos Ramirez, County Attorney, stated that Mr. Steve Whitworth, Counsel hired by the County, would also be present in executive session.

Motion carried 5-0 by unanimous consent.

**(Closed Session / Executive Session 12:18 p.m. – 1:12 p.m.)**

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

**Addendum Item No. 5. Discussion and possible action to authorize payment for legal services rendered by Allison, Bass & Associates, L.L.P., Attorneys at Law in Civil Action No. 2007CVQ001680D4; Killam Ranch Properties, Ltd. v. Webb County, Texas, in the 406th Judicial District Court of The State of Texas. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D. Section 551.071 (Consultation with Attorney)] [Requested by Sergio Martinez, Commissioner Pct. 4.]**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

Mrs. Anna Laura Cavazos Ramirez, County Attorney, advised that they received a lengthy invoice from Allison, Bass, & Associates and stated that they are requesting that this invoice be reviewed by the same committee who reviewed the other bills in the prior litigation.

Cmr. Martinez motioned to submit the bill to same committee to review and bring back a recommendation. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 62. Status report by the County Attorney's office regarding negotiations for a potential lease agreement between Webb County and Laredo Race Park, LLC.; with discussion and possible action; and any other matters incident thereto. [Executive Session requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation With Attorney and 551.072 (Deliberation regarding Real Property))] [Requested by Anna L. Cavazos Ramirez, Webb County Attorney]**

Mrs. Anna Laura Cavazos Ramirez, County Attorney, stated that Mr. Steve Whitworth has informed the Court on the work that has been done.

No action needed on this item.

- Item No. 63. Discussion and possible action to authorize the County Attorney to retain an MAI professional appraiser to prepare an appraisal of the Webb County Golf Course real property and for Commissioners Court to grant an exception to bidding requirements pursuant to Tex. Local Govt. Code §262.024(a)(4) (personal or professional service) and to retain a Licensed Professional Land Surveyor to prepare a metes and bounds survey of the Webb County Golf Course real property, and for Commissioners Court to grant an exception to the bidding requirements pursuant to Tex. Local Govt. Code §262.024(a)(4) (personal or professional service) [Executive Session requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation With Attorney and 551.072 (Deliberation regarding Real Property))] [Requested by Anna L. Cavazos Ramirez, Webb County Attorney]**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

Comr. Martinez motioned to retain the services of Richard Duggart as an MAI Appraiser and retain the services of Carlos Mejia to conduct the survey. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

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

- Item No. 17. Discussion and possible action to enter into a Memorandum of Understanding with the United Independent School District concerning the coordination and collaboration of preschool educational services to children enrolled in the Head Start Program and authorizing the County Judge to sign all relevant documents. [Requested by Aliza Oliveros, Webb County Head Start Director]**

- Item No. 18. Discussion and possible action to enter into a Thirty-Nine (39) month (January 25, 2010 through April 24, 2013) FMV Lease Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-755 copier located in the Webb County Sheriff Department at a cost of ONE THOUSAND THREE HUNDRED NINETY-THREE AND FIFTY-TWO CENTS (\$1,393.52) PER QUARTER for a total cost of THIRTEEN THOUSAND FIVE HUNDRED EIGHTY-SIX AND TWO CENTS (\$13,586.02) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff]**

- Item No. 19. Discussion and possible action to enter into a Thirty-Six (36) month (January 25, 2010 through January 24, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-720 copier located in the Webb County District Attorney Office at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Isidro Alaniz, District Attorney]
- Item No. 20. Discussion and possible action to enter into a Thirty-Nine (39) month (January 25, 2010 through April 24, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-355 copier located in the Head Start Department at a cost of THREE HUNDRED (\$300.00) PER QUARTER for a total cost of TWO THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS (\$2,925.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Aliza F. Oliveros, Webb County Head Start Director]
- Item No. 21. Discussion and possible action to enter into a Thirty-Nine (39) month (January 25, 2010 through April 24, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-755 copier located in the Webb County Sheriff's Department at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of TWO THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS (\$2,925.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff]
- Item No. 22. Discussion and possible action to enter into a Thirty-Nine (39) month (January 25, 2010 through April 24, 2013) FMV Lease Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-355 copier located in the Webb County Sheriff's Department at a cost of FOUR HUNDRED SEVENTY-FIVE DOLLARS AND EIGHTYEIGHT CENTS (\$475.88) PER QUARTER for a total cost of FOUR THOUSAND SIX HUNDRED THIRTY-NINE DOLLARS AND EIGHTY-THREE CENTS (\$4,639.83) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Aliza F. Oliveros, Webb County Head Start Director]
- Item No. 23. Discussion and possible action to enter into a Thirty-Nine (39) month (January 25, 2010 through April 24, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3530 copier located in the Webb County Sheriff's Department at a cost of THREE HUNDRED DOLLARS (\$300.00) PER QUARTER for a total cost of TWO THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS (\$2,925.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff ]
- Item No. 24. Discussion and possible action to enter into a Thirty-Nine (39) month (January 25, 2010 through April 24, 2013) FMV Lease Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3530C copier located in the Webb County Sheriff's Department at a cost of ONE THOUSAND THREE HUNDRED SEVENTY-NINE DOLLARS AND NINETY-TWO CENTS (\$1,379.92) PER QUARTER for

a total cost of THIRTEEN THOUSAND FOUR HUNDRED FIFTY-FOUR DOLLARS AND TWENTYTWO CENTS (\$13,454.22) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff]

**Item No. 25.** Discussion and possible action to enter into a Thirty-Six (36) month (January 25, 2010 through January 24, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-850 copier located in the Webb County Auditor's Office at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700.00) over the term of the agreement and with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Requested by Leo Flores, Webb County Auditor]

Com. Sciaraffa motioned to approve items 17, 18, 19, 20, 21, 22, 23, 24, and 25 as submitted. Com. Garza seconded the motion.

Mrs. Teresa Hunter, County Attorney's Office, asked that items 18, 20, 22, 23, and 24 to be tabled.

After discussion, Com. Sciaraffa motioned to amend his motion and approve items 17, 19, 21, 25 and tabled items 18, 20, 22, 23, and 24. Com. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Honorable Margie Ibarra, County Clerk**

**Item No. 26.** Discussion and possible action to approve the following line item transfer:

<b>From:</b>	<b>009-1120-6022</b>	<b>Professional Services</b>	<b>3,000</b>
<b>To:</b>	<b>009-1120-6022-VS</b>	<b>Vital Statistics</b>	<b>3,000</b>

**Item No. 27.** Discussion and possible action to authorize payment to Brown' River Bindery, Inc. in the amount of \$5,194.00 for the preservation of the following books: Probate Records Book A; County Court Docket I; Index of Probate Records; Probate Minutes Vol. D.; Marks & Brands 1848-1888. [Requested by Margie Ramirez Ibarra, Webb County Clerk]

**Item No. 28.** Discussion and possible action to fill the following vacant slot within the Webb County Clerk's Office, effective January 25, 2010.

<b>Slot</b>	<b>Title</b>	<b>Hourly Rate</b>
<b>0312</b>	<b>Deputy Clerk</b>	<b>\$13.70</b>

**Item No. 29.** Discussion and possible action to amend the minutes of the December 17th, 2009 Commissioner's Court Special Meeting item #17 and #18 to reflect the following action taken and thereafter to approve the amended minutes of December 17th, 2009 Commissioner's Court Special Meeting :

**Item No. 17.** Discussion and possible action to impose a county-wide Burn Ban for outdoor burning of any combustible material outside of an enclosure serving to contain all flames and/or sparks or orders such burning to others, and

authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

**Com. Martinez** motioned to approve the item as submitted. **Com. Sciaraffa** seconded the motion. Motion carried 4-0 with Judge Valdez not present.

**Item No. 18.** Discussion and possible action to enter an Order prohibiting the sale and use of certain fireworks within the unincorporated areas of Webb County during the year-end holidays fireworks season and establishing a criminal penalty for violation of the Order, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the December 17th Commissioner's Court Special Meeting dvd. No action taken on item 18.

**[Requested by Margie Ramirez Ibarra, Webb County Clerk]**

Com. Garza motioned to approve items 26, 27, 28, and 29 as submitted. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Honorable Martin Cuellar, Sheriff**

**Item No. 30.** 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 to support overall operations. This slot is part of the current general order of positions for FY 2009-2010.

Dept#	Dept Description	Slot No.	Title	Proposed Title Change	Hr. Rate
2600	Justice Center Security	895	Officer V	no change proposed	\$18.58

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

Motion carried 5-0 by unanimous consent.

**Item No. 31.** Discussion and possible action to approve a professional service contract between Webb County and Adolph Thomas, Independent Contractor, DBA Fourth Amendment and More Seminars, for training in various law enforcement areas. The effective date of this contract shall be February 1, 2010 through January 31, 2011. The annual contract amount shall equal \$84,000.00 to be paid on a monthly basis or as services are rendered. **[Funding is available in the Federal Forfeiture fund]**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

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

Motion carried 3-2 with Com. Tijerina and Com. Martinez voting against.

**Item No. 32.** Discussion and possible action to approve a professional service contract between Webb County and Strother & Company, Consultant, for consulting services for law

**enforcement related policies and procedures. The effective date of this contract shall be February 1, 2010 through January 31, 2011. The annual contract amount shall not exceed \$50,400.00 to be paid on a monthly basis at a rate of \$4,200.00. [Funding is available in the Federal Forfeiture fund.]**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

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

Motion carried 3-2 with Cmr. Tijerina and Cmr. Martinez voting against.

**Item No. 33. Discussion and possible action to approve the donation of Two (2) Sheriff's Office patrol units to El Cenizo Police Department.**

**2005 Ford Super-crew 4X4  
VIN No. 1FTPW14525KD79412**

**2005 Ford Crown Victoria  
VIN No. 2FAFP71W65X129716**

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

Mr. Joe Lopez, Sheriff's Office, stated that this item needed to be tabled at this time.

Cmr. Garza motioned to rescind the previous motion. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

**Item No. 34. Discussion and possible action to approve the addition of Two (2) seized vehicles to the Sheriff's Office fleet inventory and provide the necessary insurance coverage:**

**Seized Vehicle Descriptions:**

**2005 Ford Expedition  
VIN No. 1FMFU175X5LA38276**

**2007 Lincoln Navigator  
VIN No. 5LMFU27527LJ23778**

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

Motion carried 5-0 by unanimous consent.

**Item No. 35. Discussion and possible action to authorize the County Auditor to approve the expenditure of funds from the Laredo High Intensity Drug Trafficking Area (HIDTA) initiative for Calendar Year 2010, for the months of January 1, 2010 through February 28, 2010; pending the receipt of grant continuation award by the funding agency, City of Laredo.**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

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

Motion carried 5-0 by unanimous consent.

**Item No. 36. Discussion and possible action to approve the following line item transfers:**

<b>From:</b>	<b>001-2600-5005</b>	<b>Part Time</b>	<b>\$30,000</b>
<b>To:</b>	<b>001-2060-5005</b>	<b>Part Time</b>	<b>\$30,000</b>

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

Motion carried 5-0 by unanimous consent.

**Item No. 37. Discussion and possible action to approve the donation of one vehicle from the Webb County's Sheriff's Office to the City of Laredo's Fire Department contingent upon acceptance by the City of Laredo's governing body. Subject vehicle was acquired through a Homeland Security Grant and is restricted for Chemical, Biological, Radiological, and Nuclear (CBRN) vehicle response purposes only.**

**Vehicle Description:**  
**Year: 2005**  
**Make: Ford**  
**Model: Expedition XLT**

Discussion on file at the Webb County Clerks Office under the January 25, 2010 Commissioner's Court meeting dvd.

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

Motion carried 5-0 by unanimous consent.

**Item No. 38. Discussion and possible action to authorize the designation of a portion of Block 1, Lot 2 located on U.S Highway 59 and Wilson Road as a vehicular parking lot for the Sheriff's Office Sub-Station. The proposed parking area consists of approximately 11,000 square feet (0.2525 acres) of Block 1, Lot 2 which totals approximately 37,800 square feet (0.8677 acres) this property is known as the Webb County Records Retention Facility.**

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

Motion carried 5-0 by unanimous consent.

**Item No. 39. Discussion and possible action to pay an hourly rate of \$19.51 to Slot No. 546- Officer III assigned to Carlos Martinez from the effective date of his re-hiring December 29, 2009, as ordered by the Civil Service Commission.**

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

Motion carried 5-0 by unanimous consent.

**Item No. 40. Discussion and possible action to authorize the Five (5%) percent hourly rate adjustment to Slot 510 - Officer IV assigned to Jose F. Aguilar from \$18.71 to \$19.64 from the effective date of Peace Officer Certification until the remainder of the fiscal year ending 2010. This increase is in accordance with Article XI (Salaries and Incentives), Section B- Peace Officer Certification Incentive of the Collective**

**Bargaining Agreement between Webb County and the Webb County Deputy Sheriff's Association (See attached copy of Section B).**

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

Motion carried 5-0 by unanimous consent.

**Auditor**

**Item No. 41. Discussion and possible action to approve a reimbursement of \$60,111.55 to the Road & Bridge Fund for the cost of clean-up for the Casa Blanca Golf Course. The cost is itemized as follows and reimbursement can be made from Fund 665-Golf Course Improvements - Series 2003:**

**Time Period – 03-27-09 thru 05-22-09  
Man Hours – 447**

<b>Description:</b>	<b>Total:</b>
<b>Wages</b>	<b>\$ 5,628.70</b>
<b>Equipment Cost</b>	<b>\$ 3,271.00</b>
<b>Fuel Cost</b>	<b>\$13,485.00</b>
<b>Landfill Costs</b>	<b>\$37,726.85</b>
<b>Total</b>	<b>\$60,111.55</b>

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

Motion carried 5-0 by unanimous consent.

**Building Maintenance**

**Item No. 42. Discussion and possible action to approve the following line item transfer:**

<b>From:</b>	<b>001-0106-6401</b>	<b>Repairs and Maintenance of Buildings</b>	<b>40,000</b>
<b>To:</b>	<b>001-0106-6205</b>	<b>Materials &amp; Supplies</b>	<b>40,000</b>

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

Motion carried 5-0 by unanimous consent.

**Community Action Agency**

**Item No. 43. Discussion and possible action to accept a check in the amount of \$10,430.67 from TXU Energy. The Webb County Community Action Agency will utilize these funds to assist qualified TXU energy clients. [Requested by Javier H. Martinez, Community Action Agency Interim Director; Account #902-4200-7004]**

**Item No. 44. Discussion and possible action to recognize and seat one elected Category "B" member: Mr. Frank Brulloths Jr., Representative from Area III-El Cuatro. [Requested by Javier H. Martinez, Community Action Agency Interim Director]**

**Economic Development**

**Item No. 45.** Discussion and possible action to authorize the submission of a Community Outdoor Outreach Program (COOP) Grant Application in the amount of \$25,000 with the Texas Parks and Wildlife Department and to designate the County Judge as the authorized representative of the County to act on behalf of the Webb County Commissioners Court in all matters pertaining to the submission and execution of the grant. This action will have no impact on the County's General Fund.

Cmr. Tijerina motioned to approve items 43, 44, and 45 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Engineer**

**Item No. 46.** Discussion and possible action to approve a Resolution and Order for Acceptance of a Memorandum of Understanding and Amendment regarding the Adoption of the Texas Department of Transportation's Federally – Approved Disadvantage Business Enterprise Program and authorizing the County Judge to sign all relevant documents

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

Motion carried 5-0 by unanimous consent.

**Head Start**

**Item No. 48.** Discussion and possible action to approve the “Annual Report to the Public” for the 2008 – 2009 program year, and to make it available to the public via the Head Start web page at <http://www.webbcountytx.gov/HeadStart/>. [Requested by Aliza F. Oliveros, Webb County Head Start Director]

**Item No. 49.** Discussion and possible action to approve an Addendum to the Webb County Policies and Procedures Manual to Include Personnel Policies for the Head Start Program staff; and any other matters incident thereto.

**Item No. 50.** Discussion and possible action to approve the Head Start Program's request for a waiver from the Department of Health and Human Services of the 10% enrollment of children with disabilities requirement (Section 640(d) of the Head Start Act) for the 2008 – 2009 and 2009 – 2010 program years. [Requested by Aliza F. Oliveros, Webb County Head Start Director]

**Item No. 51.** Discussion and possible action to fill the following slots for the 2009 – 2010 Program Year:

Slot #	Title	Annual Salary	Pay Period
1653	AA Teacher	\$22,371.09	21
2038, 1028, 1029	AA Teacher Assistant	\$17,186.19	21
1361	CDA Teacher Assistant	\$15,435.00	21
1800	Part Time Substitute	\$10,027.46	21
2553	EHS Coordinator (Prorated)	\$24,807.69	15

**[Requested by Aliza F. Oliveros, Webb County Head Start Director; Account #903/908-4208-5001]**

Cmr. Martinez motioned to approve items 48, 49, 50, and 51 as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Mike Bukiewicz, County Attorney, asked that item 49 be tabled and a representative from Headstart asked that item 50 also be tabled.

After discussion, Cmr. Martinez motioned to table item 49. Cmr. Sciaraffa seconded the motion.

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

Cmr. Martinez motioned to approve items 48 and 51 and table item 50. Cmr. Sciaraffa seconded the motion.

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

**La Presa Community Center**

**Item No. 52. Discussion and possible action to approve the following line item transfer for the La Presa Community Center:**

<b>From:</b>	<b>001-6115-5601</b>	<b>Administrative Travel</b>	<b>1,000</b>
<b>To:</b>	<b>001-6115-6204</b>	<b>Fuel &amp; Lube</b>	<b>1,000</b>

**Planning**

**Item No. 53. Discussion and possible action to “conditionally” authorize water and sewer connections under recently enacted legislation through S.B. 2253 (by Senator Zaffirini) pursuant to the provisions of state law as stated below and contingent upon the following:**

- applicant’s connection to adequate sewer services prescribed by Section 232.028 (b)(3), TLGC;**
- the execution of all required forms and service contracts;**
- the payment of all associated connection fees;**
- the removal of any non-compliant structure(s); and**
- compliance with any requirement of state or federal law or imposed by the Model Subdivision Rules.**

**Action to include authorization for the County Judge and County Attorney to execute written certifications upon the Planning Department’s certification of the applicant’s compliance with the prescribed conditions set-forth by the Court; and, any matter incident thereto to the following described properties.**

**Connections qualifying under 232.029(n) and (o), TLGC (EDAP eligible dwellings)**

**Antonio Santos Subdivision (Recorded in Vol. 5, Pg. 41, W.C.P.R.)**

- 1) 212 Silver Mine Rd., located on Lot 8**
- 2) 213 Silver Mine Rd., located on Lot 13**

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

- 3) 249 Amanecer Rd., located on Block 2, Lot 13**

- 4) 222 Los Altos Dr., Unit A located on Block 2, Lot 29
- 5) 222 Los Altos Dr., Unit B located on Block 2, Lot 29

**Old Milwaukee (Unplatted /Unrecorded.)**

- 6) 244 Old Milwaukee Rd. Unit A, located on an unplatted 1.0 acre tract of land out of Porcion 32 as further described in Vol. 1832, Pgs. 573-575 of the W.C.D.R.
- 7) 244 Old Milwaukee Rd. Unit B, located on an unplatted 1.0 acre tract of land out of Porcion 32 as further described in Vol. 1832, Pgs. 573-575 of the W.C.D.R.
- 8) 250 Old Milwaukee Rd., located on an unplatted 7000 sq. ft. tract out of Porcion 32 as further described in Vol. 347, Pgs. 859-861 of the W.C.D.R.
- 9) 252 Old Milwaukee Rd., located on an unplatted 0.20 acre tract of land out of Porcion 32 as further described in Vol. 56, Pgs. 645-648 W.C.D.R. Ranchitos 359 East Subdivision (Recorded in Vol. 4, Pg. 67, W.C.P.R.)
- 10) 345 Pinzon Rd. Unit A, located on Lot 41
- 11) 345 Pinzon Rd. Unit B, located on Lot 41

**Ranchos Peñitas West Subdivision (Recorded in Vol. 4, Pg. 32, W.C.P.R.)**

- 12) 230 Papalote Rd., located on Unit V, Tracts 73 & 74 (1 residential and 1 nonresidential meter)

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

- 13) 7379 Adelita Rd., located on Block 4, Lot 20-A
- 14) 246 Emiliano Rd., located on Block 4, Lot 20-B
- 15) 242 Emiliano Rd., located on Block 4, Lot 20-C

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

- 16) 123 Serrano Rd., located on an unplatted tract known as C-2
- 17) 131 Serrano Rd. Unit A, located on an unplatted tract known as C-4
- 18) 131 Serrano Rd. Unit B, located on an unplatted tract known as C-4

**Staff recommends approval of the above-referenced properties as submitted containing (18) dwellings on (15) lots.**

**[Requested by Rhonda M. Tiffin, Planning Director/Floodplain Administrator]**

Com. Sciaraffa motioned to approve items 52 and 53 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Public Defender**

**Item No. 54. Discussion and possible action to approve to fill the following slot effective March 5, 2010.**

<b>Slot #</b>	<b>Title</b>	<b>Annual Salary</b>
2200	Assistant Public Defender	\$61,659

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

Motion carried 5-0 by unanimous consent.

**Public Information Officer**

**Item No. 55.** Discussion and possible action to approve a cellular phone upgrade for the county phone used by the Public Information Officer; and approve an exception to the county cell phone policy. [Requested by, Larry Sanchez, Public Information Office; Account #001-0109-6004-2 (Cell Phones)]

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

Motion carried 5-0 by unanimous consent.

**Purchasing**

**Item No. 56.** Discussion and possible to authorize the onthly fire and security systems alarm for the Villa Antigua Facility in the amount of \$64.90 per month from the Pyramid Fire Protection Co. [Requested by Eloy Ramirez Jr., Webb County Purchasing Agent; Account #001-0109-6201-VA]

**Item No. 57.** Discussion and possible to authorize the purchase of security equipment to complete the CCTV-Security Surveillance System at the Judge Solomon Casseb, Jr. Webb County Youth Village, in the amount of \$ 10,494.95. [Requested by Melissa Mojica, Chief Deputy Probation Officer; Account #684-1301-8410]

**Item No. 58.** Discussion and possible action to approve the purchase of the following vehicles from Phillpot Motors in the amount of \$73,214.00 for the Community Action Agency, and authorizing the exception to competitive bids pursuant to Subchapter F Cooperative Purchasing Program Section §271.101, 271.102., Texas Local Government Code.

Description	Vendor	Amount
(1) F-150 Pick-up	Phillpot Motors Buy Board # 281-07	\$22,785.00
(1) Ford Ranger Pick-up	Phillpot Motors Buy Board # 281-07	\$16,271.00
(2) Ford Cargo Van	Phillpot Motors Buy Board # 281-07	\$34,158.00
	<b>TOTAL</b>	<b>\$73,214.00</b>

[Requested by Javier Martinez, Webb County Community Action Agency Director, Account # 912-4212-8801]

**Road and Bridge**

**Item No. 59.** Discussion and possible action to authorize Dept. 7002 Road & Bridge to transfer the following employee and fill the following position:

Transfer:

From:	Slot #	Title	Hourly Rate
	684	Grounds Keeper	\$11.10
To:	Slot #	Title	Hourly Rate
	672	Supplies Clerk/Grounds Keeper	\$11.92

**Vacant Position:**

<b>Slot #</b>	<b>Title</b>	<b>Hourly Rate</b>
684	Grounds Keeper	\$11.10

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

**Item No. 60.** Discussion and possible action to authorize Dept. 2503 Constable Pct. 2, to transfer Unit #15-13 (1997 Ford Pick Up Truck VIN 3FTEF25N6VMA46280) to Road & Bridge Dept. [Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent]

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

Motion carried 5-0 by unanimous consent.

**Self Help Center**

**Item No. 61.** Discussion and possible action to accept the recommendation from the Webb County Housing Rehabilitation Scoring Committee to approve the following Eight (8) applicants to receive housing assistance under the Self Help Center and/or HOME programs and authorize the Purchasing Agent to solicit bids for the approved applicants:

- |                      |                 |               |
|----------------------|-----------------|---------------|
| 1. Jesus Sanchez     | 267 Nacogdoches | San Carlos II |
| 2. Julia Benitez     | 215 Welch Rd.   | San Carlos    |
| 3. Laura Saenz       | 225 Amancer Rd. | Los Altos     |
| 4. Rogelio Molina    | 235 Welch Rd.   | San Carlos    |
| 5. Jose Adame        | 210 Los Altos   | Los Altos     |
| 6. Mario Torres      | Rt. 3 Box 430   | Los Altos     |
| 7. Francisco Delgado | 224 Barrera Rd. | San Carlos II |
| 8. Mario Tejada      | 7016 Enlace Rd. | Tanquecitos I |

[Housing rehabilitation costs to be covered by grants, TCDP Contract #728023 and/or HOME Contract #1001027]

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

Mrs. Alice Garcia Herrera, Self Help Center Interim Director, asked the Court to defer applicants under #3, 4, and 6.

Judge Valdez amended his motion to approve item and defer applicants under #3, 4, and 6. Cmr. Sciaraffa seconded the motion.

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

**Item No. 64. Adjourn**

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

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