

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 8, 2010 at 9:00 AM
(approved February 22, 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 5th of February 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 15, 2010 and January 25, 2010

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

Motion carried 5-0 by unanimous consent.

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

Mr. Rafael Perez, Auditor's Office, explained the monthly report ending January 2010.

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

Motion carried 5-0 by unanimous consent.

Item No. 5. Communications

Judge Valdez sent his condolences to the families of Mr. Gus Hein, Adan Hernandez, and Mary Ethel Novoa. He congratulated Cmr. Sciaraffa and Sheriff Martin Cuellar on groundbreaking of the 2nd tower in Las Presas as well as to all the inductees to the Sports Hall of Fame.

Cmr. Sciaraffa welcomed everyone and thanked Sheriff Martin Cuellar, all the law enforcement entities, and the Court for their support with the Communications Tower. He also recognized Sheriff Martin Cuellar and the Webb County Crimestoppers for a successful Menudo Bowl.

Cmr. Tijerina congratulated Crimestoppers on the Menudo Bowl as well as Cmr. Sciaraffa and Sheriff Martin Cuellar for working together with the Communication Tower. She also congratulated all inductees to the Sports Hall of Fame. Cmr. Tijerina explained that on Monday, February 1st, the Director and the District Director from the Census visited Laredo and reminded everyone on the importance of getting counted. She welcomed Ms. Sylvia Martinez and Alice Garcia which gave an update on the Census 2010. Cmr. Tijerina advised that on February 11th there was going to be a rededication of the Quad City Community Center honoring the late Justice of the Peace Ernesto Salinas. She sent her condolences to the families of Conchita Rodriguez, Major Adan Hernandez, Mary Ethel Nova and to the Goodman family, Guevara family, Castillo family, as well as the Barrientos family.

Cmr. Garza had no items under communications.

Cmr. Martinez sent his condolences to the Novoa and Barrientos family. He congratulated everyone for initiating the project on the Communication Tower as well to all the Menudo Bowl Organizers.

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

1st witness card – Andres Reyes

Mr. Reyes spoke on item 18 wherein he stated that this should not be heard in executive session. He stated that there was no need to hire outside counsel being that the County Attorney could assist with this.

2nd witness card – Xochitl Mora Garcia, City of Laredo Public Information Officer

Mrs. Garcia gave a status on the Laredo Reads campaign.

3rd witness card – Judith Gutierrez

Ms. Gutierrez spoke on items 10 and 11. She stated that in the past the residents were asked to give the right of way to the County and asked what would be the parameters to pay or not pay for the right of ways.

4th witness card – David Cardwell, Chair of the Webb County Jail Feasibility Committee

Mr. Cardwell spoke on item 8. He introduced the Jail Feasibility Committee and advised that the committee was organized to provide recommendations. Mr. Cardwell advised the Court that they are in support of item 8. He also advised that there was a lot of work that needed to get done before a report could be prepared and submitted to the Sheriff and the Commissioner's Court.

5th witness card – Marissa Martinez

Ms. Martinez spoke on items 10, 18, and 19. She stated that item 10 is misleading and advised that the general fund could not afford to pay for right of ways. Ms. Martinez explained that on item 19 there was no need to hire anyone being that Staff was available for these issues. She stated that on item 18 she had provided the Court with a copy of the statute regarding the use of Road and Bridge Funds and that if something was not done to resolve this matter she would pursue with legal action.

6th witness card – Alejandro Obregon

Mr. Obregon stated that he was present to respond to Cmr. Tijerina. He displayed photos of the roads in the Colonia where he resides.

7th witness card – Anthony Peterson

Mr. Peterson spoke on items 41, 43, and 44 wherein he stated that he was in support of all of them. He congratulated Mr. Isidro Alaniz, Mr. Pepe Salinas, and Sheriff Martin Cuellar for pushing a proactive agenda. He also stated that he was in support of item 8.

8th witness card – Maria E. Mayers, Pueblo Nuevo Subdivision representative

Mrs. Mayers asked for some response from the County as the roads in this subdivision are in real bad shape.

Honorable Danny Valdez, Webb County Judge

- Item No. 7.** Discussion and possible action to approve a Resolution supporting the efforts of the Laredo Reads Committee to approach bookstore corporations to open a bookstore in Laredo by encouraging the community to demonstrate their love for reading.

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

Motion carried 5-0 by unanimous consent.

- Item No. 8.** Discussion and possible action to approve county representatives to the Webb County Sheriff's Jail Feasibility Committee; and any other matters incident thereto. [Requested by Hon. Martin Cuellar, Webb County Sheriff] [Co-Sponsored by Hon. Frank Sciaraffa, Commissioner Pct. 1]

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

After discussion, Judge Valdez appointed Cmr. Garza, Cmr. Sciaraffa, Mr. Leroy Medford, and Mr. Leo Flores to be part of the committee.

Motion carried 5-0 by unanimous consent.

Cmr. Martinez stated that if any jail was to be built, he would welcome the voters to a referendum for their wishes.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

- Item No. 9.** Discussion and possible action to install a portable building on the northwest end of the Rio Bravo Community Center Park for use as a Webb County Sheriff's Department Substation; and any other matters incident thereto. No money amount requested. [Co-Sponsored by Hon. Martin Cuellar, Webb County Sheriff]

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

Motion carried 5-0 by unanimous consent.

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

- Item No. 10.** Presentation and status of right-of-way acquisition for Fourteen various Webb County subdivision or colonia projects located along State Hwy 359 that in cooperation with the City of Laredo was needed to build water, sanitary sewer and paving improvements, with discussion and possible action to allow the County Attorney and the Engineering Department to begin to acquire the remaining 37 pending parcels out of 1086 through eminent domain for the completion of said projects and to allocate funding to complete said work.

- Item No. 11.** Discussion and possible action to authorize the Engineering Department to resume right-of-way acquisition in the following subdivisions including; Los Centenarios, Los Arcos, Los Fresnos, Los Nopalitos, and Los Mesquites that are located approximately 23 miles NE of Laredo and are contained in a group of subdivisions also known as the "US 59 Colonias" upon approval of a comprehensive

transportation plan for that area that would provide passable and safe travel for law enforcement, emergency medical and fire response vehicles; and any other matters incident thereto.

Discussion on file at the Webb County Clerks Office under the February 8, 2010 Commissioner's Court meeting dvd.

No action taken on items 10 and 11.

Item No. 12. Discussion and possible action to have the Webb County Commissioner's Court support the "Loop 20 Stimulus Initiative." And to request an exemption from competitive bidding requirements under the Texas Local Government Code Section 262.024 (a) (4) (professional service contract) for engineering services and consider action to contract with Dannenbaum Engineering- Laredo to prepare all necessary documents and applications consisting of the completion of the schematic for the "Loop 20 Stimulus Initiative" from west of Interstate 35 to east of International Blvd. and to also begin development of a Transportation Reinvestment Zone (TRZ) along the Loop 20/Cuatro Vientos corridor. This will include the development of a State Infrastructure Bank (SIB) application. This contract will be contingent upon approved funding from the State Infrastructure Bank, and any matters incident thereto. [Co-Sponsored by Hon. Frank Sciaraffa, Commissioner Pct. 1]

Item No. 13. Discussion and possible action to approve the Request for Proposal for the "Loop 20 Stimulus Initiative" for environmental document preparation, public involvement, and complete plans, specifications, and estimates (PS&E) for the "Loop 20 Stimulus Initiative" which includes construction of main lanes and overpasses along Loop 20 from west of Interstate 35 to east of International Boulevard, and to further authorize the Purchasing Agent to solicit the RFP's for engineering services, and any other matters incident thereto. [Co-Sponsored by Hon. Frank Sciaraffa, Commissioner Pct. 1]

Item No. 14. Discussion and possible action to have the Webb County Commissioner's Court support/adopt a resolution to the Webb County/City of Laredo Metropolitan Planning Organization (MPO) to request transfer of Cross Border Infrastructure (CBI) to Webb County for the "Loop 20 Stimulus Initiative"; and any other matters incident hereto. [Co-Sponsored by Hon. Frank Sciaraffa, Commissioner Pct. 1]

Cmr. Garza stated that they were waiting on some representatives from TXDOT.

Cmr. Tijerina motioned to defer items 12, 13, and 14. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No. 15. Discussion and possible action to consider an Interlocal Agreement with the City of Laredo for the provision of 3-1-1- service to Webb County and City of Laredo residents including the use of space in the Tex-Mex building; and authorizing the County Judge to sign all relevant documents.

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

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

- Item No. 16.** 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)]

Discussion on file at the Webb County Clerks Office under the February 8, 2010 Commissioner's Court meeting dvd.

Comr. Garza motioned to bring Linebarger, Goggan, Blair & Sampson on board for collection fines/fees and that the day that they begin to collect would be the day when the software is in place. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17.** Status report from Mr. Jamie Alvarado, MIS Director on the possibilities of making the Blackberry Phones compatible with Webb County's Outlook Email System and any other matters incident hereto.

Discussion on file at the Webb County Clerks Office under the February 8, 2010 Commissioner's Court meeting dvd.

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

- Item No. 18.** Discussion and possible action to retain the services of Mr. Jim Allison, attorney with Allison, Bass & Associates, L.L.P. for the purpose of providing a legal opinion to the Commissioner's Court regarding the legal and proper use of Road and Bridge funds as funded by Webb County; and any other matters incident thereto.
[Co-Sponsored by Hon. Jerry Garza, Commissioner Pct. 3] [Executive Session may be 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 February 8, 2010 Commissioner's Court meeting dvd.

Comr. Martinez motioned to instruct the County Auditor Leo Flores to request an Attorney General's opinion. Comr. Sciaraffa seconded the motion.

Mrs. Anna Laura Cavazos Ramirez, County Attorney, submitted a copy of their opinion regarding this matter to the Court and asked that her office be included along with the County Auditor so that they both request the opinion to the Attorney General.

Motion carried 5-0 by unanimous consent.

- Item No. 19.** Discussion and possible action to engage the legal professional services of Rolando L. Rios and Associates, PLLC for the purpose of providing redistricting services for submitting and obtaining approval by the United States Department of Justices as required by Section 5 of the Federal Voting Rights Act, 42 USC 1973c.

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

Motion carried 5-0 by unanimous consent.

Commissioners Court

Item No. 20. Discussion and possible action to authorize the use of Five (5) county golf carts from the Casa Blanca Golf Course to be used by the Laredo International Fair and Exposition (L.I.F.E.) to conduct operational business at the 2010 LIFE Fair which will be held on February 24th to February 28th, 2010 at the LIFE grounds; and any other matters incident thereto.

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

Motion carried 5-0 by unanimous consent.

Item No. 21. Discussion and possible action to authorize the Road and Bridge Department to install asphalt millings in the LIFE grounds parking area surrounding the show barn, in an amount not to exceed \$1,500.00; and any other matters incident thereto. [Acct. #007-0101-7426, Promotions]

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

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to recess for lunch and be back at 1:30 p.m. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

(RECESS 12:00 p.m. – 1:36 p.m.)

Item No. 12. Discussion and possible action to have the Webb County Commissioner's Court support the "Loop 20 Stimulus Initiative." And to request an exemption from competitive bidding requirements under the Texas Local Government Code Section 262.024 (a) (4) (professional service contract) for engineering services and consider action to contract with Dannenbaum Engineering- Laredo to prepare all necessary documents and applications consisting of the completion of the schematic for the "Loop 20 Stimulus Initiative" from west of Interstate 35 to east of International Blvd. and to also begin development of a Transportation Reinvestment Zone (TRZ) along the Loop 20/Cuatro Vientos corridor. This will include the development of a State Infrastructure Bank (SIB) application. This contract will be contingent upon approved funding from the State Infrastructure Bank, and any matters incident thereto. [Co-Sponsored by Hon. Frank Sciaraffa, Commissioner Pct. 1]

Item No. 13. Discussion and possible action to approve the Request for Proposal for the "Loop 20 Stimulus Initiative" for environmental document preparation, public involvement, and complete plans, specifications, and estimates (PS&E) for the "Loop 20 Stimulus Initiative" which includes construction of main lanes and overpasses along Loop 20 from west of Interstate 35 to east of International Boulevard, and to further authorize the Purchasing Agent to solicit the RFP's for engineering services, and any other matters incident thereto. [Co-Sponsored by Hon. Frank Sciaraffa, Commissioner Pct. 1]

Item No. 14. Discussion and possible action to have the Webb County Commissioner's Court support/adopt a resolution to the Webb County/City of Laredo Metropolitan Planning Organization (MPO) to request transfer of Cross Border Infrastructure

(CBI) to Webb County for the "Loop 20 Stimulus Initiative"; and any other matters incident hereto. [Co-Sponsored by Hon. Frank Sciaraffa, Commissioner Pct. 1]

Discussion on file at the Webb County Clerks Office under the February 8, 2010 Commissioner's Court meeting dvd.

Cmr. Sciaraffa motioned to approve items 12, 13, and 14 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to bring up items 39, 40, and 41. Cmr. Tijerina seconded the motion.

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

Honorable Isidro Alaniz, District Attorney

Item No. 39. Discussion and possible action to enter into a Three (3) year contract with New Dawn Technologies DIR# SDD-628 to lease purchase software in the amount of Three Hundred Twenty-Nine Thousand Sixty-Seven Dollars (\$329,067.00) and authorizing the County Judge to sign all relevant documents. [Account # State Forfeiture Fund 167]

Item No. 40. Discussion and possible action to enter into a Three (3) year contract with Government Capital to finance the lease purchase from New Dawn Technologies. The terms of the contract are as follows:

- 1. Down Payment - \$50,000 upon execution of contract**
- 2. Term - 3 years (Annual Payments)**
- 3. Effective Rate – 4.857%**
- 4. Payment Amount - \$102,572.61**
- 5. Payment Due – February 2011; annually thereafter**

[Account # State Forfeiture Fund 167]

Item No. 41. Discussion and possible action to authorize the Webb County District Attorney's Office to partner with the Webb County Office of Economic Development in the creation and submission of a grant proposal to the Office of the Governor of the State of Texas: Criminal Justice Program Solicitation. The amount of funding request shall not exceed One Million dollars. This formal request shall also authorize the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in this Program.

Cmr. Sciaraffa motioned to approve items 39, 40, and 41. Cmr. Tijerina seconded the motion.

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

Judge Valdez motioned to bring up items 55 and 56. Cmr. Tijerina seconded the motion.

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

Juvenile Probation

Item No. 55. Discussion and possible action to approve the following line-item transfer for peace officer services to be provided by the Sheriff's department:

From:	001-1301-6023	Contract Services	39,417
To:	001-2060-5005	Sheriff's Bargaining Unit Temporary Part-time	39,417

[Requested by Melissa L. Mojica, Chief Probation Officer]

Item No. 56. Discussion and possible action to authorize the submission of a grant application to the Criminal Justice Division of the Governor's Office for the continuation of the Juvenile Accountability Block Grant (JABG) and, further, authorizing the County Judge to execute all forms relevant to said grant. [Requested by Melissa L. Mojica, Chief Probation Officer; Fund #153]

Cmr. Tijerina motioned to approve items 55 and 56 as submitted. Cmr. Sciaraffa seconded the motion.

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

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 22. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of Five (5) Elevators located at the Webb County Justice Center at a cost of SEVENTEEN THOUSAND FIFTY-THREE DOLLARS AND SEVENTY-THREE CENTS (\$17,053.73), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]

Item No. 23. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) Elevator located at the Webb County Justice of the Peace Precinct 2 Building at a cost of TWO THOUSAND FIVE HUNDRED THIRTY-SEVEN DOLLARS AND TWENTY-FIVE CENTS (\$2,537.25), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]

Item No. 24. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) elevator located at the Webb County Court House at a cost of TWO THOUSAND SEVEN HUNDRED FIFTY-SEVEN DOLLARS AND FIFTY-FIVE CENTS (\$2,757.55), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]

Item No. 25. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of Two (2) elevators located at the Webb County Administration Building at a cost of SIX THOUSAND SEVEN HUNDRED TWENTY-NINE DOLLARS AND FORTY-FOUR CENTS (\$6,729.44), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]

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

Motion carried 5-0 by unanimous consent.

Item No. 26. Discussion and possible action to amend the engineering and design services in current contract between Webb County and Brown and Caldwell Engineering and Construction Management Services for Hwy. 59 Reverse Osmosis Water Treatment Plant improvements; and to authorize the County Judge to execute all relevant documents. [Requested by Juan Vargas, Webb County Economic Development Director]

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

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

Item No. 27. Discussion and possible action to enter into a Vendor Agreement between Webb County (for the Community Action Agency) and Medina Electric Cooperative, Inc. for the "Comprehensive Energy Assistance Program" whereby Medina Electric will provide funding to Webb County Community Action Agency for bill payment assistance to eligible low-income households for a term of Two (2) years beginning January 1, 2010 and ending on December 31, 2012; and authorizing the County Judge to execute all relevant documents. [Requested by Mr. Javier H. Martinez, Webb County Community Action Agency Director]

Item No. 28. Discussion and possible action to enter into an Aid Agreement between Webb County for the Community Action Agency and TXU Energy Retail Company, LP for the "TXU Energy Aid Program" whereby TXU Energy Retail Company will provide funding to Webb County Community Action Agency to be utilized to help the needy pay home energy expenses for a term of Two (2) years beginning January 1, 2010 and ending December 31, 2012; and authorizing the County Judge to execute all relevant documents. [Requested by Javier Martinez, Webb County Community Action Agency Director]

Item No. 29. Discussion and possible action to enter into a Chiller Maintenance Agreement with Johnson Controls for Three (3) years beginning February 8, 2010 to February 7, 2013, for a total amount of TWENTY-ONE THOUSAND NINE HUNDRED SIXTY DOLLARS (\$21,960.00); and authorizing the County Judge to sign all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director, Account #001-0106-6402, (Repairs and Maintenance of Equipment)]

Cmr. Martinez motioned to approve items 27, 28, and 29 as submitted. Cmr. Tijerina seconded the motion.

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

- Item No. 30. Discussion and possible action to negotiate and enter into a Thirty-Six (36) month Service Agreement contract with West Publishing Corporation D/B/A/ West Government Services for up to Four (4) licenses for the Consolidated Lead Evaluation And Reporting Services (CLEAR) for investigative and law enforcement information gathering purposes at a monthly charge of not to exceed SIXTY-SEVEN DOLLARS AND SEVENTY-SIX CENTS (\$67.76) per password for a total monthly charge not to exceed FIVE HUNDRED FORTY-TWO DOLLARS AND EIGHT CENTS (\$542.08) per month, to be adjusted after each succeeding 12 month term at a rate not to exceed Five (5%) Percent over the charges for the preceding 12 month term. [Requested by County Attorney, Public Defender, Indigent Healthcare, Acct. #001-6010- Books & Subscriptions]

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

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

- Item No. 31. Discussion and possible action to enter into a Thirty-Nine (39) month (February 8, 2010 through May 7, 2013) Maintenance Agreement with Toshiba Financial Services concerning a Toshiba ES-355 copier located in the Webb County Head Start Department at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents. [Requested by Aliza F. Oliveros, Webb County Head Start Director]
- Item No. 32. Discussion and possible action to enter into a Thirty-Nine (39) month (February 8, 2010 through May 7, 2013) FMV Lease Agreement with Toshiba Financial Services concerning a Toshiba ES-755 copier located in the Webb County Sheriff Department at a cost of THREE HUNDRED FORTY-EIGHT AND THIRTY-EIGHT CENTS (\$348.38) PER MONTH for a total cost of THIRTEEN THOUSAND FIVE HUNDRED EIGHTY-SIX AND TWO CENTS (\$13,586.02) over the term of the agreement and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff]
- Item No. 33. Discussion and possible action to enter into a Thirty-Nine (39) month (February 8, 2010 through May 7, 2013) FMV Lease Agreement with Toshiba Financial Services concerning a Toshiba ES-355 copier located in the Webb County Head Start Department at a cost of ONE HUNDRED EIGHTEEN DOLLARS AND NINETY-SEVEN CENTS (\$118.97) per month for a total cost of FOUR THOUSAND SIX HUNDRED THIRTY-NINE AND EIGHTY-THREE CENTS (\$4,639.83) over the term of the agreement and authorizing the County Judge to execute all relevant documents. [Requested by Aliza F. Oliveros, Webb County Head Start Director]
- Item No. 34. Discussion and possible action to enter into a Thirty-Nine (39) month (February 8, 2010 through May 7, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3530 copier located in the Webb County Sheriff Department at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff]

Item No. 35. Discussion and possible action to enter into a Thirty-Nine (39) month (February 8, 2010 through May 7, 2013) FMV Lease Agreement with Toshiba concerning a Toshiba ES-3530 copier located in the Webb County Sheriff's Department at a cost of THREE HUNDRED FORTY-FOUR DOLLARS AND NINETY-EIGHT CENTS (\$344.98) Per Month for a total cost of THIRTEEN THOUSAND FOUR HUNDRED FIFTY-FOUR DOLLARS AND TWENTY-TWO CENTS (\$13,454.22) over the term of the agreement and authorizing the County Judge to execute all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff]

Cmr. Sciaraffa motioned to approve items 31, 32, 33, 34, and 35 as submitted. Cmr. Martinez seconded the motion.

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

Item No. 36. Discussion and possible action to enter into a Two (2) year (January 1, 2010 through December 13, 2012) Vendor Agreement with Just Energy for the "Comprehensive Energy Assistance Program" whereby Just Energy will provide funding to Webb County Community Action Agency for bill payment assistance to eligible low income households, and authorizing the County Judge to execute all relevant documents. [Requested by Mr. Javier Martinez, Community Action Agency Director; (Grant Revenue)]

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

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

Item No. 37. Discussion and possible action to enter into a computer program software Agreement with COPsync, Inc. and Webb County Sheriff's Dept. for a period of Twelve (12) months beginning February 1, 2010 through January 31, 2011, for a total amount of SEVEN HUNDRED EIGHT DOLLARS (\$708.00) and authorizing the County Judge to sign all relevant documents. [Requested by Martin Cuellar, Webb County Sheriff, Acct. #]

Mr. Joe Lopez, Sheriff's Office, stated that funding would come from a grant; however, if the grant did not come through it would be paid from the Sheriff's Department.

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

Motion carried 5-0 by unanimous consent.

Item No. 38. Discussion and possible action to approve a Training Contract between Webb County Economic Development Department on behalf of the Webb County Community Action Agency and Laredo Community College, to train students to obtain a Basic Computer Training Certificate. The students subject to this agreement shall be student applicant recipients of training assistance through Webb County Community Action Agency ARRA Project Grant being administered by the Webb County Economic Development Department. [Requested by Juan Vargas, Webb County Economic Development Director, (ARRA Grant Proceeds)]

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

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring back items 22, 23, 24, and 25. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of Five (5) Elevators located at the Webb County Justice Center at a cost of SEVENTEEN THOUSAND FIFTY-THREE DOLLARS AND SEVENTY-THREE CENTS (\$17,053.73), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]
- Item No. 23. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) Elevator located at the Webb County Justice of the Peace Precinct 2 Building at a cost of TWO THOUSAND FIVE HUNDRED THIRTY-SEVEN DOLLARS AND TWENTY-FIVE CENTS (\$2,537.25), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]
- Item No. 24. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of One (1) elevator located at the Webb County Court House at a cost of TWO THOUSAND SEVEN HUNDRED FIFTY-SEVEN DOLLARS AND FIFTY-FIVE CENTS (\$2,757.55), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]
- Item No. 25. Discussion and possible action to enter into a One (1) year (March 15, 2010 through March 14, 2011) Maintenance Agreement with ThyssenKrupp Elevator Corporation for the maintenance of Two (2) elevators located at the Webb County Administration Building at a cost of SIX THOUSAND SEVEN HUNDRED TWENTY-NINE DOLLARS AND FORTY-FOUR CENTS (\$6,729.44), and ordering an exemption to the competitive bidding statute (Local Gov't Code Section 262.024(a) 7 (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Raul R. Elizondo, Webb County Facilities Director; Account #001-0106-6401, (Repairs and Maintenance)]

Discussion on file at the Webb County Clerks Office under the February 8, 2010 Commissioner's Court meeting dvd.

Cmr. Garza motioned to rescind the motion to approve items 22, 23, 24, and 25. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

After discussion, Cmr. Garza motioned to table items 22, 23, 24, and 25. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No. 42. Discussion and possible action to approve the acceptance of a Congressional Mandated award (2009-D1-BX-0141 Webb County) from the Texas Border Sheriff's Coalition in the amount of \$258,198 for purchase of law enforcement equipment. 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.

Item No. 43. Discussion and possible action to approve the submission of a Violent Crimes Against Women Criminal Justice and Training Projects–Domestic Violence, Sexual Assault, Dating Violence, and Stalking Solicitation grant application to the Criminal Justice Division in the amount of \$40,000 for the salary and fringe benefits for a Stalking, Domestic Violence Liaison Officer. This grant requires a cash match of 35%, which will be paid through forfeiture funds; and, thus, would have no impact on the general fund.

Item No. 44. Discussion and possible action to approve the submission of a grant to the Texas Division of Emergency Management for law enforcement equipment and overtime border security operations. This action will have no impact on the county's general fund.

Cmr. Tijerina motioned to approve items 43 and 44 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Administrative Services

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

From:	863-0105-9201	Claims Paid Major Medical	3,000
To:	863-0105-9202	Claims Paid Dental	3,000

Building Maintenance

Item No. 46. Discussion and possible action to approve the following line item transfer:

From:	001-0106-6401	Repairs and Maintenance of Buildings	26,000
To:	001-0106-6402	Repairs and Maintenance of Equipment	26,000

Cmr. Sciaraffa motioned to approve items 45 and 46 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Community Action Agency

Item No. 47. Discussion and possible action to approve the filling of the following slot:

Slot #	Title	Part Time Hourly Rate
1217	Food Transporter	\$ 8.25

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

Motion carried 5-0 by unanimous consent.

Engineer

Item No. 48. Discussion and possible action to accept project completion and approve release of retainage in the amount of \$43,044.40. and final payment in the amount of \$31,105.00 for the Rio Bravo Waterline Replacement Phase II Project to Jimmy Closner & Sons Construction Co. Inc. The Commissioners Court approval of the release of retainage is contingent on approval by the TWDB. [Account #648-8008-8801-11]

Item No. 49. Discussion and possible action to accept and approve release of retainage in the amount of \$16,428.30. and final payment in the amount of \$9,900.00 for the Rio Bravo Waterline Replacement Phase II 12" Water Main Project to Jimmy Closner & Sons Construction Co. Inc. The Commissioners Court approval of the release of retainage is contingent on approval by the TWDB. [Account #648-8008-8801-11]

Com. Martinez motioned to approve items 48 and 49 as submitted. Com. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50. Discussion and possible action to approve release of approximately 91% of the retainage in the amount of \$507,700.00 to Leyendecker Construction Inc. and the acceptance of the Certificate of Substantial Completion dated October 14, 2009 approved by the project architect for the Judge Solomon Casseb, Jr. Youth Village Project. The remaining \$50,000.00 will be retained for the delivery and completion of minor ancillary work. [Account #684-1306-8601]

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

Motion carried 5-0 by unanimous consent.

Item No. 51. Discussion and possible action to approve the following water utilities employee transfers and salary adjustment for Class "C" water treatment operator licensing:

	Slot #	Job Title	Hourly Rate
From:	1748	Operator II	\$11.56
To:	1537	Operator I	\$11.56
From:	1537	Operator I	\$11.56
To:	1748	Operator II	\$13.76

Item No. 52. Discussion and possible action to approve the following line item transfers or the Water Utilities Department:

From:	801-3004-6205	Materials and Supplies	500
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	801-3004-6214	Chemicals	1,000
	801-3004-6407	Repairs and Maintenance Waterlines	500
	801-3001-6014	Equipment Rental	6,000
To:	801-3001-6048	License and Permits	2,000
	801-3001-6022-8	Lab Work and Testing	6,000

Item No. 53. Discussion and possible action to approve an annual contract with Signature Science LLC to provide laboratory testing for cryptosporidium as required by TCEQ regulations. The estimated cost of the testing for the services over the next year is \$6,000.00 and is based on actual testing performed. [Acct. #801-3001-6022-8, Lab Work and Testing]

Cmr. Martinez motioned to approve items 51, 52, and 53 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Head Start

Item No. 54. Discussion and possible action to fill the following slots for the 2009–2010 Program Year:

Slot #	Title	Annual Salary	Pay Periods
1048	AA Teacher Assistant	\$14,512.51	21
1698	Substitute Teacher	\$10,027.46	21

[Account #903-4208-5001]

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

Motion carried 5-0 by unanimous consent.

Planning

Item No. 57. Discussion and possible action to issue a “Certificate Regarding Compliance with Plat Requirements and the Connection of Utilities” to authorize an electrical connection pursuant to Section 232.029(c)(2), Local Government Code to an unplatted tract of land containing 3.0 acres, being known as Tract 52, Ranchitos Los Minerales Annex, as further described in Vol. 1266, Pgs. 352-355, of the Webb County Deed Records (electricity–one dwelling only).

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

Motion carried 5-0 by unanimous consent.

Purchasing

Item No. 58. Discussion and possible action to approve annual inspection costs in the amount of \$16,946.00, for services for the Fire Alarm System, Sprinkler System and Backflow System from Simplex Grinnell for all Webb County Buildings. [Requested by Raul Elizondo, Facilities Director; Account #001-0106-6402 (Repairs & Maintenance of Equipment)]

Item No. 59. Discussion and possible action to authorize the following transfer of employee within the Purchasing Department, effective February 8, 2010:

	Slot #	Title	Annual Salary
From:	001-2069	Central Store Manager	41,000
To:	001-0111	Administrative Assistant	47,011

Cmr. Sciaraffa motioned to approve items 58 and 59 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 60. Discussion and possible action to approve the purchase and upgrade of a cell phone for the Honorable Judge Hector Liendo Pct. 1 Pl. 1 in the amount of \$199.99; and to make an exception to the county cell phone policy. [Requested by Hector Liendo, Justice of the Peace Pct 1 Pl. 1; Account #001-1040-6205]

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

Motion carried 5-0 by unanimous consent.

Item No. 61. Discussion and possible action to authorize the Purchasing Agent to solicit bids for the following Commodities:

1. Annual Contract 2010-60 Food Commodities for CAA Meals on Wheels, Head-Start, Elderly Nutrition Programs & Youth Village
2. Annual Contract 2010-37 Cellular Phone Service

Item No. 62. Discussion and possible action to authorize a Ninety (90) day extension to Chavarria's Plumbing for Bid No. 2009-68 Annual Contract for Water and Waste House-to-Line Connection Project.

Cmr. Martinez motioned to approve items 61 and 62 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 63. Discussion and possible action to award the following Bids; Bid No's. 2010-10 and 2010-11 using ARRA Grant funding Weatherization Contracts for Construction and Insulation to multiple Contractors, to be used on a per need basis, as follows:
Contractors for Construction Amount Contractors for Insulation Amount

- | | |
|--------------------------------------------|-------------------------------------|
| 1. Laredo Accurate Insulations \$39,678.30 | 1. Border Insulation \$ 32.48 |
| 2. Marion Services, LLC \$43,873.81 | 2. Efficient Attic Systems \$109.42 |
| 3. Efficient Attic Systems \$43,875.74 | 3. A-1 Insulation \$272.30 |
| 4. AA Builders \$44,959.15 | 4. Laredo Accurate \$406.03 |
| 5. Zertuche Construction \$47,033.95 | 5. Zertuche Construction \$505.81 |
| 6. Morales Construction \$47,485.00 | 6. Paragon Builders \$596.14 |
| 7. Paragon Builders \$63,063.66 | |

[Requested by Javier Martinez, Community Action Agency Director, Account ARRA WAP Funds]

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

Motion carried 5-0 by unanimous consent.

Item No. 64. Discussion and possible action to authorize the repair of Unit 10-21 motor grader in the amount of \$17,001.00 to Nueces Power Equipment. [Requested by Jose Luis Ramos, Road & Bridge Superintendent; Account #010-7002-6402 (Repairs & Equipment)]

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

Motion carried 5-0 by unanimous consent.

Item No. 65. Discussion and possible action to authorize the Purchasing Department to solicit formal bids for a security surveillance system for the Webb County Jail. [Requested by Martin Cuellar, Webb County Sheriff, Account #168-2001-8801 (Capital Outlay) [State Forfeiture funds]

Mr. Eloy Ramirez, Purchasing Agent, stated that he had been informed that the Sheriff's Office would be utilizing part of the funding from grants which are Funds 314 and 337. He advised that in case that additional money would be needed they would utilize the forfeiture funds.

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

Motion carried 5-0 by unanimous consent.

Item No. 66. Discussion and possible action to authorize the Purchasing Agent to dispose of salvage and surplus property pursuant to Subchapter D, Disposition of Salvage or Surplus Property, Section 263.151 thru 263.157, Texas Local Government Code.

Vehicles

- 1 (One) 1986 Ford Van (AS IS) - Approximately 150-180 Sheet Panels
- 1 (One) 1986 Ford Van (AS IS) - Salvage material from, Rio Bravo
- 1 (One) 2000 Ford CV (AS IS) Water Plant
- 1 (One) 1994 Chev Capri 4dr. (AS IS)
- 1 (One) 1990 GMC Vandura Bus
- 1 (One) 1992 Ford Econoline Conversion Bus
- 1 (One) 1996 Ford Econoline Conversion Bus
- 1 (One) 1997 Ford Cutaway Bus
- 1 (One) 2000 Ford Supreme Bus
- 1 (One) 2000 International El Dorado Bus (As IS)

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

Motion carried 5-0 by unanimous consent.

Item No. 67. Discussion and possible action to authorize the purchase of uniforms from Nardis Public Safety TXMAS-5-73010 in the amount of \$14,317.45 requested by the Sheriff's Department, and authorize the exception to competitive bids pursuant to Subchapter F Cooperative Purchasing program Section 271.101, 271.102., Texas Local Government Code. [Requested by Martin Cuellar, Webb County Sheriff; Account #001-2001-6202 (Uniforms)]

Item No. 68. Discussion and possible action to purchase a Toshiba Copier E-Studio 455 in the amount of \$4,767.50 from Toshiba Business Solutions Texas Buyboard Contract 299-08 for the Community Action Agency and authorize the exception to competitive bids pursuant to Subchapter F Cooperative Purchasing program Section 271.101, 271.102., Texas Local Government Code. [Requested by Javier Martinez, Webb County Community Action Agency Director; Account #917-4206-6224-2 (Minor Tool Apparatus/Equipment)]

Cmr. Sciaraffa motioned to approve items 67 and 68 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

(Closed Session/Executive Session 2:27 p.m. - 2:45 p.m.)

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

Item No. 69. Discussion and possible action to settle property damage claim resulting from a collision between a webb county vehicle and a vehicle being driven by Ricardo Obando on or about November 13, 2009. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mrs. Molly Higgins, County Attorney's Office, stated that there was a recommendation that the Court approve property damage estimate in the amount of \$10,327.64 and if the estimate from the body shop which is South Texas Auto Builders is the exact amount or less than the amount then the Court would honor the body shop's estimate.

Cmr. Garza motioned to approve the recommendation. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 70. Discussion and possible action to authorize the Webb County Attorney to represent Webb County in Cause No. 2010-CVQ-000107-D3; Webb County Deputy Sheriff's Association, et al. vs. Webb County Judge Danny Valdez, et al; In the 341st Judicial District Court of Webb County, Texas; and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

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

Cmr. Martinez asked to include as part of the motion to instruct the County Attorney to file a motion to dismiss right away based on the fact that they don't have legal standing and to ask for court costs and attorney's fees.

After discussion, Cmr. Tijerina amended her motion to include Cmr. Martinez's recommendation. Cmr. Sciaraffa seconded the motion.

Item No. 71. Discussion and possible action to amend the Webb County Policy for Drug, Alcohol, and Other Prohibited Substances regarding safety-sensitive positions and permitting more frequent testing for peace officers and detention officers.

[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

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

Motion carried 5-0 by unanimous consent.

Item No. 72. Adjourn

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

Motion carried 5-0 by unanimous consent.