

Official Minutes for Webb County Commissioners Court Meeting

Monday, April 12, 2010 at 9:00 AM
(APPROVED APRIL 26, 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 9th of April 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 March 22nd, 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. Leo Flores, County Auditor, explained his ending March monthly report.

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

Motion carried 5-0 by unanimous consent.

Item No. 5. Communications

Judge Valdez sent his condolences to the van Es family on the passing of Mr. Ed van Es and to Mr. Joe "Flash" Lerma on the passing of his father. He congratulated Ms. Tony Gamboa for opening her Women of Destiny's Ministries, Mr. Manuel Bocanegra for organizing a successful Cesar Chavez March and sent his appreciation for the honor commemoration of his father. Judge Valdez also sent his condolences to the Ruben Vela family.

Cmr. Sciaraffa had no items under communications.

Cmr. Tijerina congratulated Mr. Mike Cabello for being recognized for his efforts in serving in Afghanistan. She also congratulated Ms. Vicky Garcia for receiving her recognition for her involvement in our community and reminded everyone who has not sent there census to do so. Cmr. Tijerina sent her condolences to the families of Eddie Valenciano, Olivia Lugo, Mr. van Es, Larry Hernandez, Ricardo Rangel, and the Lerma family.

Cmr. Garza stated that his office was working on a couple of grants and invited the community to contact his office to see if any grants could assist them. He thanked his staff for their assistance with the grants. Cmr. Garza also thanked the Metropolitan members on their move last week to transfer some funds on the Loop 20 Stimulus Project. He also encouraged everyone to fill and submit their census forms and reminded everyone to get out and vote tomorrow.

Cmr. Martinez stated that all members of the Commissioner's Court were required to attend seminars and that each member was allowed to select which one they would like to attend. He stated that he selects seminars that would make him a better commissioner of which he explained several reasons why he has attended several seminars. He invited the Laredo Morning Times to look at his file. Cmr. Martinez explained that he has submitted two projects to the Auditors Office for when the Court goes out to borrow monies. He stated that he is planning to have a community center in Los Botines area of which will be manned specifically by volunteers within this area. Cmr. Martinez also explained that the other project would be in La Ladrillera area for a recreational area. He congratulated Ms. Tony Gamboa and Mr. Manuel Bocanegra.

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- Judge Joe Lopez, 49th District Court
Judge Lopez spoke on item 17.

Cmr. Sciaraffa motioned to bring up item 17. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Joe Lopez, 49th District Court Judge

Item No. 17. Discussion and possible action to approve the following line item transfer:

From:	001-1050-7000	Other Litigation Expense	10,000
To:	001-1050-6018	Transcripts	6,000
	001-1050-6029	Court Interpreter/Reporter	4,000

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

Motion carried 5-0 by unanimous consent.

2nd witness card – Mayor Raul Reyes, City of El Cenizo

Mayor Reyes thanked Cmr. Sciaraffa for bringing item 7 back to the Court. He stated that this project has been moving back and forth and that he is concerned that the County Attorney's Office has not contacted any of the city staff regarding any concerns that they might have.

Cmr. Sciaraffa motioned to move up item 7. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

Item No. 7. Status report from the County Attorney Ms. Anna Laura Cavazos Ramirez and Purchasing Agent Ms. Cecilia Moreno, regarding the El Cenizo Library Project with discussion and possible action and any other matters incident thereto.

Status report on file at the Webb County Clerks Office under the April 12th Commissioner's Court meeting dvd.

Cmr. Sciaraffa stated that a meeting has been set up for Wednesday at 10:00 a.m. to be held at El Cenizo City Hall and that he would want Ms. Teresa Hunter and Dr. Cecilia Moreno to attend. He stated that hopefully a recommendation can be brought to the Court on the next meeting.

3rd witness card – Rodolfo “Popo” Aguilar and Rolando Herrera

Mr. Aguilar stated that he is a Vietnam Combat veteran and was present to advise the Court that not all veterans are involved in the negative remarks being made about the Commissioner’s Court. He specified that not all veterans think alike. Mr. Rolando Herrera also stated that the remarks that have been said do not represent his comments.

4th witness card – Santiago “Jimmy” Sandoval

Mr. Sandoval stated that he was present to speak for the self defense program that Cmr. Martinez is proposing. He stated that he thinks that this project should be moving forward.

Cmr. Sciaraffa motioned to bring up item 8. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Sergio “Keko” Martinez, Webb County Commissioner Pct. 4

Item No. 8. Discussion and possible action on implementing a recreational program for girls and boys at the Fred & Anita Bruni Community Center at Penitas-West with concentration on self-defense instruction so as to build self-esteem and confidence and deter the youth from gang membership and affiliation at a cost of \$3,500 to be funded out of account #605-0204-8801.

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

Motion carried 5-0 by unanimous consent.

4th witness card – Gabriel Holguin

Mr. Holguin thanked the Court for approving the project and stated that this would help keep the youth off the streets.

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 9. Discussion and possible action to enter into a One (1) year (April 12, 2010 through March 11, 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 Department Director; Account #001-0106-6401 (Repairs and Maintenance)].

Item No. 10. Discussion and possible action to enter into a One (1) year (April 12, 2010 through April 11, 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 Department Director; Account #001-0106-6401 (Repairs and Maintenance)]

- Item No. 11. Discussion and possible action to enter into a One (1) year (April 12, 2010 through April 11, 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 Department Director; Account #001-0106-6401 (Repairs and Maintenance)]
- Item No. 12. Discussion and possible action to amend a Third Party Agreement between County of Webb and Gateway Health Center, Inc. for disbursement of funds in equal monthly installments of \$12,000.00 instead of \$7,200.00, and agreement not to exceed the budgeted amount of \$144,000.00 as stated on the agreement approved by Commissioners Court on December 17, 2009 to be effective on October 1, 2009 and authorizing the County Judge to execute all relevant documents. [Requested by Anna Laura Cavazos Ramirez, Webb County Attorney]
- Item No.13. Discussion and possible action to enter into a Thirty-Nine (39) months (April 12,2010 through July 11, 2013) FMV Lease Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3530C copier located in the Webb County Maintenance Department at a cost of TWO HUNDRED EIGHTY-SIX DOLLARS AND SEVENTY-TWO CENTS (\$286.72) PER MONTH for a total cost of ELEVEN THOUSAND ONE HUNDRED EIGHTY-TWO DOLLARS AND EIGHT CENTS (\$11,182.08) 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. [Texas Buy-Board Contract #299-08] [Requested by Raul Elizondo, Building and Maintenance Department Director]
- Item No. 14. Discussion and possible action to enter into a Thirty-Nine (39) months (April 12, 2010 through July 11, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-3530C copier Contract # 211718-ES3530C located in the Building Maintenance Dept. 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 with copy overages being billed at \$0.008000 per black copy and authorizing the County Judge to execute all relevant documents. [Texas Buy-Board Contract #299-08] [Requested by Anna Laura Cavazos Ramirez, Webb County Attorney]
- Item No. 15. Discussion and possible action to enter into a contract Amendment One and Exhibit A to Amendment One of and Agreement entered into on January 12, 1996, for the use of Automated Equipment with the State of Texas, through the Texas Department of Transportation- Vehicle Titles and Registration Division to lease One (1) additional Basic Workstation with monitor, CPU, keyboard, printer, software support, and cash drawer at an annual cost of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) and authorizing the Webb County Judge to sign all relevant documents. [Requested by Patricia Barrera, Webb County Tax-Assessor Collector].
- Item No. 16. Discussion and possible action to enter into a Software License Agreement between Webb County and Aptitude Solutions, Inc. for a OnCore System License fee of ONE

HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) and a corresponding Software Maintenance Agreement having an annual fee of TWENTY-SIX THOUSAND DOLLARS (\$26,000.00) and authorizing the County Judge to sign all relevant documents. [Requested by Margie Ramirez Ibarra, Webb County Clerk; Account #009-1120-6022 (Professional Services) and Account #005-1120-6022 (Professional Services)]

Com. Sciaraffa motioned to approve items 9, 10, 11, 12, 13, 14, 15, and 16 as submitted. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Item No. 18. Discussion and possible action to approve the following line item transfers:

From:	001-1010-6402	Equip/Maint	\$2,000
From:	001-1010-7050	Adult Misdemeanor	\$2,000
To:	001-1010-6205	Materials & Supplies	\$4,000

Honorable Hector Liendo, Justice of the Peace Pct. 1 Pl. 1

Item No. 19. Discussion and possible action to authorize the purchase of combo pitching machine model #CASEY 25B at a cost of \$1,400.00. Machine to be donated to the National Little League. [Budget Account Numbers: 605-0200-8801, 605-0201-8801, 605-0202-8801, 605-0203-8801, 605-0204-8801 (CAMP HUISACHE ACCOUNT)]

Honorable Martin Cuellar, Sheriff

Item No. 20. Discussion and possible action to approve the acceptance of an Edward Byrne Justice Assistance Grant (JAG) from the Criminal Justice Division in the amount of \$400,000 for COPsync equipment and overtime for border security operations. This action will have no impact on the county's general fund. [Requested by Martin Cuellar, Webb County Sheriff]

Item No. 21. Discussion and possible action to approve an exemption to the County Wide hiring freeze to allow the Sheriff's Office to fill the following Grant Related slot to support overall operations.

Qty	Grant Title	Job Title	Hr. Rate
1	HIDTA - Laredo Financial Task Force Grant	Investigator Slot No. 2552	\$22.56

Com. Tijerina motioned to approve items 18, 19, 20, and 21 as submitted. Com. Sciaraffa seconded the motion.

Mr. Leo Flores, County Auditor asked that if under item 21 the Court would make it effective until all documents were turned in.

After discussion, Com. Tijerina motioned to approve items 18, 19, 20, and 21 to be effective until all documents were turned

in. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22. Discussion and possible action to authorize the County Auditor to approve the payment in the amount of \$8,268.67 in compensatory time for members of the Collective Bargaining unit that have exceeded the 480 hour cap at their current hourly rate as described under Section C – Compensatory Time of the Collective Bargaining agreement between Webb County and the Webb County Deputy Sheriff’s Association.

Empl #	Full Name	Actual		Over	Rate	Total	Fringe Benefits	Total Needed
2390	CHRISTOPHER E. GARZA	510.08	480	30.08	21.2500	\$ 639.20	\$ 147.59	\$ 786.79
1393	SAUL G. RUBIO	513.14	480	33.14	21.2500	\$ 704.23	\$ 162.61	\$ 866.83
2371	ABEL GARCIA	559.54	480	79.54	21.2500	\$ 1,690.23	\$ 390.27	\$ 2,080.50
2940	MARIO GAMEZ	570.71	480	90.71	21.3100	\$ 1,933.03	\$ 446.34	\$ 2,379.37
2042	CESARIO MORALES	574.49	480	94.49	18.5300	\$ 1,750.90	\$ 404.28	\$ 2,155.18
						\$ 6,717.58	\$ 1,551.09	\$ 8,268.67

Cmr. Garza motioned to authorize payment of \$8268.67 in compensatory time and strike out the section in the item that reads *“to authorize the County Auditor”*. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Martinez abstaining from voting.

Item No. 23. 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 CY 2010, for the months of March 1, 2010 through April 30, 2010; pending the receipt of grant continuation award by the funding agency, City of Laredo.

Cmr. Garza motioned to approve item and strike out the section in the item that reads *“to authorize the County Auditor”*. Cmr. Tijerina seconded the motion.

Motion carried 4-0 with Cmr. Martinez abstaining from voting.

Item No. 24. Discussion and possible action to authorize the County Auditor to transfer salary savings from Sheriff’s Office payroll cost accounts totaling \$100,000.00 to the Overtime Account under the Sheriff’s General fund Jail Division (2060) budget to offset potential shortfalls in the overtime account. The savings identified are from October 1, 2010 through March 25, 2010.

Transfer From:	001-2001-5001	Payroll Cost	\$ 30,000.00
	001-2060-5001	Payroll Cost	\$ 50,000.00
	001-2061-5001	Payroll Cost	\$ 20,000.00
Transfer To:	001-2060-5003	Overtime account	\$100,000.00

Cmr. Garza motioned to approve the amount that is currently available in salary savings, approve the transfer, and strike out the section in the item that reads *“to authorize the County Auditor”*. Cmr. Tijerina seconded the motion.

Motion carried 4-0 with Cmr. Martinez abstaining from voting.

Item No. 25. Discussion and possible action to approve an exemption to the current County Wide hiring freeze to allow the Sheriff's Office to fill the following Grant Related slot to support overall operations.

Grantee-Defined Line Item	OOG Funds	Cash Match	In Kind Match	GPI	Total Project	Qty / % of Time
Officer I - will contribute 100% (salaries & fringe benefits) of his/her time working in grant-related activities						
Slot 2590	\$52,299.00	\$0.00	\$0.00	\$0.00	\$52,299.00	100
\$18.4572 per hour plus benefits						

Cmr. Tijerina motioned to approve item as submitted. Cmr. 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:

From:	605-1043-8801	JP Garcia	\$13,900.00
	733-8108-8801	Interest Income Series 2008	\$19,000.00
	733-2005-8801	Mental Health Unit	\$ 1,000.40
	733-2503-8801	Constable Reyes	\$ 620.60
	660-0204-8801	Commissioner Pct. #4	\$ 257.00
	660-1111-8801	District Clerk Central Jury	\$ 176.00
	660-1200-8801	Basic Supervision	\$ 3,616.00
	660-6101-8801	El Cenizo Community Center	\$ 55.00
	660-6105-8801	Rio Bravo Community Center	\$ 1,655.00
To:	605-8108-8801	Capital Outlay	\$40,280.00

[Requested by Margie Ramirez Ibarra, Webb County Clerk / Co-Sponsored by Leo Flores, Webb County Auditor]

Honorable Patricia A. Barrera, Tax Assessor-Collector

Item No. 27. Discussion and possible action to approve refund of:

\$4,776.33 to Webb County Tax Office for Account #720-00001-046 thru Account #949-00003-011, (Overpayment Refund to pay accounts as per backup)

[Requested by Patricia A. Barrera, RTA; Account #001-2139]

Cmr. Tijerina motioned to approve items 26 and 27 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Teresa Hunter asked if item 24 could be brought back.

Item No. 24. Discussion and possible action to authorize the County Auditor to transfer salary savings from Sheriff's Office payroll cost accounts totaling \$100,000.00 to the Overtime Account under the Sheriff's General fund Jail Division (2060) budget to offset potential shortfalls in the overtime account. The savings identified are from October 1, 2010 through March 25, 2010.

Transfer From:	001-2001-5001	Payroll Cost	\$ 30,000.00
	001-2060-5001	Payroll Cost	\$ 50,000.00
	001-2061-5001	Payroll Cost	\$ 20,000.00
Transfer To:	001-2060-5003	Overtime account	\$100,000.00

Ms. Teresa Hunter asked if the motion could reflect to change the dates stipulated in the item as from October 1, 2009 through March 25, 2010.

Cmr. Tijerina motioned to include the change in the dates to reflect from October 1, 2009 through March 25, 2010. Judge Valdez seconded the motion.

Motion carried 3-0 with Cmr. Garza not present and Cmr. Martinez abstaining from voting.

Administrative Services

Item No. 28. Discussion and possible action to extend Webb County's Agreement with Robert W. Lazarus & Associates, Inc. and RWL Benefits, Inc. d/b/a RWL Group for insurance consulting services for a period of time to be determined by Commissioner's Court for the amount of \$4,000.00 per month. Services to be provided include preparation of a request for services related to property and casualty insurance coverage and employee benefits such as employee enrollment/eligibility system, disease management, prescription drug network, claim administration service, w/c audit, P/C renewals, stop loss insurance matters and retiree Medicare supplement insurance as well as a possible proposal for group health and dental insurance coverage, and other matters incident thereto. Commissioners' Court is requested to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government.

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

Motion carried 5-0 by unanimous consent.

(MEDIA BREAK 10:05 A.M. – 10:25 a.m.)

Building Maintenance

Item No. 29. Discussion and possible action to approve the purchase of one laptop computer and the labor for transferring and testing all air conditioning energy management programs and data files in the amount of \$6,794.97. [Requested by Raul R. Elizondo Webb County Building Maintenance Director; Account #001-0106-6402 (Repairs and Maintenance of Equipment)]

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

Motion carried 5-0 by unanimous consent.

Community Action Agency

Item No. 30. Discussion and possible action to accept a check in the amount of \$10,842.03 from TXU Energy. The Webb County Community Action Agency will utilize these funds to assist qualified TXU energy clients. [Requested by Javier Martinez, Webb County Community Action Director; Account #902-4200-7004]

Item No. 31. Discussion and possible action to ratify the submission of an application to the FEMA Emergency Food & Shelter Program Phase # 28, in the amount of \$20,000.00 to provide rent and utility assistance for qualified applicants and, authorizing the County Judge to sign all relevant documents. [Requested by Javier Martinez, Webb County Community Action Agency Director; Account #902-4200-7004-01]

Cmr. Sciaraffa motioned to approve items 30 and 31 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

Item No. 32. Discussion and possible action to approve temporary water dispenser hours of operation of the Colorado Acres Plant. Regular hours will be modified during the time necessary for the repair of the department water tanker; further, all commercial trucks intending to purchase drinking water for non-residential use in quantities in excess of 150 gallons per day will be disallowed during this time. The dispenser will be in operation from 12 PM (noon) through 8 PM daily. [Requested by Fitzgerald G. Sanchez, Webb County Engineer]

Item No. 33. Discussion and possible action to approve the following line item transfer:

From:	801-3001-6014	Equipment Rental	\$9,000.00
To:	801-3002-6402	Repair and Maint. Vehicle	\$9,000.00

[Requested by Fitzgerald G. Sanchez, Webb County Engineer]

Cmr. Garza motioned to approve items 32 and 33 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Head Start

Item No. 34. Discussion and possible action to fill the following slots for the 2009 – 2010 Program Year:

Slot#	Title	Hourly Salary	Pay Periods
1665	AA Teacher	\$12.72	21

[Requested by Aliza Flores Oliveros, Webb County Head Start Director; Account #903-4208-5001]

Juvenile Probation

Item No. 35. Discussion and possible action to approve the following line item transfer:

From:	001-1301-6022	Professional Services	\$15,000
To:	001-1301-6208	Groceries	\$15,000

Judge Valdez motioned to approve items 34 and 35 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Planning

Item No. 36. Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements Regarding the Connection of Utilities" to authorize an electrical service connection pursuant to Section 232.028 (b), Local Government Code to the following properties:

1. Block 5, Lot 2, San Carlos Subdivision, Phase II for one dwelling only (limited to a total of two dwellings unless replatted)

Staff recommends the Court's approval of this item since all dwellings on these properties are connected to water and sewer service.

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

Motion carried 5-0 by unanimous consent.

Public Defender

Item No. 37. Discussion and possible action to approve the following line item transfer:

From	001-1102-6205	Materials and Supplies	\$200
To:	001-1102-6005	Postage & Courier Service	\$200

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

Motion carried 5-0 by unanimous consent.

Purchasing

Item No. 38. Discussion and possible action to approve the purchase of labor and parts for the HP Flight pump at El Cenizo from Delta House Inc. in the amount of \$5,963.09. [Requested by John Amaya, Webb County Water Utilities Director; Account #801-3004-6402 (Repairs and Maintenance Equipment)]

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

Motion carried 5-0 by unanimous consent.

Item No. 39. Discussion and possible action to approve the purchase of Two (2) FV660 Freedom View Fiberscope, including window wedge and electro static discharge cord plus One (1) year

warranty as of the date of purchase and repairs (90) days from the date of the invoice, from Optim in the amount of \$12,339.54. [Requested by Martin Cuellar, Webb County Sheriff; Account #309-2001-8801 (Capital Outlay, Grant funds)]

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

Motion carried 5-0 by unanimous consent.

Item No. 40. Discussion and possible action to purchase a vehicle for Sheriff's Department from Grant Funds , pursuant to Section 271.1101, and 271.201, Subchapter F., Cooperative Purchasing Program, Texas Local Government Code from Philpott Motors, H-GAC contract no. VE03-06, for a total amount of \$42,124.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #315-2001-8801 (Capital Outlay)]

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

Motion carried 5-0 by unanimous consent.

Item No. 41. Discussion and possible action to authorize the purchase of Uniforms from Nardis Public Safety GSA #GS-07F-0596T, (TXMAS Contract # 8-84010) in the amount of \$41,793.34 for the Webb County Sheriff's Department Pursuant to: Subchapter F Cooperative Purchasing Program Section 271.101., 271.102., Subchapter G, Purchase Federal Schedule Sources of Supply; Section 271.03, Texas Local Government Code. [Requested by Martin Cuellar, Webb County Sheriff; Account #001-2001-6202, #001-2060-6202, #168-2001-6202]

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

Motion carried 5-0 by unanimous consent.

Item No. 42. Discussion and possible action to approve the purchase of 36 Drug Awareness shows at a price of \$29,608.00 to be organized thru the Webb County Sheriff's Department. [Requested by Martin Cuellar, Webb County Sheriff; Account #337-2001-6022 (Grant Funds, Professional Services)]

Item No. 43. Discussion and possible action to purchase One (1) M.U.S.T. Mobile Utility Surveillance Tower from TerraHawk, LLC, pursuant to Texas Local Government Code under Subchapter C. Competitive Section 262.024 Discretionary Exemptions, (a),(7), (11), sole source and grant an exemption for competitive bidding, in the amount of \$171,495.00 for the Sheriff's Department. [Requested by Martin Cuellar, Webb County Sheriff; Account #319-2001-8410 (Equipment)]

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

Motion carried 5-0 by unanimous consent.

Item No. 44. Discussion and possible action to approve the purchase of 2,500 gallons of emulsion from Martin Asphalt in the amount of \$6,875.00. [Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #010-7002-6405]

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

Motion carried 5-0 by unanimous consent.

Item No. 45. Discussion and possible action to purchase One (1) Lap Top Computer, One (1) Notebook Carrying Case and One (1) Extended Service (including parts and labor for 3 years), from Southern Computer Warehouse in the amount of \$2,772.92 for the Auditor's Department. [Requested by Leo Flores, Webb County Auditor; Account #660-0400-8801 (Capital Outlay)]

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

Motion carried 5-0 by unanimous consent.

Item No. 46. Discussion and possible action to approve the purchase of the following hardware necessary to scan and archive public records in the Webb County Clerk's pursuant to Subchapter F. Cooperative Purchasing Program, sections §271.101, §271.102, Texas Local Government Code in the amount of \$51,693.43.

IBM	
(1) Database Server	\$ 9,230.00
(1) Web Server	\$ 6,705.00
(1) Image Server	\$ 8,546.00
DELL	
(2) VLA SQL Server STD 2008 Per Processor WIN32/64BIT	\$ 7,199.40
(3) VLA Windows Server STD 2008 R2	\$ 1,366.98
(7) VLA Exchange ENT Device CAL 2010	\$ 184.66
(7) VLA Windows Server 2008 Device Client	\$ 128.73
(7) VLA Office PRO PLUS 2007	\$ 2,126.39
GovConnection	
(4) Fujitsu Scanner FI-6140	\$ 6,200.00
CDW-G	
(7)Dymo Labelwriter 450 Turbo	\$ 875.00
Southern Computer Warehouse	
(7) HP Compaq LA2205wg 22" widescreen	\$ 1,544.20
(7) HP Memory 2 GB(upgrade)	\$ 484.40
(7) Extended Service Agreement –parts and labor (3 yrs)	\$ 446.95
(7) HP Laserjet PRO P1102W printers	\$ 960.96
(1) HP Laserjet P4015n Printer	<u>\$ 1,069.21</u>
Total	\$51,094.98

[Requested by Margie Ramirez Ibarra, Webb County Clerk; Account #605-8108-8801 (Capital Outlay)]

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

Motion carried 5-0 by unanimous consent.

Item No. 47. Discussion and possible action to approve inter local agreements and participation with the following purchasing cooperatives.

1. The Buyboard- Local Government Purchasing Cooperative

2. TCPN-The Cooperative Purchasing Network
3. TIPS- The Interlocal Purchasing System
4. DIR- Texas Department of Information Resources
5. TXPASS- State Comptroller of Public Accounts Texas Procurement and Support Services
6. HCDE- Harris County Department of Education
7. TCI-Texas Correctional Industries
8. TIBH- Texas Industries for Blind and Handicapped
9. TXMAS – Texas Multiple Award Schedule

Item No. 48. Discussion and possible action to accept the ARRA Weatherization Program assignments made to the different contractors; these assignments are the continuous homes to be weatherized.

AA Builders

1. Guadalupe Castillo-3408 Main Ave.

A-1 Insulation

1. Gregorio Lerma 359 Old Milwaukee
2. Debora Lozano 2213 San Jorge

Efficient Attic System

1. Mario Castaneda 5319 Springfield
2. Maria Factor 1620 Constantinople
3. Jose D. Chapa 1404 E. San Carlos
4. Diana San Miguel 2419 Chihuahua St.

[Requested by Javier Martinez, Webb County Community Action Agency Director; Account #ARRA Funds]

Item No. 49. Discussion and possible action to solicit Requests for Proposal (RFP) for an IBM iSeries Backup Server with Software. [Requested by Jaime F. Alvarado, M.I.S. Director; Account #733-0500-8801 (Capital Outlay)]

Cmr. Sciaraffa motioned to approve items 47, 48, and 49 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

(Closed Session/Executive Session 10:32 a.m. – 10:45 a.m.)

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

Item No. 50. Discussion and possible action on status report by the Webb County Attorney's Office regarding pending lawsuit, Cause No. 1992CVQ0000009 D3 styled Callaghan Ranch, Ltd vs. Radcliffe Killam and wife, Sue Killam and Webb County, Texas. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Status report on file at the Webb County Clerks Office under the April 12th Commissioner's Court meeting dvd.

Mrs. Anna Laura Cavazos Ramirez, County Attorney, stated that no action was requested by the Court.

Item No. 51. Discussion and possible action to retain counsel to represent Webb County in Cause No. 2010-CVQ-000296-D3; Good Government League, Cut Fat, Xavier Cantu, M.D., and Marissa Martinez vs. Webb County; In the 341st Judicial District Court of Webb County, Texas; and to take any other action pertaining to this lawsuit and related matters. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mrs. Anna Laura Cavazos Ramirez, County Attorney, requested authorization to file an answer for Webb County and that discussion to hire outside counsel if necessary would be discussed at a later date.

Cmr. Tijerina motioned to authorize the County Attorney's Office to file an answer for Webb County. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum Item No. 1. Discussion and possible action to approve the contract for professional services of Rolando L. Rios and Associates, PLLC relating to the 2010 redistricting and any other matters incident thereto.

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

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

(Closed Session/Executive Session 10:49 a.m. – 11:00 a.m.)

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

Addendum Item No. 2. Discussion and possible action to clarify attorney's interpretation of section 32.054 "Ineligibility of employee or Relative of Candidate" of the Texas Election Laws (code) with discussion and possible action and all other matters incident thereto. [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 April 12th Commissioner's Court meeting dvd.

No action taken in this item.

Item No. 52. Adjourn

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

Motion carried 5-0 by unanimous consent.