

Official Minutes for Webb County
Commissioners Court Special Meeting

Wednesday, July 7, 2010 at 11:30 a.m.
(approved July 26, 2010)

Call to order by Judge Danny Valdez

Let it be remembered that a special meeting of the Webb County Commissioners Court was held at 11:30 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 1st of July 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. Communications

Comr. Sciaraffa had no items under communications.

Comr. Tijerina sent her condolences to the Long family.

Comr. Garza had no items under communications.

Comr. Martinez advised everyone that the Obama Administration had filed suit against the State of Arizona and stated that he thought that they were going the right way.

Judge Valdez sent his condolences to the Long family. He called on Mr. Leroy Medford, Executive Administrator to the County Judge, to give an update on the status of the river.

Mr. Leroy Medford briefed the Court on the status of the bridge, river, evacuation plans, and shelters that will be opening for the evacuees.

Item No. 4. 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.

No one signed up for public comment.

Item No. 5. Discussion and possible action to interview and select a bond counsel firm from the qualified applicants for Webb County, Texas; and any other matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

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

Motion carried 5-0 by unanimous consent.

Item No. 6. Discussion and possible action to accept the rankings of the Interview Phase of previously short-listed engineering firms, and to select the highest ranking firm of said phase to prepare plans, specifications and estimates (PS&E) for the Loop 20 Stimulus Initiative Project; and any 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 July 7, 2010 Commissioner's Court meeting dvd.

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

After discussion, Cmr. Garza withdrew his second.

Motion died for lack of second.

Cmr. Martinez stated for the record that he would not be participating in voting in this issue being that he didn't think that the Court complied with fair dealings with the engineering firms. He stated that one of the reasons was because two members of the Commissioner's Court participated in the Scoring Committee which was something that had never been done before. Second, a member of the County Judge's Office which is the Executive Administrator also participated in the Scoring Committee. Cmr. Martinez stated that things were not done correctly.

Cmr. Tijerina motioned to approve the highest ranking engineering firm based on TXDOT's procedures for the Court to follow. Cmr. Garza seconded the motion.

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

Mr. Fitzgerald Sanchez, County Engineer, stated for the record that the following were the rankings for the firms Dannenbaum Engineering Corporation being the highest, KBR second, and CEC ranking third.

Item No. 7. Discussion and possible action to authorize that the water utilities department take necessary action to disconnect service meters to customers with multiple connections to more than one residential dwelling who do not apply for additional service connection(s) within Sixty (60) days; and any other matters incident thereto. [Requested by Water Service and Rates Committee]

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

Motion carried 5-0 by unanimous consent.

Item No. 8. Discussion and possible action to approve the recommendations of the water service and rates committee regarding county water dispensers; and any other matters incident thereto. [Requested by Water Service and Rates Committee]

Discussion on file at the Webb County Clerks Office under the July 7, 2010 Commissioner's Court meeting dvd.

Mrs. Gaby Lopez, County Auditors Office, stated that the Water Service and Rates Committee was recommending closing the Casa Blanca Water Dispenser and Masterson Road Water Dispenser.

Cmr. Tijerina motioned to approve the committee's recommendation. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Martinez motioned to post a thirty day notice advising of the water dispenser closure and that the thirty days be effective the day of posting. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Administrative Services

Item No. 9. Discussion and possible action to approve the form and content of the proposed Insurance Consultant Request for Proposal Packet. [Requested by Cynthia Mares, Administrative Services Director]

Discussion on file at the Webb County Clerks Office under the July 7, 2010 Commissioner's Court meeting dvd.

Cmr. Martinez motioned to retain the insurance consultant.

After discussion, Cmr. Martinez withdrew his motion.

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

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

Judge Valdez motioned to bring back item 5. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

(EXECUTIVE SESSION 12:45 p.m. – 1:15 p.m.)

Item No. 5. Discussion and possible action to interview and select a bond counsel firm from the qualified applicants for Webb County, Texas; and any other matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Interviews on file at the Webb County Clerks Office under the July 7, 2010 Commissioner's Court meeting dvd.

1st interview – Vinson & Elkins

2nd interview – Winstead PC

3rd interview – Escamilla, Poneck & Cruz

Judge Valdez motioned to recess until 2:45 p.m. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

4th interview – Fulbright & Jawarski L.L.P.

Cmr. Sciaraffa motioned to select a bond counsel every time there was a need to go out on an issuance. Cmr. Martinez seconded the motion.

After discussion, Cmr. Sciaraffa and Cmr. Martinez withdrew their motion.

Cmr. Martinez turned in his scoring sheets for the record.

Judge Valdez motioned to table the item until Monday based on the County Attorney's recommendation to research the authority, to review the dvd, and bring back the item to Monday's Commissioner's Court meeting.

Motion died for lack of second.

Cmr. Sciaraffa motioned to hire a bond company every time the Court goes out on a bond series. Cmr. Martinez seconded the motion.

After discussion, Cmr. Sciaraffa amended his motion to include rejecting the people that submitted their RFP and interviewed today, go on a new basis, and have the right to hire as the need arises. Cmr. Martinez seconded the motion.

Motion failed 2-3 with Judge Valdez, Cmr. Tijerina, and Cmr. Garza voting against.

Cmr. Tijerina motioned to table the item, allow Mrs. Anna Laura Cavazos Ramirez, County Attorney, to review the dvd on the intent of the 2nd motion, and advise the Court where they stand on what they are able to do when the item is brought back.

Cmr. Garza stated to include also in the motion to bring back the County Attorney's opinion on the word rescind not being stipulated in the motion; however, the intent of the Court was rescinding the prior act.

Cmr. Garza seconded the motion.

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

Item No. 10. Adjourn

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

Motion carried 5-0 by unanimous consent.