

Official Minutes for Webb County Commissioners Special Meeting

September 20, 2010 at 9:00 a.m.
(Approved on October 25, 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 17th day of September 2010. Present also was Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 1 Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk

Judge Valdez motioned to excuse Commissioner Sciaraffa and Commissioner Garza from the meeting. Commissioner Tijerina seconds the motion.

Motion carried 3-0 by unanimous consent.

Item No. 2 Pledge of Allegiance

Item No. 3 Communications

Judge Valdez congratulated Commissioner Tijerina on celebrating her birthday on Sunday. He sent his condolences to the families of Ramiro Hinojosa, Joe Guerra and Alejandro Martinez.

Commissioner Tijerina congratulated Mr. Gabriel Lopez for being bestowed the Commission of Admiral in the Texas Navy. She congratulated Sames Motor Company on their 100 year celebration. She sent her condolences to the families of Ramiro Hinojosa, Joe Guerra, Alejandro Martinez and to Grizelda Zapata on the passing of her father.

Commissioner Martinez sent his condolences to the families of Alejandro Martinez and Joe Guerra.

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 comments.

Judge Valdez motioned to bring up Item # 6. Commissioner Tijerina seconds the motion.

Motion carried 3-0.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

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

Item No. 6 **Presentation on behalf of the State of Texas bestowing the commission of Admiral in the Texas Navy upon Mr. Gabriel Lopez of the Texas Veteran's Leadership.**

Commissioner Tijerina led the court and everyone present with The Pledge of Allegiance and honoring of The Texas Flag.

Judge Valdez read the biography on bestowing the commission of admiral and Commissioner Tijerina spoke on the life of Mr. Gabriel Lopez. Commissioner Tijerina stated that the requirement to be commissioned is that the person must be a 20 year veteran and be involved in Veterans Affairs and must be nominated by another Admiral.

Judge Valdez made the presentation on behalf of The State of Texas bestowing the commission of the Admiral in The Texas Navy to Mr. Gabriel Lopez of The Texas Veteran's Leadership.

Honorable Danny Valdez, Webb County Judge

Item No. 5 **Status report by the Webb County Fire/EMS Coordinator regarding the proposed plan of action for the implementation of Fire Suppression and Emergency Medical Services for the unincorporated areas of Webb County for October 1, 2010; with discussion and possible action to approve requests associated with hiring of part time personnel, purchasing of additional equipment, and approval of proposed budgets; and any other matters incident thereto. [Co-Sponsored by Rosaura 'Wawi' Tijerina, Commissioner Pct. 2]**

Discussion on file at The Webb County Clerks Office in the September 13, 2010 Special Commissioner's Court meeting DVD.

Commissioner Tijerina motioned to defer item until the end. Judge Valdez second the motion.

Motion carried 3-0

Commissioners Court

Item No. 7 Discussion and possible action to contract Martinez and Garza, CPAs, Webb County's independent auditing firm, to assist in preparation of tax and other documentation necessary to assist the Quad City Volunteer Fire Department as well as assist in organization of one or more additional volunteer fire departments in other areas of Webb County. The Court may discuss and take action on any and all matters related to creation of said volunteer fire departments. [Requested by Webb County Fire/EMS Committee]

Discussion on file at The Webb County Clerks Office in the September 13, 2010 Special Commissioners Court meeting DVD.

Judge Valdez motioned to approve item as submitted. Commissioner Tijerina second the motion.

Motion carried 3-0 by unanimous consent.

Item No. 8 Discussion and possible action to ratify and affirm the Commissioner's Court action taken at the meeting of August 23, 2010, Agenda item #13 wherein the Commissioners Court took action to approve the operational budget for the newly created Fire and EMS Department. As per the recorded minutes and DVD recording of said meeting, County Attorney Anna Laura Cavazos Ramirez asks the Court to approve the budget for the Fire & EMS Department "as submitted" by Leo Flores, Webb County Auditor. The Court accepted the recommendation and approved the budget "as submitted" by the County Auditor. The budget submitted by the County Auditor included FY 2009-2010 and FY 2010-2011 (see back-up information). The Court is asked to take action, to make clear for the record, that the County Auditor "submitted" a budget for FY 2009-2010 and for FY 2010-2011 for the Fire and EMS Department and that it was those budgets that the Court approved at their meeting of August 23, 2010. [Requested by Leo Flores, Webb County Auditor]

Commissioner Martinez motioned to ratify the court action taken on The Commissioners Court meeting of August 23, 2010, Item # 13 and stated that both the 2009-2010 and the 2010-2011 Budgets for the Fire suppression and EMS Services Department # 2203 were approved. Judge Valdez seconds the motion.

Motion carried 3-0 by unanimous consent.

Item No. 9 Discussion and possible action to approve an interlocal agreement with the City of El Cenizo, Texas Volunteer Fire Department for fire suppression services wherein Webb County will provide funding to El Cenizo for fire suppression equipment (bunker gear, extrication equip., SCBA's), 10% cash match for a fire truck, and additional training for volunteers, in an amount not to exceed \$76,000 in consideration for fire suppression services for the unincorporated areas of Webb County, and to authorize the County Attorney's office and Fire/EMS committee to negotiate and finalize the terms and conditions of agreement subject to court

approval; and any other matters incident thereto. [Requested by Webb County Fire/EMS Committee]

Discussion on file at The Webb County Clerks Office in the September 13, 2010 Special Commissioners Court Meeting DVD.

Judge Valdez motioned to approve item as submitted. Commissioner Tijerina second the motion.

Motion carried 3-0 by unanimous consent.

Item No. 10 Discussion and possible action to approve a contract for Emergency Medical Services (EMS) for the unincorporated areas of Webb County with EMS provider(s) (approximately 5 providers have been contacted; and to authorize the County Attorney's office and Fire/EMS committee to negotiate and finalize the terms and conditions of said contract subject to court approval; and any other matters incident thereto. [Requested by Webb County Fire/EMS Committee]

Commissioner Martinez motioned to table item for the September 27, 2010 meeting. Judge Valdez seconds the motion.

Motion carried 3-0 by unanimous consent.

Item No. 11 Discussion and possible action to consider approving additional funding for the Webb County Sheriff's department for the employment of additional personnel (Part Time/Full Time) for their radio communications/emergency 911 dispatch (PSAP); and any other matters incident thereto. [Requested by Webb County Fire/EMS Committee]

Commissioner Martinez motioned to table item. Commissioner Tijerina seconds the motion.

Motion carried 3-0 by unanimous consent.

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 12 Discussion and possible action to approve the Contract with FQR Architects, Inc. for the design of the Buenos Aires Community Center authorizing the County Judge to execute all relevant documents, and any other matters incident thereto. [Requested by Jerry Garza, Webb County Commissioner Pct. 3; Account #2002-2003 (Bond Series)]

Commissioner Martinez motioned to approve item as submitted. Commissioner Tijerina second the motion.

Motion carried 3-0 by unanimous consent.

Item No. 13 Discussion and possible action to approve a Contract with the Laredo Energy Arena (LEA) for a Drug Awareness Concert sponsored by the Webb County Sheriff's Department that will take place on October 20, 2010, to authorize the County Judge to execute all relevant documents and other matters incident thereto. The Concert will be funded from a grant procured by the Sheriff's Department. [Requested by Webb County Sheriff, Martin Cuellar]

Judge Valdez motioned to approve item as submitted. Commissioner Tijerina second the motion.

Motion carried 3-0 by unanimous consent.

Item No. 14 Discussion and possible action to authorize the Webb County Attorney participate in mediation in Civil Action No. 5:09cv00107; Robert Ramos, Jr. vs. Webb County, Texas; In the United States District Court for the Southern District of Texas, Laredo Division; to designate a County representative to the mediation; to authorize a possible mediated settlement; 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)]

Judge Valdez motioned to defer item to the end. Commissioner Tijerina seconds the motion.

Motion carried 3-0 by unanimous consent.

Item No. 15 Discussion and possible action to approve the Agreement with ETC Texas Pipeline, LTD for temporary use of a county road that runs through school district land for a reasonable fee, and to authorize the County Judge to execute all relevant documents and other matters incident thereto.

Commissioner Martinez motioned to defer item to the end. Judge Valdez seconds the motion.

Motion carried 3-0 by unanimous consent.

Administrative Services

Item No. 16 Discussion and possible action to authorize the Administrative Services Department to secure Workers Compensation and/or other insurance coverage for Webb County's volunteer firefighters at an estimated annual premium of \$12,000.00, for County Judge to execute all relevant documents, and for any other matters incident thereto.

Judge Valdez motioned to approve item. Commissioner Martinez seconds the motion.

Motion carried 3-0 by unanimous consent

Item No. 17 Status report from Administrative Services regarding the proposed costs for 911 insurance coverage for Emergency Medical Services (EMS) providers contracting with Webb County to provide services; with discussion and possible action to approve a professional medical and malpractice liability insurance program that may be acceptable to Webb County; and any other matters incident thereto. [Requested by Fire/EMS Committee]

Ana Laura Cavazos Ramirez, County Attorney, recommended to the court not to proceed with this item.

No Action

Economic Development

Item No. 18 Discussion and possible action to authorize the Webb County Purchasing Agent to award/reject bid number 2010-38 the Construction of One Water Well for Mirando Rural Water Supply Corporation as recommended by the Project Engineer, Puig Engineering/ Laredo Division of Civil Engineering Consultants and approve the construction contract. This will not impact the general fund and authorize the County Judge to sign all relevant documentation. [Requested by Juan Vargas, Webb County Economic Development Director; Account #640-8001-8701 (ARRA Grant) and Account #641-8001-8701 (ARRA Grant)]

Commissioner Tijerina motioned to award item as submitted. Judge Valdez seconds the motion.

Motion carried 3-0 by unanimous consent.

Webb County Auditor

Item No. 19 Discussion and possible action to approve the following line item transfers:

FROM SERIES 2000 ACCOUNTS:	
624-8000-8601-3 Construction Project	1,454
624-8000-3601 Interest Income	1,540
624-2985 Fund Balance	
	<u>16</u>
Total	3,010
TO SERIES 2000 CAPITAL OUTLAY:	
624-8108-8801 Capital Outlay	3,010

FROM SERIES 2001 ACCOUNTS:	
627-0300-3601 Interest Income	249
677-8102-8609 Villa Antigua	8,600
678-8103-8710-1 Park Development	1,200
678-8103-8710-2 Park Development	3,384
678-8103-8710-4 Park Development	1,200
679-8105-8103 Building Improvements	<u>5,284</u>
Total	19,917
TO SERIES 2001 CAPITAL OUTLAY:	
682-8108-8801 Capital Outlay	19,917
FROM SERIES 2002 ACCOUNTS:	
683-2985 Fund Balance	11,868
683-0300-3601 Interest Income	206
685-0116-8601 Storage Warehouse	1,784
687-0117-6022 Justice Center	9,520
687-0117-8601 Justice Center	6,643
695-6004-8710-2 Park Development	245
696-6106-8801 Capital Outlay	30,000
696-6108-8801 Capital Outlay	<u>5,200</u>
Total	65,466
TO SERIES 2002 CAPITAL OUTLAY:	
696-8007-8801 Capital Outlay	65,466
FROM SERIES 2003 ACCOUNTS:	
657-0300-3601 Interest Income	2,513
663-0119-6022 Rain Enhancement	<u>530</u>
Total	3,043
TO SERIES 2003 CAPITAL OUTLAY:	
660-8108-8801 Capital Outlay	3,043
FROM SERIES 2006 ACCOUNTS:	
711-2985 Fund Balance	24
711-0300-3601 Interest Income	4,268
700-8001-8601 Building Construction	615
718-0118-6022 Secondary Water Source	44,172
718-0118-8601 Secondary Water Source	46,178
725-8102-8609 Villa Antigua	<u>16,216</u>
Total	111,473
TO SERIES 2006 CAPITAL OUTLAY:	
727-8108-8801 Capital Outlay	111,473

Commissioner Martinez motioned to approve item as submitted. Judge Valdez second the motion.

Motion carried 3-0 by unanimous consent.

Purchasing

Item No. 20 Discussion and possible action to approve the following line item transfer:

From:	001-1011-6022	Professional Services	1,000
To:	001-1011-6403	Repair & Maintenance Vehicle	1,000

[Requested by Judge Jesus Garza, Webb County Court at Law #2; Account #001-1011-6022 and 001-1011-6403]

Commissioner Martinez motioned to approve item as submitted. Commissioner Tijerina seconds the motion.

Motion carried 3-0 by unanimous consent.

Commissioner Martinez motioned to go into Executive Session on Item # 14. Judge Valdez seconds the motion.

Motion carried 3-0 by unanimous consent.

EXECUTIVE SESSION – 11:00 A.M. – 11:13 A.M.

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

Item No. 14 Discussion and possible action to authorize the Webb County Attorney participate in mediation in Civil Action No. 5:09cv00107; Robert Ramos, Jr. vs. Webb County, Texas; In the United States District Court for the Southern District of Texas, Laredo Division; to designate a County representative to the mediation; to authorize a possible mediated settlement; 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)]

Judge Valdez motioned to allow The Webb County Attorney's Office to participate in mediation. Commissioner Martinez seconds the motion.

Motion carried 3-0 by unanimous consent.

Item No. 5 **Status report by the Webb County Fire/EMS Coordinator regarding the proposed plan of action for the implementation of Fire Suppression and Emergency Medical Services for the unincorporated areas of Webb County for October 1, 2010; with discussion and possible action to approve requests associated with hiring of part time personnel, purchasing of additional equipment, and approval of proposed budgets; and any other matters incident thereto. [Co-Sponsored by Rosaura ‘Wawi” Tijerina, Commissioner Pct. 2]**

Commissioner Martinez motioned to approve the purchase of the radios in the amount of \$227,824. Judge Valdez seconds the motion. Motion carried 3-0 by unanimous consent.

Commissioner Tijerina motioned to approve the hiring of part-time personnel at a total of \$286,000. Commissioner Martinez seconds the motion. Motion carried 3-0 by unanimous consent.

Item No. 15 **Discussion and possible action to approve the Agreement with ETC Texas Pipeline, LTD for temporary use of a county road that runs through school district land for a reasonable fee, and to authorize the County Judge to execute all relevant documents and other matters incident thereto.**

Judge Valdez motioned to approve item as submitted with the recommendation of County Attorney Ana Laura Cavazos Ramirez for a 30 year contract at \$2.00 a linear foot. Commissioner Tijerina seconds the motion.

Motion carried 2-0 with Commissioner Martinez opposing the motion.

Item No. 12 **Discussion and possible action to approve the Contract with FQR Architects, Inc. for the design of the Buenos Aires Community Center authorizing the County Judge to execute all relevant documents, and any other matters incident thereto. [Requested by Jerry Garza, Webb County Commissioner Pct. 3; Account #2002-2003 (Bond Series)]**

Judge Valdez motioned to rescind the motion on Item #12. Commissioner Tijerina seconds the motion.

Motion carried 3-0 by unanimous consent.

Adjourn Commissioner Tijerina motioned to adjourn. Judge Valdez second the motion.\

Motion carried 3-0 by unanimous consent.

