



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
March 9, 2009
9:00 a.m.

CALL TO ORDER BY THE HONORABLE DANNY VALDEZ, WEBB COUNTY JUDGE

- 1.** Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk
- 2.** Pledge of Allegiance
- 3.** Approval of Minutes for February 17, and February 23, 2009
- 4.** Approval of Bills, Payroll, and Monthly Report
- 5.** Communications
- 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.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

Honorable Danny Valdez, Webb County Judge

- 7.** Discussion and possible action to authorize the County Engineer to propose a county road improvement plan based on the Metropolitan Planning Organization's (MPO) approved project funding being allocated from the American Recovery and Reinvestment Act (federal stimulus package); and any other matters incident thereto.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

- 8.** Discussion and possible action to allow Rio Bravo Colonia Initiative of SCAN, Inc., to host an Outdoor Spring Dance at the Rio Bravo Community Center grounds on March 14, 2009, and any matters incident thereto. [Co-Sponsored by Webb County Judge Danny Valdez]

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

- 9.** Discussion and possible action to approve the plaque design and wording for the Webb County Nutrition/Health Learning Center.
- 10.** Presentation of Certificates of Achievement to the 2009 Border Olympics Champions, United High School Girl's Golf Team.
- 11.** Presentation of Certificates of Achievement to the 2009 Border Olympics Champions, St. Augustine High School Boy's Golf Team.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

- 12.** Discussion and possible action to contract with Totem Asset and Project Management, LLC in the amount of \$2,600.00 per month for a period of Six (6) months to provide grant writing services (research/preparation) for Precinct 3. Funding is available in Precinct 3. [Account #605-0203-8801]
- 13.** Discussion and possible action to accept the recommendations of Hickey/Pena Architects to award the contract for construction of the North Side International Park to Zertuche Construction. Subject to negotiation and value engineering yielding a price consistent with Webb County's budget without significant change in scope.

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

14. Discussion and possible action to approve a donation of \$5,000 to the Texas A&M Colonia Program from Commissioner Precinct 4. [Account #605-0204-8801]

MEDIA BREAK

Honorable Anna L. Cavazos Ramirez, County Attorney

- 15.** Discussion and possible action to enter into a One (1) year (February 13, 2009 through February 12, 2010) Premium Plus Maintenance Agreement No. 353785-001 with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba E-Studio 352 Copier to be located at the Webb County Head Start/Floyd's Kitchen in the amount of SEVENTY-FIVE DOLLARS (\$75.00) per quarter being THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and copy overages of \$0.0095 per copy and authorizing the County Judge to sign all relevant documents. **[Requested by Aliza Oliveros, Head Start Center Director/Floyd's Kitchen]**

- 16.** Discussion and possible action to enter into a One (1) year (January 28, 2009 through January 27, 2010) Premium Plus Maintenance Agreement No. 211173-003 with Office Communications Systems, Inc. for the maintenance of One (1) Toshiba E-Studio 3510 Copier to be located at the Webb County Judge's Office in the amount of SEVENTY-FIVE DOLLARS (\$75.00) per quarter being THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement and with copy overages of \$0.0099 per copy in black and \$0.0880 per copy in color and authorizing the County Judge to sign all relevant documents. **[Requested by Danny Valdez, Webb County Judge]**

- 17.** Discussion and possible action to approve the form for the 2009/2010 Third Party Funding Application, including Hotel/Motel funding, and set submission dates and deadlines for application for all Third Party Funding, and any matters incident thereto.

- 18.** Discussion and possible action to enter into a One (1) year (February 11, 2009 through February 10, 2010) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-281C Copier located in the Webb County Sheriff Administrative Building at a cost of FIFTY DOLLARS (\$50.00) per quarter in an amount of TWO HUNDRED DOLLARS (\$200.00) over a term of the agreement and with copy overages being billed at \$0.0099 cents per black copy and \$0.0880 per color copy and authorizing the County Judge to execute all relevant documents. **[Requested by Martin Cuellar, Sheriff, Account #2001-001-6402]**

- 19.** Discussion and possible action to enter into a One (1) year (February 11, 2009 through February 10, 2010) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-352 Copier located in the Webb County Sheriff Substation U.S. Highway 59 at a cost of FIFTY DOLLARS (\$50.00) per quarter in an amount of TWO HUNDRED DOLLARS (\$200.00) over a term of the agreement and with copy overages being billed at \$0.0085 cents per black copy and authorizing the County Judge to execute all relevant documents. **[Requested by Martin Cuellar, Sheriff; Account #2001-001-6402]**
- 20.** Discussion and possible action to enter into One (1) year (February 11, 2009 through February 10, 2010) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-353 Copier located in the Webb County Sheriff Radio Dispatch at a cost of EIGHTY-THREE DOLLARS (\$83.00) per quarter in an amount of THREE HUNDRED THIRTY-TWO DOLLARS (\$332.00) over a term of the agreement and with copy overages being billed at \$0.0085 cents per black copy and authorizing the County Judge to execute all relevant documents. **[Requested by Martin Cuellar, Sheriff, Account #316-2100-6402]**
- 21.** Discussion and possible action to approve Amended Agreement between Webb County and URS Group, Inc., obtain limited title search reports prepared by a Title Company licensed by the Texas Department of Insurance in conjunction with La Presa Colonia Facility Plan project (for the design of certain water and wastewater improvements), U.S. Army Corp. of Engineers contract number DACW64-02-D-0001, Task Order 0018. **[Requested by Fitzgerald G. Sanchez, Engineer]**

- 22.** Discussion and possible action to accept formal dedication of Welhousen and Torrecillas Road in Oilton, Texas, such roads previously had been acquired by Webb County by prescriptive easements, such property being described as follows:

Tract No. 1: Welhousen

Being 1.16 acre tract of land, being the right-of-way of Welhousen Street from the south line Carolina Avenue to north line Molina Avenue in Oilton, Webb County, Texas recorded in Volume 2, Page 57, Plat Records, Webb County, Texas, situated in Survey 786, J. M. Garcia, Abstract 1956, Webb County, Texas.

Tract No. 2: Torrecillas

Being a 0.51 acre tract of land, being the right-of-way of Garcia Street from the south line Laredo Avenue to north line Teresa Avenue in Oilton, Webb County, Texas recorded in Volume 2, Page 57, Plat Records, Webb County, Texas, situated in Survey 786, J. M. Garcia, Abstract 1956, Webb County, Texas.

[Requested by Rhonda Tiffin, Planning & Zoning Director]

- 23.** Discussion and possible action to enter into a "Texas Framework Agreement" with Bearing Point, Inc. which will provide for E-Filing and Electronic Payment services through the Texas online website for the District and County Clerk's Office for a period of Three (3) years beginning January 9, 2009 and authorizing the County Judge to execute all relevant documents. **[Requested by Manuel Gutierrez, District Clerk]**
- 24.** Discussion and possible action to enter into and approve a Professional Contract between Webb County and Justice Benefits, Inc. for Jail Costing Study, wherein Justice Benefits, Inc. agrees to deliver a Draft Report within Ninety (90) days of the contract approval. Within Thirty (30) days of the completion of the county's review of the Draft Report, Justice Benefits will deliver to the county a final Report and by order of Commissioner's Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the Webb County Judge to execute all relevant documents. **[Requested by Leo Flores, Auditor; Fund #168 (Sheriff's State Forfeiture Fund)]**

- 25.** Discussion and possible action to enter into a Memorandum of Understanding with the Laredo Independent School District concerning the coordination and collaboration of preschool educational services to children enrolled in the Head Start Program and as allowed under the "Improving Head Start for School Readiness Act of 2007" and authorizing the County Judge to sign all relevant documents. **[Requested by Aliza Oliveros, Head Start Program Director]**

- 26.** Discussion and possible action to enter into a Memorandum of Understanding with the United Independent School District concerning the coordination and collaboration of preschool educational services to children enrolled in the Head Start Program and as allowed under the "Improving Head Start for School Readiness Act of 2007" and authorizing the County Judge to sign all relevant documents. **[Requested by Aliza Oliveros, Head Start Program Director]**

- 27.** Discussion and possible action to enter an Order to establish a Ninety day burn ban for the unincorporated areas of Webb County effective March 9, 2009. **[Recommended by Texas Forest Service]**

Honorable Margie Ibarra, County Clerk

- 28.** Discussion and possible action to approve the following line item transfer:

From:	001-1120-6204	Fuel & Lubricants	1,000
To:	001-1120-6011	Training & Education	1,000

[Account #001-1120-6204 & 001-1120-6011]

Honorable Isidro R. Alaniz, District Attorney

- 29.** Discussion and possible action to donate a 2001 Burgundy, Dodge X-Cab, Vin #1B7HC13421J254279, Tx. Lic. #61L JW2, Unit #09-37, Mileage-103,870 and a 2000 Silver, 2 door, Chevy Monte Carlo, Vin #2G1WW12EY9240728, Unit #09-41, Mileage (digital-cannot be turned on to check) to Webb County Attorney's Office.

Honorable Alvino Morales, County Court at Law 1 Judge

30. Discussion and possible action to approve the following title changes:

	<u>Slot #</u>	<u>Title</u>
From:	2324	Warrant Peace Officer
	1976	Officer V
	0393	Officer I
To:	2324	Warrant Peace Officer I
	1976	Warrant Peace Officer II
	0393	Warrant Peace Officer III

31. Discussion and possible action to approve the following salary adjustments:

	<u>Slot #</u>	<u>Title</u>	<u>Salary</u>
From:	2324	Warrant Peace Officer I	\$41,600
	1371	Bailiff	\$45,426
	1976	Warrant Peace Officer II	\$47,651
To:	2324	Warrant Peace Officer I	\$42,925
	1371	Bailiff	\$46,751
	1976	Warrant Peace Officer II	\$45,000

32. Discussion and possible action to approve the following line item transfer:

From:	001-1010-7050	Adult Misdemeanor	5,000.00
To:	001-1010-6026	Visiting Judges	5,000.00

Honorable Rudy Rodriguez, Constable Pct. 1

- 33.** Discussion and possible action to approve the following line item transfer from forfeiture funds.

From:	166-2500-6707	Drug Free Campaign	2,000
	166-2500-6709	Support Assistance	1,000
To:	166-2500-6202	Uniforms	3,000
From:	166-2500-6709	Support Assistance	1,000
	166-2500-6708	Exp. For Other Law Enforcement	1,000
To:	166-2500-6228	Fire Arms & Ammunition	2,000

Honorable Martin Cuellar, Sheriff

- 34.** Discussion and possible action to approve a Professional Annual Contract with Justice Benefits, Inc. to help the Webb County Sheriff's Office apply for federal financial participation for federal reimbursement of the costs of housing illegal aliens at the Webb County Jail at the rate of 11% compensation for amounts up to \$111,000.00 (baseline) and 22% compensation for the amounts over \$115,000.00 through Justice Benefit's efforts, and by order of Commissioner's Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the Webb County Judge to execute all relevant documents.
- 35.** Discussion and possible action to approve a Professional Service Contract between Webb County for and on behalf of Webb County Sheriff Martin Cuellar and Strother & Company, Consultant, for consulting services for Law Enforcement related policies and procedures and by order of Commissioner's Court to grant an exemption to competitive bidding pursuant to Section 262.024, Texas Local Government Code and authorizing the Webb County Judge to execute all relevant documents. The effective date of this contract shall be February 1, 2009 through January 31, 2010. The annual contract amount shall not exceed \$50,400.00 to be paid on a monthly basis at a rate of \$4,200.00. Funding is available in the Federal Forfeiture fund.

- 36.** Discussion and possible action to approve a Budget Amendment to the FY 2008-2009 Sheriff's Office Federal Forfeiture Fund (170) by appropriating revenues and expenditures in the amount of \$98,964.05 to be used for Law Enforcement purposes as permitted by Federal Forfeiture guidelines. See attached worksheet for detailed proposed revenue and expenditure appropriations.
- 37.** Discussion and possible action to authorize the submission of an application for a Rural Emergency Responders Grant (with notice to the Economic Development Department) to the United States Department of Agriculture for Law Enforcement equipment and designating the Webb County Judge as the authorized official in all matters pertaining to this grant. This grant requires no match; and, thus, is at no cost to Webb County.
- 38.** Discussion and possible action to authorize the submission of an application for a Fund 421 Grant (with notice to the Economic Development Department) to the Criminal Justice Division Office of the Governor for Law Enforcement equipment and designating the Webb County Judge as the authorized official in all matters pertaining to this grant. This grant requires no match; and, thus, is at no cost to Webb County.

Honorable Patricia A. Barrera, Tax Assessor- Collector

- 39.** Discussion and possible action to approve refund of \$5,196.37 to Triangle B Ranch, for Account #900-30591-006, 900-00781-006 and 900-00781-008, for applying Agricultural-Use Type 1 as per Court Judgement #2007CVQ001638-D2,111th District Court for 2007. [Requested by Patricia A. Barrera, Tax Assessor-Collector, Account #001-0700-3063]

Auditor

- 40.** Discussion regarding revenues coming in below budget and possible action to accept the recommendations of the County Auditor to counter the expected shortfalls with a hiring freeze and a reduction in operational budgets for all county departments.

Administrative Services

- 41.** Discussion and possible action to authorize the Facilities Department to proceed with alterations and improvements to the Administrative Services Department. [Requested by Cynthia Mares, Administrative Services Director, Account #001-0114-6205 (Materials and Supplies)]

Buenos Aires Community Center

42. Discussion and possible action to approve the following line item transfer:

From:	001-6113-6401	Repairs & Maintenance	1,000
To:	001-6113-6219-2	Goods for Public Events	1,000

[Requested by Jerry Garza, Commissioner Pct. 3]

Community Action Agency

43. Discussion and possible action to proclaim the month of March as "March For Meals" month.

Economic Development

- 44.** Discussion and possible action to approve a change order to deduct a total amount of \$1,783.08 to contractor AA BUILDERS, under housing rehabilitation project of resident Rosa Estevis, due to an exclusion of items regarding a utility room construction that homeowner no longer needs. USDA-Rural Development Contract for this project would change from \$22,622.56 to \$20,839.48. This action will have no impact on the County's General Fund.
- 45.** Discussion and possible action to accept a \$1,500,000 grant, TCDP contract # 728023, from the Texas Dept. of Housing and Community Affairs, Office of Colonia Initiatives to operate and administer the Webb County Self-Help Center Program effective November 1, 2008 to terminate October 31, 2012 and authorizing the County Judge to sign all pertinent paperwork associated with this grant contract.

Planning

- 46.** Discussion and possible action to approve the issuance of "Certificates of Compliance with Plat Requirements Regarding the Connection of Utilities" to authorize water and sewer service connections pursuant to the provisions of Section 232.028(b), Local Government Code and contingent upon the owner's execution of required affidavits regarding present and future dwellings/structures limitations, uses and sales for the following properties:

D-5 Acres Subdivision

- 1) Lot 39 (One (1) dwelling only)

Staff recommends approval of the above-referenced properties as submitted containing One (1) dwelling on One (1) lot.

- 47.** 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 2, Lot 17, Los Altos Subdivision** for Two dwellings only (limited to a total of Three 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.

Public Defender

- 48.** Discussion and possible action to approve the purchase of a Toshiba E-Studio 450s Copier to be located at the District Attorney's office to be used by the Public Defender's office to make copies of police reports, and any other matters incident thereto. **[Account #022-1205-8405 (Equalization Disbursement Grant)]**

Purchasing

- 49.** Discussion and possible action to authorize the purchase of classroom toys and materials for the Head Start Program in the amount of \$22,550.84 from the following:

National Education Systems	Classroom Toys	\$ 8,049.38
Discount School Supplies	Classroom Materials	<u>14,501.46</u>
Total:		\$22,550.84

[Requested by Aliza Oliveros, Head Start Program Director; Account #903-4207-6069 (Classroom Supplies)]

- 50.** Discussion and possible action to authorize the lease of a Toshiba E-Studio 233 from Toshiba Business Solutions (Texas Buyboard Contract #288-09) in the amount of \$99.54 monthly for the Veterans' Service Department. **[Requested by Antonio Silva, Veterans' Service Director; Account #001-5050-6014 (Equipment Rental)]**
- 51.** Discussion and possible action to ratify repairs to Casa Blanca Golf Course Pump Station by Five Star Services (original amount of \$2,910.00 was approved by Commissioner Court 2/9/09 and increased by \$1,150.00 for a total of \$4,060.00). **[Requested by Eloy Ramirez, Jr., Purchasing Agent Director; Account #665-6001-8601]**
- 52.** Discussion and possible action to authorize the purchase of a Walk Through Metal Detector in the amount of \$3,985.99 from Gall's for the Judge Solomon Casseb, Jr., Webb County Youth Village. **[Requested by Eloy Ramirez, Jr., Purchasing Agent Director; Account #684-1301-8410 (Equipment)]**
- 53.** Discussion and possible action to award Bid 2009-03 Flexible Base (Caliche) to Brothers Materials, LTD at \$4.75 per cubic yard loaded by vendor for the Road and Bridge Department. **[Requested by Jose Luis Ramos, Road & Bridge Director; Account #010-7002-6405 (Repairs & Maintenance Roads)]**
- 54.** Discussion and possible action to authorize the Purchasing Agent to obtain a cellular phone limited to 300 minutes per month from Verizon Wireless at a rate of \$36.89 monthly for Mr. Greg Araiza, Van Driver for Larga Vista Community Center. **[Requested by Alice Garcia, Larga Vista Community Center Director; Account #001-0109-6004-2 (Cell Phones)]**

55. Discussion and possible action to authorize the purchase of a Court Recording Machine in the amount of \$5,636.30 from Exhibit One for the 111th District Court. **[Requested by Raul Vasquez, 111th District Court Judge; Account #605-8108-8801 (Capital Outlay)]**
56. Discussion and possible action to contract the services of Miranda's Concrete Works for a fee of \$23,783.20 to perform scope of work for the project at Finley Elementary location as specified by Howland Engineering for Head Start Program. **[Requested by Aliza Oliveros, Head Start Program Director; Account #903-4207-6401 (Repairs & Maintenance)]**

Closed Session/Executive Session

57. Discussion and possible action to retain specialized legal counsel and a medical expert in connection with expected claim arising from the death of an inmate following incarceration at the Webb County Law Enforcement Center. **[Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**
58. Discussion and possible action to terminate the Legal Services of outside counsel in Cause No. 2008-CVQ-001426-D4; Irene Alegria, as Next Friend of Robert Perales, Jr., Joe A. Perales and Veronica Y. Perales, minors; and Francisca Hernandez, Individually and as Representative of the Estate of Christina Hernandez v. Webb County Sheriff's Department; in the 406th Judicial District Court of Webb County, Texas; and to reassign the case to the Office of the Webb County Attorney. **[Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**
59. Discussion and possible action to appoint a committee to represent Webb County in negotiations for a collective bargaining agreement with the Webb County Deputy Sheriffs Association pursuant to Texas Local Government Code Chapter 174. The current agreement expires on September 30, 2009. **[Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**
60. Adjourn

The Webb County Commissioners Court hereby reserves the right to go into closed session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

 **DISABILITY ACCESS STATEMENT** 

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DATED THIS 6th DAY OF March, 2009

By: _____
Belinda Granado
Court Administrator

CERTIFICATION OF NOTICE AND POSTING

I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the 6th day of March, 2009 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 6th DAY OF March, 2009

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Imelda Diaz, Deputy Clerk