

# Official Minutes for Webb County Commissioners Court Meeting

**Monday, March 12, 2012 at 9:00 AM  
(Approved March 26, 2012)**

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
Jaime Alberto Canales	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 9<sup>th</sup> day of March 2012. Present also were Ms. Virginia Martinez, 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**

Judge Valdez motioned to excuse Cmr. Garza. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 by unanimous consent.

## **Item No.2. Pledge of Allegiance**

## **Item No.3. Approval of Minutes for February 27, 2012**

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

Motion carried 4-0 by unanimous consent.

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

9:04 a.m. – Cmr. Garza present.

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

Rafael Perez, Chief Deputy Auditor presented the monthly report for February 2012.

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

Motion carried 5-0 by unanimous consent.

**Item No.5.      Communications**

Cmr. Canales welcomed everyone present. He wished Cmr. Sciaraffa a Happy Birthday. Cmr. Canales congratulated everyone who participated in the L.I.F.E. Fair Exposition. He mentioned that he had attended both the Eagle Ford Shale Conference and a Washington D.C. conference. Cmr. Canales congratulated Judge Valdez for his upcoming non-profit organization event and the 501 C 3 application.

Cmr. Garza wished everyone a Happy Spring Break He wished Cmr. Sciaraffa a Happy Birthday. Cmr. Garza congratulated everyone who participated in the L.I.F.E. Fair. He congratulated everyone in Zapata for the Zapata County Fair. Cmr. Garza congratulated Judge Valdez for his upcoming non-profit Golf Tournament.

Cmr. Tijerina wished everyone a Happy Birthday. She thanked Jose Luis Ramos, Road and Bridge Director and staff for the campaign cleanup. Cmr. Tijerina congratulated the L.I.F.E. organization on their 2012 Fair. She congratulated twin sisters Jessica and Lizzy Prieto of the Alexander Bulldog Women's Basketball Team for going all the way to the State Championships. Cmr. Tijerina sent out her heartfelt condolences to the family of Tony Guardiola, family of Santos Martinez, family of Minerva Valdez, and to Danny Valdez for the lost of his aunt. She wished Judge Valdez the very best on his Golf Tournament and 501 C3.

Cmr. Sciaraffa thanked Mr. Jose Luis Ramos for the cleanup effort phase II of Las Presas. He congratulated Judge Valdez on his upcoming non-profit event.

Judge Valdez wished Cmr. Sciaraffa a Happy Birthday. He thanked the commissioners and all the sponsors for being present at the "Community First" Press Conference. Judge Valdez also invited everyone to the Golf Tournament. He wished everyone a Happy and Safe Spring Break.

**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.**

No one signed up for Public Comment.

**Honorable Danny Valdez, Webb County Judge**

**Item No.7.      Discussion and possible action to approve funding in the amount of approximately \$177,000 for the purchase of office furnishings (\$56,000), surveillance cameras (\$25,000), and a generator (\$96,000) for the new JJAEP facility. [Account #604-0101-8103 (Permanent Improvement Fund)]**

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

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

Item No.8. Discussion and possible action to approve the purchase of the following items to furnish the Quad City and Webb Fire Stations in an amount not to exceed \$6,500.00; and any other matters incident thereto:

Eight (8) metal twin bed frames (lifetime warranty)  
Eight (8) sets twin box spring and mattresses (10 year warranty)  
Electric Range with 4-wire cord  
8 ft. conference/dining table  
32" wall mount television  
Dry erase board  
Microwave oven  
Two (2) four drawer file cabinets  
Coffeemaker

[Co-Sponsored by Rick Rangel, Webb County Fire Department Chief] [Account #629-2203-8801 (Series 2010)]

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

Commissioners Court

Item No.9. Discussion and possible action to authorize the Economic Development Department, in conjunction with TMC staff, to submit a grant application to the office of Violence Against Women in the amount not to exceed \$350,000 for the Safe Haven Program: Supervised Visitation and Safe Exchange Program, and authorizing the County Judge to execute all relevant documents resulting from the award. [Requested by Mary Guevara Capello, Teaching & Mentoring Communities Chief Executive Officer]

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No.10. Discussion and possible action as Trustee of Webb County School Lands, to approve the granting of a 9,742.92 linear foot non-exclusive right-of-way to Navarro Midstream Services, LLC for a Thirty feet (30') in width ("right-of-way") for the purpose of laying, inspecting, maintaining, altering, repairing, operating, replacing, and remove One (1) pipeline with a normal diameter not to exceed Twenty-Four

inches (24") for transportation of natural gas and natural gas products, for good and valuable consideration of Thirty Dollars (\$30.00) per linear foot and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

**Item No.11. Discussion and possible action to enter into a Memorandum of Understanding (MOU) between Webb County Community Action Agency and Motivation Education and Training (MET) to establish a mutual and beneficial relationship between the parties and to set forth the relative responsibilities of the migrant and seasonal farm workers and their families and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Juan Vargas, Webb County Community Action Agency Director]**

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

**Item No.12. Discussion and possible action to approve the Memorandum of Understanding between TAMIU and Webb County concerning the supervision of Master of Public Administration Student Interns, and to authorize the County Judge to execute all relevant documents; and any other matters incident thereto.**

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

**Honorable Oscar Hale, 406<sup>th</sup> District Court Judge**

**Item No.13. Discussion and possible action to clarify the accessibility and authorized users of the Fourth floor mediation room that is situated between the 406<sup>th</sup> District Court and County Court at Law 2; and any other matters incident thereto.**

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

Item No.14. Discussion and possible action to approve and ratify the 406<sup>th</sup> District Court Drug Court Program application for the Specialty Drug Court Program Solicitation Grant for FY 2012 (September 1, 2012 - August 31, 2013).

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

Motion carried 4-1 with Cmr. Canales out of the courtroom.

Honorable Ricardo Rangel, Justice of the Peace Pct. 2 Pl. 2

Item No.15. Discussion and possible action to authorize or prohibit modifications to the entry area of the building housing the Precinct Two Justices of the Peace including the construction of one or more walls and doors to facilitate the implementation of security measures recommended by Precinct Two Constable Ricardo Rodriguez; and any other matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, §551.071 (Consultation with Attorney) and §551.076 (Deliberation Regarding Security Devices)]

Honorable Ricardo Rodriguez, Constable Pct. 2

Item No.16. Discussion and possible action to approve remodeling and creation of office in Constable Pct. 2 building for use by department administration in the amount of \$4,232.00. To be funded by new County fund. [Account #604-0101-8103 (Permanent Improvement Fund)]

Judge Valdez motioned to defer items #15 and #16 until Executive Session. Cmr. Garza seconded the motion.

Motion carried 4-1 with Cmr. Canales out of the courtroom.

Honorable Martin Cuellar, Sheriff

Item No.17. Discussion and possible action to approve an inter-local Cooperative Agreement between Webb County and Zapata County for the purpose of providing housing for Webb County inmates in the amount of \$40.00 per inmate per day. The term of this agreement shall begin on November 1, 2011 and shall terminate on September 30, 2012; and authorizing the County Judge to sign all relevant documents.

Item No.18. Discussion and possible action to approve an inter-local Cooperative Agreement between Webb County and Dimmit County for the purpose of providing housing for Webb County inmates in the amount of \$39.00 per inmate per day. The term of this agreement shall begin on March 1, 2012 and shall terminate on September 30, 2012; and authorizing the County Judge to sign all relevant documents.

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

Comr. Tijerina motioned to approve items #17 and #18 as submitted. Comr. Garza seconded the motion.

Motion carried 4-1 with Comr. Canales out of the courtroom.

**Item No.19.** Discussion and possible action to accept the grant award of a State Criminal Justice Planning (SF-421) Fund grant from the Office of the Governor Criminal Justice Division (CJD) in the amount of \$99,870 for salaries and fringe benefits for the hiring of Five (5) part-time data entry clerks to assist in meeting compliance with the DPS criminal disposition database system since 2006; and designating the County Judge as the authorized official in all matters relating to this grant. This grant does not require any grant match; and, thus, is at no cost to Webb County.

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Motion carried 4-1 with Comr. Canales out of the courtroom.

### Building Maintenance

**Item No.20.** Discussion and possible action to approve the filling of the following vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2235	Grounds Keeper	\$9.18

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

Motion carried 4-1 with Comr. Canales out of the courtroom.

**Item No.21.** Discussion and possible action to authorize the Building Maintenance department to renovate and expand the current office space being utilized by the USDA-NRCS at the County agricultural building in an amount not to exceed \$1,100. [Co-Sponsored by Danny Valdez, Webb County Judge] [Account #604-0101-8103 (Permanent Improvement Fund)]

### Casa Blanca Golf Course

**Item No.22.** Discussion and possible action to approve improvements to the Casa Blanca Golf Course EZ-GO cart fleet (battery replacement); in an amount not to exceed \$15,000.00. [Account #631-6001-8601]

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

Mr. Flavio Garza, local conservationist for USDA-NRCS was in attendance to give a presentation regarding item #21.

Cmr. Sciaraffa motioned to approve items #21 and #22 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 4-1 with Cmr. Canales out of the courtroom.

### Community Action Agency

**Item No.23.** Discussion and possible action to authorize the Economic Development Department to submit a contract amendment to the Texas Department of Housing and Community Affairs-Office of Colonia initiatives (TDHCA-OCI) Self-Help Center-TCDP Contract #728023 and to approve a Resolution supporting the program changes, and authorize the Webb County Judge to execute all relevant documents; and any other matters incident thereto. [Fund #507]

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Cmr. Sciaraffa withdrew his motion.

Cmr. Garza withdrew his second.

Cmr. Tijerina motioned to table item #23. Cmr. Sciaraffa seconded the motion.

Motion carried 4-1 with Judge Valdez out of the courtroom.

### Economic Development

**Item No.24.** Discussion and possible action to submit an amendment to the Comptroller of Public Accounts State Energy Conservation Office (SECO) Energy Efficiency and Conservation Block Grant (EECBG) Program to amend the statement of work and budget under the American Recovery and Reinvestment Act (ARRA), and authorize the County Judge to sign all relevant documents. [Fund #653]

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

Motion carried 4-1 with Judge Valdez out of the courtroom.

**Item No.25.** Discussion and possible action to approve a Resolution and authorize the Economic Development Department to submit a Contract Amendment to the Texas Department of Agriculture (TDA) for the TCDP #710075 Mirando Sanitary Sewer Improvements and Sanitary Sewer House to Line Connection Project to modify the project's Performance Statement by removing the Four inch (4") PVC pipe, add Eight inch (8") PVC pipe, add approximately One Thousand Thirty linear feet (1,030 l.f.) for a total of Seven Thousand Nine Hundred linear feet (7,900 l.f.), change Three (3) effluent

pumps to One (1) lift station, add 25 fiberglass manholes, as recommended by the project engineer and authorize County Judge to sign all relevant documentation. Part of this project is being funded by USDA Rural Development. [Fund #642]

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

Motion carried 4-1 with Judge Valdez out of the courtroom.

**Item No.26.** Discussion and possible action to approve the submission of a Budget Modification to the Texas Department of Agriculture (TDA) TCDP #710075 requesting a transfer of \$7,940.00 from Sewer Improvements–Engineering (642-8001-8702-2) to Sewer Improvements Construction (642-8001-8702-1), and authorize County Judge to sign all relevant documentation.

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

Motion carried 4-1 with Judge Valdez out of the courtroom.

### Engineer

**Item No.27.** Discussion and possible action to accept the close out of the J.P. Garcia Phase III Project for Zertuche Construction, LLC and approve the final payment and release retainage in the amount of \$10,000.00. [Account #732-2311]

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

Motion carried 4-1 with Judge Valdez out of the courtroom.

### Head Start

**Item No.28.** Discussion and possible action to approve the filling of the following Slots:

<u>Slots #</u>	<u>Title</u>	<u>Hourly Salary</u>	<u>Pay Periods</u>
2526	AA Teacher Assistant	\$10.39	21
2570	Part Time EHS Teacher Floater	\$ 8.86	26
1992	Part Time CACFP Clerk	\$ 9.27	22

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

Motion carried 4-2 with Judge Valdez and Cmr. Tijerina out of the courtroom.

**Item No.29.** Discussion and possible action to enter into a financial agreement with Texas A&M International University in the amount of \$5,000 for the completion of a comprehensive Community Assessment as mandated by the Head Start Act. [Account #903-4211-6083]

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

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

Motion carried 4-2 with Judge Valdez and Cmr. Tijerina out of the courtroom.

### Planning

**Item No.30.** Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements Regarding the Connection of Utilities" pursuant to Sections 232.028 and 232.029, Texas Local Government Code to the following properties:

Approval authorized by 232.029 (b), L.G.C.:

- a) Lot 4, Block 5, Pueblo Nuevo Subdivision (Application ID 186). Approval is limited to Four (4) additional dwellings for a total of Five (5) dwellings only unless replatted.
- b) Tract 121, Ranchos Peñitas West Subdivision, Unit VI (Application ID 48). Approval is limited to Two (2) additional dwellings for a total of Three (3) dwellings only unless replatted.

Approval authorized by Section 232.029(c)(2), L.G.C.:

- c) An unplatted 5.00 acre tract of land, more or less, out of Tract C-23, Botines Subdivision, being the West ½ of the East ½, as further described in Vol. 3180, Pgs. 71-73, Webb County Deed Records (Application ID 197). Approval is limited to one dwelling only unless replatted.

Staff recommends approval.

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

Motion carried 4-1 with Cmr. Tijerina out of the courtroom.

### Purchasing

**Item No.31.** Discussion and possible action to pay debts owed to Harris County Toll Road authority; City of Laredo (Parking Violation) and Texas toll ways (Camino Colombia) in an amount not to exceed \$4,000.00; and any other matters incident thereto. Department's individual accounts will be used to pay for the debt.

Discussion on file at the Webb County Clerk's Office March 12, 2012 Commissioners Court Meeting DVD.

Judge Valdez motioned to approve item #31, included in the motion is to pay the Toll Road Fees that are pending and for the Department Heads to report any parking violations and to make a presentation to the court in regards to those tickets. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No.32. Discussion and possible action to purchase equipment for fuel station at Road & Bridge from MegaTronics International Corp. in the amount of \$27,425.00 and from PSI Petroleum Solutions, Inc. in the amount of \$39,484.00 for a total of \$66,909.00. [Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #604-0101-8103 (Improvement Fund)]**

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

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to go into Executive Session on items #15 and #33. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

**(Executive Session 10:14 a.m. – 10:34 a.m.)**

No action taken.

**Honorable Ricardo Rangel, Justice of the Peace Pct. 2 Pl. 2**

**Item No.15. Discussion and possible action to authorize or prohibit modifications to the entry area of the building housing the Precinct Two Justices of the Peace including the construction of one or more walls and doors to facilitate the implementation of security measures recommended by Precinct Two Constable Ricardo Rodriguez; and any other matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, §551.071 (Consultation with Attorney) and §551.076 (Deliberation Regarding Security Devices)]**

**Honorable Ricardo Rodriguez, Constable Pct. 2**

**Item No.16. Discussion and possible action to approve remodeling and creation of office in Constable Pct. 2 building for use by department administration in the amount of \$4,232.00. To be funded by new County fund. [Account #604-0101-8103 (Permanent Improvement Fund)]**

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Cmr. Tijerina motioned to table items #15 and #16 and to stop all remodeling in either item #15 and #16 and to allow Judge Valdez to appointment a committee to see what the needs are in that particular building, included in the motion is to have Cmr. Garza and Cmr. Sciaraffa sit down with Judge Ricardo Rangel, Constable Ricardo Rodriguez, and Judge Ramiro Veliz to resolve the issue and bring back a recommendation to the court. Cmr. Sciaraffa seconded the motion.

Motion carried 4-1 with Cmr. Tijerina out of the courtroom.

**Closed Session/Executive Session**

**Item No.33.** Discussion and possible action to approve the property damage settlement to Juan Carlos Perez, as a result of a motor vehicle accident involving a vehicle operated by Webb County Sheriff's Deputy, that occurred on February 9, 2012 at the intersection of Highway 59 and Remington Road, in Laredo, 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. Garza motioned to approve the settlement recommendation as discussed in Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No.34. Adjourn**

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

Motion carried 5-0 by unanimous consent.