

Official Minutes for Webb County Commissioners Court Meeting

**Monday, December 13, 2010 at 9:00 AM
(Approved on January 10, 2011)**

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 10th day of December 2010. 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

Item No.2. Pledge of Allegiance

Item No.3. Approval of Minutes for November 29, 2010

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

Motion carried 5-0 by unanimous consent.

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

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

County Auditor Leo Flores explained his monthly report for November.

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

Motion carried 5-0 by unanimous consent.

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Sciaraffa welcomed everyone; he thanked Constable Ruben Reyes and his family for thirty six years of service to Webb County. He congratulated Constable Reyes for his outstanding service to the community and to south Laredo. Cmr. Sciaraffa proceeded by reading the plaque that was presented to Constable Reyes.

Cmr. Tijerina wished Constable Reyes the best in his future endeavors and she thanked him for always being a good friend to her family.

Cmr. Garza thanked Constable Reyes for all his years of service and wished him the best on his retirement.

Cmr. Martinez encouraged Constable Reyes to stay active in the community and thanked him for his thirty six years of work to Webb County.

Judge Valdez thanked Constable Reyes and his family for his thirty six years of great work in Webb County especially in south Laredo. He thanked him for his public service as a constable and for giving back to community at every time of the year. Judge Valdez also wished him luck in his retirement and told him to take care of himself.

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Constable Ruben Reyes read his retirement letter.

Constable Ruben Reyes asked the court if he could read his recommendation letter due to his desire to have someone replace him as soon as possible so he can transfer the department. He expressed his wish for the Auditor's Office to take over his inventory/accounting. Constable Reyes also requested that if could take a flag that he especially designed which resides at the south Laredo Constable building.

Cmr. Sciaraffa motioned to allow Constable Reyes to take the flag and to entertain an agenda item for the next Commissioner's Court meeting in January to name the south Laredo Constable building after Constable Ruben Reyes.

Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Constable Ruben Reyes read his recommendation letter.

Cmr. Garza thanked District Clerk Manuel Gutierrez for all of his forty four years of service to Webb County and everything he has done. He congratulated him and wished him good luck in his retirement.

Cmr. Martinez thanked Mr. Gutierrez for the assistance he gave him and told him that he knows Mrs. Degollado will do a good job because she has had a very good role model. He also thanked him for his forty four years of hard work.

Judge Valdez congratulated Mr. Gutierrez, his family, and his staff for his forty four years of public service. He also mentioned for him to enjoy his retirement.

Cmr. Tijerina thanked Mr. Gutierrez for everything he has done for her and for the community. She wished him the very best in his well deserved retirement. Cmr. Tijerina thanked Mr. Gutierrez, his family, and his staff for all his years of public service.

Cmr. Sciaraffa thanked Mr. Gutierrez for his service to the community and to the county of Webb. He congratulated him and his family for all his years of service.

Judge Valdez and Commissioners presented a plaque to District Clerk Manuel Gutierrez.

District Clerk Manuel Gutierrez thanked the judge and all commissioners for the award. Mr. Gutierrez also thanked the voters of Webb County.

Judge Valdez congratulated Judge Raul Vasquez for all the work he has done throughout the years.

Cmr. Sciaraffa thanked Judge Vasquez and his family for all his years of service.

Cmr. Tijerina thanked Judge Vasquez for always being there for her. She wished him luck in all of his future endeavors and blessed him and his family.

Cmr. Garza wished Judge Vasquez the very best of luck on his retirement.

Cmr. Martinez thanked Judge Vasquez for all the work he has done.

Judge Valdez thanked Judge Vasquez for giving back to the community and for impacting lives. He then proceeded by presenting and reading the plaque that was given to Judge Vasquez.

Judge Vasquez thanked Judge Valdez and the Commissioner's Court for recognizing him, Constable Ruben Reyes, and District Clerk Manuel Gutierrez. He stated that it has been a pleasure and an honor serving the people of Webb County. Judge Vasquez thanked the court and the people of Webb County.

Judge Valdez mentioned that plaques would be presented to more Webb County employees that will also be retiring: Javier Garza from Building Maintenance, forty one years of service, Roberto Magnol from 111th District Court, thirty four years of service, and Jesus Carrizales, Sheriff's Department, thirty three years of service. He also thanked and wished everyone Happy Holidays.

Item No.5. Communications

Judge Valdez congratulated all the elected officials who took part in the recent elections. He congratulated Mayor Raul Salinas, Rosie Cuellar Castillo Municipal Court Judge Elect, City Councilman Elect Alex Perez, and City Councilman Elect Charlie San Miguel.

Cmr. Martinez stated that he challenged the city of Laredo officials and the Commissioner's Court to get the train out of Laredo. He thanked Mr. Paul Bultron for starting the Savate classes at Penitas.

Cmr. Garza congratulated all the newly elected county officials on their elections and wished them all the best. He congratulated Mayor Raul Salinas, Rosie Cuellar Castillo Municipal Court Judge Elect, City Councilman Elect Alex Perez, and City Councilman Elect Charlie San Miguel.

Cmr. Tijerina congratulated Mayor Raul Salinas, Rosie Cuellar Castillo Municipal Court Judge Elect, City Councilman Elect Alex Perez, and City Councilman Elect Charlie San Miguel. She also congratulated Cmr. Sciaraffa for his Head Start Christmas party and all his efforts. Cmr. Tijerina congratulated Constable Rudy Rodriguez for hosting the Navidad en el Barrio. She thanked her workers at the Presa Community center, Nelda Cortinas and Nelda Inocencio for preparing the float used for the Christmas parade. Cmr. Tijerina thanked Cmr. Martinez and wished him the best of luck in all his future endeavors. She reminded and encouraged everyone to attend the 4th Annual Webb County Employee Luncheon. Lastly she sent her heartfelt condolences to Adriana Zamaron on the loss of her mom, to the Benavides family on their loss of their son and brother, Emilio Jacaman's family, and the Escamilla family on their loss of their brother.

Cmr. Sciaraffa thanked the city of Laredo for helping him out on the 6th Annual Head Start Christmas. He also thanked the city of Laredo, the Laredo Police Department, Gene Belmares, Blue Santa, and Drew Pierce for participating on the Blue Santa Holiday Bowl. He congratulated Constable Rodriguez for a very good Navidad en el Barrio.

The court heard a presentation by Jesus Torres, Assistant Police Chief for the city of Laredo on the Blue Santa Program and the Holiday Bowl.

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.

None.

Item No.7. Discussion and possible action to approve current payment to the various county school districts from the funds held by Webb County as Trustee for said school districts pursuant to MOU dated November 9, 2006. Said distribution is proposed to be done on a Scholastic Basis based on average daily attendance for each respective district for the school year 2009-2010 as reflected in the Texas Education Agency Summary of Finance report dated 9/23/10 as follows:

United Independent School District:	62.53%	\$ 361,641.07
Laredo Independent School District:	36.96%	\$ 213,757.46
Webb Consolidated ISD:	0.51%	<u>\$ 2,949.58</u>
Total		\$ 578,348.11

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

Motion carried 5-0 by unanimous consent.

Item No.8. Status report by the Webb County Fire/EMS Coordinator regarding the Fire Suppression and Emergency Medical Services rendered for the month of November for the unincorporated areas of Webb County; with discussion and possible action to approve payment for services rendered by Laredo MedX in the amount of \$45,460.00; and any other matters incident thereto. [Co-Sponsored by Rosaura 'Wawi" Tijerina, Commissioner Pct. 2]

Judge Valdez motioned to approve item #8 with the correction on the amount for payment to Laredo MedX of \$43,360.00. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.10. Discussion and possible action to approve the plaque design and wording for the Quad-City Fire Station located on HWY 359 and the J. P. Office Renovation. This action will have no impact on the County's General Fund. [Requested by Juan Vargas, Webb County Economic Development Director; Account (Fire Station) Fund #640-8001-8711 & Bond Money Fund #732-1043-8103 (J.P. Renovations)]

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

Motion carried 5-0 by unanimous consent.

Item No.13. Discussion and possible action to appropriate the sum of \$6,000.00 Dollars to American Legion Post 59 for repairs to the structure (retaining) wall improvements. [Account Number 605-0204-8801]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to table item #13. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.14. Discussion and possible action to transfer the amount of \$10,000.00 Dollars to Constable Rudy Rodriguez for the purchase of portable police radios, ammunition and two Colt AR-15 Rifles. [Account Number 605-0204-8801]

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

Cmr. Garza voted against, Judge Valdez and Cmr. Tijerina abstained from voting.

No action taken.

Item No.15. Discussion and possible action to appropriate the sum of \$2,400.00 to USA Savate for the continuation of the recreational program for Webb County for self-defense instruction and as an alternative for the youth of Webb County to build self-esteem, confidence and deter the youth from gang membership and affiliation. [Account Number 605-0204-8801]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.17. Discussion and possible action to impose a county-wide Burn Ban for outdoor burning of any combustible material outside of an enclosure serving to contain all flames and/or sparks or orders such burning to others, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

Item No.18. Discussion and possible action to enter an Order prohibiting the sale and use of certain restricted fireworks ("skyrockets with sticks" and "missiles with fins") within the unincorporated areas of Webb County during the year-end holidays fireworks season and establishing a criminal penalty for violation of the Order, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

Item No.19. Discussion and possible action to cancel the Commissioner's Court meeting scheduled for December 27, 2010 at 9:00 a.m. due to a lack of quorum of the court; and any other matters incident thereto.

Cmr. Sciaraffa motioned to approve items #17, #18, and #19 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 3-0 with Cmr. Martinez and Judge Valdez out of the courtroom.

Item No.20. Discussion and possible action to approve the purchase of a Boardbook (TASB) electronic agenda software package in the amount of \$3,000.00 to be utilized for preparation of the Commissioner's Court agendas; and any other matters incident thereto. [Requested by Dr. Cecilia Moreno, Purchasing Agent]

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

Motion carried 3-0 with Cmr. Martinez and Judge Valdez out of the courtroom.

Item No.21. Status report regarding the Webb County fines/fees collection contract with Linebarger, Googan, Blair & Sampson; with discussion and possible action. [Requested by Rosaura 'Wawi' Tijerina, Commissioner Pct. 2]

No action taken.

(Media Break 11:03 – 11:19 a.m.)

Item No.22. Discussion and possible action to enter into a Contractual Agreement between Webb County 406th Judicial District Adult Drug Court Program and Community Supervision and Correction Department (CSCD), Grant Fund No. DJ-09-A10-2056403 to provide monitoring services for participants of the 406th Adult Drug Court, CSCD will provide a Certified Technician for testing all urine specimens collected for a period of Twelve (12) months from September 1, 2010 through August 31, 2011 for a fee of FIFTEEN DOLLARS (\$15.00) per Urinalysis drug test, FIFTEEN DOLLARS (\$15.00) per day for SCRAMx or GPS devices and a one time SEVENTY-FIVE DOLLARS (\$75.00) SET UP FEE for monitors and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Requested by Oscar J. Hale Jr., 406th District Court Judge; Account #332-1004-6022]

Item No.23. Discussion and possible action to enter into a Contractual Agreement between Webb County and Recovery Behavioral Program Counseling Services for the 406th District Drug Court Program, Grant Fund No. DJ-09-A10-20564-03 for Professional Counseling services for participants of the Webb County 406th Judicial District Adult Drug Court for a period of Twelve (12) months from September 1, 2010 through August 31, 2011 where Webb County will compensate Recovery Behavioral Program Counseling Services in an amount not to exceed TWENTY FIVE THOUSAND DOLLARS (\$25,000) in which Webb County shall make monthly payments after Recovery Behavioral Program Counseling Services has submitted and itemized request for payment and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Oscar J. Hale Jr., 406th District Court Judge; Account #332-1004-6022]

Item No.24. Discussion and possible action to enter into a Contractual Agreement between Webb County and Calvary Center, Inc. for the 406th District Judicial Adult Drug Court Program Grant Fund #DJ-09-A10-20564-03 to provide assistance in managing and monitoring for transportation services for participants of the Webb County 406th Judicial District Adult Drug Court for a period of Twelve (12) months from September 1, 2010 through August 31, 2011. Calvary Center, Inc. shall be entitled to an amount not to exceed TEN THOUSAND DOLLARS (\$10,000.00) in which Webb County shall make monthly payments after Calvary Center, Inc. has submitted an itemized request for payment and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Requested by Oscar J. Hale Jr., 406th District Court Judge; Account #332-1004-6022-4]

Cmr. Garza motioned to approve items #22, #23, and #24 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.25. Discussion and possible action to enter into a Non-Financial Agreement between Laredo Community College Child Development Program and Webb County Head Start/Early Head Start where the agency wishes to join the College in development and implementation of field work/clinical experience for Child Development/Early Childhood Education/Educational

Assistant students for a period of Three (3) years from December 13, 2010 through December 12, 2013 and authorizing the County Judge to sign all relevant documents. [Requested by Aliza Oliveros, Webb County Head Start Director]

Item No.26. Discussion and possible action to enter into a Monitoring Service Agreement between Webb County and SimplexGrinnell for Fire and Burglary monitoring services on former Webb County Title and Abstract building located at 1620 Santa Ursula Ave. for a period of Twelve (12) months from December 13, 2010 through December 12, 2011 at a rate of FOUR HUNDRED SIXTEEN DOLLARS AND SEVEN CENTS (\$416.07) per month for a total amount of FOUR THOUSAND NINE HUNDRED NINETY-TWO DOLLARS AND EIGHTY FOUR CENTS (\$4,992.84) and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Raul Elizondo, Webb County Facilities Director; Account #001-0106-6401 Repairs & Maintenance Buildings]

Item No.27. Discussion and possible action to enter into a Lease Agreement between Eustorgio Perez, Jose Vela III, and Jose Salvador Tellez (Managing Partners) d/b/a/ Professional Services Plaza and Webb County Public Defender's office located at 1102 Scott St. for a period of Nine (9) months from December 15, 2010 through September 14, 2011 at a monthly rate of ONE THOUSAND TWO HUNDRED FORTY ONE DOLLARS AND FORTY CENTS (\$1,241.40) for a total amount of ELEVEN THOUSAND ONE HUNDRED SEVENTY-TWO DOLLARS AND SIXTY CENTS (\$11,172.60) and authorizing the County Judge to sign all relevant documents. [Requested by Hugo Martinez, Webb County Public Defender; Account #022-1102-6012 (Space Rental)]

Item No.28. Discussion and possible action to enter into a Thirty-Six (36) month (December 13, 2010 through December 12, 2013) Maintenance Agreement with Toshiba Business Solutions of Texas concerning a Toshiba E-Studio 35 copier located in the Webb County Public Defender's Office at a cost of THREE HUNDRED TWENTY-FIVE DOLLARS (\$325.00) Per Year and a total cost of NINE HUNDRED SEVENTY-FIVE DOLLARS (\$975.00) over the term of the agreement and authorizing the County Judge to sign all relevant documents. [Requested by Hugo Martinez, Webb County Public Defender; Account #022-1102 6402 (Repairs and Maintenance Equipment)]

Judge Valdez motioned to approve items #25, #26, #27, and #28 with corrections on #26 to read as \$416.07 per year not \$4,992.84. Cmr. Sciaraffa seconded the motion.

Cmr. Garza stated that his approval is subject to any issues from the County Attorney.

Motion carried 5-0 by unanimous consent.

Item No.29. Discussion and possible action to approve an agreement with the Executive Office for the Organized Crime Drug Enforcement Task Forces for payment of overtime, travel and per diem expenses associated with County Attorney's Office Investigator assigned to DEA Task Force; and any other matters incident thereto.

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

Motion carried 5-0 by unanimous consent.

Item No.30. Presentation by Constable Ruben Reyes to announce his retirement from Webb County, effective January 31, 2011, after 36 years and 5 months of service;and any other matters incident thereto.

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

Motion carried 5-0 by unanimous consent.

Item No.33. Discussion and possible action to approve an exemption to the current County Wide hiring freeze and allow the filling of the following vacant law enforcement slots to support overall operations. These slots are part of the current general order positions for FY 2010-2011.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2103	Officer V	\$20.91
825	Investigator	\$22.56

Item No.34. Discussion and possible action to approve the following transfer of employees within the following slots, effective December 14th, 2010.

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	437	Corporal II	\$22.40
To:	437	Corporal I	\$21.18
From:	515	Officer III	\$19.90
To:	515	Officer IV	\$20.91

Cmr. Garza motioned to approve items #33 and #34 with corrections on item #33 under title should be Officer I and Hourly Rate \$17.99. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.35. Discussion and possible action to approve the filling of the following slot, effective January 3, 2011:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
81	Accounts Payable Clerk	\$14.97

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

Motion carried 5-0 by unanimous consent.

Item No.36. Discussion and possible action to approve and record the Order re-appointing Mr. Leo Flores as the Webb County Auditor into the official minutes of Commissioners Court. The re-appointment is for a Two year term beginning December 5, 2010 as pursuant to law and in compliance with Section 84.003 of the Texas Local Government Code.

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

Motion carried 5-0 by unanimous consent.

Item No.37. Discussion and possible action to approve an increase to the Continuing Disclosure Submission Services provided by Estrada Hinojosa & Co., Inc. The annual cost will increase from \$2,500 to \$5,000 and results from additional regulatory and statutory requirements and increased staffing and technology costs. [Account # 001-0109-6022, General Operating Expenses-Professional Services]

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

Motion carried 5-0 by unanimous consent.

Item No.38. Discussion and possible action to approve a transfer of \$23,000 from 001-0400-5001 (County Auditor Payroll) to 001-1003-5001 (341st District Court Payroll) to add to the annual salary of Slot #2606, effective January 3, 2011.

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

Motion carried 4-0 by unanimous consent with Cmr. Sciaraffa out of the courtroom.

Item No.39. Discussion and possible action to approve a transfer of Slot #2603 from the County Attorney to Indigent Health Care and change the Slot title from Assistant County Attorney to Mobile Clinic Driver, effective January 3, 2011.

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

Motion carried 4-0 by unanimous consent with Cmr. Sciaraffa out of the courtroom.

Item No.40. Discussion and possible action to approve the transfer of employee from Road & Bridge Slot #0918 to Indigent Health Care Slot #2603 (Mobile Clinic Driver) and transfer \$31,600.00 from available salary savings to 001-4101-5001 Indigent Health Care payroll for Slot #2603.

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

Motion carried 3-0 by unanimous consent with Cmr. Sciaraffa and Cmr. Martinez out of the courtroom.

Cmr. Garza motioned to bring up item #32. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 by unanimous consent with Cmr. Martinez out of the courtroom.

Item No.32. Discussion and possible action to authorize the designation of a portion of a conference room located at the Justice Center Building for law enforcement use by the Webb County Sheriff's Office; and any other matters incident thereto. The proposed designation consists of approximately 140 square feet out of the 252 square foot conference room. [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 Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

County Attorney Ana Laura Cavazos Ramirez stated that item #32 was not an Executive Session item.

Judge Valdez motioned to table the item #32. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.41. Discussion and possible action to approve the purchase of building materials for constructing of a storage shed for mowing equipment, to be located at the parks and grounds motor pool, at the cost of \$10,750.00, and to charge this expenditure to the Repairs and Maintenance of Buildings. [Account #001-0106-6401]

Item No.42. Discussion and possible action to approve the filling of the following slot:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2425	General Repairs Person	\$9.00

Cmr. Martinez motioned to approve items #41 and #42 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.43. Discussion and possible action to increase the funding to the Webb County Title Building remodeling project from One Hundred Thousand Dollars (\$100,000.00) to One Hundred Fifty Thousand Dollars (\$150,000.00). [Account #731-8001-8601]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to approve item #43. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.44. Discussion and possible action to increase the Series 2010 Capital Outlay funding for the Building Maintenance Department from \$48,000.00 to \$53,444.25. [Account #638-8108-8801]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to approve item #44. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.47. Status report and presentation by the Management Team regarding the Meals on Wheels Audit with discussion and possible action to approve payment on disallowed costs of \$168.61 (One Hundred Sixty-Eight Dollars and Sixty-One Cents) from the General Fund to TXDADS. [Requested by CAA Management Team]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.48. Discussion and possible action to approve payment from the General Fund in the amount of \$568.62 to make up for disallowed expenditures made by the CEAP program (Comprehensive Energy Assistance Program), as a result of Program Audit of September 13, 2010 by TDHCA. Funds are to come from County Grant Matching. [Account #001-0112-7200-08] [Requested by CAA Management Team]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.49. Discussion and possible action to authorize the Management Team to submit compliance information and Service Delivery Plan for the CEAP (Comprehensive Energy Assistance Program) to TDHCA for FY 2011, which is due by December 17, 2010; and for the County Judge to sign all relevant documents. [Requested by CAA Management Team]

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

Motion carried 5-0 by unanimous consent.

Item No.51. Discussion and possible action to approve vendor agreement with Green Mountain Energy Co, for Bill Payment Assistance Program for 2010-2011. These funds will be utilized to assist low-income families with utility bill assistance, once they meet eligibility requirements; and for County Judge to sign all relevant documents. [Requested by CAA Management Team]

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

Motion carried 5-0 by unanimous consent.

Item No.53. Discussion and possible action to accept a check in the amount of \$10,000.00 from First Choice Power. The Webb County Community Action Agency will utilize these funds to assist qualified First Choice Power energy clients. [Requested by CAA Management Team; Account #902-4200-7004]

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

Motion carried 5-0 by unanimous consent.

Item No.55. Discussion and possible action to approve release of retainage to Arcadis U.S. Inc. on completed Design Phase Services in the amount of \$19,309.71 for Border Colonia Access Program Ranchos Penitas West Paving Project. [Account #706-2311]

Item No.56. Discussion and possible action to approve the following line item transfer for the water utilities department:

From:	801-3004-6205	Materials and Supplies	100
To:	801-3001-6006	Advertising	100

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

Motion carried 5-0 by unanimous consent.

Item No.57. Discussion and possible action to authorize the following line item transfer:

From:	001-6100-6402	Repairs & Maintenance-Equipment	250
	001-6100-6403	Repairs & Maintenance- Vehicles	250

Item No.58. Discussion and possible action to authorize the re-naming of Sunset Acres Road to Armando Arce Road as requested through a petition executed by a majority of the lot owners in Sunset Acres Subdivision (property owners representing 15 out of 20 total lots). [Account #010-7002-6205]

Cmr. Tijerina motioned to approve items #57 and #58 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.59. Discussion and possible action to accept the recommendation from the scoring committee for the Request for Proposal 2009-08 "Time and Attendance Application" (Top two scoring vendors are Workforce Software and Kronos Incorporated) and approval to proceed with negotiation for final approval to bring back to Commissioners Court. [Account #638-0500-8801 (Capital Outlay Series 2010)]

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

Motion carried 5-0 by unanimous consent.

Item No.60. Discussion and possible action to purchase a water pump for the Golf Course from Pump Mechanical Technical Services in the amount of \$29,316.21. [Account #665-6001-8601 (Golf Course Improvement Series 2003)]

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

Motion carried 4-0 with Cmr. Martinez abstaining.

Item No.61. Discussion and possible action to reject and rebid "Bid 2010-39, 40 and 41 under Self Help Center Rehabilitation Homes". [Account #507-6500-7037-3 (Self Help Center FY 08/12 Colonia Construction)]

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

Motion carried 5-0 by unanimous consent.

Item No.62. Discussion and action to approve the Retail Advertisement Agreement with the Laredo Morning Times for legal, employment and for other advertisement for Webb County. The rate for legal will be \$11.60, the rate for non-profit will be \$13.00 pci daily and \$17.70 pci Sunday.

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

Motion carried 5-0 by unanimous consent.

Item No.63. Discussion and possible action to approve the Purchasing Department request for qualifications (RFQ's) for Architecture Services for the renovations to the Webb County Justice of the Peace Precinct 4 building. [Account #638-1044-8801 (Certificate of Obligation 2010)]

Item No.64. Discussion and possible action to purchase One (1) Laptop and software for Management Information Systems, pursuant to Sections 271.101, and 271.102 Subchapter F., Cooperative Purchasing Program, DIR Contract No. SDD-1014 and SDD-835, Texas Local Government Code from the following vendors:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
Twotrees Technologies	Laptop	\$2,850.00
DELL	Software	<u>\$ 406.10</u>
	Total	\$3,256.10

[Requested by Jaime Alvarado, MIS Director; Account #016-0101-8801 (Technology Fund)]

Cmr. Sciaraffa motioned to approve items #63 and #64 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.65. Discussion and possible action to purchase One (1) GRW 280 Rubber-Wheeled Roller, One (1) HD 90 VV/VO Articulated Tandem Roller and One (1) ESeries Wheel Loader for the Road & Bridge Department, pursuant to Sections 271.101, and 271.102, Subchapter F., Cooperative Purchasing Program, HGAC Contract No. EM06-09 and SM1010, Texas Local Government Code from Nueces Power Equipment in the amount of \$394,479.25. [Requested by Jose Luis Ramos, Road & Bridge Director; Account #632-7002-8410 (Road & Bridge Equipment Sr10)]

Item No.66. Discussion and possible action to purchase One (1) Peterbilt 348 Water Tank and One (1) Peterbilt 340 Dump Truck for Road & Bridge Department, pursuant to Sections 271.101, and 271.102, Subchapter F., Cooperative Purchasing Program Buy Board Contract No. 358-10, Texas Local Government Code, from Rush Truck in the amount of \$219,100.07. [Requested by Jose Luis Ramos, Webb County Road & Bridge Director; Account #632-7002-8410 (Road & Bridge Equipment Sr10)]

Item No.67. Discussion and possible action to approve the repairs of one overhaul engine of unit 10-08 from Rotex Truck Center in the amount of \$10,620.17. [Requested by Jose Luis Ramos, Webb County Road & Bridge Director; Account #010-7002-6403 (Road & Bridge Equipment Sr10)]

Cmr. Tijerina motioned to approve items #65, #66, and #67 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.68. Discussion and possible action to approve the purchase of One (1) sanitary transport tanker for use by the Water Utilities Department to primarily transport potable water to the Colorado Acres Water Treatment Facility and Water in the amount of \$57,804.25 for the Utilities department, pursuant to Sectiona 271.101 and 271.102, Subchapter F, Cooperative Purchasing Program H-GAC contract, Contract number HT11-09. [Requested by Fitzgerald G. Sanchez, Webb County Engineer; (Series 2010 Capital Outlay)]

Item No.69. Discussion and possible action to approve the renewal service maintenance for telephone call manager system for the Juvenile Department and MIS Department, pursuant to Sections

271.101, and 271.102, Subchapter F., Cooperative Purchasing Program DIR Contract No. SDD-1368 from AT&T from the following;

<u>Account</u>	<u>Department</u>	<u>Amount</u>
001-1301-6402	Juvenile	\$ 5,711.39
001-0500-6402	Management Information Systems	\$18,096.58

[Requested by Jaime Alvarado, Webb County MIS Director and Melissa Mojica, Webb County Youth Village Director; Accounts #001-00500-6402 and #001-1301-6402 (General Fund)]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to approve item #68 with the addition of #10,000 for an optional pump and platform and item #69 with the amount for the Juvenile Department to be #5,811.82. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Sciaraffa out of the courtroom.

Item No.70. Discussion and possible action to purchase Three (3) Computers and software for Management Information Systems, pursuant to Sections 271.101, and 271.102 Subchapter F., Cooperative Purchasing Program DIR Contract No. SDD-890 and SDD-1014, Texas Local Government Code from the following:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
Dell	Computers	\$3,814.20
Dell	Software	\$1,218.30

[Requested by Jaime Alvarado, Webb County MIS Director; Account #016-0101-8801 (Technology Fund)]

Item No.71. Discussion and possible action to authorize the release of the 10% retainage payment (\$2,952.50) to JCI Enterprises for the housing rehabilitation project of Mr. Remigio Cisneros from Colonia Ranchitos, HWY 359, under the Self-Help Center Housing Rehabilitation Program. This action will not impact the County's General Fund. [Account #507-2311]

Cmr. Garza motioned to approve items #70 and #71 as submitted subject to the work on item #71 to be completed. Cmr. Tijerina seconded the motion.

Motion carried 4-0 by unanimous consent with Cmr. Sciaraffa out of the courtroom.

Cmr. Sciaraffa motioned to go into Executive Session. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ana Laura Cavazos Ramirez, County Attorney stated that there were several items that did not need to go into Executive Session.

Judge Valdez withdrew the motion to go into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 by unanimous consent with Cmr. Garza out of the courtroom.

Judge Valdez motioned to bring up item #11. Cmr. Tijerina seconded the motion.

Motion carried 3-0 by unanimous consent with Cmr. Martinez and Cmr. Garza out of the courtroom.

Item No.11. Discussion and possible action for the UPL committee, county attorney and hospital representatives to update the court on the County's continued participation in the Webb County Medicaid Upper Payment Limit Program; 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)] [Requested by Webb County UPL Committee]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD. The court heard from Mr. Elmo Lopez and other members of the Medical Community from Laredo Medical Center and Doctor's Hospital.

Cmr. Garza motioned to approve the expansion of the program. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.16. Discussion and possible action to appoint an interim Law Library Director for Webb County, Texas with any salary adjustments and effective date to assume the position of interim Law Library Director for Webb County to be determined by the Webb County Commissioners Court. [Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.074 (Personnel Matters)]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to hire Yolanda Carrillo as interim for the Law Library at a salary of \$49,000 effective today. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Judge Valdez abstaining from voting.

Item No.52. Discussion and possible action to approve and adopt an ethics policy for El Aguila Rural Transportation as required by 43 Texas Administrative Code Section 31.39. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)] [Requested by CAA Management Team]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to approve item #52. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza stated that on item #11 the UPL expansion was to cover Physicians, Laboratories, and Pharmacies only not the Jail or Sheriff's Department

Judge Valdez motioned to go into Executive Session. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

(Executive Session 12:21 – 1:52 p.m.)

No action taken in Executive Session.

Item No.9. Status report from the County Attorney's office regarding court's authorization to take all legal steps necessary, including the filing of lawsuits to recover reimbursement amounts that were unlawfully obtained by county and non-county employees who participated in the county Weatherization Assistance Program, with discussion and possible action; and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney)]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Judge Valdez motioned to proceed with the filing of civil action against the six individuals and for the cases to be filed in a court of record either by county court or district court. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to bring up item #50. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.12. Discussion and possible action, any and all disciplinary action necessary, including termination of Employment regarding the Executive Director of the Webb County Community Action Agency Javier Martinez in connection with alleged violations of Grant monies, regulations, expenditures, violation of "whistleblower" statute and wrongdoings that occurred with regulations of grant monies provided by the State of Texas and ARRA funds and other matters incident thereto. The Commissioners Court may take such other action as may be necessary to facilitate any decisions made in this matter. [Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]

Item No.50. Discussion and possible action to approve recommendations from the CAA management team regarding any disciplinary action for Mr. Javier Martinez, Executive Director of the Webb County Community Action Agency, up to and including termination; 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) & Texas Government Code Title 5, Subchapter D, Section 551.0745 (Personnel Matters)] [Requested by CAA Management Team]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to terminate the employment of Javier Martinez, Executive Director of the Webb County Community Action Agency effective 5:00 p.m. today. Judge Valdez seconded the motion.

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

Item No.31. Discussion and possible action to consider the appointment of Deputy Miguel Villarreal as the Constable for Pct. 2, to finish Constable Ruben Reyes unexpired term; and any other matters incident thereto, including setting up a procedure for the appointment of a

successor. [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 Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Sciaraffa motioned to appoint Ricardo Rodriguez Constable Pct. 2 effective as of the resignation of Constable Ruben Reyes on January 31, 2011 until the next General Election in November 2012. Cmr. Garza seconded the motion.

Motion carried 3-1 with Cmr. Tijerina abstaining from voting and Cmr. Maritnez opposing.

Item No.45. Discussion and possible action to ratify the development and submission by the CAA Management Team of the CSBG Contract time extension and budget amendment, through April, 2011, and for the County Judge to sign all relevant documents. [Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)] [Requested by CAA Management Team]

Cmr. Martinez motioned to approve item #45. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.46. Status report from the CAA management team regarding monitoring report received December 7, 2010 from Texas Department of Housing and Community Affairs (TDHCA) on inspection review conducted August 16-20, 2010 for Weatherization Assistance Program (WAP) client files; with discussion and possible action to authorize the management team to submit a timely response; 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. Martinez motioned to approve item #46. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.54. Discussion and possible action to re-hire employee in Slot #1162, Administrative Staff (Manager Support Services) and employee in Slot #1159 (Program Supervisor), effective December 14, 2010, only up to the percentage of time being paid out of CSBG funds. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)] [Requested by CAA Management Team]

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Cmr. Martinez motioned to oppose the hiring of any former employees. Cmr. Sciaraffa seconded the motion.

Motion carried 3-2 with Judge Valdez and Cmr. Garza opposing.

Discussion on file at The Webb County Clerk's Office December 13, 2010 Commissioner Court Meeting DVD.

Judge Valdez motioned to proceed with the development of RFQ's for the Director of CAA. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez wished everyone Happy Holidays and encouraged everybody to attend the 4th Annual Webb County Lucheon and the Webb County Christmas Party.

Comr. Tijerina wished everyone Happy Holidays and a Happy New Year.

Item No.72. Adjourn

Judge Valdez motioned to adjourn. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.