



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
December 12, 2011
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
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. Presentation by Jose A. Palacios, Jr., President of the Washington’s Birthday Celebration Association (WBCA), regarding the upcoming WBCA events with presentation of the 2012 WBCA poster to the Webb County Judge and Commissioners Court.

- 8. Presentation by Ted B. Lyon and Associates, PC and the Law Office of Blume, Faulkner, Skeen & Northam, PLLC, regarding an initiative to assist with the recovery of lost county revenue due to the non-payment of mortgage and other related instrument recording county fees as required by Chapter 13 of the Texas Property Code; with discussion and possible action to retain outside counsel to represent the county in this proposed litigation; and any other matters incident thereto. **[Co-Sponsored by Jaime A. Canales, Webb County Commissioner Pct. 4] [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

- 9. Status report by Southern Golf Properties regarding the conditions and improvements to the Casa Blanca Golf course with discussion and possible action to approve a recommended plan of action for 2012; and any other matters incident thereto.

- 10. Status report by County staff and outside counsel regarding a proposed lease agreement with Fairway Suites for the construction of a hotel to be located at the Casa Blanca Golf course; with discussion and possible action to approve said agreement between Webb County and Fairway Suites; 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)]**

- 11. 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 2010-2011 as reflected in the Texas Education Agency Summary of Finance report dated September 15, 2011 as follows:

United Independent School District:	63.00%	\$ 553,679.96
Laredo Independent School District:	36.50%	\$ 320,782.84
Webb Consolidated ISD:	0.50%	<u>\$ 4,394.29</u>
Total		\$ 878,857.09

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

- 12. Discussion and possible action to approve solicitation of Request for Qualifications for the La Presa Phase II Park Project to be constructed under the Design Build method of construction; funding will come from Bond Series. **[Fund #635-6115-8601]**

Honorable Rosaura “Wawi” Tijerina, Webb County Commissioner Pct. 2

- 13. Status report by County staff regarding Right of Way acquisition for Hwy. 59 Colonias (Ruiz Properties); and any other matters incident thereto. **[Co-sponsored by Jerry Garza, Commissioner Precinct 3]**
- 14. Discussion and possible action to approve the transfer of employees within the following Slots with salary changes, effective January 01, 2012, with no impact to the General fund:

	<u>Slot #</u>	<u>Title</u>	<u>Bi-Weekly Salary</u>
From:	0899	Director of Larga Vista Comm. Center	\$1,619.35
To:	2675	Director of Pct. 2 Comm. Centers	\$1,709.32
From:	2347	Director of Santa Teresita Comm. Center	\$1,619.35
To:	0899	Director of Larga Vista Comm. Center	\$1,619.35
	2347	Appoint Interim Director for Sta. Teresita Comm. Center	\$1,619.35

- 15. Discussion and possible action to authorize the purchasing agent to solicit bids for communications equipment under the American Recovery and Reinvestment Act “ARRA’ requirement for the Quad-City Fire Station and authorize the County Judge to sign all relevant documentation. **[Requested by Juan Vargas, Webb County Economic Development Director; Fund #001-0600-6006]**

Honorable Jaime A. Canales, Webb County Commissioner Pct. 4

- 16. Status report from County staff regarding the qualification of Veterans for the Indigent Health Care Program as per State rule changes; and any other matters incident thereto. **[Co-sponsored by Jerry Garza, Commissioner Pct. 3]**

17. Discussion and formal invitation to all UISD and LISD students to a Christmas recognition dinner honoring migrant families and our young students for all their hard work.

Commissioners Court

PUBLIC HEARING

18. Public hearing pursuant to Texas Government Code §51.305 to consider and discuss a plan for the Preservation and Restoration of the district court records archive pursuant to Texas Government Code Chapter 51, Subchapter D. The plan includes a provision to impose a Records Archive Fee of \$5.00 to preserve and restore district court records. **[Requested by Esther Degollado, Webb County District Clerk]**

CLOSE HEARING

19. Discussion and possible action to approve the Preservation and Restoration Records Archive Plan for the District Clerk of Webb County, including the imposition of a \$5.00 fee for documents filed with the District Clerk; and any matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**
20. Discussion and possible action to cancel the Commissioner's Court meeting scheduled for December 27, 2011 at 9:00 a.m. due to a lack of quorum of the court; and any other matters incident thereto.
21. 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.
22. 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.
23. Discussion and possible action to adopt new Webb County voting precincts drawn to conform with the recently adopted Commissioner Precincts and to adopt minor modifications to the JP and Constable Precincts; and any other matters incident thereto.

MEDIA BREAK

Honorable Anna L. Cavazos Ramirez, County Attorney

24. Discussion and possible action to enter into Locum Tenens Agreement with Jackson & Coker regarding Forensic Pathologist coverage for the Webb County Medical Examiner, and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto.
25. Discussion and possible action to transfer \$2,900.00 from Department #1101 (County Attorney) line item 5005, Temporary Part Time, to fringe benefits accounts. This transfer will allow payment of increased fringed benefits for County Attorney Investigator, Slot #1255 occasioned by the payment of overtime compensation for that Slot.
26. Discussion and possible action to enter into a One (1) year (November 1, 2011 through October 31, 2012) renewal of Master Service Agreement with Avotus Corporation to provide Avotus ICM Usage Management Online Service at a cost of FOURTEEN THOUSAND SEVEN HUNDRED EIGHTY-TWO DOLLARS AND THIRTY-TWO CENTS (\$14,782.32) and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Rafael Pena, Webb County Interim M.I.S. Director; Account #001-0500-6402]**
27. Discussion and possible action to enter into a Thirty-Nine (39) month FMV Lease Agreement between Webb County and Toshiba Business Solutions (Texas DIR #DIR-SDD-1686) beginning on December 12, 2011 through March 11, 2015 for a Toshiba ES 6550C Digital Copier located at the Public Defenders Department at a cost of FOUR HUNDRED TWENTY-FIVE DOLLARS AND SEVENTY-SEVEN CENTS (\$425.77) per month and a total cost of SIXTEEN THOUSAND SIX HUNDRED FIVE DOLLARS AND THREE CENTS (\$16,605.03) over the term of the agreement and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Hugo Martinez, Webb County Public Defender; Account #001-1102-6014]**

- 28.** Discussion and possible action to enter into a Thirty-Nine (39) month (December 12, 2011 through March 11, 2015) Premium Plus Maintenance Agreement with Toshiba Business Solutions of Texas, DIR Contract #DIR-SDD-1686 concerning a Toshiba E-Studio 6550C Digital Copier located in the Webb County Public Defenders Department at a cost of FIFTY-EIGHT DOLLARS (\$58.00) per month and a total cost of TWO THOUSAND TWO HUNDRED SIXTY-TWO DOLLARS (\$2,262.00) over the term of the agreement with copy overages of \$0.005800 for each excess black copy and \$0.0450 for each excess color copy and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Hugo Martinez, Webb County Public Defender; Account #001-1102-6014]**
- 29.** Discussion and possible action to approve renewal of Title IV-E County Legal Services Contract #23940437 with the Texas Department of Family and Protective Services providing for partial reimbursement to Webb County for expenditures related to the provision of legal services by the Webb County Attorney’s Office in child abuse and neglect cases, and to authorize the Webb County Judge to execute all necessary documents related thereto.
- 30.** Discussion and possible action to approve renewal of Title IV-E Child Welfare Services Contract #23940438 with the Texas Department of Family and Protective Services requiring Webb County to maintain a Child Welfare Board and providing for the reimbursement for certain expenditures made by Webb County relating to foster children, and authorizing County Judge to sign all relevant documents.

Honorable Rudy Rodriguez, Constable Pct. 1

- 31.** Discussion and possible action to approve exemption to the current County wide hiring freeze and to approve the filling of the following vacant Slots, subject upon the availability of payroll funds and any applicable Civil Service guidelines:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2375	Deputy Constable	\$19.90
0579	Deputy Constable	\$19.90

Honorable Martin Cuellar, Sheriff

- 32.** Discussion and possible action to accept a FY 2011 Homeland Security Grant Program (HSGP) and State Homeland Security Program (SHSP) grant award from the Texas Department of Public Safety in the amount of \$43,648.00 for law enforcement interoperable equipment and designating the County Judge as the authorized official in all matters relating to this grant. This grant does not require any type of match; and, thus, will have no impact on the general fund.
- 33.** Discussion and possible action to approve the title changes to the following employees within their respective Slots with no salary changes, effective December 12, 2011:

<u>Slot #</u>	<u>Title</u>	<u>New Title</u>	<u>Hourly Rate</u>
2410	Bond Clerk	Officer I	\$18.90 *
895	Officer I	Maintenance Supervisor	\$18.58

*Hourly rate will be grandfathered and will not receive any adjustment until he reaches the required years of service as per Collective Bargaining Agreement.

- 34.** Discussion and possible action to approve an exemption to the current County wide hiring freeze and to approve the filling of the following vacant Slots in accordance with the Collective Bargaining Agreement, Appendix "A" (Wage Table Provisions) and "Appendix "B" (New Wage Tables) and to approve the filling of vacated Slots as a result of internal promotions up to the rank of Lieutenant. These Slots are part of the general order for FY2011-2012.

<u>Division No.</u>	<u>Slot #</u>	<u>Title</u>	<u>No. of Slots</u>	<u>Hourly Rate</u>
2001	359	Lieutenant	n/a	\$26.04
Pending	Pending	Lieutenant	1	\$26.04
Pending	Pending	Sergeant	2	\$23.47
Pending	Pending	Corporal I or II	2	\$21.60- \$22.84
Pending	Pending	Officer II – V	2	\$19.33- \$22.17

- 35.** Discussion and possible action to approve a payment for the purchase of Uniforms from Nardis Public Safety GSA #GS-07F-0596T, (TXMAS # TXMAS -8-84010) in the amount of \$25,159.44 for the Webb County Sheriff's Office Pursuant to: Subchapter F Cooperative Purchasing program Section 271.101, 271.102, Subchapter G, Purchase Federal Schedule Sources of Supply; Section 271.03, Texas Local Government Code. **[Account #001-2001-6202]**

Honorable Patricia A. Barrera, Tax Assessor- Collector

- 36.** Discussion and possible action to approve exemption to the current County wide hiring freeze and to approve the filling of the following vacant Slots, subject upon the availability of payroll funds and any applicable Civil Service guidelines, effective December 12, 2011:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1862	Deputy Tax Collector	\$14.80
148	Receptionist	\$14.48

- 37.** Discussion and possible action to approve the following refunds:
1. The amount of \$14,211.32 to Corelogic Tax Services on Accounts #973-50049-170 through #970-60011-070 due to overpayment.
 2. The amount of \$3,728.23 to BAC Tax Services Corp. on Accounts #443-00996-100 through #991-50004-170 due to overpayment.
 3. The amount of \$6,098.70 to San Isidro Northeast Ltd. on Accounts #900-33091-001, #900-33091-010, #990-90211-063 and #900-90221-212 as per Supp. 3, Cert. 2011, adjust value per settlement and waiver for 2011.

[Accounts #001-2139, 001-2140, #001-0700-3063 and #010-0700-3063]

Administrative Services

38. Discussion and possible action to approve an exemption to the current County wide hiring freeze and to approve the filling of the following Slot, subject upon the availability of payroll funds and any applicable Civil Service guidelines, effective December 12, 2011. This Slot is part of the current general order of positions for FY 2011-2012.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1381	Employee Benefits Coordinator	\$14.50

39. Discussion and possible action to amend the Webb Sick Leave Pool Policy for purposes of clarity and adherence to the Local Government Code as well as to limit the total leave time that can be granted to any one employee; 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)]**

Auditor

40. Discussion and possible action to approve the filling of Slot #2624 titled System Analyst at an annual salary of \$45,000 subject to the availability of payroll funds.

Building Maintenance

41. Discussion and possible action to approve an exemption to the current County wide hiring freeze and approve the filling of the following vacant Slot, subject upon the availability of payroll funds and any Civil Service guidelines, effective December 12, 2011:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2425	General Repairs Person	\$9.36

Community Action Agency

42. Discussion and possible action to accept \$3,000.00 from TXU Energy Aid. The Webb County Community Action Agency will utilize these funds to assist qualified TXU Energy Clients. **[Account #902-4200-7004]**

43. Discussion and possible action to request an extension to Texas Department of Housing and Community Affairs (TDHCA) for continuing Community Action Agency operations for the Community Services Block Grant (CSBG) FY- 2011 up to April 30, 2012, and authorizing the County Judge to sign all relevant documents. **[Account #920-4200-3502]**
44. Discussion and possible action for Webb County to purchase the property described as 1.129 acre tract of land out of Block Number 10, Subdivision Plat of Laredo Airport located at 4801 Daugherty Avenue from the City of Laredo for the fair market appraised value of \$306,564.00 and to authorize the County Judge to execute all relevant documents. **[Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.072 (Real Estate Deliberation)]**

Economic Development

45. Discussion and possible action to authorize the Economic Development Department to submit a Contract Amendment to the Texas Department of Agriculture for the TCDP #710075 Mirando Sanitary Sewer Improvements and Sanitary Sewer House to Line Connection Project to modify the project's Performance Statement by amending the line size from a 4" sewer line to a 6' sewer line, as recommended by the project engineer and authorize County Judge to sign all relevant documentation. **[Accounts #642-0111-7009-3 and #642-8001-8702-1]**
46. Discussion and possible action to accept the "Combined Solar and Wind Power Collection System" installed at the Webb County Self-Help Center Tool Lending Library and release the retainage in the amount of TWO THOUSAND THREE HUNDRED TWENTY-FOUR DOLLARS (\$2,324.00) for the CS0348 - State Energy Conservation Office grant and authorize Webb County Judge to sign all relevant documentation. This will not impact the general fund. **[Account #653-2311- SECO "ARRA" Grant funds]**

47. Discussion and possible action to authorize a Thirty (30) day extension to the Ventura Street Inc. Construction Contract to complete Housing Rehabilitation under the Economic Development Initiative Special Project on the following houses:

House # 2 Gomez
House # 3 Meza
House # 5 Arnero
House # 6 Rodriguez

[Account #504-6500-7037-3 (Contractual Housing Rehabilitation)]

Head Start

48. 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>
1142, 1671	Cook	\$8.48	21
1105	Teacher-Substitute	\$8.00	21

[Accounts #903-4208-5001 and #906-4209-5001]

49. Discussion and possible action to approve the Head Start Addenda for Program Governance and Management Procedures, Governance Roles and Responsibilities, and Personnel Policies and Procedures.

Indigent Healthcare Services

50. Discussion and possible action to approve the transfer of employees within the following Slots with salary changes and approve the filling of resultant vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines, effective January 2, 2012:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	0603	Eligibility Caseworker III	\$15.46
To:	1242	Eligibility Caseworker II	\$16.07
From:	0599	General Assistance Caseworker	\$11.86
To:	0603	Eligibility Caseworker III	\$15.46
From:	1891	Front Desk Coordinator	\$10.92
To:	0599	General Assistance Caseworker	\$11.86
To Fill:	1891	Front Desk Coordinator	Up to \$10.92

Medical Examiner

51. Discussion and possible action to approve the filling of the following Slots, subject upon the availability of payroll funds and any applicable Civil Service guidelines; and any other matters incident thereto.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2394	Medical Death Investigator	\$15.00
2615	Medical Death Investigator/Autopsy Tech	\$13.50

[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Planning

52. Discussion and possible action to issue a “Certification Regarding Compliance with Plat Requirements and the Connection of Utilities” to authorize an electrical connection pursuant to Section 232.029(c)(1), Local Government Code to an unplatted tract of land containing 5.118 acres, more or less, out of and part of Tracts 17 and 18, La Presa (Unplatted/Unrecorded Subdivision) as further described in Vol. 582, Pgs. 219-225, of the Webb County Deed Records (electricity – Five (5) dwellings for a total of Five (5) dwellings only).
53. Discussion and possible action to approve/deny Preliminary and Final Plat Approval of Lot 6, Block 2, Los Corralitos Subdivision for non-residential purposes.

Purchasing

54. Discussion and possible action to purchase books for District Attorney’s Office from Jones McClure Publishing in the amount of \$5,775.20. **[Requested by Isidro Alaniz, Webb County District Attorney; Account #001-1100-6011 (General Fund)]**
55. Discussion and possible action to purchase interoperable communications in the form of Ten (10) portable radio units for the Sheriff’s Office, pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program HGAC-Contract #RA01-08 from Motorola in the amount of \$73,228.00. **[Requested by Martin Cuellar, Webb County Sheriff; Account #345-2001-8801 (FY 2009 Operation Stonegarden grant funds)]**
56. Discussion and possible action to purchase interoperable communications in the form of Seventeen (17) mobile radio units for the Sheriff’s Office pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program HGAC-Contract #RA01-08 from Motorola in the amount of \$122,049.80. **[Requested by Martin Cuellar, Webb County Sheriff; Account #345-2001-8801 (FY 2009 Operation Stonegarden grant funds)]**
57. Discussion and possible action to purchase equipment for interoperable communications for the mobile command unit for the Sheriff’s Department from RZ Communication in the amount of \$18,525.00. **[Requested by Martin Cuellar, Webb County Sheriff; Account #345-2001-8801 (Stonegarden grant funds)]**

- 58. Discussion and possible action to provide for repairs to the men’s and ladies’ restrooms and to re-tile the kitchen floor at the golf course club house at an amount not to exceed \$15,000 for materials and labor. **[Requested by Rodolfo Gonzalez, Webb County Golf Course Director; Account #631-6001-8601]**
- 59. Discussion and possible action to award Bid 2012-61-1 - Annual Contract for Flour Tortillas to Exquisita Tortillas, Inc. with the lowest and best price. Purchases will be on an as needed basis.
- 60. Discussion and possible action to provide Thirty (30) day notice of cancellation of Bid 2012-70 “Annual Contract for Vehicle Paint and Body Work” and rebid; cancellation is requested due to failure of both primary and secondary vendors to meet certification requirements.

Rio Bravo Community Center

- 61. 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 guidelines, effective December 12, 2011:

<u>Slot #</u>	<u>Title</u>	<u>Salary</u>
2709	Driver/Maintenance	\$9.25

Closed Session/Executive Session

- 62. Discussion and possible action to approve the settlement in case entitled Wenceslao Trevino Jr. and Bernetta Trevino v. Martin Cuellar, Webb County Sheriff, Cause Number 2010-CVQ-1491-D2, pending in the 111th District Court of Webb County; and any other matters incident thereto. **[Executive Session is requested to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**
- 63. 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 9th DAY OF DECEMBER, 2011

By: _____
Melinda Mata
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 9th day of December, 2011 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 9th DAY OF DECEMBER, 2011

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Margie Ramirez-Ibarra, County Clerk