

Official Minutes for Webb County Commissioners Court Meeting

**Monday, January 9, 2012 at 9:00 AM
(Approved February 13, 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 6th day of January 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

Item No.2. Pledge of Allegiance

Judge Valdez wished everyone a Happy New Year and welcomed everyone back.

Item No.3. Approval of Minutes for November 14, 2011, November 21, 2011, November 28, 2011 and December 12, 2011.

Cmr. Canales 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 January 9, 2012 Commissioner's Court Meeting DVD.

County Auditor, Leo Flores presented his monthly report for December 2011.

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

Motion carried 5-0 by unanimous consent.

County Treasurer, Delia Perales presented her monthly report for November 2011.

Item No.5. Communications

Cmr. Canales wished everyone a Happy New Year. He sent out his heartfelt condolences to the family of Ms. Susan Burr, L.I.S.D. employee at J.C. Martin Elementary School. Cmr. Canales also sent out his heartfelt condolences to the family of Margarito Tata Cavazos. He mentioned that there would be a Job Fair on Friday, January 13, 2012 in regards to the Oil and Gas Industry. Cmr. Canales congratulated the winners of the 2nd Annual Jaime Canales Soccer Tournament; 4th Place Trinidad United Team, 3rd Place Chaba Team, 2nd Place Inter de Laredo Team, 1st Place Frontera F.C. Team, and Champion Goaler Mr. Luis Martinez from the Frontera F.C. Team with 32 goals for the season.

Cmr. Garza wished everyone a Happy New Year.

Cmr. Tijerina wished everyone a very Happy, Safe, and Prosperous New Year. She stated that as a result of the Census Numbers and the growth, Cmr. Garza will be in charge of the Santa Teresita Community Center and Cmr. Sciaraffa will be in charge of the Ernesto Salinas Community Center. Cmr. Tijerina congratulated Judge Elma T. Salinas Ender for receiving the Person of the Year Award and Judge Diana Saldana on her new baby. She sent out her heartfelt condolences to the family of Coach John Ruiz, Susan Burr, William Mckendrick, and Margarito Tata Cavazos.

Cmr. Sciaraffa – No comments.

Judge Valdez sent out his heartfelt condolences to the family of Susan Burr, Coach John Ruiz, and Margarito Cavazos. He congratulated the Pancho Ochoa Family on the opening of the new Palenque Grill in San Antonio, Texas. Judge Valdez wished everyone a Happy New Year.

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.

Anthony Winterroth

Mr. Winterroth spoke against item #29.

Sergio Martinez

Mr. Martinez spoke against item #29.

Honorable Danny Valdez, Webb County Judge

Item No.7. Discussion and possible action to award RFP 2011-11 “Webb County Tex-Mex Building Roof Replacement” to Zertuche Construction in the amount of \$99,400.00. Zertuche Construction is the only bidder within budget.

Discussion on file at the Webb County Clerk’s Office January 9, 2012 Commissioner’s Court Meeting DVD.

Cmr. Canales 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 County Attorney’s office regarding proposed offer to purchase property in the downtown area, specifically; Block 213 WD, Laredo, Texas, owned by Kansas City Southern Railway Company; with discussion and possible action to approve a counter offer, if necessary; 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) and Section 551.072 (Real Estate Deliberation)]

Judge Valdez motioned to defer item #8 to Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0by unanimous consent.

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

Item No.9. Discussion and possible action to approve the transfer of employees at the Bruni, Texas Community Center within the following Slots with salary changes, effective immediately, with no impact to the General Fund and to approve an exemption to the current county-wide hiring freeze, and approve the filling of the vacated Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	2345	Driver/Maintenance	\$10.93
To:	2710	Clerk	\$11.82
To Fill:	2345	Driver/Maintenance	\$10.93

Discussion on file at the Webb County Clerk’s Office January 9, 2012 Commissioner’s Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No.10. Discussion and possible action to accept the donation of 560 CY of flex base TY B GR 3 (2500 SY @ 8 inches neat-compact in place) and 195 tons of Type D Asphalt (2338 SY @ 1.5 inches compacted in place) from the Texas Department of Transportation - Laredo District and further authorizing the transfer of said material to the City of Laredo for the construction of the unfinished section of Kirby Drive (being generally that unpaved section just east of the intersection of Kirby Drive and De Novo Street and West of the intersection of Kirby Drive and Rosco Drive); and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to table item #10. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.11. Discussion and possible action to approve a date for an informational workshop for Elected Officials and Department Heads regarding the implementation of Webb County's Time and Attendance Program including the functionality and features of the WorkForce Software program; and any matters incident thereto. The dates provided are as follows:

Wednesday, January 18th

Thursday, January 19th

Wednesday, January 25th

Thursday, January 26th

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

No action taken.

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

Item No.12. Discussion with possible action to include the former Webb County Title building located at 1620 Santa Ursula, under the Sheriff's Office for all building security measures.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.13. Discussion and possible action on response procedures on the Fire/EMS Department as it relates to jurisdictional boundaries; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

No action taken.

Cmr. Garza motioned to bring up item #48. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Fire Suppression & EMS Services

Item No.48. Status report by the Webb County Fire/EMS Coordinator regarding the Fire Suppression and Emergency Medical Services rendered for the unincorporated areas of Webb County.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Status report by Jose Luis Flores, Fire/EMS Coordinator regarding the Fire Suppression and Emergency Medical Services rendered for the unincorporated areas of Webb County.

Item No.14. Status report on Records Management program for county records with discussion and possible action to expand it; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Cmr. Canales motioned to allow the Historical Commission and the Records Management Department look at what they have. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Commissioners Court

Item No.15. Discussion and possible action to authorize the placement of fencing and bleachers along the sidewalk areas in front of the County Courthouse, County Justice Center and the County Jail for the IBC Youth Parade Under the Stars and the Anheuser-Busch Washington's Birthday Parade. The areas will be used from Saturday, February 11, 2012 through Sunday, February 19, 2012. [Requested by Jose A. Palacios, Jr., WBCA President]

Cmr. Sciaraffa motioned to approve item #15, with an Insurance Certificate from the WBCA adding Webb County as an additional Insured. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.16. Discussion and possible action to eliminate the current Webb County hiring freeze policy for elected officials and department heads implemented by Commissioner's Court for fiscal year 2011-2012; and any other matters incident thereto. [Requested by Auditor and Pre-Agenda Committee]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Cmr. Garza motioned to eliminate the current Webb County hiring freeze policy for elected officials only. Judge Valdez seconded the motion.

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

Cmr. Garza motioned to go into Executive Session on items #8, #41, and #29. Judge Valdez seconded the motion.

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

(Executive Session 10:54 – 11: 28 AM)

No action taken.

Honorable Danny Valdez, Webb County Judge

Item No.8. Status report by the County Attorney's office regarding proposed offer to purchase property in the downtown area, specifically; Block 213 WD, Laredo, Texas, owned by Kansas City Southern Railway Company; with discussion and possible action to approve a counter offer, if necessary; 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) and Section 551.072 (Real Estate Deliberation)]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to allow the County Attorney's Office to make another counter offer and possibly look into the funds available for this project. Cmr. Tijerina seconded the motion.

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

Honorable Martin Cuellar, Sheriff

Item No.29. Inform the Court and public regarding the professional service contract with Marcel C. Notzon III, DBA The Notzon Law Firm for legal representation for the Webb County Sheriff's Office for a period of Twelve months from January 1, 2012 through December 31, 2012 and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Account #170-2001-6022]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Ana Laura Cavazos Ramirez, County Attorney stated for the record that this item was for information only, the contract is between the Sheriff and the firm, and it did not call for a signature from the County Judge or approval from the court.

Judge Valdez stated that no action was needed.

Administrative Services

Item No.41. Discussion and possible action to interview and select the Webb County Fire and EMS Chief from the list of qualified applicants; set salary; 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) and Section 551.074 (Personnel Matters)]

Judge Valdez motioned to defer item #41 to the end of the meeting. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring back item #10. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No.10. Discussion and possible action to accept the donation of 560 CY of flex base TY B GR 3 (2500 SY @ 8 inches neat-compact in place) and 195 tons of Type D Asphalt (2338 SY @ 1.5 inches compacted in place) from the Texas Department of Transportation - Laredo District and further authorizing the transfer of said material to the City of Laredo for the construction of the unfinished section of Kirby Drive (being generally that unpaved section just east of the intersection of Kirby Drive and De Novo Street and West of the intersection of Kirby Drive and Rosco Drive); and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Cmr. Garza motioned to have County Staff meet with representatives from TxDOT, City of Laredo, and Killam Development in order to come back with a recommendation on the next Commissioner's Court Meeting. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

Item No.1. Discussion and possible action to approve a donation of Five Hundred Dollars (\$500.00) to the Nixon High school Booster Club for the purpose of buying equipment, uniforms, tennis shoes, and supplies for the year-round basketball program that allows students to participate in recreational activities throughout the year and to authorize the County Judge to execute all relevant documents; and any other matters incident thereto. [Account #001-0201-6219]

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

Motion carried 5-0 by unanimous consent.

Comr. Canales motioned to bring up item #51. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Juvenile Probation Department

Item No.51. Discussion and possible action to approve the following transfer of funds from Juvenile Department to Sheriff's Office:

From:	001-1301-6023	Contract Services	\$56,500
To:	001-2060-5005	Part-time	\$56,500

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

Motion carried 5-0 by unanimous consent.

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No.17. Discussion and possible action to approve an Agreement for a period of Two (2) years from January 1, 2012 through December 31, 2014 with Hyatt Legal Plans, Inc. ("HLP") for a group legal plan for employees and their dependents who are eligible to receive legal services at a reasonable cost of TWENTY-ONE DOLLARS AND FIFTY CENTS (\$21.50) per employee and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Cynthia Mares, Webb County Administrative Services Director]

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

Motion carried 5-0 by unanimous consent.

Item No.18. Discussion and possible action to approve Provider Services Agreements between Webb County and Cigna Insurance, Humana Insurance, National Plan Administrators, and Air Evac Lifeteam for Insurance and Ancillary Services and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Cynthia Mares, Webb County Administrative Services Director]

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

Motion carried 5-0 by unanimous consent.

Item No.19. Discussion and possible action to accept the following right of ways and authorizing the County Judge to execute all relevant documents; and any other matters incident

thereto. [Requested by Mike Cabello, Interim Webb County Engineer and Anna L. Cavazos Ramirez, Webb County Attorney]

Property	Grantors
Tract 9, D-5 Acres Subd.	Martha Garcia
Lot 18, Block 2, Los Altos Subd.	Osvaldo Arizpe & Magdaleno Gutierrez
Tract A-2, Old Milwaukee Subd.	Ismael Perez & Maria T. Perez
Lot 5, Block 18, Pueblo Nuevo Subd.	Margarita Fourroux
Tract 38, Ranchitos IV Los Minerales	J&E Leasing Properties, LTD

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

Motion carried 5-0 by unanimous consent.

Item No.20. Discussion and possible action to approve an exemption to the current County wide hiring freeze and to approve and ratify the filling of the following Slot, subject upon the availability of payroll funds and any applicable Civil Service guidelines, effective December 16, 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>
2082	Receptionist	\$12.48

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

Motion carried 5-0 by unanimous consent.

Honorable Oscar Liendo, Justice of the Peace Pct. 1 Pl. 2

Item No.21. 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 9, 2012:

	<u>Slot/Line Item #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	2070	Court Clerk	\$10.86
To:	0883	Court Clerk	\$12.66
From:	5005	Clerk - Part Time	\$10.00
To:	2070	Court Clerk - Full Time	\$10.86
To Fill:	5005	Clerk - Part Time	\$10.00

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

Motion carried 5-0 by unanimous consent.

Honorable Ramiro Veliz, Justice of the Peace Pct. 2 Pl. 1

Item No.22. Discussion and possible action to approve exemption to the current County wide hiring freeze and authorize the filling of the following Slots, subject upon the availability of payroll funds and any applicable Civil Service guidelines:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1497	Secretary D.P.S.	\$13.44
2687	Traffic Clerk VI	\$10.31

No vote needed.

Item No.23. Discussion and possible action to correct a typographical error from Commissioners Court Meeting of September 12, 2011 approving the filling of the following Slot. The correction should be as follows:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	2206	D.P.S. Clerk I	\$12.65
To:	2206	D.P.S. Clerk I	\$13.16

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

Motion carried 5-0 by unanimous consent.

Honorable Oscar Martinez, Justice of the Peace Pct. 4

Item No.24. Discussion and possible action to approve an increase to the FY 2011/2012 budget Fuel/Lube, Account #001-1044-6204 in the amount of \$2,000.00 for anticipated shortage.

Item No.25. Discussion and possible action to approve the transfer of the following vehicles to be used by Warrant Officers:

	<u>Make/Model/Year</u>	<u>VIN Number</u>	<u>Donated & Transferred by</u>
1.	Ford/CRN VIC/01	2FAFP72W21X156551	Constable Pct. 4
2.	Chev/Impala/03	2G1WF55K539317064	Webb County Sheriff

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Cmr. Sciaraffa motioned to approve items #24 and #25 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Annette Munoz, Constable Pct. 3

Item No.26. Discussion and possible action to approve a payment in the amount of \$780.00 to JR Martinez for a previous purchase of Four (4) tires used on Unit #1602 that did not have the required purchase order. [Account #001-2501-6403]

Honorable Mario C. Davila, Constable Pct. 4

Item No.27. 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, effective January 9, 2012.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1983	Deputy Constable	\$19.90
2108	Sergeant At Arms	\$21.28

Comr. Tijerina motioned to approve items #26 and #27 as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No.28. Discussion and possible action to approve an exemption to the current County wide hiring freeze and to approve the filling of the following Slots, subject upon the availability of payroll funds and any applicable Civil Service guidelines, effective January 9, 2012. These Slots are part of the current general order of positions for FY 2011-2012.

<u>Division #</u>	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2001	534	Captain	\$27.3463
2001	2417	Officer I (CJD Grant)	\$17.8600
2060	543	Officer II	\$19.3300

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

Motion carried 5-0 by unanimous consent.

Item No.30. Discussion and possible action to accept a COPS Technology Program grant award from the Office of Community Oriented Policing Services (COPS) in the amount of \$250,000 for forensic equipment for the expansion of the Texas Department of Public Safety, Laredo Crime Laboratory 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.

Item No.31. Discussion and possible action to approve the submission of a grant application to the Office of the Governor Criminal Justice Division under the category of DJ-Edward Byrne Memorial Justice Assistance Grant Program in the amount estimated to be at \$310,500 for personnel and associated equipment/supplies and designating the County Judge as the authorized official in all matters related to this grant. This grant does not require any type of match; and, thus, will have no impact on the general fund.

Item No.32. Discussion and possible action to approve the submission of a grant application to the Office of the Governor Criminal Justice Division under the category of JA-Juvenile Justice and Delinquency Prevention Allocation to State-Local Solicitation in the amount estimated to be at \$220,720 for personnel and associated equipment/supplies and designating the County Judge as the authorized official in all matters related to this grant. This grant does not require any type of match; and, thus, will have no impact on the general fund.

Cmr. Sciaraffa motioned to approve items #30, #31, and #32 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.33. Discussion and possible action to approve the submission of a grant application to the Office of the Governor Criminal Justice Division under the category of Violent Crimes Against Women Criminal Justice and Training Projects – Domestic Violence, Sexual Assault, Dating Violence, and Stalking Program in the amount estimated to be at \$70,000 for personnel and associated equipment/supplies and designating the County Judge as the authorized official in all matters related to this grant. This grant requires a 35% cash match. [Forfeiture Funds]

Item No.34. Discussion and possible action to authorize the County Auditor to approve the expenditure of funds from the Laredo High Intensity Drug Trafficking Area (HIDTA) initiative for CY 2011, for the months of January 1, 2012 through March 31, 2012; pending the receipt of grant continuation award by the funding agency, City of Laredo.

Item No.35. Discussion and possible action to approve the transfer of the following vehicle from the Webb County Sheriff's Office to the Justice of the Peace Pct. 4:

Vehicle Description: 2003 Chevy Impala VIN #2G1WF55K539317064

Cmr. Sciaraffa motioned to approve items #33, #34, and #35 from forfeiture funds. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor- Collector

Item No.36. Discussion and possible action to approve a refund in the amount of \$4,001.06 to Ed Rachal Foundation, on Accounts #03261256666000ri and #04723976666000ri, due to overpayment. [Account #001-2139]

Item No.37. Discussion and possible action to approve a refund in the amount of \$4,479.82 to Wells Fargo Home Mortgage, on Accounts #55501574030 and #99401024060, due to overpayment. [Account #001-2139]

Cmr. Tijerina motioned to approve items #36 and #37 as submitted. Judge Valdez seconded the motion.

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

Administrative Services

Item No.38. Discussion and possible action to grant an exception to the County wage and hiring freeze and approve the filling of Slot #1526, (Human Resource Assistant II) in the Administration Services Department at a rate no higher than the budgeted amount and to grant further exception(s) to fill any vacancy or vacancies that may result from hiring any existing Administrative Services Department employees for these Slots.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to approve item as submitted.

Motion dies for lack of second.

Judge Valdez motioned to approve the filing of Slot #1526 only in item #38. Cmr. Canales seconded the motion.

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

Item No.39. Discussion and possible action to approve the proposed Job Descriptions for Director of Facilities and Maintenance and Webb County Engineer, and direct Administrative Services to commence RFQ process for said vacancies.

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Cmr. Sciaraffa motioned to thoroughly go over the descriptions for the Director of Facilities and Maintenance and Webb County Engineer. Cmr. Tijerina seconded the motion.

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

Item No.40. Discussion and possible action to select a date to conduct interviews for the MIS Director from the list of qualified applicants; 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)]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Judge Valdez stated that the Commissioner's Court would forward a date to conduct the interviews for the MIS Director.

No action taken.

Judge Valdez motioned to defer item #41 to the end of the meeting. Cmr. Canales seconded the motion.

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

Community Action Agency

Item No.42. Discussion and possible action to accept \$500.00 from Reliant Energy Retail Services, LLC. The Webb County Community Action Agency will utilize these funds to assist qualified Reliant Energy Retail Service, LLC clients. [Account #902-4202-7004]

Item No.43. Discussion and possible action to approve the transfer of Rural Transportation Program employee within the following Slots with salary changes, effective January 9, 2012. To be paid from grant funds. This action will have no financial impact to County's General Fund account. [Account #980-4205-5001]

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	1129	Driver	\$ 9.36
To:	1134	Administrative Technician/Driver	\$10.25

Judge Valdez motioned to approve items #42 and #43 as submitted. Cmr. Tijerina seconded the motion.

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

Economic Development

Item No.44. Discussion and possible action to authorize the release of the 10% retainage payment of Two Thousand Three Hundred Forty-Three Dollars and Sixty-Nine Cents (\$2,343.69) to CG Construction Inc. for the housing rehabilitation of Mrs. Dora Luz Gonzalez's home located at 407 Pinzon, Colonia Ranchitos Hwy 359, under the EDI-SP (Economic Development Initiative Special Project). To be paid from grant funds. This action will have no financial impact to County's General Fund account. [Account #504-2311]

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

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

Engineer

Item No.45. Status report by Interim County Engineer regarding all County projects; and any other matters incident thereto. [Requested by Jaime A. Canales, Commissioner Pct. 4]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Mike Cabello, Interim County Engineer presented a status report regarding all County projects.

Item No.46. Discussion and possible action to approve the following Loop 20 Project Supplemental Agreement 1 to the Main Contract and Supplemental Work Authorization (SW) #1, #2 and #3 to Work Authorization (WA) #1 as follows:

Supplemental Agreement #1 amends the maximum amount payable under the Main contract from \$3,159,336.62 to \$3,270,200.81, an increase of \$110,864.19.

Supplemental #1 to WA #1 to complete the work total cost \$3,071,126.22. Contract will decrease from \$3,071,126.22 to \$3,017,530.21.

Supplemental #2 to WA #1 to complete the work total cost \$31,857.52. Contract will increase from \$3,017,530.21 to \$3,049,387.73. No Financial Impact to the budget.

Supplemental #3 to WA #1 to complete the work total cost \$79,006.67. Contract will increase from \$3,049,387.73 to \$3,128,394.40. No financial Impact the budget.

TxDOT has approved Supplemental Work Authorization.

[Account #737-8001-6022]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to table item #46. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.47. Discussion and possible action to approve Amendment No. 5 to the Advanced Funding Agreement (AFA) between TxDOT and Webb County and the revise funding sources for the Three (3) ARRA projects (Espejo-Molina Road; Mangana-Hein Road and E. Del Mar Blvd.) that requests the county to provide a local match funding of \$2,395.50; and to designate the County Judge to sign all relevant documents. [Account #010-7002-6404]

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

Motion carried 5-0 by unanimous consent.

Fred & Anita Bruni Community Center

Item No.49. Discussion and possible action to approve the filling of the following Slot, subject upon the availability of payroll funds and any applicable Civil Service guidelines, effective January 9, 2012.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2344	Driver and Maintenance	\$11.92

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

Motion carried 5-0 by unanimous consent.

Indigent Defense Services

Item No.50. Discussion and possible action to approve the department name change from Webb County Indigent Defense Services to Webb County Pre-Trial Services. [Requested by the Webb County Indigent Defense Services Oversight Committee]

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

Motion carried 5-0 by unanimous consent.

Public Defender

Item No.52. Discussion and possible action to approve the transfer of employees within the following Slots with salary changes, effective February 1, 2012, with no impact to the General Fund:

	<u>Slot #</u>	<u>Title</u>	<u>Bi-Weekly Salary</u>	
From:	1885	Assistant Public Defender	\$3,122.84	
To:	273	Assistant Public Defender	\$3,155.85	
From:	254	Assistant Public Defender	\$2,988.01	
To:	1885	Assistant Public Defender	\$3,122.84	
From:	2087	Assistant Public Defender	\$2,944.64	
To:	254	Assistant Public Defender	\$2,988.01	
From:	2085	Assistant Public Defender	\$2,819.02	
To:	2087	Assistant Public Defender	\$2,944.64	
From:	1725	Assistant Public Defender	\$2,556.20	

To:	2085	Assistant Public Defender	\$2,819.02
From:	2200	Assistant Public Defender	\$2,467.30
To:	1725	Assistant Public Defender	\$2,556.20
From:	2476	Assistant Public Defender	\$2,307.00
To:	2200	Assistant Public Defender	\$2,467.30

Item No.53. Discussion and possible action to approve exemption to the current County wide hiring freeze and to approve the filling of the following vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service guidelines. [Tx Indigent Grant Fund]

<u>Slot #</u>	<u>Title</u>	<u>Bi-Weekly Salary</u>
2476	Assistant Public Defender	\$2,492.00

Comr. Tijerina motioned to approve items #52 and #53 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Purchasing

Item No.54. Discussion and possible action to authorize the Purchasing Agent to Solicit bids for the following 3 month contracts:

Bid 2012-81-1	3 month contract for Paper, Toner and Ink Cartridges
Bid 2012-88	3 month contract for Meats
Bid 2012-89	3 month contract for Produce

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

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

Item No.55. Discussion and possible action to award bid 2011-17-1 "Improvements and Rehabilitation of the down slope of the Casa Blanca Dam" to Martinez Paving Co., Inc. (the lowest bidder/within budget). [Account #717-0115-8601]

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

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

Item No.56. Discussion and possible action to purchase Two (2) Fujitsu FI-6130 Scanners for the Purchasing Department pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Contract TCPN R4713 in the amount of \$1,800.00. [Account #696-8007-8801 (Capital Outlay)]

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.57. Discussion and possible action to remove and install 5.9 L Cummins Engine for the Road & Bridge Department from RDO Equipment (Annual Contract 2011-07) in an amount not to exceed \$9,660.00 for materials and labor. [Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #010-7002-6402]

Item No.58. Discussion and possible action to purchase uniforms for the Road & Bridge Department from AI & Robs in the amount of \$8,871.00. [Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #010-7002-6202]

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

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

Item No.59. Discussion and possible action to purchase Two (2) FUJITSU FI-6670 FB SCAN Scanners for the Webb County District Clerk's Office, Pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Contract: GS -35F-4342D from CDW.G in the amount of \$8,200.00. [Requested by Esther Degollado, Webb County District Clerk, Account #018-1110-6224]

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

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

Item No.60. Discussion and possible action to purchase Fence for Recreation area in the Jail for the Sheriff's Department from Garza's Fence in amount not to exceed \$5,500.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #001-2060-6401 (General Fund)]

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

Motion carried 5-0 by unanimous consent.

Item No.61. Discussion and possible action to purchase Cylinder with Valves and a Groves Mobile SCBA Cylinder Cart for the Sheriff's Department pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Buy Board 363-10 from Dooley TackaBerry Inc. in the amount of \$12,631.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #315-2001-6224 (Grant Funds)]

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

Motion carried 5-0 by unanimous consent.

Item No.62. Discussion and possible action to purchase Law Enforcement Equipment, including but not limited to, tactical equipment and riot control gear from Bob Barker pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Contract: TXMAS 8-840-140 in an amount not to exceed \$6,697.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #315-2001-6224 (Grant Funds)]

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 purchase Computer Equipment from Southern Computer Warehouse for the Sheriff's Department in the amount of \$15,304.21. [Requested by Martin Cuellar, Webb County Sheriff; Account #315-2001-6224 (Grant Funds)]

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

Motion carried 5-0 by unanimous consent.

Item No.64. Discussion and possible action to purchase Bullet Proof Vests from Bob Barker pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Contract: TXMAS 8-840-140 in the amount of \$46,375.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #346-2001-6224 (2010 OPSG Grant)]

Item No.65. Discussion and possible action to purchase SWAT unit gear from Protective Products Enterprises pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Contract# GSA #GS07F9028D in the amount of \$68,280.25. [Requested by Martin Cuellar, Webb County Sheriff; Account #346-2001-6224 (2010 OPSG Grant)]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Cmr. Sciaraffa motioned to approve items #64 with corrections on the funding source to read as Account #305-2001-7211-6 for the amount of \$30,832.00 and #65. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Dr. C. Moreno, Purchasing Agent stated that the other \$170.00 on item #64 would be paid through Forfeiture Funds.

Item No.66. Discussion and possible action to purchase Twenty (20) Semi Auto Rifles including weapon sight battery and suppressor for the Sheriff's Department not to exceed \$50,000.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #329-2001-6228 (Grant Funds)]

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

Motion carried 5-0 by unanimous consent.

Item No.67. Discussion and possible action to purchase law enforcement uniforms from Nardis Public Safety, GSA #GS-07F-0596T, (TXMAS # 5-73010) in the amount of \$165,125.00 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 271.103, Texas Local Government Code. [Requested by Martin Cuellar, Webb County Sheriff; Accounts #001-2001-6202 and #001-2060-6202]

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

Motion carried 5-0 by unanimous consent.

Item No.68. Discussion and possible action to purchase poured-in-place material for playgrounds for Head Start Department pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Contract # 2038 from Play & Park Structures in the amount of \$60,367.56. [Requested by Aliza Oliveros, Webb County Head Start Director; Account #903-4208-6225]

Item No.69. Discussion and possible action to purchase tools for the Tool Library for Self Help Center pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program GSA Contract GS-21F-0039X from Lowe's in the amount of \$5,688.14. [Requested by Cassie Allred, Self Help Center Program Administrator; Account #507-6500-7012]

Cmr. Tijerina motioned to approve items #68 and #69 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to bring back item #41. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Administrative Services

Item No.41. Discussion and possible action to interview and select the Webb County Fire and EMS Chief from the list of qualified applicants; set salary; 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) and Section 551.074 (Personnel Matters)]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

The Commissioner's Court conducted interviews for the Webb County Fire and EMS Chief in the order below.

1. John Ryan Buchan
2. Jose Luis Flores
3. Felix Nunez
4. Ricardo A. Rangel

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

Motion carried 5-0 by unanimous consent.

(Executive Session 1:50 – 2:13 PM)

No action taken.

Administrative Services

Item No.41. Discussion and possible action to interview and select the Webb County Fire and EMS Chief from the list of qualified applicants; set salary; 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) and Section 551.074 (Personnel Matters)]

Discussion on file at the Webb County Clerk's Office January 9, 2012 Commissioner's Court Meeting DVD.

Cmr. Garza motioned to select Ricardo A. Rangel as the Webb County Fire and EMS Chief effective immediately and to have the salary remain at the same allocated/budgeted rate. Cmr. Canales seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring back Mr. Jose Luis Flores' salary to what he had before becoming Interim Fire and EMS Chief. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.70. Adjourn

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

Motion carried 5-0 by unanimous consent.