

Official Minutes for Webb County Commissioners Court Meeting

**Monday, February 27, 2012 at 9:00 AM
(Approved March 12, 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 24th day of February 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

Item No.3. Approval of Minutes for February 13, 2012

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina 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 February 27, 2012 Commissioners Court Meeting DVD.

County Treasurer, Delia Perales presented her status report for the month of January 2012.

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

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

Item No.5. Communications

Cmr. Canales congratulated Mr. Steve La Mantia for being named "Rancher of the Year". He congratulated the Martin High School tiger Basketball team and their coaching staff on their championship title. Cmr. Canales congratulated the Washington's Birthday Celebration Association on another very successful year, specifically all the people who collaborated from the county on the float. He sent out his heartfelt condolences to Carlos Escamilla's Family, Luis Guardiola's Family, Diana Gonzalez, Magdalena Sierra, and Guadalupe Dolores Serna. Cmr. Canales welcomed back Officer Leo Flores, LPD and wished him a fast recovery.

Cmr. Tijerina thanked the Commissioner's staff members, from her staff; Elsa, Alice, and Nelda for putting the WBCA float. She congratulated Steve La Mantia and his family for being named "2012 Rancher of the Year" by L.I.F.E. Organization. Cmr. Tijerina congratulated the Texas A and M Colonias Program on their 20th Anniversary. She announced that the Bruni Community Center will be hosting a Job Fair on Thursday, March 8, 2012 from 1:00 to 6:00 p.m. Cmr. Tijerina sent out her heartfelt condolences to the family of Maria Graciela Ramirez on the passing of Mr. Ramirez's aunt Ms. Eva Garza, to the family of Betty Flores on the passing of her mother Ms. Bonnie Garcia, and to the family of Trooper Rene Garza on the passing of his mother Maria Del Carmen Garza. She wished a Happy Birthday to Mr. Arturo Benavides who just turned 74 years old. Lastly, Cmr. Tijerina congratulated WBCA on a job well done.

Cmr. Garza congratulated WBCA on another successful year of excited events, the WBCA President Mr. Joe Palacios, and the Executive Committee and Board. He congratulated Mr. Steve La Mantia for his recognition and award as "Rancher of the Year". Cmr. Garza wished L.I.F.E. great successful on their upcoming event. He congratulated the United High School, Martin High School, and Alexander High School Basketball Teams and their coaching staff on their victories. Cmr. Garza sent out his heartfelt condolences to the family of Luis Guardiola and to the family of Eva Garza. He thanked everyone who participated in the 4th Annual Mercurio Martinez, IV 5K Run held on Sunday, February 26, 2012.

Cmr. Sciaraffa – No comments.

Judge Valdez congratulated Mr. Steve La Mantia for being named "Rancher of the Year". He congratulated WBCA, Mr. Joe Palacios, board members, volunteers, and sponsors on a job well done. Judge Valdez congratulated Martin High School, United High School, and Alexander High School for advancing to the next round of the State Playoffs. He congratulated Coach Javier Reyes and the Lady Bulldogs Basketball Team for also advancing and for their City Record. Judge Valdez also congratulated Cmr. Tijerina on undertaking the Tire Clean Up campaign. He sent out his heartfelt condolences to the family of Fernando Laurel on the passing of Eva Garza and to the family of Tony Guardiola on the passing of his father.

Cmr. Canales asked Mr. Eric Ellman from the Big River Foundation to give his presentation.

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.

Daniel Morales

Mr. Morales spoke about the United States Department of Agriculture in regards to Rural Development.

Margie Ramirez Ibarra
Mrs. Ramirez Ibarra spoke in regards to item #15.

Honorable Danny Valdez, Webb County Judge

Item No.7. Discussion by the auditor regarding a financial analysis request for the county with the intent of proposing a 2012 Bond Series to fund county projects and capital outlay requests; with discussion and possible action to authorize the Auditor's office to initiate this process; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

Judge Valdez motioned to authorize the County Auditor's Office to initiate this process and to request from the Commissioners Court and Department Heads a list of projects/Capital Outlay Requests within the next 30 days and for the County Auditor, Leo Flores to meet with the Commissioners Court to start prioritizing the list. Cmr. Tijerina seconded the motion.

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

Item No.8. Discussion and possible action to proclaim February 29, 2012, as a day to celebrate *Attorneys Without Borders* and to memorialize the historic visit of the Texas Supreme Court to Webb County and the City of Laredo. [Co-Sponsored by Rosaura "Wawi" Tijerina, Commissioner Pct. 2]

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

District 19 Director for the Texas Young Lawyers Association, Mr. Victor Villarreal was in attendance to present a declaration proclaiming February 29, 2012, as a day to celebrate *Attorneys Without Borders* and to memorialize the historic visit of the Texas Supreme Court to Webb County and the City of Laredo.

Judge Valdez and the Commissioners Court read the declaration proclaiming February 29, 2012, as a day to celebrate *Attorneys Without Borders*.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

Item No.9. Discussion and possible action to approve the surveying services and geotechnical services to Howland Engineering for the proposed El Cenizo Library sites in the amount of \$7,000.00 for site I and \$5,700.00 for site II. Total amount is \$12,700.00. [Co- Sponsored by Mike Cabello, Webb Count Interim Engineer; Account #660-6111-8601]

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

Motion carried 5-0 by unanimous consent.

U.I.S.D. Music teacher, Arturo Gutierrez was present to invite the public to vote for him online on pepeaguilar.com (Rey del Mariachi).

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

Item No.10. Presentation by Mr. Alfonso Casso, Jr. Executive Director of the South Texas Food Bank, and Alma D. Blanco, Outreach Coordinator, regarding the Supplemental Nutrition Assistance Program (SNAP); and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

Mr. Alfonso Casso, Jr., Executive Director of the South Texas Food Bank and Alma D. Blanco, Outreach Coordinator, were in attendance to give a presentation regarding the Supplemental Nutrition Assistance Program (SNAP).

Item No.11. Discussion and possible action to approve lab testing services in the amount of \$18,795.00 to Howland (best value) for the BCAP TxDOT Tanquecitos I and II paving project. [Co- Sponsored by Mike Cabello, Interim County Engineer; Account #707-8001-6022-14]

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

Motion carried 5-0 by unanimous consent.

Item No.12. Discussion and possible action to accept a donation in the amount of \$1,000.00 and presentation of check from Cedro Hill Wind Farms to the South Texas Food Bank for the benefit of the Bruni Community Center Kids Café Pilot Program in Bruni, Texas; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

Mr. Johnny Giles from the Cedro Hill Wind Farms, was in attendance to present a check in the amount of \$1,000.00 to the South Texas Bank for the benefit of the Bruni Community Center Kids Café Pilot Program in Bruni, Texas.

Judge Valdez 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 approve change order #3 to Zertuche Construction for the Bruni Park improvements in Bruni, Texas. This change order will extend the completion date to April 27, 2012 and approve additional funding for the park in the amount of \$30,000.00; and any matters incident thereto. [Account # 604-0101-8103]

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

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No.14. Discussion and possible action to hire Carlos M. Zaffirini, Jr., Attorney at Law, as the attorney representing Webb County for all matters concerning the Medicaid 1115 Waiver (formerly UPL Program). [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 February 27, 2012 Commissioners Court Meeting DVD.

Cmr. Garza motioned to table item #14. Judge Valdez seconded the motion.

Cmr. Garza withdrew his motion.

Judge Valdez withdrew his second.

Judge Valdez motioned to defer item #14 for Executive Session. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Commissioners Court

Item No.15. Status report by the Records Management specialist regarding the preservation of county records currently being stored at the county Tex Mex Building; with discussion and possible action. [Requested by Frank Sciaraffa, Commissioner Pct. 1]

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

Cmr. Sciaraffa motioned to form a committee to consist of Cmr. Sciaraffa, Cmr. Tijerina, Patricia Barrera, Tax Assessor, Margie Ramirez Ibarra, County Clerk, three or four members of the Commission, Mrs. Imelda Diaz, Records Management specialist, and Rafael Pena, Interim MIS Director. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.16. Status report with discussion and possible action regarding proposed amendments to the Webb County Civil Service Commission Rules and Regulations set for hearing by the Civil Service Commission on February 28, 2012. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Judge Valdez motioned to defer item #16 for Executive Session. Cmr. Canales 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 the contract between Webb County and Zertuche Construction, LLC for the re-roofing of the Webb County Tex Mex Building located at 1200 Washington Street, Laredo, Texas in the amount of Ninety-Nine Thousand Four Hundred (\$99,400.00) Dollars; and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Mike Cabello, Webb County Interim Engineer]

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

Motion carried 5-0 by unanimous consent.

Item No.18. Discussion and possible action to enter into an Annual Maintenance Contract between Identix Biometric Solutions and Webb County Juvenile Probation Department for a period of One (1) year from February 2, 2012 through February 1, 2013 for a total amount of TWO THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS (\$2,375.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Melissa Mojica, Webb County Juvenile Probation Director; Account #001-1301-6402]

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

Motion carried 5-0 by unanimous consent.

Honorable Oscar Hale, 406th District Court Judge

Item No.19. Discussion and possible action to approve and ratify the 406th District Court Drug Court Program and La Familia Consulting and Counseling Services, L.C. from the Department of Substance Abuse and Mental Health Services Administration.

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

Motion carried 5-0 by unanimous consent.

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

Item No.20. Discussion and possible action to approve a purchase from Lowe's Home Centers in the amount of \$740.98 to build a stationary center for court security at the J.P. Pct. 2, Pl., 1 office. [Account #604-0101-8103 (Permanent Improvement Fund)]

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

Item No.21. Discussion and possible action to approve the title change to the following Slot:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	2690	Community Event Coordinator	\$17.79
To:	2690	Traffic Supervisor	\$17.79

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

Cmr. Sciaraffa motioned to approve item #21 as submitted and #20 pending the approval of the title change by the Civil Service Commission. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No.22. Discussion and possible action to authorize the submission of a Southwest Border Alliance Task Force grant in the amount of \$3,018,533 for personnel and law enforcement operations; 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.

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.23. Discussion and possible action to authorize the submission of a grant to the Criminal Justice Division in the amount estimated at \$99,870 to assist with a backlog of criminal dispositions 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.

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.24. Discussion and possible action to authorize the Webb County Auditor's Office to continue paying grant-funded personnel under CJD Grant No. 2311002, Webb

County Sheriff's Office Border Juvenile Gang Prevention/Intervention Program for Sixty (60) days, until notification about grant continuation award from the Criminal Justice Division of the Governor's Office.

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

Cmr. Sciaraffa motioned to approve item #24 with the amendment of changing the 60 days to 30 days. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.25. Discussion and possible action to approve final payment to Alamo Roofing Company in the amount of \$35,188.53 for the completion of the Jail Roof project. [Accounts #628-2060-8103 and #628-2311]

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

Motion carried 5-0 by unanimous consent.

Item No.26. Discussion and possible action to authorize the County Auditor to approve payment to Novastar Communication in the amount of \$6,257.36 for emergency work on camera surveillance system for Jail security. [Account #001-2060-6402]

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

Motion carried 5-0 by unanimous consent.

Item No.27. Discussion and possible action to approve the funding of the Jail HVAC project in the amount of \$30,813.06 from the Permanent Improvement fund due to a shortfall in project costs. [Account #604-0101-8103]

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

Motion carried 5-0 by unanimous consent.

Item No.28. Discussion and possible action to approve the cost of making security improvements to the Webb County Jail in the amount of \$45,000.00 from the Permanent Improvement Fund; and any other matters incident thereto. [Account #604-0101-8103] [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, §551.071 (Consultation with Attorney) and §551.076 (Deliberation Regarding Security Devices)]

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

Judge Valdez motioned to defer item #28 to Executive Session. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor- Collector

- Item No.29. Discussion and possible action to approve a refund in the amount of \$9,012.33 to Vista-Pro Automotive, LLC, on Accounts #801-16026-108 (\$8,799.75) and #801-16026-108 (\$212.58), as per Supp. 6, Cert 2011, correct values per 49th Judicial District Judgment, Cause #2011CVF000100-D2 for 2010. [Accounts #001-0700-3063 and #010-0700-3063]
- Item No.30. Discussion and possible action to approve an agreement with Micrographic Imaging, Inc. of San Antonio, Texas, (subject to any potential bidding requirements) to convert 249,000 pages of large tax books to digital format with rolls of microfilm backup; and any other matters incident thereto. The work will involve the disassembly and re-assembly of 425 large tax books; preparation of pages and repairing damaged pages; external hard drive with complete set of DVDs with all the digital images; and transportation to and from the Webb County Tax Office. Total cost of the proposed work is \$52,108.00. [Account #001-0109-6022]
- Item No.31. Discussion and possible action to approve payment to Flashback Data, LLC, in the amount of \$1,298.00 for generating forensic recovery of data from laptop, as per Invoice #12458, dated December 16, 2011; and payment to Meza Business Machines, in the amount of \$227.45, for repair on Canon Image Copier (not on maintenance agreement), as per invoice #101312012, dated January 31, 2012.

Cmr. Sciaraffa motioned to approve items #29 and #31 and motioned to table item #30. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Community Action Agency

- Item No.32. Discussion and possible action to accept \$10,400.00 from CPL Retail Energy. The Webb Count Community Action Agency will utilize these funds to assist qualified CPL Retail Energy LLC clients. [Account #907-4202-7004]
- Item No.33. Discussion and possible action to authorize the Community Action Agency to enter into an annual agreement with Direct Energy, LP, CPL Retail Energy, WTU Retail Energy and Three Retail Energy Providers (REP). The purpose of the agreement is to assist Direct Energy, LP, CPL Retail Energy, WTU Retail Energy and Three Retail Energy Providers (REP) low income clients pay their electric home energy expenses through the Neighbor to Neighbor Program. [Account #907-4202-7004]
- Item No.34. Discussion and possible action to authorize the Community Action Agency to enter into an annual vendor agreement with Retail Energy Providers for the implementation of Community Service Block Grant Program and the

Comprehension Energy Assistance Program. These vendor agreements are a TDHCA requirement for the implementation of the programs. This action will have no impact on the county general fund

List of Retail Energy Providers:

Accent Energy or Dynowatt
Amigo
CPL Retail Energy
Frontier Utilities
Just Energy
Our Energy
Stream Energy
TXU Energy

Ambit Energy
Apollo Power and Light
First Choice Power
Green Mountain Energy Company
Medina Electric
Reliant Energy
Tara Energy

Cmr. Sciaraffa motioned to approve items #32, #33, and #34 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

Item No.35. Discussion and possible action to approve the Webb County contribution in the amount of \$20,735.59 for the right-of-way acquisition and utilities adjustments for Cuatro Vientos Road (CSJ No. 0922-33-115) to Texas Department of Transportation and authorizing the County Judge to execute all relevant documents. [Account #716-7102-6022]

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

Motion carried 5-0 by unanimous consent.

Item No.36. Discussion and possible action to amend the contract of Hickey Pena Architects for the North Side International Park Phase II and release final payment in the amount of \$4,200.00 to Hickey Pena Architects for the North Side International Park Phase I. [Account #723-8103-8710-3]

Item No.37. Discussion and possible action to approve the filling of vacant position for the Utilities Department to support overall water operations, Slot #1299, Water Distribution Superintendent at an annual salary not to exceed \$42,636.00, subject upon the availability of payroll funds and any applicable Civil Service timelines.

Item No.38. Discussion and possible action to approve pole relocations and electric appurtenances from AEP (American Electric Power) in the amount of \$38,980.75 for the TxDOT Border Colonia Access Program Rancho Penitas West Project #5BCF5031 C2400048 (2nd call) and (3rd call) 8BCF5052, 3c2400048 contingent upon

TxDOT approval and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Account #706-8001-8801-14 (BCAP Funds)]

Cmr. Tijerina motioned to approve items #36, #37, and #38 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.39. Discussion and possible action to approve relocations for telephone pedestals and appurtenances from Alenco Comm. Inc. in the amount of \$48,454.02 for the TxDOT Border Colonia Access Program Rancho Penitas West Project #5BCF5031 C2400048 (2nd call) and (3rd call) 8BCF5052, 3c2400048 contingent upon TxDOT approval and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Account #706-8001-8801-14 (BCAP Funds)]

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

Motion carried 5-0 by unanimous consent.

Head Start

Item No.40. Discussion and possible action to approve the filling of the following Slot:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>	<u>Pay Periods</u>
1142	Cook	\$ 8.56	21

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

Motion carried 5-0 by unanimous consent.

Juvenile Probation Department

Item No.41. Discussion and possible action to authorize the submission of a grant application to the Criminal Justice Division of the Governor's Office for the continuation of the Juvenile Accountability Block Grant (JABG) and, further, authorizing the County Judge to execute all forms relevant to said grant.

Planning

Item No.42. Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements Regarding the Connection of Utilities" pursuant to 232.028, L.G.C. and authorize an electrical service connection pursuant to Section 232.029 (b), L.G.C. to the following properties:

- a) An unplatted tract of land, being the northernmost 29 Feet wide by 200 Feet long, out of and part of the North ½ of Block 3, Lot 5, San Carlos Subdivision,

Phase II, as further described in Vol. 3189, Pgs. 539-540, Webb County Official Public Records. Approval is limited to one (1) dwelling only unless replatted;

- b) Lot 4, Block 6, Pueblo Nuevo Subdivision. Approval limited to two (2) additional dwellings for a total of three (3) dwellings only unless replatted.

Staff recommends the Court's approval contingent upon receipt of the Premise Report from the City of Laredo Health Department evidencing the decommissioning of existing septic systems.

Cmr. Sciaraffa motioned to approve items #41 and #42 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Public Defender

- Item No.43. Discussion and possible action to approve the transfer of the following vehicle: Vin #1FAFP53U5XG176681 being a 1999 Ford 4 door sedan from Webb County Tax Assessor and Collector to the Webb County Public Defender's Office to be used as department's Unit #4604.

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

Motion carried 5-0 by unanimous consent.

Purchasing

- Item No.44. Discussion and possible action to award Bid 2011-08 Colonia Rancho Penitas West Paving Project to REIM Construction, the lower bidder in the amount of \$1,353,541.68 and award contract, and authorizing the County Judge to execute all relevant documents. [Account #706-8001-8801-14]

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

- Item No.45. Discussion and possible action to solicit bids for a grazing and hunting lease for "Penjamo and Llano Pastures" (approximately 8,829.57 acres of school lands).

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.46. Discussion and possible action to dispose of salvage and surplus property equipment and furniture that has become obsolete for future use as per Section 263.151 Subchapter D (1). Disposition of Salvage Surplus Property, Texas Local Government Code and all other miscellaneous items.

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

Motion carried 5-0 by unanimous consent.

Item No.47. Discussion and possible action to purchase lumber for Road & Bridge Department pursuant to Sections 271.101 and 271.103 Subchapter F., Cooperative Purchasing Program G.S.A Contract No. GS-21F10039X from Lowe's in the amount \$15,207.50. [Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #010-7002-6404 (R&B Funds)]

Cmr. Sciaraffa 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 purchase Ten (10) Three seat furniture units for the Jail pursuant to Sections 271.101 and 271.103 Subchapter F., Cooperative Purchasing Program G.S.A Contract No. GS-29F-0230D and TXMAS Contract No. TXMAS-3-7110150 from Access Distributors, Inc. in the amount of \$8,080.00 plus shipping \$1,105.00 for a total amount of \$9,185.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #315-2001-6224 (Grant Funds)]

Cmr. Canales 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 purchase One Hundred (100) mattresses for the Jail pursuant to Sections 271.101 and 271.103 Subchapter F., Cooperative Purchasing Program TXMAS Contract No. TXMAS-12-84050 from Bob Barker in the amount of \$6,715.00. [Requested by Martin Cuellar, Webb County Sheriff; Account #001-2062-6205 (General Fund)]

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

Motion carried 5-0 by unanimous consent.

Item No.50. Discussion and possible action to approve a change in the Service Agreement for Facilities Department from Three (3) years to a One (1) year term, pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program TEMAS Contract No. 05-03FAC020 and 06-840160 from Johnson Controls in the

amount of \$19,956.00. Court had previously approved Three (3) year term.
[Requested by Fernando Gonzalez, Webb County Facility Director]

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

Motion carried 5-0 by unanimous consent.

Item No.51. Discussion and possible action to approve the Request for Qualifications regarding Insurance Consultant Services, 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]

Discussion on file at the Webb County Clerk's Office February 27, 2012 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Road and Bridge

Item No.52. Discussion and possible action to approve the transfer of employees within the following Slots with salary changes and approve the filling of the resultant vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	1994	Refuse Truck Driver	\$12.96
To:	664	Refuse Truck Driver	\$13.09
To Fill:	1994	Refuse Truck Driver	\$12.96

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

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to go into Executive Session on items #14, #16, #28, #53, #54, and #55. Cmr. Sciaraffa seconded the motion.

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

(Executive Session 10:47 a.m. – 12:30 p.m.)

No action taken.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No.14. Discussion and possible action to hire Carlos M. Zaffirini, Jr., Attorney at Law, as the attorney representing Webb County for all matters concerning the Medicaid 1115 Waiver (formerly UPL Program). [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 February 27, 2012 Commissioners Court Meeting DVD.

Cmr. Garza motioned to table item #14. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Commissioners Court

Item No.16. Status report with discussion and possible action regarding proposed amendments to the Webb County Civil Service Commission Rules and Regulations set for hearing by the Civil Service Commission on February 28, 2012. [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 February 27, 2012 Commissioners Court Meeting DVD.

Cmr. Garza motioned to have the Civil Service Commission table the item until a committee consisting of Cmr. Garza, Cmr. Canales, Legal Council, Mr. Leroy Medford, Ms. Barrera, the Sheriff or designee, and Mr. Jose Luis Ramos, Road and Bridge Director to review the potential impacts. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No.28. Discussion and possible action to approve the cost of making security improvements to the Webb County Jail in the amount of \$45,000.00 from the Permanent Improvement Fund; and any other matters incident thereto. [Account #604-0101-8103] [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, §551.071 (Consultation with Attorney) and §551.076 (Deliberation Regarding Security Devices)]

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

Motion carried 5-0 by unanimous consent.

Tax Attorney

Item No.53. Discussion and possible action to settle and compromise on attorney fees related to Cause Number 2010TXA001223D1, Account #943-00001-110, Property description: Lot 11, Block 1, Westgate Place, City of Laredo, Webb County, Texas. [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 February 27, 2012 Commissioners Court Meeting DVD.

County Attorney, Ana Laura Cavazos Ramirez stated that the item was just a status report and no motion was needed from the Court at this time.

Closed Session/Executive Session

Item No.54. Status report by outside counsel with possible discussion and action regarding case entitled Killam Ranch Properties, Ltd., v. Webb County Texas, Case No. 4-08-00105-CV in the Fourth Court of Appeals District; Trial Court Case # 2006 CVQ-001710-D3 and Killam Ranch Properties, Ltd, v. Webb County, Texas; Case No. 04-10-00324-CV, Trial Court Case #2007-CVQ-001680-D4. [Executive Session is 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 February 27, 2012 Commissioners Court Meeting DVD.

County Attorney, Ana Laura Cavazos Ramirez stated that the item was just a status report by Mr. Allison and no action was taken.

Item No.55. Discussion and possible action regarding Civil Action No. L-05-CV-76; Luis Montes vs. Webb County, Texas, and Cynthia Mares; In the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is 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 February 27, 2012 Commissioners Court Meeting DVD.

Comr. Canales motioned not to settle the case and to allow the County Attorney's Office to appeal the issue of qualified immunity, if necessary. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.56. Adjourn

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

Motion carried 5-0 by unanimous consent.