

# Official Minutes for Webb County Commissioners Court Meeting

**Tuesday, October 9, 2012 at 9:00 AM  
(Approved November 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 5<sup>th</sup> day of October 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**

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

Motion carried 3-0 by unanimous consent.

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

Motion carried 3-0 by unanimous consent.

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

## **Item No.3. Approval of Minutes for September 10, 2012 and September 24, 2012**

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

Motion carried 3-0 by unanimous consent.

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

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

County Treasurer, Ms. Delia Perales presented a list of bills to be payed and ratifications pending approval.

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

Motion carried 3-0 by unanimous consent.

#### **Item No.5.      Communications**

Judge Valdez welcomed U.I.S.D. Superintendent, Roberto Santos, L.I.S.D. Superintendent, Dr. Nelson, and Webb I.S.D. Superintendent, Dr. Severita Sanchez. He also welcomed Constable Rudy Rodriguez, Javier Montemayor, U.I.S.D. Board Member, and Dr.Farias, former County Treasurer. Judge Valdez reminded everyone that October was Breast Cancer Awareness Month. He congratulated Cmr. Canales on his Birthday dance. Judge Valdez sent out his heartfelt condolences to the family of Felix De Leon. He congratulated Cmr. Tijerina and her beautification project at the Lake Casa Blanca Dam.

Cmr. Canales sent out his heartfelt condolences to the family of Salvador Nunez. He thanked everyone who attended the Pink To Do ceremony. Cmr. Canales recognized Cmr. Tijerina on her beautification project.

Cmr. Tijerina wished Cmr. Canales a Happy Birthday. She thanked the honorable Senator Judith Zaffirini for participating on the Casa Blanca Damp planting ceremony. Cmr. Tijerina also recognized the Senator Zaffirini on receiving the Green Award from the Laredo Environmental Summit Committee. She invited everyone to attend the Environmental Summit event on October 18, 2012 at Texas A and M International University. Cmr. Tijerina sent out her heartfelt condolences to the family of Viking. She sent out her heartfelt condolences to the Arellano Family, to the Felix De Leon Family, and the Sara O' Bryant Family. Cmr. Tijerina thanked everyone who was involved in the Pink To Do event, she thanked Ms. Marta Narvaez and Ms. Benavides.

**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.**

9:16 a.m. – Cmr. Garza present.

9:19 a.m. – Cmr. Sciaraffa present.

Eva Delgado

Ms. Delgado spoke in reference to item #29.

Dr. Hector Farias

Dr. Farias spoke in reference to item #25.

Richard Geisler

Spoke in reference to item #6.

Comr. Garza congratulated everyone from the City of Laredo for the wonderful event held which involved the naming of Hwy 83 in honor of the Vietnam Veterans. He congratulated everyone who had a role on the 10<sup>th</sup> Annual Pink To Do walk. Comr. Garza sent out his heartfelt condolences to the family of Luis Alberto Murillo.

Comr. Sciaraffa sent out his heartfelt condolences to the family of Felix De Leon. He also wished Comr. Canales a Happy Birthday.

Judge Valdez motioned to go to Executive Session on items #7 and #9. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

### **(Executive Session 9:26 – 10:25 a.m.)**

No action taken.

#### **Honorable Danny Valdez, Webb County Judge**

**Item No.7. Presentation by representatives of United I.S.D., Laredo I.S.D., and Webb Consolidated I.S.D., regarding an Attorney Fee Agreement with Webb County, as Trustee of Webb County School Lands and the law firm of Person, Whitworth, Borchers & Morales, L.L.P.; with discussion and possible action to approve said Attorney Fee Agreement for the purpose of retaining counsel to investigate, prosecute, protect and defend claims related to the oil, gas and other mineral interests lying on county school land property; 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)]**

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

Judge Valdez motioned to approve said Attorney Fee Agreement for the purpose of retaining counsel to investigate, prosecute, protect and defend claims related to the oil, gas and other mineral interests lying on county school land property. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No.9. Status report by outside counsel regarding a proposed hotel lease agreement with Fairway Suites at the Casa Blanca golf course; with discussion and possible action to approve final lease agreement; 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)]**

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

Comr. Garza motioned to authorize them to proceed with the two areas of negotiating that are still pending and bring back a finalized contract to Commissioners Court. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No.8. Discussion and possible action to approve county members to the Legislative Committee for fiscal year 2012-2013; and to further authorize the development of Webb's County's legislative agenda for the upcoming 83<sup>rd</sup> legislative session; and any other matters incident thereto.**

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

Judge Valdez motioned to appoint Ms. Rhonda Tiffin, Planning Department, Mr. Leroy Medford, Executive Administrator, Cmr. Tijerina, Cmr. Garza, Cmr. Canales, Judge Valdez, Mr. Frank Salinas, Indigent Healthcare Services, and the County Attorney's Office to the Legislative Committee for fiscal year 2012-2013. Cmr. Garza seconded the motion.

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

**Honorable Jerry Garza, Webb County Commissioner Pct. 3**

**Item No.11. Discussion and possible action to approve a sponsorship by Webb County in the amount of \$3,000 for the upcoming Eagle Ford Shale Stakeholders summit at TAMIU on October 23, 2012. [Co-Sponsored by Jaime Canales, Commissioner Pct. 4]**

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

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

**Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1**

**Item No.10. Discussion and possible action to proclaim the week of October 7<sup>th</sup> – 13<sup>th</sup>, 2012 as "National 4-H Week" in Webb County, Texas; and any other matters incident thereto.**

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

First vice president of the Webb County Council of 4-H and president of the Brush Country 4-H Club, Andrew Rodriguez thanked the Commissioners Court for recognizing the 4-H Club.

The Commissioners Court read the proclamation declaring the week of October 7<sup>th</sup> -13<sup>th</sup>, 2012 as "National 4-H Week" in Webb County, Texas.

**Honorable Anna L. Cavazos Ramirez, County Attorney**

**Item No.12. Discussion and possible action to accept the dedication of One (1) right of way easement out of Pueblo Nuevo Subdivision (0.0902 acres, Tract 21-X-R3) to Dagoberto Rodriguez Sr. (Grantor), and authorize the County Judge to execute all relevant documents; and any other matters incident thereto.**

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

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

- Item No.13. Discussion and possible action to enter into a software maintenance agreement with Environmental Systems Institute, Inc. ("ESRI") to provide maintenance support for Geographic Information Systems ("GIS") technology utilized by the Webb County Planning Department used in flood plain mapping at a cost of SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$7,700.00) and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Rhonda Tiffin, Webb County Planning Director; Account #010-2202-6222]
- Item No.14. Discussion and possible action to enter into a One (1) year (October 1, 2012 through September 30, 2013) Preventive Maintenance & Labor Program agreement with Southwest Solution Group to provide maintenance to the Lektriever (SN30416) located in the Webb County Purchasing Department at an annual cost of NINE HUNDRED SEVENTY-FIVE DOLLARS (\$975.00) and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Cecilia Moreno, Webb County Purchasing Agent; Account #001-0600-6402]
- Item No.15. Discussion and possible action to enter into an Eleven (11) month (October 1, 2012 through August 31, 2013) Lease agreement between Webb County for Webb County Head Start Program and Kristi-Lins Academy located at 1703 Commerce Dr. at a monthly payment of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) and a total amount of EIGHTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$82,500.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Aliza Oliveros, Webb County Head Start Program Director; Account #909-4207-6012]

Cmr. Garza motioned to approve items #13, #14, and #15 as submitted. Cmr. Sciaraffa seconded the motion.

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

- Item No.16. Discussion and possible action to enter into the following third party funding contracts for fiscal year 2012-2013 and authorizing the County Judge to execute all relevant documents:

Contractor Organization	Contract amount
<b>GENERAL FUND</b>	
Sacred Heart Children's Home	\$10,000.00
American Red Cross	\$ 4,000.00
Boys & Girls Club of Laredo	\$15,000.00
Laredo Development Foundation	\$40,000.00
Border Area Nutrition	\$33,000.00
Crime Stoppers	\$ 2,000.00
Regional Food Bank	\$ 6,000.00

Webb Soil & Water Conservation	\$ 4,000.00
Bethany House	\$15,000.00
South Texas Food Bank	\$20,000.00
Children's Advocacy Center	\$65,000.00
Literacy Volunteers	\$ 1,000.00
Casa Misericordia	\$15,000.00
Habitat for Humanity	\$12,000.00
Border Region MHMR	\$70,000.00
South Texas Council on Alcohol	\$20,000.00
Safe Haven Program	\$65,000.00
Kids Café	\$30,000.00
Area Health Education Center	\$12,000.00

**HOTEL MOTEL**

Heritage Foundation	\$ 20,000.00
Philharmonic Orchestra	\$ 4,000.00
Laredo Center for the Arts	\$ 4,000.00
Historical Commission	\$ 2,000.00
Chamber of Commerce	\$125,000.00
Washington Birthday Celebration Assoc.	\$ 5,000.00
Pocahontas Council	\$ 2,000.00
Border Olympics	\$ 5,000.00
Children's Museum	\$ 10,000.00
LIFE	\$ 2,000.00
Lulac Council No. 12	\$ 3,000.00
Lulac Council No. 7	\$ 3,000.00
Latin Hall of Fame	\$ 6,200.00
Streets of Laredo	\$ 10,000.00
Texas Special Olympics	\$ 5,000.00
Laredo Heat Youth Soccer	\$ 4,000.00

**GENERAL FUND (HEALTH & WELFARE)**

Laredo Animal Protective Society	\$ 20,000.00
Ruth B. Cowl	\$ 80,000.00
Gateway Community Health	\$135,000.00
Mercy Ministries	\$150,000.00

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

Motion carried 4-0 with Comr. Tijerina out of the courtroom.

**Honorable Martin Cuellar, Sheriff**

Item No.17. Discussion and possible action to accept an Operation Border Star grant from the Office of the Governor Criminal Justice Division (CJD) in the amount of \$200,020 for

the salary and fringe benefits of Four (4) patrol officers; and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. No grant matching funds required.

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

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

#### Honorable Delia Perales, Treasurer

**Item No.18. Discussion and possible action to clarify the 2.5% increase left out for Department 1003, 341<sup>st</sup> District Court for Slots #0166, #0168, #0169, #0170, #0171 and #1530. Amount needed for difference in pay is \$8,571.**

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

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

Motion carried 5-0 by unanimous consent.

**Item No.19. Discussion and possible action to clarify the 2.5% increase that was left out for Slot #0071 County Treasurer that was approved at budget hearings and approved as "parity" to the County Clerk and District Clerk. Amount needed for difference in pay is \$2,527.**

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

Judge Valdez motioned to table item #19. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

#### Administrative Services

**Item No.20. Discussion and possible action to determine if Webb County wishes to exercise the right to be exempt from sections of the Health Insurance Portability and Accountability Act (HIPAA) to become effective November 1, 2012 through October 31, 2013, and authorizing the County Judge to execute all relevant documents.**

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

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

Motion carried 4-0 with Judge Valdez out of the courtroom.

**Item No.21. Discussion and possible action to approve renewal of Webb County's Property and Casualty Insurances contract with Wells Fargo, Inc. (placing coverage with One Beacon and Midwest Casualty), effective October 1, 2012 to September 30, 2013, and**

to authorize the County Judge to execute all relevant documents. [Account #001-0114- 6032]

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

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

Motion carried 4-0 with Judge Valdez out of the courtroom.

**Item No.22.** Discussion and possible action to approve the renewal of Webb County's 2012-2013 Peripheral Insurance Coverage's, effective October 1, 2012 through September 30, 2013, through our broker McGriff, Seibels and Williams of Texas, and to authorize the Webb County Judge to execute all relevant documents. [Account #001-0114-6032]

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

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

Motion carried 5-0 by unanimous consent.

### Community Action Agency

**Item No.23.** Discussion and possible action to approve job title change and hourly wage adjustment for the following Slot:

	<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
From:	1855	Program Support Specialist	\$10.00
To:	1855	Assistant Program Manager	\$15.00

[Account #952-4200-3500]

**Item No.24.** Discussion and possible action to accept \$1,500.00 from TXU. The Webb County Community Action Agency will utilize these funds to assist qualified TXU clients. [Account #902-4200-7004]

### Economic Development

**Item No.25.** Discussion and possible action to accept the recommendation from the Webb County Housing Rehabilitation Scoring Committee to receive housing assistance under the Self Help Center, USDA Rural Development Housing Preservation and/or Amy Young Barrier Removal Programs and authorize the Purchasing Agent to solicit bids. Housing rehabilitation costs to be covered by grants, TCDP Contract #728023 and/or RD Housing Preservation Grant. [Account #469-4301-7037-3]

### Engineer



Item No.26. Discussion and possible action to obtain funding for Fiscal Year 2012-2013 to purchase monitoring equipment for Two (2) Public Safety Communication towers, one located at 22.5 miles Hwy. 83 North and one located at 1983 Mangana Hein Road. This system will link back to the Sheriff's communication center via New Microwave System, att circuit and/or local net provider. This system will allow for monitoring of tower strobe light conditions, building failures, and security as required by FCC and FAA rules and regulations. Cost per site is estimated at \$11,000.00 for a total of \$22,000.00. Auditor to find funding source.

Comr. Garza motioned to approve items #23, #24, #25, and #26 as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.27. Discussion and possible action to accept the Fire Station, JP Renovation & Bruni Park project, release of contractor's retainage and authorizing the County Judge to execute all relevant documents. [Account #866-6112-8601]

Head Start

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

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>	<u>Pay Periods</u>
1931	AA Education Assistant	\$14.75	21
1084	CDL Bus Driver	\$10.66	21
2556, 2564, 2567	EHS Teacher	\$ 9.48	26
1360	CDA Teacher Assistant	\$ 9.33	21
2060	Cook	\$ 8.65	26
2789	Kitchen Aide	\$ 8.50	21
1106, 1107, 1703 1799, 1944	Part Time Substitute	\$ 8.08	21

[Accounts #903-4207-5001, #909-4207-5001 and #906-4207-5001]

Indigent Healthcare Services

Item No.29. Discussion and possible action to approve the filling of the following Slot, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective October 9, 2012:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2784	Case Management/General Worker	\$17.31

## Planning

Item No.30. Discussion and possible action to issue "Certification Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize an electrical connection pursuant to Section 232.029(c)(2), Local Government Code to the following property:

- (1) An unplatted 8.9834 acre tract of land, more or less, known as Tract 23 of the Wilson-Richter Tracts (unplatted/unrecorded subdivision) being out of and part of Porcion 9, as Further described in Vol. 550, Pgs. 276-278, Webb County Deed Records (Application ID – 1350).

Item No.31. Discussion and possible action to approve the filling of the following Slots, subject to applicable Civil Service Guidelines and Personnel Policies, effective October 19, 2012 or until qualified applicant(s) is/are selected:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2055	Project Coordinator	\$15.51
2360	Secretary	\$11.80

[Accounts #010-0102-2055 and #010-0102-2360]

Comr. Sciaraffa motioned to approve items #27, #28, #29, #30, and #31 as submitted. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

## Purchasing

Item No.32. Discussion and possible action to allow for the "Disposition of salvage or surplus property" as permitted in Local Government Code; Subchapter D Section 263.152 (a) (4) (A) and/or (C).

Item No.33. Discussion and possible action to award the following contracts:

Bid 2013-07 "Annual Contract for Heavy Equipment Parts" – RDO Equipment & Holt Texas

RFQ 2013-99 "3 year contract for Substance Abuse Counseling & Related Services to STCADA (South Texas Council on Alcohol and Drug Abuse)

Item No.34. Discussion and possible action to authorize the Purchasing Agent to extend the following contracts for an additional Three (3) months:

Bid 2012-30 "3 Month Contract for Hot Mix Asphalt" – Anderson Columbia

Bid 2012-66 "Annual Contract Aggregate 0010 Blend 73/Bin 1" – Vulcan Construction

Bid 2012-67 "Annual Contract for Trap Rock 624 Grade 4 & Grade 5"- Vulcan Construction

Bid 2012-89 "3 Month Contract for Produce"- Ben E. Keith

Item No.35. Discussion and possible action to extend the following contract:

Bid 2012-87 "Annual Contract for Land Clearing by Shredding" to BC Land Clearing of Texas

Item No.36. Discussion and possible action to authorize the Purchasing Agent to solicit bids for the following contracts:

Bid 2013-59 "Annual Contract for Fire Hazard Insurance for Rehabilitated Houses"

RFQ 2013-86-1 "3 year Contract for Medical Professional Services for Webb County"

RFQ 2013-87-1 "3 year Contract for Dental Professional Services for Webb County"

RFQ 2013-88-1 "3 year Contract for Psychological Professional Services for Webb County"

RFQ 2013-89-1 "3 year Contract for Neurological Professional Services for Webb County"

RFQ 2013-90-1 "3 year Contract for Cardiology Professional Services for Webb County"

RFQ 2013-91-1 "3 year Contract for Optometry Professional Services for Head Webb County"

RFQ 2013-92-1 "3 year Contract for Audiology Professional Services for Webb County"

RFQ 2013-93-1 "3 year Contract for Psychiatrists Services for Webb County"

RFQ 2013-94-1 "3 year Contract for Counseling Services for Webb County"

RFQ 2013-11 "3 year Contract for Teaching Services including ESL for Webb County"

RFQ 2013-13 "3 year Contract for Speech Therapy Professional Services for Webb County"

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

Cmr. Sciaraffa motioned to approve items #32, #33, #34, #35, and #36 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.37. Adjourn

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

Motion carried 5-0 by unanimous consent.