



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE
COMMISSIONERS COURT MEETING
WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
February 11, 2013
9:00 a.m.

CALL TO ORDER BY THE HONORABLE DANNY VALDEZ, WEBB COUNTY JUDGE

1. Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk
2. Pledge of Allegiance
3. Approval of Minutes for January 14, 2013, January 24, 2013 and January 28, 2013
4. Approval of Bills, Payroll, and Monthly Report
5. Communications
6. Public Comment - This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of Three (3) minutes within which to make any/all public comments.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

Honorable Mike Montemayor, Webb County Commissioner Pct. 1

- 7. Recognition of the Lyndon B. Johnson cheerleaders for their recent achievement at the NCA 2013 Senior and Junior High National Championship.
- 8. Discussion and possible action to name an interim director to the Rio Bravo Activity Center, Slot #2711, and make the following salary adjustment.

| | <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|-------|---------------|-----------------|--------------------|
| From: | 2711 | Center Director | \$12.59 |
| To: | 2711 | Center Director | \$19.25 |

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

- 9. Discussion and possible action to approve the formation of a cell phone committee to review policies and procedures regarding county cell phone use, plans, overage charges, etc.
- 10. Discussion and possible action authorize funding in the amount of \$2,351.36 from the Building Improvement Fund, Account #604-0101-8103, for improvements to the school bus shelter located in Colonia Pueblo Nuevo at the intersection of Maria Elena and Main St.; and any other matters incident thereto.
- 11. Discussion and possible action to approve the contract between Webb County and Zertuche Construction, LLC for the expansion of the Bruni Community Center kitchen area in an amount not to exceed \$116,000, to authorize the County Judge to sign all relevant documents; and any other matters incident thereto. **[Account #604-0101-8103]**

Honorable John Galo, Webb County Commissioner Pct. 3

- 12. Discussion and possible action to authorize the purchasing agent to solicit bids for the sale of the property located at 1001 Houston St. and known as the Webb County Courthouse Annex, and any other matters incident thereto. **[Closed Meeting/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)]**

MEDIA BREAK

Honorable Marco A. Montemayor, County Attorney

- 13.** Discussion and possible action to approve the engagement services of White Espey, PLLC for assistance with Four (4) immediate (workers compensation issues/cases) and; to solicit qualifications for an annual contract for future needs. The current expenditure is not to exceed FIVE THOUSAND DOLLARS (\$5,000.00) 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]**
- 14.** Discussion and possible action to enter into a Thirty-Nine (39) month (February 11, 2013 through May 10, 2016) FMV Lease Agreement between Toshiba Business Solutions and the 341st District Court for a Toshiba E-Studio 856 Digital copier and Lexmark Digital MFP X466DE at a rate of TWO HUNDRED SIXTY-EIGHT DOLLARS AND TWENTY-THREE CENTS (\$268.23) per month and a total cost of TEN THOUSAND FOUR HUNDRED SIXTY DOLLARS AND NINETY-SEVEN CENTS (\$10,460.97) over the term of the agreement and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Beckie Palomo, Webb County 341st District Court Judge; Account #001-1003-6402]**
- 15.** Discussion and possible action to enter into a Thirty-Nine (39) month (February 11, 2013 through May 10, 2016) FMV Lease Agreement between Toshiba Business Solutions and Web County Indigent Defense Services for a Toshiba E-Studio 356 Digital Copier at a rate of ONE HUNDRED SEVENTY-FOUR DOLLARS AND THIRTY-FIVE CENTS (\$174.35) per month and a total cost of SIX THOUSAND SEVEN HUNDRED NINETY-NINE DOLLARS AND SIXTY-FIVE CENTS (\$6,799.65) over the term of the agreement and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Cornell Mickley, Webb County Indigent Defense Director; Account #001-1205-6014]**
- 16.** Discussion and possible action to enter into a Thirty-Nine (39) month (February 11, 2013 through May 10, 2016) Maintenance Contract Agreement between Toshiba Business Solutions and Web County Indigent Defense Services for a Toshiba E-Studio 356 Digital copier at a rate of SEVENTY DOLLARS (\$70.00) per month and a total cost of TWO THOUSAND SEVEN HUNDRED AND THIRTY DOLLARS (\$2,730.00) over the term of the agreement with copy overages of \$0.00730 to be billed Quarterly and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Cornell Mickley, Webb County Indigent Defense Director; Account #001-1205-6402]**

17. Discussion and possible action to enter into a Thirty-Nine (39) month (February 11, 2013 through May 10, 2016) Maintenance Contract Agreement between Toshiba Business Solutions and the 341st District Court for a Toshiba E-Studio 856 Digital Copier at a rate of SEVENTY-FIVE DOLLARS (\$75.00) to be billed quarterly for a total amount of THREE HUNDRED DOLLARS (\$300.00) over the term of the agreement with an excess charge of 0.00800 per copy and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Beckie Palomo, Webb County 341st District Court Judge; Account #001-1003-6402]**

18. Discussion and possible action to enter into a Thirty-Nine (39) month (February 11, 2013 through May 10, 2016) Maintenance Contract Agreement between Toshiba Business Solutions and the 341st District Court for a Lexmark Digital at annual of rate TWO HUNDRED FIFTY DOLLARS (\$250.00) with copy overages of \$0.01600 per black copies billed quarterly and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Beckie Palomo, Webb County 341st District Court Judge; Account #001-1003-6402]**

19. Discussion and possible action to enter into a One (1) year (September 1, 2012 through August 31, 2013) Interlocal Agreement with United Independent School District (UISD) for Three (3) Justices of the Peace Juvenile Court Coordinators in the amount of THIRTEEN THOUSAND THIRTY-THREE DOLLARS (\$13,033.00) for the coordinator assigned to J.P. Court Pct. 2, Pl. 1, THIRTEEN THOUSAND THIRTY-THREE DOLLARS (\$13,033.00) for the coordinator assigned to J.P. Court Pct. 2, Pl. 2, and TWENTY THOUSAND EIGHT HUNDRED DOLLARS (\$20,800.00) for the coordinator assigned to J.P. Court Pct. 4, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. **[Requested by J.P. Pct. 2, Place 1, Ramiro Veliz; J.P. Pct. 2, Place 2, Ricardo Rangel; and J.P. Pct. 4, Oscar O. Martinez]**

Honorable Isidro Alaniz, District Attorney

20. Discussion and possible action to approve a salary supplement for the following Slot, effective February 12, 2013:

| <u>Slot #</u> | <u>Title</u> | <u>Salary Supplement</u> |
|---------------|-----------------------------|--------------------------|
| 213 | Assistant District Attorney | \$8,402.00 |

[Fund #167-1100 (State Forfeiture Funds)]

Honorable Rudy Rodriguez, Constable Pct. 1

21. Discussion and possible action to transfer \$2,500.00 from Department 001 (Constable Pct. 1) line item 6204, Fuel & Lubricants, to fringe benefits accounts for fiscal year 2013-2014 due to a shortfall in grant matching funds. This transfer will allow payment of increased fringed benefits for Constable Pct. 1 Sergeant Slot #0580, assigned to Federal task force, occasioned by the payment of overtime compensation for that Slot.

Honorable Martin Cuellar, Sheriff

22. Discussion and possible action to approve the transfer of authority, supervision and responsibility of the following Two Slots from Fund #010-0103 County Engineer/Radio Communication division to Fund #001-2001 Webb County Sheriff's Office, Patrol Division, effective February 11, 2013. The request to transfer corresponding salaries and fringe benefits will be requested during the 2013-2014 budget cycle. **[Requested by Mike Cabello, Interim Webb County Engineer and Martin Cuellar, Webb County Sheriff]**

Slot #1857

Public Safety Communications Director

Slot #1858

Secretary

23. Status report informing court and public on agreement between Webb County Sheriff's Office and Adrisa, LLC regarding RFP 2013-108 Inmate Commissary Services award to Adrisa, LLC (to provide commissary services to inmates at the Webb County Jail) in accordance with the Local Government Code 351.0415 Commissary Operation by Sheriff or Private vendor.

Bruni Community Center

24. Discussion and possible action to accept a donation in the amount of \$75.00 from Medina Electric Cooperative, Inc. and from George S. Taylor Jr. and Patti Taylor to the Bruni Community Center for the benefit of the Elderly activity program and other community events; and any other matters incident thereto. **[To be deposited into Account #001-6108-6219-2 (Goods for Public Events)]**
25. Discussion and possible action to accept a donation in the amount of \$1,000.00 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 matters incident thereto.

Community Action Agency

- 26.** Discussion and possible action to authorize the release of the 10% retainage payment (\$1,314.34) to AA Builders for the housing rehabilitation of Mr. Jose M. Pena's home located at 251 Arco Iris Road, Hwy 359, under the Self-Help Center Housing Rehabilitation Program. To be paid from grant funds, Account # 507-2311.

- 27.** Discussion and possible action to authorize the Community Action Agency to enter into an annual electric home energy assistance agreement with Neighbor to Neighbor Program retail energy providers (REP) - Direct Energy, LP, CPL Retail Energy, LP, WTU Retail Energy, LP, First Choice Power, LP, and New Leaf Energy, LP. The purpose of the agreement is to assist low income clients that are serviced by the retail energy providers to pay their electric home energy expenses. **[Account #907-4202-7004]**

- 28.** Discussion and possible action to appoint One (1) Colonia Resident Advisory Committee (CRAC) Alternate Member as required by the Texas Department of Housing and Community Affairs Office of Colonia Initiatives to represent Webb County's Self-Help Center Program.

Alternate Member: Maria de Jesus Pena Colonia Tanquecitos

- 29.** Discussion and possible action to approve the filling of the following vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules, effective February 11, 2013:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|---------------------------|--------------------|
| 2159 | Administrative Technician | \$10.71 |

Engineer

- 30.** Discussion and possible action to approve the filling of the following vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules, effective February 11, 2013:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|------------------------------|--------------------|
| 2245 | ROW Administrative Assistant | \$14.35 |

31. Discussion and possible action to approve the filling of the following vacant Slot for the Water Utilities Department, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules, effective February 11, 2013:

| <u>Slot #</u> | <u>Title</u> | <u>Salary</u> |
|---------------|-----------------------------------|---------------|
| 1299 | Water Distribution Superintendent | \$37,440.00 |

32. Discussion and possible action to authorize the Purchasing Department to issue an RFP for Professional Services to perform repairs to the water filters and the SCADA (Supervisory Control and Data Acquisition) System at Rio Bravo Water Plant; and authorizing the County Judge to execute all relevant documents. **[Auditor to determine funding source]**
33. Discussion and possible action to award a contract to Dannenbaum Engineering for Phase II of the “Loop 20 Stimulus Extension Project from East of International Boulevard to US 59” as per the Evaluation Committee scoring and in accordance with competitive bidding requirements under the Texas Local Government Code Section 262.04(a) (4) (Professional Services Contract) contingent on TXDOT approval; and authorize the County Judge sign all relevant documents.
34. Discussion and possible action approving Advance Funding Agreement Resolution between TXDOT and Webb County. This agreement funds preliminary engineering including the Schematic, Environmental Studies & Documentation, Surveying & Mapping, Utility Investigation and PS&E within the project limits. The maximum amount of Coordinated Border Infrastructure (CBI) funds reimbursable under this agreement without modification is \$3.5 million with a limit of \$1.5 million maximum reimbursement during Fiscal Year 2013 (Ending August 31, 2013). Contingent on TXDOT concurrence and authorizing the County Judge to execute all relevant documents.
35. Discussion and possible action to approve an additional \$61,482.50 for additional construction work at the JP #4 Renovation Project, and authorize the County Auditor to identify a funding source and have the County Judge sign all relevant documents.

Facilities

- 36.** Discussion and possible action to approve the transfer of employee within the following Slots with salary changes and approve the filling of the resultant vacant Slots, subject upon the availability of payroll funds and any Civil Service guidelines and rules, effective February 11, 2013:

| | <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|----------|---------------|----------------|--------------------|
| From: | 2706 | Grounds Keeper | \$10.00 |
| To: | 2788 | Custodian | \$11.13 |
| From: | 0026 | Custodian | \$10.00 |
| To: | 1335 | Custodian | \$11.13 |
| To Fill: | 2706 | Grounds Keeper | \$10.00 |
| | 0026 | Custodian | \$11.13 |

Fire Suppression & EMS Services

- 37.** 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.
- 38.** Discussion and possible action to approve an application and permit fee in the amount of (\$500.00) for a class B fireworks permit from Melrose Pyrotechnics, Inc. for a public fireworks display to be conducted on February 24, 2013 at LIFE Downs, as part of the George Washington Birthday Celebration and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

Head Start

39. Discussion and possible action to approve the filling of the following vacant Slots:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Salary</u> | <u>Pay Periods</u> |
|---------------|------------------------|----------------------|--------------------|
| 1352, 1612 | CDA Teacher Assistant | \$9.33 | 21 |
| 1107 | PT Substitute Teacher | \$8.08 | 21 |
| 2750 | PT EHS Teacher Floater | \$8.99 | 26 |

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

Indigent Healthcare Services

40. Discussion and possible action to authorize a contribution to the State of Texas in connection with the Texas Healthcare Transformation and Quality Improvement Program 1115 Waiver in an amount not to exceed \$370,307 for the 1st Quarter (October 2012 - January 2013). The 1115 Waiver program replaced the former Medicaid Upper Payment Limit (UPL) program effective October 1, 2012.

| <u>Account No.</u> | <u>Amount</u> |
|---------------------------------------|---------------------|
| 001-4100-6714-3 (Hospital Inpatient) | \$189,187.69 |
| 001-4100-6714-4 (Hospital Outpatient) | <u>\$181,120.21</u> |
| | \$370,307.90 |

41. Discussion and possible action for the Webb County Commissioners Court to approve any pending and future disinterment requests received by the Indigent Healthcare Services Department, as requested by the next of kin, for decedent's who were buried under the Webb County Indigent Burial Assistance Program and for the court to approve the designation the County Judge as authorized signatory. Authorization for disinterment is required under Section 711.004 of the Texas Health and Safety Code.

Medical Examiner

42. Discussion and possible action to approve the filling of the following vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules, effective February 11, 2013:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|----------------------------|--------------------|
| 2779 | Medical Death Investigator | \$15.30 |

Planning

43. Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements" to authorize electrical service connections pursuant to Section 232.029 (b), L.G.C., contingent upon receipt of documentation from the City of Laredo evidencing decommissioning of existing septic systems and evidence of water consumption for the following subject properties:

1. Lot 20, Block 7, Pueblo Nuevo Subdivision (Application ID 2344). Approval limited to one (1) additional dwelling for a total of two (2) dwellings only unless replatted.

Purchasing

44. Discussion and possible action to approve the fillings of the following Slots, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules:

| <u>Slot#</u> | <u>Title</u> | <u>Hourly Rate</u> |
|--------------|-----------------------------|--------------------|
| 0116 | Procurement Assistant 1 | \$11.84 |
| 0880 | Central Store/Buyer/Trainer | \$12.26 |

45. Discussion and possible action to award RFP 2013-001 "New Home Construction built by 501(c) (3) Non-Project Corporation to Habitat for Humanity of Laredo, Inc., contingent upon the approval of Colonia Self-Help Center Contract #712003 Environmental Assessment. **[Requested by Juan Vargas, Webb County Economic Development Director; Contract #712003 (Grant TCDP)]**

46. Discussion and possible action to authorize the Purchasing Agent to solicit bids for the following contract:

Bid 2014-32 "Annual Contract for Propane"

47. Discussion and Possible Action to authorize to award for the following contract:

Bid 2013-31 "Annual Contract for Fuel Services to the Bruni Area" to Los Angeles Cattle Comp. (Solicitation was Approved on: January 11, 2013)

Road and Bridge

48. Discussion and possible action to approve the transfer of employees within the following Slots with salary changes and approve the filling of vacant Slots, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules:

| | <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|----------|---------------|---------------------|--------------------|
| From: | 2354 | Maintenance Aide | \$10.15 |
| To: | 1897 | Maintenance Aide | \$11.18 |
| To Fill: | 2354 | Maintenance Aide | \$10.15 |
| | 1995 | Refuse Truck Driver | \$13.28 |

Closed Session/Executive Session

49. Discussion and possible action to authorize County Judge to execute a negotiated settlement agreement in the sum of \$9,870.00 minus withholding subject to the I.R.S., in full and complete settlement with Araceli E. Gonzalez, Webb County Deputy Constable Pct. 1, pursuant to charge number 451-2012-02022 on file with the U.S. Equal Employment Opportunity Commission (EEOC) and the Texas Workforce Commission Civil Rights Division settlement agreement. **[Closed Meeting/Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)] [Closed Meeting/Executive Session is also requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.074 (Personnel Matters)]**

50. Discussion and possible action to approve retaining Kyle Watson and Melissa Fletcher as counsel for Webb County Texas in the defense of case entitled Sara Alicia Davila vs. Webb County, Texas and Francisco J. Sciaraffa, Civil Action No. 5:12-CV-42; pending in the United States District Court for the Southern District of Texas, Laredo Division; and any other matters incident thereto. **[Closed Meeting/Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D. Section 551.071 (Consultation with Attorney)]**

51. Status report regarding recent action pursuant to Chapter 263 and/or Chapter 272 of the Texas Local Government Code authorizing to close and complete the conveyance of a parcel of land, specifically a tract of land described more fully in a Deed filed of record at Vol. 632, Page 278-281 of the Deed Records of Webb County, Texas, and containing approximately 294.24 acres of land; with discussion and possible action to authorize counsel to take any and all necessary steps to ensure completion of sale; and any other matters incident thereto. **[Closed Meeting/Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

52. Adjourn

The Webb County Commissioners Court hereby reserves the right to go into closed session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

 **DISABILITY ACCESS STATEMENT** 

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DATED THIS 8th DAY OF FEBRUARY, 2013

By: _____
Melinda Mata
Court Administrator

CERTIFICATION OF NOTICE AND POSTING

I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the 8th day of February, 2013 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 8th DAY OF FEBRUARY, 2013

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: _____
Margie Ramirez-Ibarra, County Clerk