

**Official Minutes for Webb County
Commissioners Court Meeting**

**Monday, February 13, 2012 at 9:00 AM
(Approved February 27, 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 9th 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

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

Motion carried 3-0 by unanimous consent.

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

Motion carried 3-0 by unanimous consent.

Item No.2. Pledge of Allegiance

Item No.3. Approval of Minutes for January 9, 2012 and January 23, 2012

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

Motion carried 3-0 by unanimous consent.

9:02 a.m. Cmr. Sciaraffa and Cmr. Garza – present.

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

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

County Auditor, Leo Flores presented his monthly report for January 2012.

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

Motion carried 5-0 by unanimous consent.

Item No.5. Communications

Cmr. Canales sent out his heartfelt condolences to the family of Martha Narvaez on the passing of Mr. Roberto Narvaez. He also sent his deepest condolences to the family of Jerry Rodriguez and Dr. George Garcia.

Cmr. Garza sent out his heartfelt condolences to the family of Dr. George Garcia, Cristobal Rodriguez, and Roberto Narvaez. He congratulated the Martin High School Basketball Team for winning the District Championship 13-1 record.

Cmr. Tijerina congratulated Diana Song Quiroga on her investassure. She congratulated Cmr. Garza on the ribbon cutting ceremony. Cmr. Tijerina also congratulated Union Pacific Railroad for their 150th Anniversary. She announced that the Larga Vista Community Center would be hosting their Annual Valentine's Day Luncheon today and tomorrow the Bruni Community Center would be hosting theirs. Cmr. Tijerina wished everyone a Happy Valentine's Day. She sent out her heartfelt condolences to the family of Dr. George Garcia, Martita Narvaez on the passing of her husband Beto Narvaez, Norma Vargas on the passing of her husband Jose Ramiro Vargas, Dr. Miguel Trevino on the passing of his mother Sara Saldana Trevino, Rene Garza on the passing of his mother, and to the family of Cristobal Rodriguez.

Cmr. Sciaraffa – No comments.

Judge Valdez sent out his heartfelt condolences to the family of Martha Narvaez, Foster Family, Garcia Family, Norma Vargas, Mike Trevino, Jr. on the passing of his mother, and Erasmo Villarreal on the passing of his mother. He congratulated Cmr. Garza on the opening of the Trautmann International Park. Judge Valdez also congratulated the Honorable Salomon Ortiz and Consul General Miguel Angel Isidro who are the recipients of the Senores Internacionales. He congratulated Dr. Ray Keck, Mr. South Texas 2012 and Union Pacific on their 150th Anniversary. Judge Valdez thanked Ivan Jaime for the coin he gave him. He congratulated Coach Hecky Noyola, Martin High School Basketball Team for winning the District Championship, and L.I.S.D.

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.

County Auditor, Leo Flores
Mr. Flores spoke in reference to item #65.

George Altgelt
Mr. Altgelt spoke against item #13.

Mike Montemayor
Mr. Montemayor spoke in reference to item #13.

Bertha Solis, Border Area Nutrition Council
Ms. Solis spoke in reference to item #10.

Honorable Danny Valdez, Webb County Judge

Item No.7. Presentation by Mr. Billy Millwee, Deputy Executive Commissioner from the Texas Health and Human Services Commission, regarding changes to the Upper Payment Limit (UPL) program, now known as the 1115 Waiver; with discussion and possible action on any necessary plans for Webb County to join in a Region Healthcare Partnership with other Texas counties and hospital entities with a possible Memorandum of Understanding to start the process. [Co-Sponsored by Jerry Garza, Commissioner Pct. 3]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Billy Millwee, Deputy Executive Commissioner from the Texas Health and Human Services Commission
Stanley Stewart, State of Texas
Rick Thompson, Texas Association of Counties
Eddie Olivares, Hidalgo County Health Director
Elmo Lopez, Hospital CEO
Tim Schmitt, LMC
Dr. Gonzalez, City of Laredo Health Department Director

Judge Valdez acknowledged Elmo Lopez, Hospital CEO, Dr. Gonzalez, City of Laredo, and Tim Schmitt, LMC.

Judge Valdez motioned to form a sub-committee to be able to address these issues, to include both CEOs, Dr. Gonzalez, Commissioner Garza, along with Mr. Medford, Mr. Salinas, Legal Council, and Mr. Flores, to proceed to develop a recommendation and MOU, get together and bring something back to the Commissioner's Court. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to bring up item #49. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Indigent Healthcare Services

Item No.49. Discussion and possible action to authorize a contribution to the State of Texas in connection with the Webb County UPL Program in an amount not to exceed \$194,552.44 for the 1st Quarter (October 2011–December 2011).

| <u>Account #</u> | <u>Amount</u> |
|---------------------------------------|---------------------|
| 001-4100-6714-3 (Hospital Inpatient) | \$136,585.94 |
| 001-4100-6714-4 (Hospital Outpatient) | <u>\$ 57,966.50</u> |
| | \$194,552.44 |

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

Motion carried 5-0 by unanimous consent.

Item No.8. Presentation by Regency Field Services LLC and Regency Texas Pipeline LLC regarding on-going cooperative projects with Webb County including Use Tax Agreements pursuant to Chapter 381 of the Local Government Code.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

George Timplea and Tim Young, representatives from Regency Field Services LLC and Regency Texas Pipeline LLC were in attendance to make a presentation regarding on-going cooperative projects with Webb County including Use Tax Agreements pursuant to Chapter 381 of the Local Government Code.

Item No.9. Discussion and possible action to approve Resolutions that authorize the County Judge to execute Economic Development Agreements pursuant to Texas Local Government Code §381, as amended, on behalf of Webb County regarding the collection and distribution of Use Tax associated with industrial facilities. [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 13, 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.10. Status report from Auditor regarding the 2011-2012 Third Party Funding award to the Border Area Nutrition Council (BANC) in the amount of Thirty-Three Thousand (\$33,000.00) Dollars; with discussion and possible action to increase the total amount to Sixty-Six Thousand (\$66,000.00) Dollars as approved by the Court on May 23, 2011; and any other matters incident thereto. [Co-Sponsored by Rosaura "Wawi" Tijerina, Commissioner Pct. 2]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Tijerina motioned to have Mr. Leo Flores, County Auditor, issue a check for \$33,000.00 payable to BANC. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Frank Sciaraffa, Webb County Commissioner Pct. 1

Item No.11. Discussion and possible action to authorize the Road and Bridge Department to clear and clean the future development area of La Presa Park located behind the La Presa Community Center; and any other matters incident thereto.

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

Motion carried 5-0 by unanimous consent.

Item No.12. Discussion and possible action to authorize the Economic Development Department to develop and submit a grant application to the Texas Water Development Board (TWDB) based on the Facility Plan prepared by the U.S. Corps of Engineers for Colonia La Presa, located in South Webb County adjacent to Mangana-Hein Road and US Highway 83 and to designate the County Judge as the County's authorized representative to act on behalf of Commissioners Court in all matters pertaining to this application.

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

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

Item No.13. Discussion and possible action to authorize the rotation of Precinct One Community Center directors and employees to other community centers within the precinct for the purpose of improving customer service and to give Precinct One Commissioner authority to take any and all disciplinary action pursuant to the Webb County Policies and Procedures Manual and the Webb County Civil Service Rules for any employees' failure to abide by the rotation order. [Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to defer item #13 for Executive Session. Cmr. Tijerina 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 extend military benefits offered to County employees who serve as State Guardsmen when called to active volunteer duty; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

No motion made.

Item No.15. Discussion and possible action to allow Webb County facilities department to assist "Veteran's Serving the Need" to move some items they currently have in storage at the facilities department to a location to be determined by Gigi Ramos of Veteran's Serving the Need; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.16. Status report by county staff regarding the remodeling project for the Justice of the Peace, Pct. 4 office building; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Interim County Engineer, Mr. Mike Cabello presented his status report regarding the remodeling project for the Justice of the Peace, Pct. 4 office building.

Item No.17. Discussion and possible action regarding the Webb County Sick Leave pool usage policy as it pertains to employees who opt in; and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.074 (Personnel Matters)]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to defer item #17 for Executive Session. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

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

Item No.18. Discussion and possible action to approve the payment of Webb County's membership dues to the US/Mexico Border Counties Coalition in the amount of

\$11,314.08; and any other matters incident thereto. [Co-Sponsored by Jerry Garza, Commissioner Pct. 3]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

David Austin, representative from US/Mexico Border Counties Coalition and Carlos Aguilar, former El Paso Commissioner and one of the founders of the US/Mexico Border Counties Coalition were in attendance to give a presentation.

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

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to bring up items #50 and #55. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Juvenile Probation Department

Item No.50. Discussion and possible action to approve the following line item transfer:

| | | | |
|--------------|----------------------|------------------|-----------------|
| From: | 001-1301-5005 | Part-time | \$16,500 |
| To: | 149-1301-5001 | Payroll | \$16,500 |

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Purchasing

Item No.55. Recognition on Purchasing Department employee Aurora Saucedo and MIS Staff John Ornes for working to save the county nearly \$8,000.00 in overcharges.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Dr. Cecilia Moreno, Purchasing Agent presented a certificate of recognition to Purchasing Department employee Aurora Saucedo and MIS Staff John Ornes for working to save the county nearly \$8,000.00 in overcharges.

Judge Valdez motioned to bring up item #52 and #53. Cmr. Tijerina seconded the motion.

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

Planning

Item No.52. Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements Regarding the Connection of Utilities" to authorize an electrical service connection pursuant to Section 232.028 (b), Local Government Code to the following property:

1. Block 9, Lot 1, Felix Vela Estate Subdivision, Unit I for one dwelling only (limited to a total of one dwelling 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.

Item No.53. 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) Lot 15, Block 6, Pueblo Nuevo Subdivision. Approval is limited to one dwelling only (limited to a total of two dwelling unless replatted).
- b) Lot 6, Block 6, San Carlos Subdivision, Phase I. Approval is limited to one dwelling only (limited to a total of two dwellings 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. Tijerina motioned to approve items #52 and #53 as submitted. Judge Valdez seconded the motion.

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

Judge Valdez motioned to go into Executive Session on items #13, #17, #31, #65, #66, #67, and #68. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

(Executive Session 10:53 – 11:54 a.m.)

No action taken.

Item No.13. Discussion and possible action to authorize the rotation of Precinct One Community Center directors and employees to other community centers within the precinct for the purpose of improving customer service and to give Precinct One Commissioner authority to take any and all disciplinary action pursuant to the Webb County

Policies and Procedures Manual and the Webb County Civil Service Rules for any employees' failure to abide by the rotation order. [Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Sciaraffa motioned to approve item #13 with the exception of the Mirando City and El Cenizo Community Centers. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

Item No.17. Discussion and possible action regarding the Webb County Sick Leave pool usage policy as it pertains to employees who opt in; and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.074 (Personnel Matters)]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Garza motioned to take this issue to the Webb County Sick Leave Committee that is currently in place to see if they would be able to bring back a recommendation to the Commissioner's Court for a possible amendment to the policy. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor- Collector

Item No.31. Discussion and possible action for Webb County to purchase the property described as Block 19, Eastern Division, (5.5 acres) from the Laredo International Airport, City of Laredo for fair market appraised value to be used as the build site of the Webb County Tax Office and to authorize the County Judge to execute all relevant documents. [Executive Session may be requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.072 (Real Estate Deliberation)]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Canales motioned to table item #31. Judge Valdez seconded the motion.

Motion carried 3-2 with Cmr. Sciaraffa out of the courtroom.

Closed Session/Executive Session

Item No.65. Discussion and possible action to consider and make a determination regarding a grievance filed by the Webb County Deputy Sheriffs Association pursuant to its collective bargaining agreement with Webb County, and any other matters incident thereto. The Association alleges that certain deputies were not allowed to sell back sick leave to the County because sick days were used for the part of Workers Compensation leave, thereby dropping their balance below the threshold required for the buy-back. The Court will determine whether members of the Collective Bargaining Unit must use sick leave in that manner in view of the salary continuation provision of the Collective Bargaining Agreement. If the Court determines that sick leave days are not to be used, the Court will then determine if the affected deputies may now participate in the buy-back provision of the collective bargaining agreement. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to approve the County Attorney, Anna Laura Cavazos Ramirez's recommendation of making it a policy of the court for those Deputies that were not allowed to sell their Sick Leave that they be able to do so even though they are beyond the period initially allowed. Cmr. Garza seconded the motion.

Motion carried 3-2 with Cmr. Sciaraffa and Cmr. Tijerina out of the courtroom.

Item No.66. Discussion and possible action to designate the Webb County Attorney's Office as counsel to represent Webb County, Texas in the defense of case entitled Mayla V. Campos, Indv. and ANF of David Christopher Campos (an incapacitated person), and David Christopher Campos vs. Webb County, Texas et al, Civil Action No. 5:12-CV-0000, pending in the US District Court, Southern District, Laredo Division and authorizing the County Judge to execute all relevant documents; 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)]

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

Motion carried 3-2 with Cmr. Sciaraffa and Cmr. Tijerina out of the courtroom.

Item No.67. Status report with possible action to discuss results and legal and procedural issues raised in the Mediation held on January 26, 2012 in case entitled Khaledi Properties, Ltd. v. Killiam Ranch Properties, Ltd., Anna L. Cavazos Ramirez and the County of Webb, Cause No. 2010-CVT001589 D2, pending before the Honorable Larry Noll and 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)]

Judge Valdez motioned to table item #67. Cmr. Garza seconded the motion.

Motion carried 3-2 with Cmr. Sciaraffa and Cmr. Tijerina out of the courtroom.

Item No.68. Discussion and possible action to approve the property damage settlement to American States Insurance Company as subrogee of Rosetta Resources, Inc., as a result of a motor vehicle accident involving a vehicle driven by an employee of the Webb County Sheriff's Department, that occurred on May 5, 2011, at the intersection of East Saunders and the 2400 block of Bob Bullock, in Laredo, Texas, and any matter 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 January 13, 2012 Commissioner's Court Meeting DVD.

Judge Valdez motioned to approve the County Attorney, Anna Laura Cavazos Ramirez's recommendation of making a payment payable to American States Insurance Company in the amount of \$20,624.49. Cmr. Garza seconded the motion.

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

Judge Valdez motioned to bring up item #29. Cmr. Tijerina seconded the motion.

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

Honorable Isidro Alaniz, District Attorney

Item No.29. Discussion and possible action to authorize the Webb County District Attorney's Office to partner with the Webb County Office of Economic Development in the creation and submission of a grant proposal to the Criminal Justice Division of the Office of the Governor of the State of Texas. Funding is sought for direct services to victims of crime and the amount of funding request shall not exceed One Hundred Fifty Thousand (\$150,000.00) Dollars. This formal request shall also authorize the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in this Program.

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

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

Addendum

Honorable Isidro Alaniz, District Attorney

- Item No.1. Discussion and possible action to allow an emergency budget amendment or line item transfer from the budgets of affected departments (Sheriff's Office, District Clerk, County Clerk, District Attorney's Office, and the County and District Courts) to hire Six (6) to Twelve (12) temporary full time employees for an Eight month (8) period in order to meet the reporting compliance requirements set forth by the CJIS (Criminal Justice Information System) pursuant to Chapter 60 of the Texas Code of Criminal Procedure.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Tijerina 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.19. Discussion and possible action to approve the renewal service maintenance for Telephone call manager system for the Webb County Youth Village pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program DIR Contract No. SDD-1368 from ATT at a cost of Six Thousand Four Hundred Thirty-Nine Dollars and Fifty Cents (\$6,439.50) and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Melissa Mojica, Webb County Youth Village Director; Account #001-1301-6402 (Repairs/ Maintenance of Equipment)]

- Item No.20. Discussion and possible action to enter into a Thirty-Six (36) month Maintenance Agreement between Webb County and Toshiba Business Solutions (Texas DIR #DIR SDD-1686) beginning February 13, 2012 through February 12, 2015 for a Lexmark XS463DE located at the 406th District Court at a cost of Two Hundred Dollars (\$200.00) per year and a total amount of Six Hundred Dollars (\$600.00) over the term of the agreement with copy overages of \$0.013500 per each black copy and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Oscar Hale, Jr., Webb County 406th District Court Judge; Account #001-1004-6205]

- Item No.21. Discussion and possible action to enter into a Thirty-Nine (39) month Maintenance Agreement between Webb County and Toshiba Business Solutions (Texas DIR Contract #DIR SDD-1686) beginning on March 1, 2012 through May 31, 2015 for Two (2) Toshiba E-Studio 855 copiers located at the Webb County Head Start (2802 McDonnell) at a rate of Two Hundred Four Dollars and Five Cents (\$204.05) for each copier per month and a total cost of Fifteen Thousand Nine Hundred Fifteen Dollars and Ninety Cents (\$15,915.90) for both copiers 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 Director; Account #903-4208-6014]

Cmr. Garza motioned to approve items #19, #20, and #21 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.22. Discussion and possible action to enter into a Thirty-Nine (39) month FMV Lease Agreement between Webb County and Toshiba Business Solutions (Texas DIR Contract #DIR SDD-1686) beginning on March 1, 2012 through May 31, 2015 for Two (2) Toshiba E-Studio 855 copiers located at Webb County Head Start (2802 McDonnell) at a rate of Six Hundred Twenty-Five Dollars and Thirty-Four Cents (\$625.34) for both copiers and a total cost of Twenty-Four Thousand Three Hundred Eighty-Eight Dollars and Twenty-Six Cents (\$24,388.26) for both copiers 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 Director; Account #903-4208-6014]

Item No.23. Discussion and possible action for Webb County to enter into a Memorandum of Understanding with the Texas Department of Public Safety (TXDPS) for the pass through COPS Technology grant funding (Grant #2010-CK-WX-0572) of approximately Two Hundred and Fifty Thousand Dollars (\$250,000.00) to purchase needed equipment for a local/regional crime lab that will be constructed by the TXDPS, and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Martin Cuellar, Webb County Sheriff]

Cmr. Garza motioned to approve items #22 and #23 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.24. Discussion and possible action to approve partial contract cancellation notice due to STAR+PLUS Expansion for Home Delivered Meals, Contract #000158100. [Requested by Juan Vargas, Webb County CAA Director; Account #952-4200-3500]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Item No.25. Discussion and possible action to approve submitting the application for participation in the Superior Health Plan provider network. The Meals on Wheels program will continue contract rate of \$5.14 per unit until September 30, 2012. [Requested by Juan Vargas, Webb County CAA Director; Account #952-4200-3500]

Item No.26. Discussion and possible action to approve submitting the application for participation in the Molina Health Care provider network. The Meals on Wheels

program will continue contract rate of \$5.14 per unit until September 30, 2012. [Requested by Juan Vargas, Webb County CAA Director; Account #952-4200-3500]

Item No.27. Discussion and possible action to approve submitting the application for participation in the Health Spring provider network. The Meals on Wheels program will continue contract rate of \$5.14 per unit until September 30, 2012. [Requested by Juan Vargas, Webb County CAA Director; Account #952-4200-3500]

Judge Valdez motioned to approve items #24, #25, #26, and #27 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.28. Discussion and possible action to approve an addendum to the contract between Webb County and Valley Telephone Cooperative Inc. regarding an expansion of the previously executed Dark Fiber Capacity Services Agreement by adding Two (2) Fibers on the Cable interconnecting the Webb County Youth Village and the Webb County Self-Help Center to run coterminous with the prior Twenty (20) year agreement at a cost of Five Thousand Dollars (\$5,000.00) and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Rafael Pena, Webb County Interim MIS Director; Account #001-0109-6004-3 (General Fund)]

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

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No.30. Discussion and possible action to accept a National PAL Established Mentoring grant award from the National Association of Police Athletic/Activities League, Inc. (PAL) in the amount of \$15,000 for services for at-risk juveniles in Webb County 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.

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

Motion carried 5-0 by unanimous consent.

Community Action Agency

Item No.32. Discussion and possible action to approve an increase to the current El Aguila Rural Transportation fares as follows:

- Fixed Routes \$1.25 to \$1.50
- Demand Response .75 to \$1.25

- Students .25 to .75
- Elderly Discount .50 to .75

The CAA Advisory Board has had extensive meetings on this issue and voted on January 11, 2012 to recommend approval of said increase. Several Factors Justify an Increase to Fares:

- To adjust minimum wage on driver's salaries to remain competitive with other industries.
- Fuel costs have increased significantly for the past three years.
- Last fare increase was ten years ago.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Representative from El Aguila Rural Transportation, Robert Martinez was in attendance to give a presentation.

Cmr. Canales motioned to table item #32. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.33. Discussion and possible action to approve a 2% increase for all staff under the Community Services Block Grant (CSBG), effective February 13, 2012. Contract #61120001326. No impact to the General Fund and from Grant Funds. [Account #920-4202-5001]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's 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.34. Discussion and possible action to accept the Texas Department of Housing and Community Affairs (TDHCA)-Community Services Block Grant (CSBG) award in the amount of \$516,728.00 for program year- 1/2012 through 12/2012.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.35. Discussion and possible action to approve a reimbursement by the County of Webb totaling \$136,481.58 to the Department of Energy-Low Income Home Energy

Assistance Program (DOE-LIHEAP) and the Department of Energy-Weatherization Assistance Program (DOE-WAP) for questioned costs that have been reclassified to disallowed costs for expenditures made by Community Action Agency Weatherization Program staff as requested by TDHCA in their Monitoring Reports of December 7, 2010 and January 19, 2011.

Discussion on file at the Webb County Clerk's Office January 13, 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.36. Discussion and possible action to approve the filling of the following Slot for El Aguila Rural Transit, subject upon the availability of payroll funds and any applicable Civil Service timelines:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|--------------|--------------------|
| 1129 | Driver | \$9.36 |

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

Motion carried 5-0 by unanimous consent.

Economic Development

Item No.37. Discussion and possible action to authorize the Economic Development Department to submit a contract amendment to the Texas Department of Housing and Community Affairs - Office of Colonia Initiatives (TDHCA-OCI) to request the following line item transfers:

Solid Waste Removal (+) \$2,776.72
Housing Rehabilitation (+) \$6,126.42
Housing Rehabilitation (Accessibility) (-) \$16,000
House-to-Line Connections (-) \$3,174.00
Recon Housing Rehabilitation (+) \$10,270.86

There will be no overall changes to the total project budget and this proposed Contract Amendment is within the existing contract budget. (Self-Help Center - TCDP Contract #728023). This will not impact the general fund.

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

Motion carried 5-0 by unanimous consent.

Item No.38. Discussion and possible action to approve a Resolution authorizing the following County Officials; Honorable Danny Valdez, Honorable Rosaura "Wawi" Tijerina, and Honorable Jaime Canales to be designated as Authorized Signatories for the Texas Department of Agriculture, Texas Community Development Program for the Penitas West/Pueblo Nuevo House-to-Line Water and Sewer Connection Project TCDP # 729145.

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

Motion carried 5-0 by unanimous consent.

Item No.39. Discussion and possible action to approve the submission of a Contract Budget Modification #1 to the Texas Department of Agriculture (TDA) requesting a transfer of \$55,000.00 from Sewer Services (636-8001-7009-3) to Water Services (636-8001-7009-4) from grant fund 636, Penitas West/Pueblo Nuevo House-to-Line Water & Sewer Connection Project TCDP # 729145; and authorize the County Judge to sign all relevant documentation. [Account # 636-8001]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Engineer

Item No.40. 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 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Sciaraffa motioned to table item #40. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.41. Discussion and possible action to approve the close out project and final payment in the amount of \$4,200.00 to Hickey Pena Architects for the North Side International Park. [Account #723-8103-8710-3]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Tijerina motioned to table item #41. Cmr. Sciaraffa seconded the motion.

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

Item No.42. Discussion and possible action to approve the payment of the remaining county local match in the amount of \$17,291.00 for Carrizitos Creek bridge on Callaghan Road (CSJ #0922-33-085) to Texas Department of Transportation; and authorizing the County Judge to execute all relevant documents. [Account #010-7002-6404]

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

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

Item No.43. Discussion and possible action to approve Supplemental Agreement No. 1 to the Main Contract and Supplemental Work Authorization No. 2 to Work Authorization No. 1 to Dannenbaum Engineering Corp. which extends their Main Contract and work Authorization time for the Loop 20 Project until May 1, 2013; and authorizing the County Judge to execute all relevant documents.

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

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

Fire Suppression & EMS Services

Item No.44. 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 19, 2012 at LIFE Downs, as part of the George Washington Birthday Celebration and authorizing all relevant documents; and any other matters incident thereto.

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

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

Fred & Anita Bruni Community Center

Item No.45. 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 February 13, 2012:

| | <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|-------|---------------|--------------------|--------------------|
| From: | 2286 | Receptionist | \$12.62 |
| To: | 2343 | Librarian | \$13.79 |
| From: | 2342 | Driver/Maintenance | \$10.92 |
| To: | 2286 | Receptionist | \$12.62 |

To Fill: 2342 Driver/Maintenance \$10.92

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

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

Head Start

Item No.46. Discussion and possible action to approve the filling of the following Slot:

| <u>Slots #</u> | <u>Title</u> | <u>Hourly Rate</u> | <u>Pay Periods</u> |
|----------------|--------------|--------------------|--------------------|
| 2172 | AA Teacher | \$13.53 | 21 |

Item No.47. Discussion and possible action to approve title and salary changes to the following Slot:

| | <u>Slot #</u> | <u>Title</u> | <u>Salary</u> | <u>Pay Periods</u> |
|-------|---------------|----------------------------------|---------------|--------------------|
| From: | 963 | CDA Parent Involvement Assistant | \$28,032.00 | 26 |
| To: | 963 | AA Parent Involvement Assistant | \$29,968.26 | 26 |

Com. Tijerina motioned to approve items #46 and #47 as submitted. Com. Sciaraffa seconded the motion.

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

Item No.48. Discussion and possible action to approve the "One-Time Supplemental Funding" Application in the amount of \$230,500.00 for poured-in-place playground surfacing at Ten (10) center sites. [Account #903]

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

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

Medical Examiner

Item No.51. Discussion and possible action to approve the filling of the following Slot, subject upon the availability of payroll funds and any applicable Civil Service timelines:

| <u>Slot #</u> | <u>Title</u> | <u>Hourly Rate</u> |
|---------------|----------------------------|--------------------|
| 2394 | Medical Death Investigator | \$15.30 |

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

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

Purchasing

Item No.54. Discussion and possible action to designate the Purchasing Department as the keeper of the record (for the Commissioners Court) of each item of surplus or salvage property sold and the sale price of each. A record of each item of surplus or salvage property destroyed or otherwise disposed of shall be kept for One (1) year.

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

Motion carried 5-0 by unanimous consent.

Item No.56. Discussion and possible action to purchase Two (2) computers, Two (2) printers and software for Commissioner, Precinct 2 and Bruni Community Center departments pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing program DIR Contract No. DIR- SDD-890-TX and DIR- SDD -1014 from DELL in the amount of \$4,735.20. [Requested by Rosaura "Wawi" Tijerina, Commissioner Pct. 2; Account #638-8108-8801]

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

Motion carried 5-0 by unanimous consent.

Item No.57. Discussion and possible action to purchase a Polymer Blending System for the Water Utilities Department from Sendero South Company in the amount of \$7,870.00. [Requested by Mike Cabello, Webb County Interim Engineer; Account #801-3001-6204 (Water Utilities Fund)]

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

Motion carried 5-0 by unanimous consent.

Item No.58. Discussion and possible action to purchase One Hundred (100) Toter 96 Gallon Containers for the Road & Bridge Department pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, TxSamartBuy Contract 450-A2 from Toter in the amount \$5,323.00. [Requested by Jose Luis Ramos, Webb County Road & Bridge Superintendent; Account #010-7003-6205 (Road & Bridge Fund)]

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

Motion carried 5-0 by unanimous consent.

Item No.59. Discussion and possible action to purchase Courtroom audio and video equipment for the 341st District Court from Nova Star Communications in the amount \$2,450.11. [Requested by Judge Elma T. Salinas-Ender, Webb County 341st District Judge; Account #638-8108-8801 (Capital Outlay Fund)]

Item No.60. Discussion and possible action to purchase One (1) body armor vest for 341st District Court bailiff from Gall's in the amount \$798.99. [Requested by Judge Elma T. Salinas-Ender, Webb County 341st District Judge; Account #638-8108-8801 (Capital Outlay Fund)]

Item No.61. Discussion and possible action to authorize the County to purchase an additional PRI pursuant to Sections 271.101 and 271.103 Subchapter F., Cooperative Purchasing Program Contract DIR-TEX-AN-NG-CTS-005 from AT&T for a monthly payment of \$530.92, for a total of 24 months. [Requested by Rafael Pena, Webb County Interim MIS Director; Account #001-0109-6004-3 (General Fund)]

Cmr. Sciaraffa motioned to approve items #59, #60, and #61 as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.62. Discussion and possible action to approve the upgrade to the NCM (Network Control Module) used to read the controls on the chiller system and a Three (3) year Service agreement, pursuant to Sections 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program TXMAS Contracts #05-03FAC020 and #06-840160 from Johnson Controls, Inc. in the amount of \$78,497.00 (controls) and \$26,103.00 (Three (3) year Service Agreement) for a total amount of \$104,600.00. [Requested by Fernando Gonzalez, Webb County Facility Director; Account #604-0101-8103]

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Cmr. Canales motioned to approve item #62 to include the approval of the Network Control Module and the Maintenance Agreement. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.63. Discussion and possible action to approve the chiller system refurbishing be funded from the new County Improvement Fund in the amount of \$150,000.00. [Requested by Fernando Gonzalez, Webb County Facility Director; Account #604-0101-8103 (Improvement Fund)]

Discussion on file at the Webb County Clerk's Office January 13, 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.

Item No.64. Discussion and possible action on disclosure and ratification of change made on original court approval of a cooperative purchasing purchase of a vehicle for the transportation department. Original vendor was not able to deliver the vehicle within the time limits of the grant and a new vendor was selected. The new vendors are Sam Pack's Five Star Ford and the sale price is \$40,553.85. The original vendor was Philpott Motors, LTD and the original price was \$37,930.75. The new vendor is also from a cooperative purchasing program contract State of Texas 072-A1. [Requested by Robert Martinez, El Aguila Transportation Director; Account #980-8001-8801 (Grant Funds)]

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

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to bring back item #43. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

Item No.43. Discussion and possible action to approve Supplemental Agreement No. 1 to the Main Contract and Supplemental Work Authorization No. 2 to Work Authorization No. 1 to Dannenbaum Engineering Corp. which extends their Main Contract and work Authorization time for the Loop 20 Project until May 1, 2013; and authorizing the County Judge to execute all relevant documents.

Discussion on file at the Webb County Clerk's Office January 13, 2012 Commissioner's Court Meeting DVD.

Item No.69. Adjourn

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

Motion carried 5-0 by unanimous consent.