

Official Minutes for Webb County Commissioners Court Meeting

**Monday, February 25, 2013 at 9:00 AM
(Approved March 11, 2013)**

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
Mike Montemayor	Commissioner, Pct. 1
Rosaura "Wawi" Tijerina	Commissioner, Pct. 2
John C. Galo	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 22nd day of February 2013. Present also were Ms. Virginia Martinez, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No.1. Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk

Item No.2. Pledge of Allegiance

Item No.3. Approval of Minutes for February 11, 2013

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

Motion carried 5-0 by unanimous consent.

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

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

County Treasurer, Ms. Delia Perales presented checks, side bills, and checks to be ratified.

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

Motion carried 5-0 by unanimous consent.

County Treasurer, Ms. Delia Perales presented her monthly report for January 2013.

President of Commerce Bank, Mr. Ignacio Urrabazo presented a status report regarding the Depository Contract.

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

Motion carried 5-0 by unanimous consent.

Item No.5. Communications

Judge Valdez welcomed former County Judge Louis Bruni and L.I.S.D. Board Member, Tito Garcia.

Cmr. Canales welcomed everyone present. He congratulated WBCA for another successful year and everyone who participated in the events. Cmr. Canales invited the public to the Rancho Penitas West Ribbon Cutting Ceremony to be held Wednesday, February 27, 2013 at 10:30 a.m. He sent out his heartfelt condolences to the family of sixteen year old Oscar Ramos from Mirando City, Bruni High School and nineteen year old Robert Rodriguez, Nixon High School.

Cmr. Galo sent out his heartfelt condolences to those who have lost a family member or friend in the past two weeks. He sent out his heartfelt condolences to the family of Aurora Tijerina and Arturo Gutierrez. Cmr. Galo recognized Mr. Javier Cavazos from the Anita and Bruni Community Center, Jose Luis Villagran, Felipe Elizondo from Road and Bridge and the personnel from Facilities, Gilbert Garza for contributing their help on the float. He recognized Michael Serna for attending the Commissioners Court Meeting. Cmr. Galo wished good luck to those participating in all upcoming LIFE Downs events.

Judge Valdez sent out his heartfelt condolences to the family of Candelario Rodriguez, Ms. Esther Buckley, and Joe Rubio. He congratulated all the WBCA Board Members and volunteers organizing all the successful events. Judge Valdez congratulated Mr. Rod Lewis for being named 2013 Rancher of the Year.

Cmr. Tijerina congratulated WBCA Board Members for all their hard work and dedication on all the events. She congratulated TexDot, the City of Laredo and Webb County on their groundbreaking ceremony for the Loop 20 project. Cmr. Tijerina congratulated Mr. and Mrs. Fernando Salinas of Bruni, TX for being crowned the Valentine King and Queen of the Bruni Community Center. She congratulated Mr. Rod Lewis for being named 2013 Rancher of the Year. Cmr. Tijerina also congratulated Mr. Tito Garcia and his Border Olympics team. She sent out her heartfelt condolences to her relatives on the loss of her cousin, Aurora Tijerina. Cmr. Tijerina also sent out her heartfelt condolences to the family of Joe Rubio, Esther Buckley, Candelario Rodriguez, Oscar Ramos, Arturo Gutierrez, and Roberto Rodriguez.

Cmr. Montemayor sent out his heartfelt condolences to the family of Esther Buckley and the Ramos Family. He thanked Mr. Vargas for the Meals on Wheels going to Mirando. Cmr. Montemayor thanked the Sheriff Martin Cuellar for donating snacks for the children in Rio Bravo. He thanked everyone in Webb County who helped out on the float.

Mrs. Margie Ramirez Ibarra, Webb County Clerk presented the commissions and identification cards to the newly elected county and precinct officers in Webb County pursuant to the 2012 General Election.

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.

No one signed up for Public Comment.

Honorable Danny Valdez, Webb County Judge

Item No.7. Presentation by Border Olympics board members regarding upcoming track and field meet.

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Mr. Hector Garcia, Treasure of Border Olympics was in attendance to deliver a presentation regarding the upcoming track and field meet.

Item No.8. Discussion and possible action to appoint John Galo, Commissioner Precinct. 3, to the Metropolitan Planning Organization (MPO).

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

Motion carried 5-0 by unanimous consent.

Honorable Mike Montemayor, Webb County Commissioner Pct. 1

Item No.9. Presentation by Eric Ellman, Executive Director of Big River Foundation Healthy Rivers/ Healthy Communities, regarding goals and objectives for such programs.

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Mr. Eric Ellman, Executive Director of Big River Foundation Healthy Rivers/Healthy Communities was in attendance to deliver a presentation regarding goals and objectives for such programs.

Item No.10. Status with discussion and possible action regarding the conveyance of real property described as Lots 84 and 83, Lewis Subdivision located in Mirando City Texas, to Webb County.

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Judge Valdez motioned to approve item #10 and for the County Attorney's Office to proceed and investigate on the property. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.11. Discussion and possible action by resolution of the Webb County Commissioners Court to call for the recall of the County's member on the Webb County Appraisal District Board of Directors and to cast all of Webb County's 1,035 votes to recall Jerry Garza the County's member on the Webb county Appraisal District Board of Directors as per Section 6.033 of the Texas Property Tax Code.

Cmr. Montemayor 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 by resolution of the Webb County Commissioners Court to nominate a candidate for the Webb County Appraisal District Board of Directors as result of the recall of the county's member and to cast all of Webb County's 1,035 votes for Louis H. Bruni as Webb County's new member to the Webb County Appraisal District Board of Directors for the remainder of the 2012-2013 term as per Section 6.033 of the Texas Property Tax Code.

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

Motion carried 5-0 by unanimous consent.

Honorable Marco A. Montemayor, County Attorney

Item No.13. Discussion and possible action to authorize the United States Postal Service to install Eleven (11) centralized box units. They will be located, on the exterior of the fence, on the South side of the Mirando City Community Center.

Cmr. Galo motioned to approve item as submitted. Cmr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.14. Discussion and possible action to enter into a VCR Grant Agreement No. 51 322F7125 with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts a grant amount of \$210,000.00 and \$35,700.00 of TDC'S (Transportation Development Credits) for the El Aguila Rural Transportation program and authorizing the Webb County Judge to execute all relevant documents. [Requested by Juan Vargas, Webb County Community Action Agency Director]

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

Motion carried 5-0 by unanimous consent.

Item No.15. Discussion and possible action to enter into Contract Amendment Number One (1) to the Rural Transportation State funds grant agreement No. RPT 1302 (22) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts an increase of NINETY-FOUR THOUSAND FIVE HUNDRED

DOLLARS (\$94,500.00) to the original grant amount of TWO HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED TEN DOLLARS (\$265,310.00) for a total of THREE HUNDRED FIFTY-NINE THOUSAND EIGHT HUNDRED TEN DOLLARS (\$359,810.00) for the El Aguila rural transportation program and authorizing the county Judge to sign all relevant documents. [Requested by Juan Vargas, Webb County Community Action Agency Director]

Item No.16. Discussion and possible action to enter into a One (1) year (February 8, 2013 through February 7, 2014) Customer Support Agreement with Holt Power Systems for maintaining the service generator located at the Webb County Juvenile Justice Alternative Education Program in the amount of TWO THOUSAND ONE HUNDRED SIXTY-SEVEN DOLLARS (\$2,167.00), and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Requested by Melissa Mojica, Webb County Juvenile Probation Department Director; Account #001-1301-6401]

Item No.17. Discussion and possible action to enter into a One (1) year (February 4, 2013 through February 3, 2014) Customer Support Agreement with Holt Power Systems for maintaining the service generator located at the Webb County Youth Village in the amount of TWO THOUSAND ONE HUNDRED EIGHTY FIVE DOLLARS (\$2,185.00), and authorizing the County Judge to sign all relevant documents, and any other matters incident thereto. [Requested by Melissa Mojica, Webb County Juvenile Probation Department Director; Account #001-1301-6401]

Comr. Tijerina motioned to approve items #15, #16, and #17 as submitted. Comr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Becky Palomo, 341st District Court Judge

Item No.18. Discussion and possible action to approve a Resolution and authorize the submission of a grant application to the Office of the Governor Criminal Justice Division (CJD) and establish a Specialty Drug Court Program specializing in Family. Grant number 2679901

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Honorable Oscar Hale, 406th District Court Judge

Item No.19. Discussion and possible action to approve and ratify the 406th District Court Drug Court Program application for the BJA - FY 13 Adult Drug Court Discretionary Grant

Program: October 1, 2013 – September 30, 2015.

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

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

Judge Valdez withdrew his motion.

Cmr. Tijerina withdrew her second.

Cmr. Galo motioned to approve item #19 omitting the word ratify. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Harold DeVally, Constable Pct. 4

Item No.20. Discussion and possible action to approve acceptance of a Canine from Department of Homeland Security for drug interdiction purposes; with authorization to utilize materials and supplies account to cover K9 related expenses in the amount of \$3,000.00. [Account #001-2502-6205]

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Cmr. Galo motioned to table item #20. Cmr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No.21. Discussion and possible action to approve the transfer of authority, supervision and responsibility of the County Engineer/Radio Communication division to the Webb County Sheriff's Patrol Division, effective February 26, 2013. [Requested by Mike Cabello, Interim Webb County Engineer and Martin Cuellar, Webb County Sheriff]

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.22. Discussion and possible action to enter into an annual Maintenance Contract between Thyssenkrupp Elevator Corporation and Webb County Sheriff's Office for a period of Three (3) years for a total amount of TWO HUNDRED AND TEN DOLLARS (\$210.00) per month over the term of the agreement and authorizing the County

**Judge to execute all relevant documents; and any other matters incident thereto.
[Account #001-2001-6402]**

Cmr. Galo motioned to approve item as submitted. Cmr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

(Media Break 10:00 – 10:25 AM)

Honorable Patricia A. Barrera, Tax Assessor- Collector

Item No.23. Discussion and possible action to approve the following refunds:

a) The amount of \$30,529.76 to CoreLogic Tax Service, for Accounts #985-50004-060 and #991-24023-030 due to overpayment on mortgage accounts for 2012. [Account #001-2139]

b) The amount of \$6,768.38 to Jimmy Evans Family Partnership, for Account #900-02881-003 as per Supp. 6, Cert. 2012, Correct Improvement Value; square footage was incorrectly calculated for asphalt area for 2011. [Accounts #001-0700-3063 and #010-0700-3063]

c) The amount of \$3,598.86 to Interstate Management CO LLC, for Account #110-00473-010 as per Supp. 6, Cert. 2012, Correct Value was erroneously not updated per Protest 2012-11780 resolved on 07/20/2012 Settlement signed for 2012. [Accounts #001-0700-3063 and #010-0700-3063]

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

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

Administrative Services

Item No.24. Discussion and possible action to approve the Job Description for Webb County Veterans Service Officer, and direct the Administrative Services Department to commence Request For Qualifications process for said vacancy.

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Cmr. Montemayor motioned to approve item as submitted. Cmr. Galo seconded the motion.

Cmr. Montemayor withdrew his motion.

Cmr. Galo withdrew his second.

Cmr. Canales motioned to defer the item until the next Commissioners Court Meeting. Cmr. Galo seconded the motion.

Cmr. Canales withdrew his motion.

Cmr. Galo withdrew his second.

Cmr. Tijerina motioned to form a committee to look at the requirements for qualifications as a Veteran's Officer to appoint Judge Danny Valdez, Cmr. Mike Montemayor, Ms. Cynthia Mares, and a member of the County Attorney's Office. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.25. Status report on the recent incident that occurred at the Old Restitution Center (Hwy 83 South), with discussion and possible action on the repairs, remediation of said building that houses the P.A.L.S. program (Sheriff's Dept.) and the Adult Probation programs.

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Community Supervision Department South Location Supervisor, Ms. Rachel Ibarra presented a status report regarding incidents and conditions of the Old Restitution Center (Hwy 83 South). In attendance were Incoming Director for the Community Supervision Department Melinda Vidaurri Galvan, Melissa Nuncio, Financial Supervisor, Annette Perez, Supervisor, and Rachel Ibarra, South Location Supervisor.

Cmr. Tijerina motioned to proceed with the study of the property to see what can be done and to find an appropriate location or use the Larga Vista Community Center Library. Cmr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

Item No.26. Discussion and possible action to approve Change Order #2 to Zertuche Construction for an increase of \$56,622.50 for a total of \$514,565.10 and 10 working days for the Webb County JP #4 remodeling contract. \$12,250.00 of this increase will be paid from the JP #4 Technology Fund. Approval for Change Order #2 increase to the Architectural Services Agreement by \$5,662.25 for this project. [Accounts #638-1044-8801, #638-2311 and #604-0101-8103]

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Cmr. Galo motioned to approve item as submitted. Cmr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.27. 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.

Item No.28. 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.

Cmr. Tijerina motioned to approve items #27 and #28 as submitted. Judge Valdez seconded the motion.

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

Juvenile Probation Department

Item No.29. Discussion and possible action to authorize the submission of a grant application to the Criminal Justice Division of the Governor's Office for a Juvenile Accountability Block Grant (JABG) to operate a Juvenile Drug Court and, further, authorizing the County Judge to execute all forms relevant to said grant. JABG grants require a 10% of total project cash match. [Grant matching funds have not been determined]

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

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

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

Planning

Item No.30. Discussion and possible action to approve the filling of the following Slots, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules, effective March 1, 2013 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

Purchasing

Item No.31. Discussion and possible action to dispose of salvage and surplus property equipment and furniture that has become obsolete for future use as per Section 263.152 (a) and/or to transfer property to another department as per Section 262.001 (j) of the, Texas Local Government Code and all other miscellaneous items are as follows:

Law Library

2 IBM computers (19123, 16906)

2 monitors (19153)

Treasurer

15 green chairs (16858, 16444,

16440,16420,16862,16447,16400,16450,16412,16418,16416,16423,16869,16851, 16855)

County Court at Law #1

3 Lenovo Computer Think Center A52 (18203, 20776, 20777)

1 IBM Computer Hard Drives (No Tag)

1 Dell Monitor (18948)

1 HP Laser Jet 1300 Printer (18163)

County Attorney

1 Xerox Copier (19832)

1 Cabinet (No Tag)

1 Desk (No Tag)

2 Paper Shredders (21079, No Tag)

1 Magnavox TV (No Tag)

1 Dell Hard Drive (19887)

1 Canon Printer (No Tag)

1 Sony Monitor (No Tag)

12 Chairs (16177, 16252, 16163, 16143, 15873, 16247, 16138, No Tag, 16128, 16102, 16240, 09221

2 Dell Computers (No Tag, 19879)

1 IBM Monitor (No Tag)

5 HP Printers (No Tag*5)

7 Dell Monitors (No Tag*3, 19866, 19882, 19880, 19889)

Rio Bravo Community Center

4 Black Chairs (No Tag)

1 Plastic Sink (No Tag)

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

Cmr. Montemayor motioned to approve items #30 and #31 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.32. Discussion and possible action to purchase Law Enforcement uniforms from Nardis Public Safety, GSA #GS-07F-0596T in the amount of \$184,509.34 for the Webb County Sheriff's Office Pursuant to Subchapter G, Purchase Federal Schedule Sources of Supply; Section 271.103, Texas Local Government Code. [Requested by Martin Cuellar, Webb County Sheriff; Accounts #001-2001-6202, #001-2060-6202 and #001-2600-6202]

Item No.33. Discussion and possible action to authorize the solicitation of bids and proposals for the Webb County bank depository contract, pursuant to the Texas Local Government Code Sections 116.021 (a), 117.021 (a). [Requested by Delia Perales, Webb County Treasurer]

Discussion on file at the Webb County Clerk's Office February 25, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Purchasing Agent, Ms. Cecilia M. Moreno stated that on item #33 they will be going for a four year contract with an option to extend for two years on the bank deposit.

Rio Bravo Community Center

Item No.34. 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 26, 2013:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2396	Recreational Specialist 1	\$12.79

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

Motion carried 5-0 by unanimous consent.

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

Motion carried 5-0 by unanimous consent.

(Executive Session 11:04 – 11:28 AM)

No action taken.

Closed Session/Executive Session

Item No.35. Discussion and possible action to review completion options and approve payment to DEH Construction Company in the amount of \$21,375.00 for the continuing repairs of the Rio Bravo Lift Station Project and have the County Judge sign all relevant documents. [Closed Meeting/Executive Session may be requested pursuant to Texas government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) [Co-Sponsored by Mike Montemayor, Webb County Commissioner Precinct #1]

Judge Valdez motioned to table item #35 until the next Commissioners Court Meeting. Cmr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.36. Adjourn

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

Motion carried 5-0 by unanimous consent.