

Official Minutes for Webb County Commissioners Court Meeting

Monday, August 12, 2013 at 9:00 AM
(Approved August 26, 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 9th day of August 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

Roll Call by Ms. Lesvia Gonzales, Supervisor for the Courts Division at the Webb County Clerk's Office.

Item No.2. Pledge of Allegiance

Item No.3. Approval of Minutes for July 22, 2013

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

Motion carried 5-0 by unanimous consent.

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

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

County Auditor, Mr. Leo Flores presented the monthly report for July 2013.

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

Motion carried 5-0 by unanimous consent.

County Treasurer, Ms. Delia Perales presented a list of checks and side bills pending approval.

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

Motion carried 5-0 by unanimous consent.

Item No.5. Communications

Judge Valdez recognized and welcomed Representative Richard Raymond, District Court Judge Oscar Hale, and Webb Consolidated I.S.D. Superintendent Severita Sanchez.

Cmr. Canales welcomed everyone present in particular; Representative Richard Raymond, District Court Judge Oscar Hale, and Webb Consolidated I.S.D. Superintendent Severita Sanchez. He congratulated Judge Valdez on the S.O.S. Concert. Cmr. Canales congratulated Cmr. Montemayor on his very successful backpack give away. He congratulated the Guns and Hoses for a very successful 5K color dash event. Cmr. Canales sent out his heartfelt condolences to the family of Estela Solis.

Cmr. Galo sent his heartfelt condolences to those who have lost loved ones in the past two weeks especially; the Pena Saucedo Family for the loss of Herminia Pena, Horacio and Lupita De Leon for the loss of her father Antonio Cardenas, Sam and Amy Cruz for the loss of their brother Jerry Martinez, the Tadros Family for the loss Dr. Nabil Tadros, Mario Garcia and his family for the loss of his mother Maria T. Garcia, the family of Olivia "Dolly" Garcia Pena, and Ronnie Goodman for the loss of his wife Barbara Goodman. He congratulated his new assistant Councilman Johnny Rendon and Kiko Zuniga from FM Zuniga and Diamond Distribution for receiving the State Texas Small Business Award granted by the Office of the Governor of Texas and the Texas Workforce Commission. Cmr. Galo congratulated Eliud Garcia for being honored as Franchisee of the Year and Best Community Service Program for his Gold's Gym. He congratulated Judge Valdez on the S.O.S. Concert. Cmr. Galo congratulated Mr. Gerry Schwebel for becoming recipient of the 2013 National Small Business International Trade Educator. He congratulated both Cmr. Tijerina and Cmr. Montemayor on their very successful campaign clean ups. Cmr. Galo congratulated the Northside All-Star Little League Senior Division for playing in the Little League World Series. Cmr. Galo congratulated Cmr. Montemayor on his very successful backpack give away.

Cmr. Tijerina sent out her heartfelt condolences to the family of Carmen Rendon, Javier Karabanoff, Herminia Pena, Maria Garcia, Ronnie Goodman, Olivia "Dolly" Garcia Pena, Dr. Tadros, Mike and Gaby Chapa. Cmr. Tijerina congratulated Judge Valdez on the well attended annual S.O.S. Concert. She congratulated Cmr. Montemayor on the ribbon cutting ceremony in Mirando. Cmr. Tijerina congratulated Nelda Cortinas, Community Center Director in Bruni, Texas and Greg Araiza, Community Center Director at the Larga Vista Community Center for a great back to school jamaica. She congratulated Cmr. Montemayor on his very successful backpack give away. Cmr. Tijerina congratulated Sheriff Martin Cuellar and Staff, the Conoco Phillips Medina Electric Energy Production Specialists, Border Patrols staff, the Webb Consolidated Independent School District, Constable Adrian Cortez, the Facilities Department and Mr. Gilbert Garza, and Mr. Mike De La Fuente. She thanked the Facilities Department and the Road and Bridge Department for all their help on the clean up campaigns. Cmr. Tijerina congratulated Sheriff Martin Cuellar on the Tip-A-Cop event.

Cmr. Montemayor acknowledged and welcomed Representative Richard Raymond, District Court Judge Oscar Hale, Webb Consolidated I.S.D. Superintendent Dr. Severita Sanchez, Rio Bravo Mayor Manuel Vela, and Rio Bravo Commissioner Amanda Aguero and staff. He congratulated Judge Valdez on the

S.O.S. Concert. Cmr. Montemayor mentioned that over 500 backpack had been distributed during his backpack give away. He thanked all his staff especially his assistant Ms. Wendy Romo. Cmr. Montemayor thanked the mayor of Rio Bravo, Manuel Vela and El Cenizo, Raul Reyes and all their staff for being patient with the water issue. He thanked the Red Cross and H-E-B for helping in donating water to the residents of Rio Bravo and El Cenizo. Cmr. Montemayor congratulated Cmr. Tijerina on the clean up campaign. He thanked Mr. Larry Sanchez, PIO and the County Attorney's Office for always being there and on time.

Judge Valdez mentioned that over \$35,000 was raised during the S.O.S. concert which will be divided equally between both school districts. He thanked everyone who attended the concert especially the sponsors and volunteers. Judge Valdez congratulated Cmr. Montemayor on the ribbon cutting ceremony at Mirando City and the backpack give away. He congratulated everyone who took part on the clean up campaign and thanked Constable Adrian Cortez and the Webb County Road and Bridge Department for their assistance. Judge Valdez congratulated Cmr. Tijerina on the Bruni Community Center back to school blast and clean up campaign.

Representative Richard Raymond was in attendane to express his support on the ongoing County projects and legislative items.

Judge Valdez recognized and welcomed District Court Judge Becky Palomo, District Clerk Esther Degollado, and Rio Bravo Mayor Manuel Vela.

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.

Judge Valdez motioned to bring up items #28, #29, and #30. Cmr. Canales seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Oscar Hale, 406th District Court Judge

Item No.28. Discussion and possible action to approve the acceptance of Grant #1H79TI025023-01 and to authorize the 406th drug court program to expand its program services pursuant to Sec. 124.002 of the Texas Government Code. Substance Abuse and Mental Health Services Administration (SAMHSA) Grants to Expand Substance Abuse Treatment Capacity in Adult Drug Courts Grant Period: August 1, 2013 – July 31, 2016.

Item No.29. Discussion and possible action to authorize the 406th Judicial District Court (Drug Court Program) to occupy the juvenile detention center on Chicago Street, effective immediately; and any other matters incident thereto.

Item No.30. Discussion and possible action to authorize the 406th Drug Court Program to enter into an Memorandum of Understanding (MOU) between Webb County and West Care Foundation Inc., allowing them to begin the process of getting the county building located on Chicago St. licensed and certified to provide treatment services and to serve our community as a Triage/Rehab Center; and any other matters incident thereto. [Co-Sponsored by Jaime A. Canales, Webb County Commissioner Pct. 4 and Danny Valdez, Webb County Judge]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Cmr. Tijerina motioned to approve items #28, #29, and #30 as submitted. Cmr. Montemayor seconded the motion.

Cmr. Tijerina withdrew her motion.

Cmr. Tijerina motioned to approve only items #28 and #29 and table item #30. Cmr. Canales seconded the motion.

Cmr. Tijerina withdrew her motion.

Cmr. Canales withdrew his second.

406th District Court Judge Oscar Hale was present to address the Commissioners Court.

Cmr. Tijerina motioned to approve items #28 and #29. Cmr. Canales seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to table item #30. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Danny Valdez, Webb County Judge

Item No.7. Discussion and possible action to approve a Resolution authorizing the Commissioner's Court of Webb County to coordinate with the City of Laredo to create, form and establish a joint Webb County – City of Laredo Regional Mobility authority (RMA) to finance, acquire, design, construct, operate, maintain, expand or extend City-County transportation projects, as provided for in 43 Texas Administrative Code Section 26.11 and Chapter 370 of the Texas Transportation Code. [Closed Meeting/Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (A)(B) (Consultation with attorney)]

Item No.8. Discussion and possible action to authorize the County Judge to approve the submission of a petition to the Texas Department of Transportation (TXDOT) requesting authorization to create, form, and establish the Webb County – City of

Laredo Regional Mobility authority (RMA) (The Webb County – Laredo RMA) to finance, acquire, design, construct, operate, maintain, expand or extend City-County transportation projects, as provided for in 43 Texas Administrative Code Section 26.11 and Chapter 370 of the Texas Transportation Code. [Closed Meeting/Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (A)(B) (Consultation with attorney)]

Engineer

Item No.59. Discussion and possible action to authorize the Purchasing Department to negotiate with Dannenbaum and continue with the design project; provide additional justification and design the project in phases where additional funding in the amount of \$1,634,953.82 will need to be determined by the Auditor; and authorizing the County Judge to execute all relevant documents; 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 (A) (B) (Consultation with Attorney)]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

County Attorney's Office, Mr. Ray Rodriguez stated that under item #7 and #8 the Texas Government Code should be Section 551.072.

County Attorney's Office, Mr. Ray Rodriguez stated that item #59 is not specific enough in order to comply with the Government Code Provisions of the Open Meetings Act.

Judge Valdez motioned to go to Executive Session on items #7 and #8 and to table item #59. Cmr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

(Executive Session 10:55 – 11:10 AM)

No action taken.

Honorable Danny Valdez, Webb County Judge

Item No.7. Discussion and possible action to approve a Resolution authorizing the Commissioner's Court of Webb County to coordinate with the City of Laredo to create, form and establish a joint Webb County – City of Laredo Regional Mobility authority (RMA) to finance, acquire, design, construct, operate, maintain, expand or extend City-County transportation projects, as provided for in 43 Texas Administrative Code Section 26.11 and Chapter 370 of the Texas Transportation Code. [Closed Meeting/Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (A)(B) (Consultation with attorney)]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Judge Valdez motioned to re- emphasize, re-approve, re-adopt item #7 with the MPO Boundaries. Cmr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.8. Discussion and possible action to authorize the County Judge to approve the submission of a petition to the Texas Department of Transportation (TXDOT) requesting authorization to create, form, and establish the Webb County – City of Laredo Regional Mobility authority (RMA) (The Webb County – Laredo RMA) to finance, acquire, design, construct, operate, maintain, expand or extend City-County transportation projects, as provided for in 43 Texas Administrative Code Section 26.11 and Chapter 370 of the Texas Transportation Code. [Closed Meeting/Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (A)(B) (Consultation with attorney)]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.9. Discussion and possible action to approve the following line item transfers:

From:	001-0200-6004-2	Cell Phone Cost	\$ 500
	001-0200-5601	Administrative Travel	<u>\$4,500</u>
			\$5,000
To:	001-0200-6204	Fuel & Lubricants	\$1,000
	001-0200-6205	Materials & Supplies	<u>\$4,000</u>
			\$5,000

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

Motion carried 5-0 by unanimous consent.

Honorable Mike Montemayor, Webb County Commissioner Pct. 1

Item No.10. Discussion and possible action to approve a Clean Up Campaign in Rio Bravo, to be held at the Rio Bravo Community Center on date to be determined and to approve the Road & Bridge Department to operate their equipment. [Account # 010-702-6703-02 (Landfill Fees Residents)]

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

Motion carried 5-0 by unanimous consent.

Item No.11. Discussion and possible action to approve the following line item transfer:

From: 001-0201-5601	Administrative Travel	\$1,000
To: 001-0201-5005	Part Time	\$1,000

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

Motion carried 5-0 by unanimous consent.

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

Item No.12. Presentation by the Laredo Environmental Summit Committee Members regarding the upcoming Laredo Environmental Summit, scheduled to be held on October 17th, 2013 at Texas A&M International University.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Mr. Victor Wong and Ms. Alice Herrera, Laredo Environmental Summit Committee Members were in attendance to deliver a presentation in regards to the upcoming Laredo Environmental Summit scheduled to be held on October 17, 2013 at Texas A & M International University.

Item No.13. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Qualifications for Engineering Services for Reverse Osmosis Water Treatment Plant (Arsenic Removal System) for the Bruni Rural Water Supply Corporation in Bruni, Texas.

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 authorize the construction and solicit a design build Training Center Building on Webb Consolidated Independent School District property. Construction to be funded by monies already on deposit with Webb County, in the amount not to exceed \$300,000.00, and to instruct the County Attorney to initiate negotiations and preparation of an Interlocal Agreement between Webb County and Webb Consolidated Independent School District to effectuate the project; and any other matters incident thereto.

Cmr. Galo 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 authorize the Webb County Economic Development Department to conduct research to identify funding source/grant to include alternative energy sources for the Training Center Building in Bruni, Texas. These alternative energy sources, such as solar and/or wind power; will dramatically

reduce the overall long-term utility cost of this building; and any other matters incident thereto.

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

Motion carried 5-0 by unanimous consent.

Item No.16. Discussion and possible action to authorize the Economic Development Department to develop a FY 2013 Staffing for Adequate Fire and Emergency Response Program (SAFER) – Hiring Grant Application in an amount not to exceed SIX HUNDRED FORTY THOUSAND DOLLARS (\$640,000) to the U.S. Department of Homeland Security. The purpose of the application is to assist the Webb County Fire Department create a net increase of frontline firefighters.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Cmr. Tijerina stated that this grant was going to be specifically to hire 8 firefighters for a period of 2 years.

Item No.17. Discussion and possible action to accept a funding increase addendum of ONE HUNDRED FIFTEEN THOUSAND SIX HUNDRED SIXTEEN DOLLARS (\$115,616.00) to the Program Year 2013 Comprehensive Energy Assistance Program (CEAP) grant - Contract #58130001653 from the Texas Department of Housing & Community Affairs (TDHCA). This addendum will increase the Program Year 2013 CEAP Contract #58130001653 funding from ONE MILLION ONE HUNDRED EIGHTY THOUSAND FIVE HUNDRED TEN DOLLARS (\$1,180,510.00) to ONE MILLION TWO HUNDRED NINETY-SIX THOUSAND ONE HUNDRED TWENTY-SIX DOLLARS (\$1,296,126.00), and authorizing the County Judge to sign all relevant documents.

Discussion on file at the Webb County Clerk's Office August 12, 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.

Commissioners Court

Item No.18. Discussion and possible action to approve a Resolution supporting Webb County's continued participation in the South Texas Development Council and confirming the appointment or re-appointment of Webb County representatives to serve on the Board of Directors of the South Texas Development Council for the period of October 1, 2013 to September 30, 2014.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Judge Valdez motioned to approve the resolution and to re-appoint Cmr. Tijerina and appoint Cmr. Montemayor as the Webb County representatives. Cmr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.19. Discussion and possible action to adopt by order an additional \$10.00 fee effective January 1, 2014 for a vehicle registered in Webb County pursuant to the authority of Section 502.402, Transportation Code as amended by Texas House Bill 1198 (83rd Legislature Regular Session) to be used to fund long-term transportation projects of a Regional Mobility Authority in the county and any matters incident thereto.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.20. Discussion and possible action to appoint a Capital Outlay Committee which will be responsible in evaluating all county capital outlay department requests and make recommendations to the court; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Judge Valdez motioned to approve and appoint a committee comprised of the Auditor, County Attorney, Dr. Moreno, Purchasing Agent, Representative of law enforcement Mr. Pepe Salinas, and Mr. Leroy Medford. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

NOTICE OF PUBLIC HEARING

Notice is hereby given that pursuant to Texas Tax Code § 312.401, and Ch. 380, Section 381.004 of the Texas Local Government Code, as well as the Amended Guidelines governing tax abatements passed by Webb County on July 22, 2013, the Webb County Commissioners Court shall conduct a Public Hearing on Monday, August 12, 2013 to obtain the public comments from its citizens on a proposed Resolution and Order of the Commissioner's Court of Webb County, Texas designating Lot 2, Block 9, Embarcadero Subdivision, Phase 8, Webb County, Texas, as Webb County Tax Reinvestment Zone No. 2. The proposed tax investment zone is located in Western portion of the City of Laredo, Webb County, Texas. If the Commissioners Court designate a reinvestment zone[s], the Commissioners Court may enter a tax abatement agreement with owners of eligible taxable property located within the reinvestment zone, pursuant to Chapter 312, Texas Tax Code and Ch. 380, Section 381.004 of the Texas Local Government Code. This Public Hearing offers citizens and interested persons the opportunity to speak and present evidence for or against the proposed reinvestment zones. Webb County

Commissioners may not designate an area as a reinvestment zone until it holds a public hearing and finds that the designation will contribute to the retention or expansion of primary employment or will attract major investment in the zone and will contribute to the economic development of Webb County. Notice of this public hearing was published in the Laredo Morning Times on August 5th, 2013.

Judge Valdez motioned to recess and open up Public Hearing. Cmr. Canales seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Galo motioned to reconvene as Commissioners Court. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Galo motioned to open up Public Hearing. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

OPEN PUBLIC HEARING

Item No.21. Public Hearing and Discussion and possible action to approve a Resolution and Order of the Commissioner's Court of Webb County, Texas designating Lot 2, Block 9, Embarcadero Subdivision, Phase 8, Webb County, Texas, as Webb County Tax Reinvestment Zone No. 2, as per Chapter 312, Texas Tax Code, and Chapter 380, Section 381.004 of the Texas Local Government Code. [Requested by Danny Valdez, Webb County Judge]

Judge Valdez asked if anyone was for or against.

No one responded.

Cmr. Galo motioned to close Public Hearing. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

CLOSE PUBLIC HEARING

Item No.22. Discussion and possible action to approve a Resolution approving a Webb County Economic Development Grant Agreement as authorized by Article III, Section 52-a of the Texas Constitution and Chapter 381, Section 381.004 of the Texas Local Government Code by and between Webb County and Pro-Trans International, Inc., for a grant of public money in the form of an annual ad-valorem tax abatements for a term of Five years (5yrs.) for each project year certified equal to a percentage of the annual increase over the January 1, 2013 ad-valorem taxes against the business operated on the property and paid to the County according to the sliding scale shown herein-below. This grant agreement is in recognition of, conditioned upon and derived from the positive economic benefits that will accrue to the taxpayers of

Webb County thru Pro-Trans International, Inc.'s development and investments of real and personal property improvements in the approximate amount of Fifteen Million Dollars (\$15,000,000.00), and the creation of Ten (10) new full time jobs with a minimum wage of \$15.99/hour for hourly jobs with offer of Pro-Trans International health benefits, for minimum term of Twelve (12) calendar years commencing December, 2013 and ending December, 2025, and providing for claw back provisions in the event of default and/or partial compliance with the real and/or personal property development and/or job creation requirements set forth in the agreement, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Requested by Danny Valdez, Webb County Judge]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Honorable Marco A. Montemayor, County Attorney

Item No.23. Discussion and possible action to renew the current lease agreement between the Texas Parks & Wildlife Department and Webb County for boat storage space at the Lake Casa Blanca State Park facility for the period of September 1, 2013 through August 31, 2014 under the same terms and conditions including the monthly price of \$100.00 per month paid to the county for a total yearly lease amount of \$1,200.

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

Motion carried 5-0 by unanimous consent.

Item No.24. Discussion and possible action to enter into a one year (August 31, 2013 through August 30, 2014 non-financial job skills training program ("Host Agency") agreement with American Association of Retired Persons (AARP) Foundation, through the AARP Foundation Senior Community Service Employment Program, to provide job training to senior volunteers at NO COST to Webb County and authorizing the Webb County Judge to execute all relevant documents. [Requested by Ms. Cynthia Mares, Director, Administrative Services Department]

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

Motion carried 5-0 by unanimous consent.

Item No.25. Discussion and possible action to approve the following line item transfers:

From:	001-1101-6205	Materials & Supplies	\$4,000
To:	001-1101-6011	Training & Travel	\$2,500
	001-1101-6011	Repair and Maintenance	<u>\$1,500</u>

\$4,000

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

Motion carried 5-0 by unanimous consent.

Honorable Margie Ibarra, County Clerk

Item No.26. Discussion and possible action to authorize and increase in the Records Management and Preservation fee, from \$5 to \$10 for each document filed as per Sec. 118.0216 LGC, effective September 1, 2013.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Honorable Isidro Alaniz, District Attorney

Item No.27. Discussion and possible action to approve the submission of a grant application to the Office of the Governor Criminal Justice Division (CJD) for the Border Prosecution Unit Grant estimated at \$460,000 over the term of the contract. This formal request shall 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 grant. Contract Term: September 1, 2013 to August 31, 2015.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Mr. David Sanchez, Financial Officer for the District Attorney's Office was present to address the court on item #27.

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

Motion carried 5-0 by unanimous consent.

Honorable Alvino "Ben" Morales, County Court at Law 1 Judge

Item No.31. Discussion and possible action to approve the following line item transfer:

From: 001-1010-6026	Visiting Judge	\$2,900
To: 001-1010-6022	Professional Services	\$2,900

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

Item No.32. Discussion and possible action to approve the following line item transfers:

From: 001-1042-6004-2	Cell Phone	\$ 190
001-1042-6005	Postage & Courier Service	\$1,000
001-1042-6402	Repair & Maintenance	<u>\$ 100</u>
		\$1,290
To: 001-1042-6205	Materials & Supplies	\$1,290

Honorable Mike Villarreal, Constable Pct. 2

Item No.33. Discussion and possible action to approve the following line item transfers:

From: 001-2503-6011	Training & Education	\$1,000
001-2503-5601	Administrative Travel	\$ 550
001-2503-6402	Maint. & Repair- Equipment	<u>\$ 500</u>
		\$2,050
To: 001-2503-6403	Maint. & Repair-Vehicle	\$2,050

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Cmr. Montemayor motioned to approve items #31, #32, and #33 as submitted. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Galo stated that if in the future they can ask the department to quantify why they are asking for these line item changes, at least in the supplemental.

Honorable Harold DeVally, Constable Pct. 4

Item No.34. Discussion and possible action to approve expenditure to ¼ Mile Graphics, for vehicle graphics designs, in the amount of \$5,425.00. Expenditure was incurred without a purchase order. [Account #170-2001-6403 (Forfeiture Funds)]

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

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No.35. Discussion and possible action to contract services with Heliworks for the annual 100/300 hour inspection and reassembly of rotor hub assembly for the Webb County Sheriff's Office helicopter in the amount of \$25,000.00 pursuant to Texas Local Government Code Section 262.024 (Discretionary Exemptions), Sub-Section 11 (vehicle and equipment repairs) and authorizing the County Judge to sign and execute all relevant documents. [Account #347-2001-6403-03]

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

Motion carried 5-0 by unanimous consent.

Item No.36. Discussion and possible action to contract services with Border Techs to rebuilt Two (2) commercial dryers located at the Webb County Jail in the amount of \$22,560.00 pursuant to Texas Local Government Code Section 262.024 (Discretionary Exemptions), sub-section 11 (vehicle and equipment repairs) and authorizing the County Judge to sign and execute all relevant documents. [Account #604-0101-8103 (Building Improvements)]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

In attendance were:

Mr. Pete Arredondo, Deputy Chief for the Sheriff's Office

Mr. Joe Lopez, Finance Director for the Sheriff's Office

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

Motion carried 5-0 by unanimous consent.

Item No.37. Discussion and possible action to approve the following line item transfers:

From:	001-2060-6023-03	Contract Services-Dimmit	\$ 4,000
	001-2062-6714	Medical Services	<u>\$75,000</u>
			\$79,000
To:	001-2001-6402	Maintenance to Equipment	\$ 4,000
	001-2062-6208	Groceries	<u>\$75,000</u>
			\$79,000

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

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor- Collector

Item No.38. Discussion and possible action to approve a refund in the amount of \$4,015.12 to be distributed as follows: \$3,973.96 to Ana Maria Turner and \$41.16 to the Webb County Tax Office, Accounts #900-90351-021, #900-32531-004 and #900-90341-024, as per Supp. 11, Cert. 2012, Land erroneously not coded with agriculture use designation; apply agricultural use Type 1 for 2009, 2010, 2011, and 2012. [Accounts #001-0700-3063 and #010-0700-3063]

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

Motion carried 5-0 by unanimous consent.

Item No.39. Discussion and possible action to approve the following line item transfers:

From:	001-0700-6004	Cell Phones	\$ 400
	001-0700-6011	Training & Education	\$ 1,550
	001-0700-6202	Uniforms OPF	\$ 400
	001-0700-6403	Repair & Maint. Vehicles	\$ 500
	001-0109-6022	Professional Services	<u>\$17,000</u>
			\$19,850
To:	001-0700-6014	Equipment Rental	\$ 1,250
	001-0700-6224	Minor Tools & App.	\$ 1,600
	001-0700-6005	Postage & Courier Service	<u>\$17,000</u>
			\$19,850

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

Motion carried 5-0 by unanimous consent.

Honorable Delia Perales, Treasurer

Item No.40. Discussion and possible action to approve and file the Annual Webb County Investment Policy.

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

Motion carried 5-0 by unanimous consent.

Item No.41. Discussion and possible action to allocate the amount of \$18,000.00 to Account 001-0109-6003 for bank fee charges from Commerce Bank as per Webb County Depository Contract recently approved and to have the Auditor find a funding source for same.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Judge Valdez motioned to table item #41. Cmr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Administrative Services

Item No.42. Discussion and possible action to transfer funds into the following line items:

From:	Fund 817	Workers Comp. Program	\$150,000
To:	817-0105-9201	Medical Claims	\$150,000

[County Auditor to determine funding source]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

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

Motion carried 5-0 by unanimous consent.

Item No.43. Discussion and possible action to transfer funds into the following line items:

From: Fund 863	Retiree Program	\$390,000
To: 863-0105-9201	Medical Claims	\$300,000
863-0105-9203	Paid Prescription Claims	<u>\$ 90,000</u>
		\$390,000

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

Motion carried 5-0 by unanimous consent.

Item No.44. Discussion and possible action to approve amendments to the Personnel Policies, specifically to Section 8.3 Retirement Plan, in order to comply with the latest rules set forth by the Texas County District Retirement System; namely to further include "former employees" and not only retirees.

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

Motion carried 5-0 by unanimous consent.

Item No.45. Presentation by Insurance Consultant with Discussion and Possible action to approve the recommended policy changes to the Retiree Health Insurance Program and to the Retiree Health Insurance Policy; and any other matters incident thereto. By recommendation of the Insurance Committee, Valley Risk Consultant, Inc., and Administrative Services Director, we are requesting that said changes for retiree program be approved and become effective November 1, 2013.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Mr. Roger Garza, senior consultant with Valley Risk Consultant, Inc. was in attendance to address the court on item #45.

Mr. Garza recommended to allow this group of individuals, release them and have them enroll in exchanges. By doing so you'll have to increase their contribution which is currently set at \$100 to \$1,000.85 per month.

Comr. Canales motioned to accept the recommendation from consultant Mr. Roger Garza. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez motioned to move item #46 to the end of the meeting. Cmr. Galo seconded the motion.

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

Building Maintenance

Item No.47. Discussion and possible action to approve the following line item transfers:

From:	001-0106-5601	Administrative Travel	\$ 2,000
	001-0106-6202	Uniforms	\$ 5,200
	001-0106-6402	Repairs & Maint. - Equip.	<u>\$21,700</u>
			\$28,900
To:	001-0106-6004-2	Cell Phone Cost	\$ 5,200
	001-0106-6014	Equipment Rental	\$ 2,500
	001-0106-6205	Materials & Supplies	\$ 4,200
	001-0106-6401	Repairs & Maint. - Bldg.	<u>\$17,000</u>
			\$28,900

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Ms. Sylvia Praesel, Interim Office Manager with Facilities and Building Maintenance was present to address the court on item #47.

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

Motion carried 5-0 by unanimous consent.

Item No.48. Discussion and possible action to approve the posting and filling of the following Slot, subject to the availability of payroll funds and any applicable Civil Service guidelines.

<u>Slot</u>	<u>Title</u>	<u>Hourly Rate</u>
0035	General Repairs Person	\$10.00

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

Motion carried 5-0 by unanimous consent.

Community Action Agency

Item No.49. Discussion and possible action to accept \$2,500.00 from TXU Energy Aid. The Webb County Community Action Agency will utilize these funds to assist qualified TXU Energy Clients. [Account #902-4200-7004]

Item No.50. Discussion and possible action to authorize the Webb County Community Action Agency to continue to organize and implement the CP&L Neighbor-to-Neighbor Internship Program. This program allows high school students the opportunity to accumulate the School District's required 100 volunteer community hours while volunteering at various Webb County Departments.

Comr. Galo motioned to approve items #49 and #50 as submitted. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

El Cenizo Community Center

Item No.51. Discussion and possible action to approve the following line item transfer:

From: 001-6101-6201	Utilities	\$600
To: 001-6101-6219-2	Goods for Public Events	\$600

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

Motion carried 5-0 by unanimous consent.

Elections

Item No.52. Discussion and possible action to approve a Resolution and Order authorizing and establishing the Main, Temporary Branch and Mobile Early Voting polling sites for the November 5, 2013 Constitutional Amendment Election, pursuant to Chapter 85, Texas Election Code.

Item No.53. Discussion and possible action to approve a Resolution and Order authorizing and establishing Election Day polling places for the November 5, 2013 Constitutional Amendment Election pursuant to Chapter 43, Texas Election Code.

Item No.54. Discussion and possible action to approve a Resolution and Order authorizing and establishing salaries for election day presiding judges and clerks and establishing the maximum number of clerks for each polling place for the November 5, 2013 Constitutional Amendment Election pursuant to Sections 32.091(a), and 32.033, Texas Election Code.

Item No.55. Discussion and possible action to approve a Resolution and Order authorizing and establishing a central counting station, appointment of the Central Counting Station Manager, Tabulation Supervisor, Assistant Tabulation Supervisors, Presiding Judge, and establish their respective salaries for the November 5, 2013 Constitutional Amendment Election pursuant to Section 127, Texas Election Code.

Item No.56. Discussion and possible action to approve a Resolution and Order authorizing a Joint Election between the County of Webb, the United Independent School District

and the Laredo Independent School District to be conducted on November 5, 2013 and authorize the Webb County Elections Administrator to prepare an election services contract for the conduct and supervision of said elections pursuant to Chapter 271, Texas election Code.

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Comr. Galo motioned to approve items #52, #53, #54, #55, and #56 as submitted. Comr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

Engineer

Item No.57. Discussion and possible action to approve Bruni Community Center Change Order #1 to Zertuche Construction in the amount of \$2,200.00, increasing the contract amount to \$118,200.00. There will be no increase in days and have the County Judge sign all relevant documents. [Account #604-0101-8103]

Item No.58. Discussion and possible action to approve payment to Delta Star Electric in the amount of \$187.50 for electrical services performed, as an emergency, at the Wastewater Lift-station. [Requested by Gabino Cerda, Webb County Wastewater Superintendent; Account #801-3004-6402]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Comr. Tijerina motioned to approve items #57 and #58 as submitted. Comr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.60. Discussion and possible action to approve the posting and filling of the following vacant Slots for the Water Utilities Department, subject upon the availability of payroll funds and any applicable Civil Service timelines and rules, effective August 12, 2013:

<u>Slot #</u>	<u>Title</u>	<u>Salary/Hourly</u>
1307	Superintendent Water Treatment	\$42,796/year
1901	Water Plant Supervisor	\$ 16.78/hour

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

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

Item No.61. Discussion and possible action to approve the following line item transfers for the Utilities Department as follows:

From:	801-3001-6011	Training & Education	\$ 1,000
	801-3001-6022-8	Professional Services –L	\$ 3,500
	801-3001-6401	Repairs & Maint. Buildings	\$ 500
	801-3001-6201	Utilities	\$15,000
	801-3002-6004	Telephone	\$ 200
	801-3002-6022-8	Professional Services –L	\$ 1,000
	801-3002-6048	License and Permits	\$ 800
	801-3002-6202	Uniforms	\$ 1,000
	801-3002-6205	Materials & Supplies	\$ 5,000
	801-3004-6201	Utilities	<u>\$10,000</u>
			\$38,000
To:	801-3002-6201	Utilities	\$28,000
	801-3001-6204	Fuel & Lubricants	\$ 5,000
	801-3002-6204	Fuel & Lubricants	<u>\$ 5,000</u>
			\$38,000

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

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

Fire Suppression & EMS Services

Item No.62. Discussion and possible action to approve the following line item transfers:

From:	001-2203-5005	Part-time	\$ 6,000
	001-2203-6011	Training/Education	\$ 3,000
	001-2203-5601	Administrative Travel	\$ 700
	001-2203-5602	Local Mileage	\$ 500
	001-2203-6004	Telephone	\$ 1,000
	001-2203-6004-5	Internet	\$ 500
	001-2203-6014	Equipment Rental	\$ 500
	001-2203-6022	Professional Services	\$ 500
	001-2203-6403	Vehicle Maintenance	<u>\$ 2,000</u>
			\$14,700
To:	001-2203-6204	Fuel/Lube	\$ 6,200
	001-2203-6721	Stipends	\$ 7,500
	001-2203-6401	Building Maintenance	<u>\$ 1,000</u>
			\$14,700

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

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

Public Defender

Item No.63. Discussion and possible action to approve the following line item transfer:

From: 001-1102-6011	Training & Education	\$1,000
To: 001-1102-6205	Materials & Supplies	\$1,000

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

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

Purchasing

Item No.64. Discussion and possible action to award RFP 2013-009 "Shooting Range on Hwy 59" to the lowest price proposer Zertuche Construction in the negotiated amount of \$92,473.01 and approve the contract. [Account #169-1100-8801 (Forfeiture Funds)]

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

Motion carried 5-0 by unanimous consent.

Item No.65. Discussion and possible action to award Bid 2013- 17 Self Help Center Reconstruction to the following:

<u>AA Builders</u>	<u>Price</u>
133 W. Maria Elena	\$49,739.86
130 South Mendoza Unit 2	\$49,730.86
122 Ibarra	\$48,846.41
126 W. Paredes	\$49,730.86
105 E. Ozuna	\$49,730.86
<u>Romo Construction LLC.</u>	<u>Price</u>
130 outh Mendoza Unit 1	\$45,900

Item No.66. Discussion and possible action to approve the posting and filling of the following vacant Slot, subject upon the availability of payroll funds and any applicable Civil Service guidelines, effective August 15, 2013:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
0112	Purchase Order/General Request for Pmt Coordinator II	\$15.44

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Purchasing Agent, Dr. Cecilia Moreno stated that there are two slots in the department that have to be filled, the other being slot #0113 Fixed Asset Manager at \$15.16/hr.

Cmr. Tijerina motioned to approve items #65 and #66 as submitted. Cmr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.67. Discussion and possible action to dispose of salvage and surplus property equipment 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. [Requested by Aliza Oliveros, Webb County Head Start Director]

Item No.68. Discussion and possible action to purchase Seventeen (17) computers, Nineteen (19) office licenses, Two (2) monitors, Two (2) laptops, equipment and software for District Clerk's department pursuant to Sections 271.101 and 271.102, Subchapter F. Cooperative Purchasing Program from Dell, Contact DIR-SDD-1951 and CDW-G Contract TCPN r-5106 for a total amount \$26,517.47. [Requested by Esther Degollado, Webb County District Clerk; Account #603-0101-8801 (Capital Outlay)]

Item No.69. Discussion and possible action to purchase Twenty-Five (25) chairs and One (1) desk for County Clerk department from Executive office Supplies in an amount of \$9,174.00. [Requested by Margie Ramirez Ibarra, Webb County Clerk; Account #603-0101-8801 (Capital Outlay)]

Item No.70. Discussion and possible action to purchase and replace Three (3) central air system for the Larga Vista Community Center, to allow expenditure in an amount no to exceed \$4,400 from the Building Improvement Fund, Account #604-010-8801; and any other matters incident thereto. [Account #604-010-8801 (Building Improvement Fund)]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

Cmr. Canales motioned to approve items #67, #68, and #69 as submitted and #70 to include R and M Refrigeration. Cmr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Road and Bridge

Item No.71. Discussion and possible action to approve the following line item transfer:

From: 010-7002-6403	Repairs & Maint. - Vehicles	\$25,000
To: 010-7002-6402	Repairs & Maint. - Equipment	\$25,000

Item No.72. Discussion and possible action to approve the following line item transfer for Dept. 0108 Vehicle Maintenance:

From: 001-0108-6204	Fuel and Lubricants	\$2,500
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To: 001-0108-6204-03 Fuel and Lubricants Dept. \$2,500

Veterans Office

Item No.73. Discussion and possible action to approve the following line item transfers:

From: 001-5050-5601	Administrative Travel	\$200
001-5050-6224	Minor Tools & Apparatus	<u>\$100</u>
		\$300
To: 001-5050-6402	Equipment Maintenance	\$300

Cmr. Galo motioned to approve items #71, #72, and #73 as submitted. Cmr. Montemayor seconded the motion.

Motion carried 5-0 by unanimous consent.

Closed Meeting/Executive Session

Item No.74. Status report regarding the final ruling of the Fourth Court of Appeals of the appeal entitled Webb County v. Khaledi Properties, Court of Appeals Number 04-12-00251-CV, trial court case number 2010 CVT001589D2 and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto [Closed Meeting/Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (A)(B) (Consultation with attorney)]

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

County Attorney, Mr. Marco Montemayor stated that the case in item #74 had been reversed in favor of Webb County.

Administrative Services

Item No.46. Discussion and possible action to evaluate the performance of Webb County department head, who is subject to the authority of the Webb County Commissioner Court, to wit:

1. Public Defender

Action to be taken by Commissioners Court may include continuation of employment, reassignment, and modification of duties, disciplinary action, dismissal or other actions. The Commissioners Court may take such other action as may be necessary to implement its decisions including, but not limited to, appointment of interim department head and/or permanent appointment of department head; and any other matters incident thereto [Closed Meeting/Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D,

Section 551.071 (A)(B) (Consultation with Attorney) and Section 551.072 (Personnel Matters)].

Discussion on file at the Webb County Clerk's Office August 12, 2013 Commissioners Court Meeting DVD.

The Commissioners Court evaluated the performance of Webb County department head Mr. Hugo Martinez, Public Defender in open court.

Comr. Tijerina motioned to retain Mr. Hugo Martinez as the Public Defender. Judge Valdez seconded the motion.

Motion fails 2-3 with Comr. Montemayor, Comr. Galo, and Comr. Canales voting against.

Comr. Canales motioned to appoint Ms. Virginia Aranda as Interim Public Defender. Comr. Galo seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.75. Adjourn

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

Motion carried 5-0 by unanimous consent.