

# WEBB COUNTY, TEXAS COMMISSIONERS COURT

## PUBLIC NOTICE COMMISSIONERS COURT MEETING

WEBB COUNTY COURTHOUSE 1000 HOUSTON STREET, 2ND FLOOR LAREDO, TEXAS 78040 APRIL 28, 2014 9:00 a.m.



MARGIE R. IBARRA COUNTY CLERK FILED

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

- 1. Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk
- **2.** Pledge of Allegiance
- Approval of Minutes for April 3, 2014 and April 14, 2014
- 4. Approval of Bills, Payroll, and Monthly Report
- 5. Communications
- 6. Public Comment This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of Three (3) minutes within which to make any/all public comments.

#### COURT TO DISCUSS AND ACT ON THE FOLLOWING:

#### Honorable Danny Valdez, Webb County Judge

- 7. Discussion and possible action to proclaim the month of May, 2014 as Elderly Abuse Prevention Month in Webb County, Texas.
- 8. Status report with discussion and possible action regarding the appointment of Four (4) members to the Webb County-City of Laredo Regional Mobility Authority; and any other matters incident thereto.

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

9. Discussion and possible action to accept grant contract #58130001982 award for the Comprehensive Energy Assistance Program (CEAP) from the Texas Department of Housing & Community Affairs (TDHCA) for Program Year 2014 - Contract Start Date April 01, 2014 to Contract end date September 30, 2014, in the amount of TWO HUNDRED FORTY THOUSAND EIGHTY THREE DOLLARS (\$240,083.00) and authorizing the County Judge to sign all relevant documents.

#### Honorable John C. Galo, Webb County Commissioner Pct. 3

- 10. Discussion and possible action to approve a Resolution for the state funded development of a Regional Veteran's cemetery to properly bury deceased veterans.
- 11. Discussion and possible action to accept a donation of \$250.00 from Texas EZ PAWN, L.P. to to be used by the Santa Teresita Community Center to be utilized for goods for public events.
- 12. Discussion and possible action to create an official Webb County calendar where all official county meetings will be posted; and any other matters incident thereto.

13.	Status report on lawsuit styled Laredo Accurate Inspection, Inc. vs.
	Webb County with possible action.

#### **Commissioners Court**

14. Presentation by Rolando L. Rios & Associates on the current legal status of the Texas Voter Identification Law (Senate Bill 14), with discussion and possible action; and any other matters incident thereto. [Requested by Rolando L. Rios & Associates, PLLC]

MEDIA BREAK

#### Honorable Marco Montemayor, County Attorney

- Discussion and possible action to enter into a Thirty-Six (36) month (April 28, 2014 through April 28, 2017) Maintenance Agreement between Toshiba Business Solutions and Constable Pct. 1 for a Toshiba E-Studio 3540C Digital Copier at a cost of TWO HUNDRED NINETEEN DOLLARS AND EIGHTY CENTS (\$219.80) annually for a total amount of SIX HUNDRED FIFTY-NINE DOLLARS AND FORTY CENTS (\$659.40) over the term of the agreement with an excess charge of 0.00862 per copy, subject to annual budget appropriating and authorizing County Judge to sign and execute all relevant documents. [Requested by Rudy Rodriguez, Constable Pct. 1; Account #001-2500-6402]
- Discussion and possible action to enter into a Thirty-Nine (39) month (April 28, 2014 through July 28, 2017) Maintenance Agreement between Toshiba Business Solutions and the Webb County Engineering Department for a Toshiba EStudio 856 Digital Copier at a cost of ONE HUNDRED TWENTY-NINE DOLLARS AND SIXTY CENTS (\$129.60) per quarter for a total amount of ONE THOUSAND SIX HUNDRED EIGHTY-FOUR DOLLARS AND EIGHTY CENTS(\$1,684.80) over the term of the agreement with an excess charge of 0.0078 per copy, subject to annual budget appropriating and authorizing County Judge to sign and execute all relevant documents. [Requested by Luis Perez-Garcia, Director, Engineering Department; Account #010-0115-6402]
- 17. Discussion and possible action to enter into a Thirty-Nine (39) month (April 28, 2014 through July 28, 2017) Lease Agreement between Toshiba Business Solutions and the Webb County Engineering Department for a Toshiba Digital Copier at a cost of THREE HUNDRED FOUR DOLLARS AND NINETY CENTS (\$304.90) per month for a total amount of ELEVEN THOUSAND EIGHT HUNDRED NINETY-ONE DOLLARS AND TEN CENTS (\$11,891.10) over the term of the agreement, subject to annual budget appropriating and authorizing County Judge to sign and execute all relevant documents. [Requested by Luis Perez-Garcia, Director, Engineering Department; Account #010-0115-6402]

- **18.** Discussion and possible action to accept the following dedications:
  - One (1) roadway right-of-way easement out of Lot 3 out of Tract 13, Ranchitos IV Los Minerales Subdivision, from Maria Isabel Cueva, being a tract of land containing 0.0235 acres.
  - A dedication out of Tract 41 Unit IV, Ranchos Penitas West Subdivision, from Gregorio Leon Garcia, being a tract of land of 2,912 square feet.
  - A dedication out of Lot 6, Block 1, Los Altos Subdivision, from United Independent School District, being a tract of land of 2,865.75 square feet.
  - A dedication out of Lot 14, Block 17, Pueblo Nuevo Subdivision, from Mario Ruben Martinez, being a tract of land containing 0.0323 acres and to authorize the County Judge to execute all relevant documents, and any other matters incident thereto. [Requested by Engineer ROW Department]
- 19. Discussion and possible action to authorize the hiring of the law firm of Person, Whitworth, Borchers & Morales, LLP to provide legal services and defenses on behalf of Webb County Court at Law No. 1 Presiding Judge Alvino "Ben" Morales, in regards to a formal complaint filed against him with the State Commission on Judicial Conduct in Austin, Texas, while he was acting in his official capacity as the Presiding Judge of the Webb County Court at Law No. 1. [Requested by Alvino "Ben" Morales, Webb County Court at Law No. 1; Account #001-0114-9201- Claims Paid]

- 20. Discussion and possible action to approve Two (2) renewal option for Three (3) commercial property lease agreements, by and between the City of Laredo, as Lessor, and Webb County, Texas, as Lessee, for the use of 1.) 2518 Cedar St., (Jesus Garcia Headstart Center), at a monthly rental rate of Nine Hundred Dollars (\$900.00 per month), 2.) 2400 S. Jarvis, (Tatangelo Head Start Center), also commonly known as 2200 Zacatecas St., at a monthly rental rate of Six Hundred Sixteen Dollars (\$616.00 per month), and 3.) 3501 Eagle Pass (Villa Alegre Headstart Center) at a monthly rental rate of Eight Hundred Ninety Three Dollars (\$893.00) per month. The 2 yr. renewal terms for all 3 locations leased from the City of Laredo shall commence May 1, 2014thru May 31, 2016. The leased property will be used as Webb County Head Start Centers. The County Judge is hereby authorized to execute said lease on behalf of Webb County. [Requested by Aliza Oliveros, Director, Webb County Head Start Program Account #903-4207-6012]
- 21. Discussion and possible action to authorize to execute and approve a Professional Architectural Services contract by and between Webb County and Hickey, Pena, Architects, LLC., in the amount of \$158,000.00, plus \$65,000.00 for reimbursable expenses, for a total sum of \$222,400.00. Hickey and Pena, LLC, shall provide the design and architectural services needed for the construction of the future Webb County Main Fire Station and Administration Building, approximately 13,200 sq. ft., in size which shall be located along Bob Bullock Loop (Loop 20). [Requested by Webb County Fire Department; Account #740-0200-8801- Certificate of Oblications] [Co-Sponsored by Danny Valdez, Webb County Judge]

Discussion and possible action to acknowledge the receipt of the Notice of Eligible Grant Award in the amount of \$5,592,743 from the Texas Department of Transportation (TxDOT) to Webb County, under the County Transportation Infrastructure Fund Grant Program and as created by SB 1747; and to approve Webb County enter into a grant agreement with TxDOT for said program and authorize the County Judge to execute all relevant documents on behalf of Webb County. This grant is a reimbursement grant and requires a 10% match from Webb County. Webb County is required to submit a final project list to TxDOT within 30 calendar days after the final execution the grant agreement. [Requested by Jose L. Ceballos, TOTEM]

#### Honorable Isidro Alaniz, District Attorney

23. Discussion and possible action to rescind previous approval of agenda item #14 from regular Commissioner's Court meeting held on January 13, 2014, that accepted Tyler Technologies as the top ranked software provider by the Judicial Selection Committee. Further, to accept the recommendation of Justware from Newdawn Technologies as judicial case management software provider and approve the purchase of Justware from Newdawn pursuant to Section 271.101 and 271.102, Subchapter F., Cooperative Purchasing Program, Texas Local Government Code through DIR contract #DIR-SDD-2124 and authorize the county attorney's office to negotiate a contract and other matters incident thereto. [Account #749-0500-8801] [Co-sponsored by Rosaura Tijerina, Commissioner Pct. 2]

#### <u>Honorable Monica Notzon, 111th District Court Judge</u>

**24.** Discussion and possible action to approve the following line item transfer:

From: 001-1002-6205 Materials & Supplies \$1,423
To: 001-1002-6402 Equipment Maintenance \$1,423

#### Honorable Oscar Hale, 406th District Court Judge

- 25. Discussion and possible action to approve and ratify the agreement between the 406th Judicial District Court and "Juntos Caminaremos, Inc." for professional services rendered for the 406th District Drug Court program, effective February 1, 2014.
- Discussion and possible action to authorize the county engineer and building maintenance department to perform a building assessment of the county building located at 4101 Juarez St., to include roof repairs, air conditioning system repairs/replacement, mold inspection, security system, replacement of front and back entrance doors, painting, and other expenditures incident thereto in order to render the facilities acceptable to receive certification for providing treatment and to be Americans with Disabilities Act (ADA) compliant, including but not limited to, parking lot refurbishing, access ramps, etc.; with further action authorizing the purchasing agent to solicit Request for Proposals for recommended repairs needed; and any other matters incident thereto.

  [Account #739-1200-8801-14 Capital Outlay Construction]

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

**27.** Discussion and possible action to approve the following line item transfers:

From:	01-1010-7050	Adult Misdemeanor	\$7,000
To:	001-1010-6026	Visiting Judge	\$3,000
	001-1010-5601	Administrative Travel	\$4,000
			\$7,000

#### Honorable Jesus Garza, County Court at Law 2 Judge

**28.** Discussion and possible action to approve the following line item transfers:

From:	001-1011-6022	Professional Services	\$ 2,000
	001-1011-7051	Juvenile Misdemeanors	\$ 5,500
	001-1011-7052	Juvenile Felony	\$ 5,500
			\$13,000
To:	001-1011-7050	Adult Misdemeanors	\$10,000
	001-1011-6026	Visiting Judge	\$ 1,000
	001-1011-6205	Materials & Supplies	\$ 500
	001-1011-6005	Postage & Courier Service	\$ 200
	001-1011-6010	<b>Books &amp; Subscriptions</b>	\$ 1,300
			\$13.000

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

29. Discussion and possible action to approve the following line item transfer:

From:	001-1042-5601	Administrative Travel	\$1,000
To:	001-1042-6402	Repairs & Maint, Equip.	\$1,000

#### Honorable Rudy Rodriguez, Constable Pct. 1

30. Discussion and possible action to approve the submission of a grant application to the Texas Department of Transportation (TxDOT) for the 2014 "Click it or Ticket Campaign"; and designating the Webb County Judge as the authorized official in all matters related to this grant; and any other matters incident thereto. This grant does not require any type of match.

#### Honorable Adrian Cortez, Constable Pct. 3

**31.** Discussion and possible action to approve the following line item transfer:

From: 001-2501-6205 Materials & Supplies \$232 To: 001-2501-6202 Uniforms \$232

#### Honorable Martin Cuellar, Sheriff

32. Discussion and possible action to approve the transfer of the following patrol unit to the Office of the Webb County Constable, Pct. 3 and authorizing the Webb County Judge to execute all relevant documents:

Unit 27-210 2012 Ford F-250

VIN: 1FT7W2A62CEA07678

- application to the Texas Parks and Wildlife Department for a FY 2014 Community Outdoor Outreach Program (CO-OP) grant in an amount estimated at \$40,000 to provide low-income, at risk youth of Webb County outdoor recreational opportunities at Texas State Parks; and designating the Webb County Judge as the authorized official in all matters related to this grant; and any other matters incident thereto. This grant requires an estimated fifty (50%) percent match, which the Webb County Sheriff's Office and its community partners will provide as in-kind match.
- Discussion and possible action to approve the the Second (2nd) option to renew building lease agreement between Mouse Properties Holdings, LTD (LESSOR) and Webb County (Tenant) for a one year period effective June 1, 2014 through May 31, 2015 in accordance with Article 36 (Option to Renew); monthly installments will be \$8,862.65 for a total of \$106,351.77 annually and authorizing the County Judge to sign all relevant documents and any other matters incident thereto. [Account Number 343-2001-6012 Space Rental]

- 35. Discussion and possible action to authorize the submission of a supplemental application to the Southwest Border Anti-Money Laundering Alliance for additional funding estimated at \$200,000.00, increasing current grant award from \$3,347,860.00 to \$3,547,860.00 and authorizing the County Judge to sign all relevant documents and any other matters incident thereto. [Grant Fund 343]
- Discussion and possible action to authorize payment to "Chavarria's Plumbing" in the amount of \$2,350.20 for emergency services provided to the Sheriff's Office Jail water heater. Purchase Order process was not followed due to emergency circumstances. [Account #001-2060-6402]
- 37. Discussion and possible action to authorize payment to the "City of Laredo Fire Department" in the amount of \$287.45 for transportation services provided to the Sheriff's Office Jail for Inmate Medical Service. [Account #001-2062-6714]
- **38.** Discussion and possible action to approve the following line item transfers:

From:	001-2062-6714	Medical Services	\$30,000
To:	001-2060-6401	Repair & Maint. Bldg.	\$25,000
	001-2001-6401	Repair & Maint. Bldg.	\$ 5,000
			\$30,000

#### Honorable Patricia A. Barrera, Tax-Assessor- Collector

39. Discussion and possible action to approve the following refund in the amount of \$29,058.78 to Webb County Tax office to pay balance on Account #801-01011-144, as per Supp 8 Cert 2013 Value correction allocates assets under proper jurisdiction; original assessment included assets which should be assessed on 801-01011-144 outside city limits waiver of 30 day notification signed for 2013.

#### **Administrative Services**

**40.** Discussion and possible action to approve the following line item transfer:

From:	863-0105-9201	Claims Paid	\$50,000
To:	863-0105-9203	Claims Paid - Prescription	\$50,000

**41.** Discussion and possible action to approve the following line item transfers:

From:	001-0114-6032	Property Casualty Premium	\$9,000
To:	001-0114-6224	Minor Tools & Apparatus	\$2,500
	001-0114-6205	Materials & Supplies	\$4,500
	001-0114-6011	Training & Education	\$2,000
			\$9,000

#### **Community Action Agency**

- 42. Discussion and possible action to authorize the Community Action Agency to enter into an annual agreement with the Reliant Energy Retail Services, LLC to implement the CARE Program and accept a donation contribution of \$6,250.00 allocated for Webb County Community Action Agency. [Fund 902]
- 43. Discussion and possible action to authorize the Webb County Community Action Agency Rural Transit to submit the TITLE VI Program to the Federal Transit Administration (FTA) Region Office. FTA requires that transit sytems receiving Federal financial assistance to update their Title VI Program every Three (3) years in the form of a revised Title VI circular to grant recipients, which requires careful evaluation of the impact of proposed service and fare changes on minority riders.

44. Discussion and possible action to create, advertise and fill a temporary Slot for Four (4) Case Workers at a wage rate of \$10.00 per hour, part-time temporary-no benefits at 29 hours per week and also to fill slot 1159 - Program Coordinator and slot 2159 - Administrative Technician to be funded from the Comprehensive Energy Assistance Program (CEAP) and the Community Services Block Grant (CSBG) Programs. There will be no impact on the general fund, effective April 28, 2014.

Slot#	<u>Title</u>	Hourly Rate/Salary	
	Caseworker - Temporary	\$10.00/hour	
1159	Administrative Technician	\$10.98/hour	
2159	Program Coordinator	\$34,251 salary	

#### **Economic Development**

45. Discussion and possible action to approve release of Ten percent (10%) retainage for the completion of Webb County Housing Rehabilitation Program in Colonia Pueblo Nuevo under the Texas Community Development Program (TCDP) #712095 - Texas Community Development Block Grant (TxCDBG) and authorize the County Judge to sign all relevant documentation. This will not impact the general fund.

<u>Contractor</u>	Project Address	Retainage Amount
<b>ROMO Contractors</b>	9224 HWY 359	\$2,465.00

46. Discussion and possible action to approve a decrease in change order approved by the Texas Department of Agriculture (TDA) for a Housing Rehabilitation Project located at 133 E Ozuna in Colonia Pueblo Nuevo under the Texas Community Development Program (TCDP) #712095 - Texas Community Development Block Grant (TxCDBG) and authorize the County Judge to sign all relevant documentation. This will not impact the general fund.

47. Discussion and possible action to designate signatories and acknowledge Bank Statements to be submitted and reconciled by the Webb County Treasurer and to acknowledge the New Board Members and Elected Corporation Officers, President and Secretary for the Webb County Housing Finance Corporation and to authorize the County Judge, Board Members and Corporate Office Secretary to execute all relevant bank documents; and any other matters incident thereto.

Danny Valdez, Webb County Judge President
Rosaura "Wawi" Tijerina, Commissioner, Pct 2 Board Member
Marco A. Montemayor, County Attorney Board Member

#### **Engineer**

**48.** Discussion and possible action to approve the following line item transfer for the Utilities Department:

From: 801-3004-6201 Utilities \$24,000 To: 801-3001-6402 Repairs & Maint. \$24,000

#### Fire Suppression & EMS Services

**49.** Discussion and possible action to approve the following line item transfers:

From:	001-2203-6402	Equipment Maintenance	\$5,000
	001-2203-6011	Training/Education	\$2,000
	001-2203-6004	Telephone	\$ 500
			\$7,500
To:	001-2203-6403	Vehicle Maintenance	\$7,000
	001-2203-6004-2	Cell Phones	\$ 500
			\$7.500

#### **Indigent Healthcare Services**

**50.** Discussion and possible action to approve the following line item transfers:

From:	001-4101-6022	Professional Services	\$10,500
To:	001-4101-6205	Materials & Supplies	\$10,000
	001-4101-6204	Fuel & Lubricants	\$ 500
			\$10,500

#### La Presa Community Center

**51.** Discussion and possible action to approve the following line item transfers:

From:	001-6115-6205	Materials & Supplies	\$ 400
	001-6115-5601	Administrative Travel	\$ 56
	001-6115-6402	Repairs & Maint. Equip.	\$ 600
	001-6115-6219-2	Goods for Public Events	\$ 300
	001-6115-6502	Janitorial Supplies	\$ 200
			\$1,556
To:	001-6115-6204	Fuels & Lubricants	\$1,556

#### **Management Information Systems**

52. 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, effective April 28, 2014:

Slot#	<u>Title</u>	Hourly Rate	
2387	Systems Support Specialist I	\$14.11	

**53.** Discussion and possible action to approve the following line item transfers:

From:	008-0101-6011	Training & Education	\$ 1,000
	001-0500-6402	<b>Equipment Maintenance</b>	\$35,000
			\$36,000
To:	008-0101-6403	Vehicle Maintenance	\$ 1,000
	001-0500-6411	Software Maintenance	\$30,000
	001-0500-6224	Minor Tools & Apparatus	\$ 5,000
			\$36,000

Discussion and possible action authorizing Webb County to enter into a Five (5) year agreement with AT&T for switched Ethernet services at a monthly rate of \$6,842 pursuant to Section 271.101 and 271.102, Subchapter F, Cooperative Purchasing Program, Texas Local Government Code; DIR –TEX-AN-NG-CTSA-005. These services will replace existing T-1 lines to remote county buildings and rental sites within the Webb County network. The County Judge is authorized to execute all relevant documents; and any other matters incident thereto. [Funding Source: Per grant awards and County departmental budgets]

#### **Planning**

- 55. Discussion and possible action to approve the Preliminary and Final Plat of the Replat of Lot 5, Block 5, San Carlos Subdivision, Phase I, into Lots 5-A & 5-B, Block 5, San Carlos Subdivision, Phase I, and issue a "Certificate of Compliance with Plat Requirements" (ID 365).
- Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements" to authorize electrical service connections pursuant to Section 232.029 (b), L.G.C., for Lot 9, Block 1, Aguilares Acres Subdivision (Application ID 3250). Approval limited to one (1) meter serving four (4) commercial structures and one (1) dwelling.

#### **Public Information Officer**

**57.** Discussion and possible action to approve the following line item transfer:

From: 001-0550-6402 Repairs & Maintenance- \$1,000

Equipment

To: 001-0550-6224 Minor Tools & Apparatus \$1,000

#### **Purchasing**

**58.** Discussion and possible action to authorize the Purchasing Agent to solicit Proposals for the following:

RFP 2015-31

"2 year contract for Outdoor Advertising "

- Presentation from responders to Request for Qualifications RFQ-2014-002 Master Plan for "L.I.F.E." Laredo International Fair and Exposition Property; with discussion and possible action to select a responder for Master Plan for L.I.F.E.; and any other matters incident thereto.
- Discussion and possible action to designate a committee to evaluate the proposals received for "Utility Billing Audits"; committee will include a representative from purchasing, auditor's, administrative services, engineer's and county attorney's office.
- 61. Discussion and possible action to solicit Request for Proposals (RFP's) for a 100 ft. x 150 ft. metal/modjular building for the Webb County Consolidated Independent School District, for a Wind Farm Industry Training Center as per the Memorandum of Understanding (MOU) and tax abatement agreement between Webb County and Whitetail Wind Energy. [Co-Sponsored by Danny Valdez, Webb County Judge]

#### **Closed Session/Executive Session**

- 62. Status report from county attorney's office regarding the pending enforcement action from the Texas Commission on Environmental Quality (TCEQ) against Webb County in RN102698719; Public Water Supply ID No. 2400022, Docket No. 2013-2014-MLM-E; Enforcement Case No. 47861; with discussion and possible action to approve a proposed settlement and Supplemental Environmental Project (SEP) to resolve said enforcement case; and any other matters incident thereto. [Executive Session is requested as per §551.071 (A) (B) Consultation with Attorney regarding pending litigation and settlement offer]
- 63. Adjourn

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

### L DISABILITY ACCESS STATEMENT

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

DATED THIS 25th DAY OF APRIL, 2014

Melinda Mata

Court Administrator

#### CERTIFICATION OF NOTICE AND POSTING

I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the day of April, 2014 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 25th DAY OF APRIL, 2014

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

For Margie Ramirez-Ibarra, County Clerk

By: Michelle Cervantes-Deputy Clerk