



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE COMMISSIONERS COURT MEETING

WEBB COUNTY COURTHOUSE
1000 HOUSTON STREET, 2ND FLOOR
LAREDO, TEXAS 78040
JANUARY 26, 2015
9:00 a.m.

2015 JAN 23 AM 8:13
MARGIE R. IBARRA
COUNTY CLERK
FILED
BY *PR* DEPUTY
WEBB COUNTY, TEXAS

CALL TO ORDER BY THE HONORABLE TANO E. TIJERINA, WEBB COUNTY JUDGE

1. Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk
2. Pledge of Allegiance
3. Approval of Minutes for January 1, 2015 and January 12, 2015
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 Frank J. Sciaraffa, Webb County Commissioner Pct. 1

7. Discussion and possible action to approve cost of installation of new playground equipment on property of Rio Bravo Community Center in an amount not to exceed \$5,100.

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

8. Discussion and possible action to adopt a resolution in support of online voter registration; and any other matters incident thereto.
[Co-Sponsored by Oscar Villarreal, Webb County Elections Administrator]
9. Discussion and possible action to authorize the County Attorney's office to enter into a Memorandum of Understanding or Inter Local Agreement between Webb County and Webb Consolidated Independent School District (WCISD) for the construction of a community and educational training building located in or around Bruni, Texas, to be paid from funds contributed by Whitetail Wind Energy to the County in the amount of \$300,000 for this purpose. Webb County will assist WCISD by administering the funding for this project and will provide oversight necessary to ensure that the available funds are used for this specific project. **[Co-Sponsored by Tano E. Tijerina, Webb County Judge]**

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

10. Discussion and possible action to adopt by Resolution and Order an amendment to Webb County's 2015 State Legislative Agenda to include a request for legislative support to amend the applicability provisions of Chapter 92, Natural Resources Code to include Webb County as an eligible county for surface property owners to create "qualified subdivisions" to ensure the proper and orderly development of both mineral and land resources in Webb County, Texas.

11. Status report with discussion and possible action regarding a Thirty-Six (36) month lease agreement proposal between HEI Realty LLC and Webb County, to lease property located at 1209 Victoria St., also identified as Lots Seven (7) and Eight (8), in Block 128 Western Division, Webb County, Texas, for the purpose of providing up to 33 additional parking spaces for the county in the downtown area; and any other matters incident thereto. **[Executive Session may be requested pursuant to Texas Government Code Section 551.072 Consultation with Attorney (Real Property Deliberations)]**
12. Discussion and possible action to enter into negotiations with Enterprise Fleet Management to authorize the leasing of an additional Fifteen (15) County vehicles; pursuant to the The Interlocal Purchasing System (TIPS) Vendor Contract No. 02072513; and directing staff to work with departments who have made capital outlay requests for vehicles; and any other matters incident thereto.
13. Recognition of Mr. Manuel Garcia for his 35 years of service to the “Toys for Tots” program.

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

14. Recognition of the Border Area Nutrition Council employees and volunteers for their many years of work and dedication to Webb County elderly.

Commissioners Court Administrator

OPEN PUBLIC HEARING

15. Public hearing with discussion and possible action to approve a Resolution and Order approving a Webb County Economic Development Grant/Tax Abatement Agreement and Tax and creating of Tax Abatement Zone No. 5 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 BACH Holdings, LLC., (d/b/a ALAMO DRAFTHOUSE CINEMA), BACH Development-San Isidro, LLC., and Reel Dinner Partners-Laredo, LLC., for a grant of public money in the form of annual ad-valorem tax abatements for a term of Five (5) years, in exchange for the investment and development of real and personal property improvements in the sum of Eight Million Six Hundred Fifty Thousand Dollars (\$8,650,000) and the creation of at least 80 full time jobs on Lot 1, Block 1, San Isidro Alamo Draffhouse Plat, Laredo, Webb County, Texas.

16. Public hearing with discussion and possible action to approve a Resolution and Order approving a Webb County Economic Development Grant/Tax Abatement Agreement and Tax and creating of Tax Abatement Zone No. 5 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 CELADON TRUCKING, INC., for a grant of public money in the form of annual ad-valorem tax abatements for a term of Five (5) years, in exchange for the investment and development of real and personal property improvements in the sum of Thirteen Million Dollars (\$13,000,000) and the creation of at least 10 full time jobs upon The "Surface Only" of approximately a 50.20 (2,186,532 Sq. Ft.) acre tract of land, situated in Porcion 12, Santiago Sanchez, Original Grantee, Abstract 278, Webb County, Texas; located West of I.H. 35, and being out of a tract known as N.D. Hachar Ranch containing 6,132.06 acres as recorded in Volume 303, Pages 164-173, Deed Records of Webb County, Texas, and as further described by metes and bounds description.

CLOSE PUBLIC HEARING

17. Discussion and possible action to evaluate the performance of Webb County department heads who are subject to the authority of the Webb County Commissioners Court, to wit:

- 1) Building Maintenance Director

Action to be taken by Commissioners Court may include continuation of employment, reassignment, modification of duties, disciplinary action, dismissal, or other actions. The Commissioners Court may take such other action as may be necessary to implement its decision including, but not limited to, appointment of interim department heads; and any other matters incident thereto. **[Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with attorney) and 551.074 (Personnel matters)]**

18. Status report from county staff regarding the application process to appoint a qualified candidate for the Justice of the Peace Precinct 2, Place 2 position; with discussion and possible action to review all eligible applicants and finalize the selection process; and any other matters incident thereto.
19. Discussion and possible action to accept and record in the official minutes of the Commissioners Court the amended Order of the Auditor's Board of District Judges for the annual compensation of the County Auditor, filed with the District clerk on January 15, 2015; and any other matters incident thereto.

MEDIA BREAK

Honorable Marco Montemayor, County Attorney

20. Discussion and possible action to enter into a Forty-Eight (48) month (January 26, 2015 thru January 25, 2019) Fair Market Value Lease Agreement between Toshiba Business Solutions and Webb County for the Public Defender's Office for a Toshiba Digital Copier E-Studio 6570CT at a cost of Four Hundred Four Dollars and Sixty-One Cents (\$404.61) per month for a total amount of Nineteen Thousand Four Hundred Twenty-One Dollars and Twenty-Eight Cents (\$19,421.28) over the term of the agreement, pursuant to Texas Local Government Code, Subchapter F., Cooperative Purchasing Program; Sections 721.101 and 271.102, DIR-SDD Contract No. 1686, subject to annual budget appropriating and authorizing the County Judge to sign and execute all relevant documents. **[Requested by Virginia Aranda, Webb County Public Defender; Account #001-1102-6402]**

21. Discussion and possible action to enter into a Forty-Eight (48) month (January 26, 2015 thru January 25, 2019) Maintenance Agreement between Toshiba Business Solutions and Webb County for the Public Defender's Office for a Toshiba E-Studio 650CT at a quarterly cost of \$0.006, excess per unit charge for black copies, and \$0.0325, excess per unit charge for color copies, pursuant to Sections 271.101 and 271.102, Subchapter F; Cooperative Purchasing Program; Texas Local Government Code, Texas DIR Contract #DIR-SDD-1686, subject to annual budget appropriation and authorizing the County Judge to sign and execute all relevant documents. **[Requested by Virginia Aranda, Webb County Public Defender; Account #001-1102-6402]**

22. Discussion and possible action to enter into a Thirty-Six (36) month (January 26, 2015 thru January 25, 2018) Maintenance Agreement between Toshiba Business Solutions and Webb County for Indigent Health Care Services for a Toshiba E-Studio 2830c at a quarterly cost of \$82.50, and \$0.0088 excess per unit charge for black copies and \$0.088, excess per unit charge for color copies, pursuant to Sections 271.101 and 271.102, Subchapter F; Cooperative Purchasing Program, subject to annual budget appropriation and authorizing the County Judge to sign and execute all relevant documents. **[Requested by Nancy Cadena, Webb County Indigent Health Care Services; Account #001-4101-6402]**

23. Discussion and possible action to enter into a Forty-Eight (48) month (January 26, 2015 thru January 25, 2019) Fair Market Value Lease Agreement between Toshiba Business Solutions and Webb County for the County Court At Law No. 1 for a Toshiba Digital Copier E-Studio 5560CT at a cost of Two Hundred Sixty Dollars and Eighty-Five Cents (\$260.85) per month for a total amount of Twelve Thousand Five Hundred Twenty Dollars and Eighty Cents (\$12,520.80) over the term of the agreement, pursuant to Texas Local Government Code, Subchapter F., Cooperative Purchasing Program; Sections 721.101 and 271.102, DIR-SDD Contract No. 1686, subject to annual budget appropriating and authorizing the County Judge to sign and execute all relevant documents. **[Requested by Hugo Martinez, Webb County Court At Law No. 1 Judge; Account #001-1010-6402]**
24. Discussion and possible action to enter into a Forty-Eight (48) month (January 26, 2015 thru January 25, 2019) Maintenance Agreement between Toshiba Business Solutions and Webb County for the County Court At Law No. 1 for a Toshiba E-Studio 5560CT at a quarterly cost of \$0.00675, excess per unit charge for black copies, and \$0.0375, excess per unit charge for color copies, pursuant to Sections 271.101 and 271.102, Subchapter F; Cooperative Purchasing Program; Texas Local Government Code, TEXAS DIR CONTRACT #DIR-SDD-1686, subject to annual budget appropriation and authorizing the County Judge to sign and execute all relevant documents. **[Requested by Hugo Martinez, Webb County County Court At Law No. 1 Judge; Account #001-1010-6402]**
25. Discussion and possible action to approve a Memorandum of Understanding between United Independent School District and Webb County for the Head Start/Early Head Start to allow Head Start to have access to District campus facilities to facilitate emergency pick-up of its student population in case of an emergency which results in the evacuation and closure of its Head Start centers. There will be no impact on the County budget and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Requested by Aliza Oliveros, Webb County Head Start Director]**
26. Discussion and possible action to approve a Resolution removing Becerra Creek Bridge, on Becerra Road from the Webb County road system and authorizing the County Judge to sign all relevant documents. **[Requested by Luis Perez-Garcia, Webb County Engineer]**

Honorable Margie Ibarra, County Clerk

27. Presentation and issuance of commissions to county and precinct officers. The County Clerk certifies the names and dates of qualification of county and precinct officers to the Secretary of State for issuance of commissions. Section 601.006, Government Code.

Tano E. Tijerina, County Judge
Hugo Martinez, Judge, County Court at Law 1
Jesus "Chuy" Garza, Judge, County Court at Law 2
Esther Degollado, District Clerk
Margie Ramirez Ibarra, County Clerk
Delia Perales, County Treasurer
Jaime A. Canales, County Commissioner, Precinct 4
Rosaura "Wawi" Tijerina, County Commissioner, Precinct 2
Frank Sciaraffa, County Commissioner, Precinct 1
Jose "Pepe" Salinas, Justice of the Peace, Precinct 4
Oscar R. Liendo, Justice of the Peace, Precinct 1, Place 2
Melissa Joy Garcia, Justice of the Peace, Precinct 2, Place 2
Ramiro Veliz, Jr., Justice of the Peace, Precinct 2, Place 1
Alfredo Garcia, Jr., Justice of the Peace, Precinct 3

Honorable Martin Cuellar, Sheriff

28. Discussion and possible action to authorize the submission of an Operation Border Star Justice Assistance Grant (JAG) application to the Criminal Justice Division (CJD) Office of the Governor (OOG) in the amount estimated at \$65,000 for the salary, fringe benefits, and training/travel for One (1) peace officer at the Webb County Sheriff's Office to provide enhanced patrol for border security and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. This grant does not require any match and Webb County will not be liable for continuation of program activities or its efforts after the grant terminates. **[Fund #324]**

29. Discussion and possible action to approve the submission of a grant application to the Department of Public Safety, Division of Emergency Management for Fiscal Year 2015 Local Emergency Management Performance Grant (EMPG) in the amount estimated at \$11,250 for the acquisition of emergency management equipment/supplies 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 a Fifty (50%) match, which will be provided as in-kind match by the Webb County Sheriff's Office Emergency Management Coordinator, volunteers, and other partners.
30. Discussion and possible action to authorize the Purchasing Agent to solicit formal bids for additional Security Cameras, microphones, licenses and related accessories and installation at the Webb County Jail; this request is for solicitation of bids only. No funding source is required at this time.

Honorable Patricia A. Barrera, Tax-Assessor- Collector

31. Discussion and possible action to approve a refund in the amount of \$32,653.77 to Corelogic Real Estate Tax Service Refund Department, Accounts #32800230011 through #98851001400 due to over-payments on mortgage accounts for tax year 2014.
32. Discussion and possible action to approve a refund in the amount of \$3,375.92 to Yang Brothers Ltd, Account #22101023010, as per Supplement 5 Certified 2014 Protest 2014-11014 resolved on December 18, 2014 adjust value per settlement and waiver for 2014.

Administrative Services

33. Discussion and possible action to approve the transfer of Slot #2350, from La Presa Community Center, to the Webb County Tax Office; and any other matters incident thereto.

Building Maintenance

34. Discussion and possible action to approve the posting and filling of the following vacant Slot, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective January 26, 2015:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1540	Custodial Supervisor	\$18.46 - 16/A-E

35. Discussion and possible action to approve the posting and filling of the following vacant Slots, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective January 26, 2015:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2361	Custodian	\$11.84 7/A
1334	Custodian	\$11.84 7/A

Community Action Agency

36. Discussion and possible action to approve the posting and filling of the following Slot for El Aguila Rural Transit, effective January 26, 2015:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1129	Full-Time Driver/with benefits	\$10.25

37. Discussion and possible action to accept grant contract #581500002130 award for the Comprehensive Energy Assistance Program (CEAP) from the Texas Department of Housing & Community Affairs (TDHCA) for Program Year 2015. Contract Start Date January 1, 2015 to Contract end date December 31, 2015, in the amount of ONE MILLION ONE HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED SIXTY-TWO DOLLARS (\$1,126,862.00) and authorizing the County Judge to sign all relevant documents.

38. Discussion and possible action to approve the Webb County Community Action Agency Code of Conduct Policy for 2015 and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto.

Economic Development

39. Discussion and possible action to approve and authorize the Webb County Commissioners Court the appointment of Mr. Juan Vargas as the Labor Standards Officer and the Equal Opportunity/Fair Housing Officer to Texas Department of Agriculture for the Texas Community Block Program Contract #7214461 grant (Acquisition of Webb County Fire Department Equipment) and authorize the County Judge to sign all relevant documents.

40. Discussion and possible action to accept a Texas Commission on Environmental Quality (TCEQ) grant through the South Texas Development Council (STDC) in the amount of Thirty Thousand Dollars (\$30,000) to begin on February 1, 2015 and end on August 31, 2015 for the purpose of obtaining a part-time Code Enforcement Investigator to assess illegal dumping activities in Webb County; and designating the County Judge as the County's Chief Executive Officer and authorized representative to act in all matters in connection to this project. This action will have no impact to the County General Fund and Webb County will not be liable for continuation of program activities or its efforts after the grant terminates.

Engineer

41. Discussion and possible action to approve the closeout and acceptance of El Cenizo Playground Improvements and construction of Retaining Wall Project; and the release of the Five (5%) of retainage in the amount of \$706.55 to American Construction Consulting LLC. **[Fund #660-2311 (Capital Outlay Series 2003)]**

42. Discussion and possible action to approve the closeout and acceptance of Request for Proposal (RFP) 2014-07 Remodeling of Webb County Building on 4101 Juarez Project; and the release of the 10% of retainage in the amount of \$19,510.67 to AZAR Services LLC. **[Fund #739-2311 (Adult Detox and Residential Treatment Series 2013)]**
43. Discussion and possible action to approve the transfer of Two (2) 2003 Ford F-150 Extended Cab Trucks from Engineering Department to the Water Utilities Department, effective January 26, 2015.
- Unit #4301 – 2003 Ford F-150 Extended Cab Truck VIN #1FTRX17W23NA93405, Mileage 90,658 (Last recorded 12/31/14)
 - Unit #4302 – 2003 Ford F-150 Extended Cab Truck VIN #1FTRX17W43NA93406, Mileage 112,691 (Last recorded 12/31/14)
44. Discussion and possible action to adopt a Resolution authorizing Webb County Judge Tano E. Tijerina to execute all relevant documents on behalf of Webb County, pursuant to the previously executed grant agreement with Texas Department of Transportation (TxDOT), under the County Transportation Infrastructure Fund Grant Program, as created by Senate Bill 1747.
45. Discussion and possible action to approve the posting and filling of the following Slots for the Utilities Department, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective January 26, 2015:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate/Salary</u>
1533	Operator I	\$15.15 10/A
1901	Operator I	\$15.15 10/A
2301~	Operator I	\$15.15 10/A
2873	Maintenance Worker	\$13.73 10/A
2874	Maintenance Worker	\$13.73 10/A
2875	Cashier	\$13.73 10/A
2872	Maintenance Supervisor	\$1,405.85 Bi-Weekly Pay 15/A

46. Discussion and possible action to approve change to the Plant Operator Job Description for the following Slots at the Utilities Department; 1532, 1533, 1534, 1535, 1537, 1538, 1748, 1900, 1901, 2301, 2877 and 2878. Job Description was approved by the Civil Service Committee at the January 15, 2015 Civil Service Committee Meeting.

Head Start

47. Discussion and possible action to approve the "Annual Report to the Public" for the 2013-2014 Program Year and to make available to the public via Head Start web page at <http://www.webbcountytx.gov/HeadStart/>.
48. Discussion and possible action to affirm the Court's approval to continue to allow the Head Start and Early Head Start program to participate in the Child and Adult Care Food Program and to confirm the Court's awareness of the organization's responsibilities and liabilities associated with participation.
49. Discussion and possible action to approve the posting and filling of the following Slots:

<u>Slot#</u>	<u>Title</u>	<u>Hourly Rate/Salary</u>	<u>Pay Periods</u>
2559	Part Time Early Head Start Teacher Floater	\$9.40	26
2569	Part Time Early Head Start Teacher Floater	\$9.40	26
2560	Early Head Start Teacher	\$9.91	26
1821	Head Start Teacher - Associate Degree	\$14.46	20

Larga Vista Community Center

50. Discussion and possible action to accept a donation in the amount of \$1,000.00 from AEP TEXAS to Webb County Larga Vista Community Center, to be deposited into Account #001-6103-6219-2, Goods for Public Events, to be used for a Summer Camp to be held on June 8th-25th, 2015. Also, for our Back to School Jamaica to be held on July 16, 2015.

Medical Examiner

51. 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 January 26, 2015:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2870	Autopsy Technician/Transporter	\$16.73 - 14/A

Planning

52. Discussion and possible action to approve the Preliminary and Final Plat of H.A.V. Properties Subdivision as recommended by the Webb County Planning Advisory Board and Planning Department Staff (ID 3846).
53. Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements" to authorize an electrical service connection pursuant to Section 232.029(c)(2), L.G.C., to that certain unplatted 1.0 acre tract of land recorded in Vol. 615, Pgs. 107-108 of the Webb County Deed Records contingent upon the owner's execution of required affidavits. (ID 3834)

Public Defender

54. Discussion and possible action to approve the posting and filling of the following vacant Slot, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective January 26, 2015:

<u>Slot #</u>	<u>Title</u>	<u>Salary</u>
270	Assistant Public Defender 1	\$64,549.38 22/K - S

Purchasing

55. Discussion and possible action to authorize the Purchasing Agent to solicit bids for the following contracts:

Bid 2015-88 3 month contract for Meat
Bid 2015-30 6 month contract for Hot Mix Asphalt
Bid 2015-89 6 month contract for Produce

56. Discussion and possible action to purchase Law Enforcement uniforms from Nardis Public Safety, GSA #GS-07F0596T in the amount of \$125,230.56 for the Webb County Sheriff's Office Pursuant to Sub-chapter 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 and #001-2060-6202]**

Closed Session/Executive Session

57. Status report regarding the case entitled Sara Alicia Davila vs. Webb County, Texas, et al., Civil Action No. 5:12-CV-42, pending in the United States District Court, Southern District, Laredo Division; with discussion and possible action to consider and approve recommendations from outside counsel (attorneys Kyle Watson and Melissa Fletcher); and any other matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071(a) (Consultation with attorney about pending or contemplated litigation)]**
58. Adjourn

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

 **DISABILITY ACCESS STATEMENT** 

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

DATED THIS 23rd DAY OF JANUARY, 2015

By: Melinda Mata
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 23rd day of January, 2015 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 23rd DAY OF JANUARY, 2015

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: Roxanna P. Rivera
~~Margie Ramirez-Ibarra, County Clerk~~
Roxanna P. Rivera - Deputy Clerk

