DRAFT

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 9, 2015 at 9:00 AM (Approved DATE)

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:

Tano E. Tijerina,

Frank Sciaraffa,

Rosaura "Wawi" Tijerina,

John C. Galo,

Jaime Alberto Canales,

County Judge

Commissioner, Pct. 1

Commissioner, Pct. 2

Commissioner, Pct. 3

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 6th day of February 2015. 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.

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 26, 2015

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina

Vote: 5 - 0 Motion Carried

4. Approval of Bills, Payroll, and Monthly Report

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Treasurer's Office, Mr. David Martinez presented the ratification of payroll for payday January 30, recap of checks, and side bills pending approval.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa

Vote: 5 - 0 Motion Carried

Chief Deputy Auditor, Mr. Rafael Perez presented the monthly report for January 2015.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa

Vote: 5 - 0 Motion Carried

5. Communications

Cmr. Canales thanked Fasken Elementary School for inviting him to their Career Day. He congratulated Jimena Elizondo for winning the gold metal at the U.S. Open Taekwondo Championships in Orlando. Florida. Cmr. Canales congratulated the Laredo Chamber of Commerce on their 100th Anniversary logo unveiling. He congratulated Alexander High School on winning the 29-6A Boys and Girls titles. Cmr. Canales congratulated the Cigarroa High School senior, Brianna Pena for qualifying and advancing to the state competition of the Health Occupation Students of America. He congratulated Aliza Flores Oliveros for being recognized by Cuellar Elementary School as the School Board Member of the Month. Cmr. Canales congratulated U.I.S.D. 8th Grader of the Month; Gunther Lopez from Clark Middle School, Luis Gonzalez from United Middle School, Fatima Gonzalez from Lamar Bruni Vergara Middle School, Karely Velos from Los Obispos Middle School, Wei Chi Liang from Washington Middle School, Lorren Cantu from Trautmann Middle School, Jazlyn Nicole Salinas from United South Middle School, Alexander Knudson from Antonio Gonzalez Middle School, and Carlo Saul Salazar from Salvador Garcia Middle School. He congratulated Martin High School Boys Basketball Team for their great win against Uvalde. Cmr. Canales congratulated Cigarroa High School Girls Basketball Team for becoming the District 29-5A Champions and for ranking 15th in the state. He sent his heartfelt condolences to the family of Juan Jose Martinez, Ramon Rodriguez, Major Ramon Hector Perez, U.S. Air Force, Gerardo "Jerry" Gutierrez, Jr., U.S. Air Force, James Ebert Vaughn, Jr., U.S. Army, and Roberto

Jose Vidaurri, U.S. Marines.

Cmr. Galo thanked all of those individuals who donated blood. He congratulated Dr. Marcus Nelson for being honored with the Higher Education Award during the Noche de Cabaret. Cmr. Galo congratulated Senator Judith Zaffirini and her husband on their 50th wedding anniversary. He congratulated Laredoan Alfonso Gomez Rejon for being nominated for a Golden Globe Award. Cmr. Galo congratulated the Keiser Family for receiving the Life Saver Award and on their very successful 5K run. He congratulated Jimena Elizondo for placing 1st at the Taekwondo Championships in Florida. Cmr. Galo congratulated the Alexander High School Boys and Girls Swim Team for obtaining their 1st district title and the Girls Basketball Team on their district title. He congratulated the LMT Female Athlete of the year Ayesha Mohammed, Alexander High School Junior and Male Athlete of the Year Rudy Flores, United South High School Senior. Cmr. Galo congratulated all the 8th graders of the month. He congratulated the Laredo Specialty Hospital for hosting the Relay for Life for Webb County. Cmr. Galo announced that Justice of the Peace Precinct 4 will now be offering a night court. He sent his heartfelt condolences to the family of Irma Hastings, Pablo "Jack" Suneson, Mario Lopez, and Juan Jose Martinez.

Cmr. Tijerina welcomed everyone present. She congratulated Laredo Mainstreet for a very successful Jamboozie sponsored by UETA. She thanked all the employees who donated blood last Wednesday. Cmr. Tijerina thanked Las Mujeres de Medios de Comunicacion for visiting her office. She thanked the Texas A&M Colonias Program and the Laredo Under 7 Flags Rotary and the Rotary Club from College Station for their collaboration on the building of the water filter training facility on Highway 359. Cmr. Tijerina thanked Jaime Arispe from the Texas Health Human and Services Commission, Office of Border Affairs for bringing 80 volunteers to conduct free medical and dental checks to the people of Colonias Pueblo Nuevo and Los Altos on Highway 359. She congratulated the WBCA on the Taste of Laredo and Boys and Girls Club Wine Tasting. Cmr. Tijerina congratulated LULAC No.7 on their Noche de Cabaret and congratulated Dr. Marcus Nelson for being recognized with the Higher Education Award. She congratulated the Laredo Chamber of Commerce on their 100th Anniversary. Cmr. Tijerina congratulated Senator and Mr. Zaffirini on their 50th wedding anniversary. She congratulated Justice of the Peace Precinct 4, Jose "Pepe" Salinas for implementing a night court. Cmr. Tijerina sent out her heartfelt condolences to the family of Elizabeth O'Brien Rodriguez, Pablo "Jack" Suneson, J.J. Martinez, Francisco Mauricio Carrejo, Elva Sanchez Ramos, Mario Ulysses Lopez, Celestina Rios, Rosa Maria

Cmr. Sciaraffa welcomed everyone present especially the candidates for Justice of the Peace Precinct 2, Place 2. He congratulated the Cigarroa High School Lady Toros for their ranking of 15th in the state.

Judge Tijerina thanked everyone for being present. He mentioned that he was happy to have Building Maintenance employee, Mr. Jorge Ramirez back to work. Judge Tijerina congratulated Captain Ponce Trevino from the Webb County Sheriff's Department for his promotion as County Jail Commander. He congratulated the winners of the United Independent School District 4th Annual 5K Run/Walk and Health Fair event. Judge Tijerina stated that he was proud that Justice of the Peace Judge Jose "Pepe" Salinas was implementing a night court. He congratulated Cigarroa High School student Brianna Pena for advancing to the state competition for Health Occupation Students of America. Judge Tijerina congratulated all those responsible for making the Jamboozie a great success. He thanked everyone who helped make the blood drive a good turnout. Judge Tijerina congratulated Jimena Elizondo, a local 8th grader, for earning a gold medal for the U.S. Open Taekwondo Championships in Orlando, Florida. He congratulated the Laredo Webb Bar Association for the Noche Agave Tequila Tasting. Judge Tijerina mentioned that the Laredo Philharmonic for offering a musical treat to nearly 1,000 students at the U.I.S.D. Bill Johnson Student Activity Complex. He congratulated Divino's 9th Anniversary. Judge Tijerina congratulated Senator Judith Zaffirini on her 50th wedding anniversary. He congratulated the Taste of Laredo on their 30 years since inception. Judge Tijerina congratulated the Cigarroa High School Cheerleaders for winning the National Championship for Best Use of Stunt. He congratulated the Keiser family on their 2nd Annual Memorial 5K Walk/Run. Judge Tijerina congratulated the Boys and Girls Club on their Wine Tasting Gala and the Noche de Cabaret. He sent his heartfelt condolences to the family of those who have lost loved ones in the past couple of weeks.

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.

Sheriff's Office, Jose A. Lopez Mr. Lopez asked the Commissioners Court to consider tabling item #9. Sergio "Keko" Martinez

Mr. Martinez asked the Commissioners Court to consider terminating Building Maintenance Director, Mr. Gilberto Garza effective immediately.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to move up items #13 and #14

Vote: 5 - 0 Motion Carried

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

13. Report by county staff regarding the current status of the Webb County-City of Laredo Regional Mobility Authority (RMA); with discussion and possible action to direct county attorney's office to develop an agreement to allocate funds that are being collected by the County for the RMA; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Webb County-City of Laredo RMA presiding officer, Mr. Ruben Soto, Jr. was in attendance to present a report to the Commissioners Court regarding the current status of the Webb County-City of Laredo Regional Mobility Authority (RMA).

IT Director, Mr. Rafael Pena and County Attorney's Office, Mr. Ray Rodriguez were both present to address the Commissioners Court on item #13.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to have an MOU to be able to provide our staff at their disposal

Vote: 5 - 0 Motion Carried

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to bring up item #11

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

11. Discussion and possible action to nominate and seek court approval of a qualified Precinct 2 candidate to fill the recent vacancy on the Webb County-City of Laredo Regional Mobility Authority (RMA); and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Webb County-City of Laredo RMA presiding officer, Mr. Ruben Soto, Jr., Commissioners Court Executive Administrator, Mr. Leroy Medford, and TxDOT Director, Ms. Melissa Montemayor were all present to address the Commissioners Court on item #11.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to withdraw item #11

Vote: 5 - 0 Motion Carried

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to open up item #13 again

Vote: 5 - 0 Motion Carried

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

13. Report by county staff regarding the current status of the Webb County-City of Laredo Regional Mobility Authority (RMA); with discussion and possible action to direct county attorney's office to develop an agreement to allocate funds that are being collected by the County for the RMA; and any other matters incident thereto.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to give legal staff the authority to develop a second MOU to figure the draw schedule and any other financial matters hereto

Vote: 5 - 0 Motion Carried

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to bring up item #11

Vote: 5 - 0 Motion Carried

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

11. Discussion and possible action to nominate and seek court approval of a qualified Precinct 2 candidate to fill the recent vacancy on the Webb County-City of Laredo Regional Mobility Authority (RMA); and any other matters incident thereto.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by County Judge Tano E. Tijerina to nominate Mr. Oscar Lopez

Vote: 5 - 0 Motion Carried

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to bring up item #19

Vote: 5 - 0 Motion Carried

Honorable Marco Montemayor, County Attorney

19. Discussion and possible action to terminate the Trautmann Park lease with United Independent School District. Webb County and U.I.S.D. are parties to the lease. U.I.S.D. plans to construct facilities on that tract of land. The lease will terminate by joint agreement on February 28th, 2015 and authorizing the County judge to sign all relevant documents.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

UISD Attorney, Mr. Juan Cruz, UISD School Board President, Mr. Javier Montemayor, and Purchasing Agent, Dr. Cecilia Moreno were all present to address the Commissioners Court on item #19.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina

Vote: 5 - 0 Motion Carried

Commissioners Court Administrator

14. Presentation by Martin Villarreal, Chief Appraiser for the Webb County Appraisal District (WEBBCAD) regarding 2015 appraisal trends for Webb County.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Chief Appraiser for the Webb County Appraisal District (WEBBCAD), Mr. Martin Villarreal and Mr. Charles Williams were both in attendance to make a presentation regarding 2015 appraisal trends for Webb County.

Honorable Tano E. Tijerina, Webb County Judge

7. Discussion and possible action to appoint Erasmo Villarreal as representative for Webb County Judge to the Webb County Community Action Agency Advisory Board.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina

Vote: 5 - 0 Motion Carried

8. Discussion regarding recent job performance of Building Maintenance Director; with discussion and possible action to take any appropriate disciplinary action necessary regarding the Building Maintenance Director's actions and oversight of his department, including continuation of employment, reassignment, modification of duties, disciplinary action, or dismissal. 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 head; 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)]

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Judge Tano Tijerina stated that they received Building Maintenance Director, Mr. Gilberto Garza's letter of resignation effective February 20, 2015.

County Attorney, Mr. Marco Montemayor was present to address the Commissioners Court on item #8.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to accept the letter of resignation effective immediately

NAY: Commissioner, Pct. 1 Frank Sciaraffa
Commissioner, Pct. 4 Jaime Alberto Canales

County Engineer, Mr. Luis Perez Garcia and County Auditor, Mr. Leo Flores were both present to address the Commissioners Court on item #8.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to put the supervision of the Building Maintenance Department under the Engineering Department temporarily and secure all the hard drives and telephones to preserve the investigation

Vote: 5 - 0 Motion Carried

Honorable Frank J. Sciaraffa, Webb County Commissioner Pct. 1

9. Discussion and possible action to amend Webb County policies to require any department or elected official get Commissioners Court approval prior to going before the Civil Service Commission to change titles and significant job duties for positions approved and budgeted by the Commissioners Court. [Co-Sponsored by Tano E. Tijerina, Webb County Judge]

Problem: Departments may be going before the Commissioners Court requesting and justifying positions based on stated needs and then changing titles and/or duties to something not approved by the court.

Solution: Departments should go before the Court to request positions based on need and justify to the Court a change in title and duties also based on need.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Attorney's Office, Mr. Jeffrey Czar was present to address the Commissioners Court on item #9.

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by County Judge Tano E. Tijerina to include anyone who is subject to the Condrey Plan

10. Discussion and possible action to solicit bids/proposals for the construction or reconstruction of a recreational area behind the Rio Bravo Community Center to include a small soccer field, playground areas, a covered palapa, bench areas and a walking trail.

Problem: The Rio Bravo park area above was recently damaged by arson. The remainder of the park area is in very poor condition and needs revamping in order to attract the surrounding community to use it.

Solution: We propose to reconstruction the existing soccer field to eliminate the rocks and dirt there now and cover it with artificial turf as well as add a palapa, benches and a walking trail for parents to use while they supervise their children in their use of the park as well as generally make the park more esthetically pleasing.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by County Judge Tano E. Tijerina

Vote: 5 - 0 Motion Carried

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

12. Discussion and possible action to authorize the Planning and Road & Bridge departments to develop an improvement plan to pave the county roads in the Colorado Acres area; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Frank Sciaraffa

Vote: 5 - 0 Motion Carried

Commissioners Court Administrator

15. Status report from County Attorney's office regarding a requested legal opinion regarding the county's policy and authority on limiting or restricting county employees from seeking political office while employed with Webb County; with discussion and possible action to amend county policy to reflect any changes in policy; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Attorney's Office, Mr. Ramon Villafranca and County Attorney, Mr. Marco Montemayor were both present to address the Commissioners Court on item #15.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa to adopt the policy/language to be implemented effective today

Vote: 2 - 3 Motion Failed

NAY: Commissioner, Pct. 2 Rosaura "Wawi" Tijerina

Commissioner, Pct. 3 John C. Galo

Commissioner, Pct. 4 Jaime Alberto Canales

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to adopt the policy that includes all the directors under the purview of the Commissioners Court resign to run effective immediately

Vote: 4 - 1 Motion Carried

NAY: Commissioner, Pct. 4 Jaime Alberto Canales

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa to take a ten (10) minute media break

Vote: 5 - 0 Motion Carried

(Break 11:39 a.m. - 12:02 p.m.)

Honorable Marco Montemayor, County Attorney

- 16. Discussion and possible action to enter into a Thirty-Six (36) month (February 9, 2015 thru February 10, 2018) Maintenance Agreement between Toshiba Business Solutions and Webb County for Webb County Public Defender for a Toshiba E-Studio 6550cT Copier at a quarterly cost of \$0.00638 per black prints and \$0.0495 per color prints, 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 Virginia Aranda, Webb County Public Defender; Account #001-1102-6402]
- 17. Discussion and possible action to enter into a Twenty-Four (24) month (February 9, 2015 thru February 10, 2017) Maintenance Agreement between Toshiba Business Solutions and Webb County for Webb County Auditors for a Toshiba E-Studio 850 Copier at a quarterly cost of \$82.50, and \$0.0088 excess per unit charge for black 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 Leo Flores, Webb County Auditor; Account #001-0400-6402]
- 18. Discussion and possible action to enter into a Thirty-Six (36) month (February 9, 2015 thru February 10, 2018) Maintenance Agreement between Toshiba Business Solutions and Webb County for Webb County Justice of the Peace Pct. 2, Place 2 for a Toshiba E-Studio 455 Copier at a quarterly cost of \$82.50 and \$0.0088 excess per unit charge for black 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 Melissa J. Garcia, Webb County Justice of the Peace Pct. 2, Place 2; Account #001-1045-6402]

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to approve items #16, #17, and #18

Vote: 5 - 0 Motion Carried

20. Discussion and possible action to approve a Memorandum of Understanding (MOU) between U.S. Immigration and Customs Enforcement Homeland Security Investigations and the Webb County Attorney's Office pursuant to 31 USC 9703, the Treasury Forfeiture Fund of 1992. The M.O.U. will establish the responsibilities of both parties and the procedures for the

reimbursement of certain overtime expenses and other law enforcement expenses pursuant to 31 USC 9703; and authorizing the Webb County Judge to execute all relevant documents.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina

Vote: 5 - 0 Motion Carried

21. Discussion and possible action to approve the payment of Fringe benefits for overtime paid by the Department of Homeland Security to Slot #1255 in the amount of Three Thousand Seven Hundred Dollars (\$3,700.00) to be paid from Federal Forfeiture Fund #163 pursuant to the Memorandum of Understanding between Homeland Security Investigations and the Webb County Attorney; and any other matters incident thereto. [Federal Forfeiture Fund, Account #163-1101-503]

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Frank Sciaraffa

Vote: 5 - 0 Motion Carried

Honorable Harold Devally, Constable Pct. 4

22. Discussion and possible action to approve an advertising contract with Lamar Advertising of Laredo (RFP #2015-31) for service dates - February 10, 2015 through August 10, 2015 in the amount of \$2,000.00 and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Federal Forfeiture Account #171-250-6707]

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Frank Sciaraffa to approve item #22 subject to all forfeiture expenditure rules

Vote: 5 - 0 Motion Carried

23. Discussion and possible action to approve an adjustment to the hourly wage for Slot #2346 to be put back in its original salary from \$18.46 to \$20.12, to be effective October 1st, 2014. Employee Slot #2346 has been occupied since September 5th, 2014 at an hourly rate of \$20.91. Employee Slot #2346 was reduced to \$18.46 effective October 1st, 2014. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with attorney) and 551.074

(Personnel matters)]

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Constable Pct. 4 Office, Mr. Victor Barberena, Administrative Services Director, Ms. Cynthia Mares, and County Auditor, Mr. Leo Flores were all present to address the Commissioners Court on item #23.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to pay the \$20.12 and the retro pay less the difference that he got of the \$20.91 for whatever periods

Vote: 4 - 1 Motion Carried

NAY: Commissioner, Pct. 1 Frank Sciaraffa

Honorable Martin Cuellar, Sheriff

24. Discussion and possible action to approve the acceptance of Fiscal Year 2014 Operation Stonegarden (OPSG) grant award in the amount of \$3,197,138 for overtime/applicable fringe benefits, equipment, supplies, and other eligible costs associated with OPSG-related border security operations in Webb County in conjunction with the U.S. Border Patrol-Laredo Sector, the Laredo Police Department, Offices of the Constables Pct. 1, Pct. 2, Pct. 3, and Pct. 4; and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. This grant does not require any cash match.

Problem: Complex and dynamic law enforcement challenges exist in the Southwest border area of the United States, including Laredo/Webb County. For example, transnational criminals seek to exploit existing law enforcement jurisdictional boundaries by conducting their illegal enterprises across traditional jurisdictional boundaries. The 2014 Texas Gang Threat Assessment expounds, "Gang activity remains widespread throughout all regions of Texas...Gang activity is also prevalent in the Texas counties adjacent to Mexico and along the key smuggling corridors, since Texas-based gangs are used for cross-border smuggling and trafficking in the state. Many transnational gangs operating in Texas....engage in criminal activity in Mexico as well as in Texas and elsewhere." (Texas Department of Public Safety April 2014)

Solution: Grant award: (1) to ensure first responders are equipped with enhanced tools/equipment/resources needed to confront

well-funded criminal organizations and (2) for the coordination of law enforcement efforts between various local and federal law enforcement agencies.

Result: Enhanced capabilities of local responders; further coordination of response across local and federal jurisdictions.

25. Discussion and possible action to authorize the submission of a Violent Crimes Against Women Criminal Justice and Training (VAWA) grant application to the Criminal Justice Division (CJD) Office of Governor (OOG) in the amount estimated at \$11,857.07 for training, equipment, and supplies for investigators working at the Webb County Sheriff's Office serving victims of violent crimes against women and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. This grant requires a Thirty-Five (35%) percent cash match. [Account #168-9501-9301 (Transfer out from State Forfeiture Funds)]

Problem: Violence against women is among the most intractable and deadliest criminal justice problems in the United States, especially domestic violence and in the South Texas area. According to published statistics, the number of American women between 2001-2012 who were murdered by current or ex male partners in the United States was 11,766. That's almost double the amount of casualties lost during wars in Afghanistan and Iraq. Women who will be victims of severe violence by an intimate partner in their lifetimes are 1 in 4. ("30 Shocking Domestic Violence Statistics That Remind Us It's An Epidemic" Vagianos 10/23/2014)

Solution: Grant application to enhance the tools, techniques, and training to those investigators and patrol officers who initiate contact with these victims, respond to calls for assistance, file incident reports, provide these victims information/referrals to service providers, investigate cases/incidents, initiate arrests of perpetrators, refer cases for prosecution/follow up cases of domestic violence, sexual assault, dating violence, and stalking.

Result: Enhanced law enforcement services, including patrol response and investigative techniques, to deal with emergent criminal trends, such as cyber stalking, and improved efficacy of the law enforcement response to the needs of victims of violent crime.

26. Discussion and possible action to approve a supplemental increase adjustment to Slot #427, effective February 09, 2015, in accordance with Chapter 59, Article 59.06 (d) (7) of the Texas Code of Criminal Procedure in the amount of \$12,468.02 on an annual basis; this supplemental increase will continue annually but is contingent upon availability of State forfeiture funds. [State Forfeiture Fund #168]

The Sheriff may increase a salary, expense, or allowance for an employee of the law enforcement agency who is budgeted by the Commissioners Court if the Commissioners Court first approves the increase as stipulated under Chapter 59.06 (d)(7) of the Texas Code of Criminal Procedures.

Annual cost for adjustment:

Total adjustment on base salary - \$9,984.00 Total estimated fringe benefit cost - \$2,484.02 Total increase cost - \$12,468.02

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa to approve items #24, #25, and #26

Vote: 5 - 0 Motion Carried

Administrative Services

27. Discussion and possible action for the Commissioners Court to appoint their representatives for the Webb County Grievance Committee for Non-Civil Service Employees; and any other matters incident thereto.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Administrative Services Director, Ms. Cynthia Mares and County Attorney's Office, Mr. Jeffrey Czar were both present to address the Commissioners Court on item #27.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to appoint Ed Sherwood

Vote: 5 - 0 Motion Carried

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by County Judge Tano E. Tijerina to appoint Minita Ramirez

Vote: 5 - 0 Motion Carried

Community Action Agency

28. Discussion and possible action to approve the posting and filling of the following Slot, for El Aguila Rural Transit, effective February 9, 2015:

Slot # Title Hourly Rate

1132 Full-Time Driver \$10.25

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina

Vote: 5 - 0 Motion Carried

29. Discussion and possible action to create, advertise and fill a full-time regular position for a Community Social Services (CSS) Manager and to fill Slot #2794, a part-time temporary Caseworker with no benefits at 29 hours per week as part of a Community Action Agency Community Social Services Program, adjustments to be funded from the Comprehensive Energy Assistance Program (CEAP) and the Community Services Block Grant (CSBG) Programs. Both position will be 100% grant funded and there will be no impact on the general fund.

Slot # Title Hourly Rate/Salary

2794 Caseworker-Temporary \$10.00

Community Social Services Manager \$41,080.00

Problem: The Webb County Community Action Agency (CAA) received a Program Year 2015 Texas Department of Housing and Community Affairs (TDHCA) Comprehensive Energy Assistance Program allocation of \$1,126,862.00 and a Program Year 2015 Community Services Block Grant allocation of \$436,259.00.

Solution: CAA management proposes to adjust the Community Social Services program organization which includes software upgrades, no impact on current staff positions and to fill the recently vacated position of Temporary Part-time Caseworker, Slot #2794 and create and fill a Community Social Service Manager position.

Result: Filling of positions will result in compliance with the Comprehensive Energy Assistance Program (CEAP), the CAA

Community Social Services Program and the Community Services Block Grant (CSBG) Programs, and to assure that all funding shall be expended by the end of the program year.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

CAA/Economic Development Director, Mr. Juan Vargas and County Auditor, Mr. Leo Flores were both present to address the Commissioners Court on item #29.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 3 John C. Galo

Vote: 5 - 0 Motion Carried

Engineer

30. Discussion and possible action to approve Dannenbaum **Engineering Corporation's Supplemental Agreement No. 2 to Main** Contract for the Loop 20 Main Lanes and Frontage Roads Sta. 554+00 to Just North of Loop 20/US 59 Overpass (TxDOT CSJ: 0086-14-058) (Loop 20 Extension) Amendment to Article 3. Compensation to reflect changes to scope of work in the Detailed Fee Schedule Attachment E-4 Revised (9/4/2014) that were approved thorough Supplemental Agreement No. 1 to the Main Contract. Additionally, the revised Attachment E-4 (9/4/2014) includes the correction to the clerical error that erroneously reduced the total cost of Environmental Services to be provided by Arredondo, Zepeda & Brunz, LLC by \$4.69. The changes of scope have a net zero (no change) on the Engineer's fee as originally intended; and authorizing the County Judge to execute all relevant documents. [Account #644-8001-6022]

Problem: The Supplemental Agreement No. 1 to the Main Contract that was approved by Commissioners Court on March 10, 2014 changed the scope of work of environmental services to be provided by Arredondo, Zepeda & Brunz LLC, but did not include an amendment to Article 3. Compensation with an updated Attachment E-4 Detailed Fee Schedule to reflect those changes. Additionally, the Attachment E-4 Detailed Fee Schedule Revised (2/25/2014) that was included had a clerical error that erroneously reduced the cost of Environmental Services to be provided by Arredondo, Zepeda & Brunz LLC, by \$4.69. The changes in Environmental Services Scope of work should have had a net zero (no change) effect on the total cost of the Main Contract.

Solution: Approve an Amendment to Article 3. Compensation to reflect changes to scope of work in the *Detailed Fee Schedule Attachment E-4 Revised (9/4/2014)* that were approved thorough Supplemental Agreement No. 1 to the Main Contract and correct the clerical error that erroneously reduced the total cost of Environmental Services to be provided by Arredondo, Zepeda & Brunz, LLC by \$4.69 in the Attachment E-4 Detailed Fee Schedule (2/25/2014).

Result: Supplemental Agreement No. 2 to the Main Contract will correct the errors that were part of the approved Supplemental Agreement No. 1 to the Main Contract.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Engineer, Mr. Luis Perez Garcia was present to address the Commissioners Court on item #30.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina

Vote: 5 - 0 Motion Carried

31. Discussion and possible action to approve Dannenbaum Engineering Corporation's Supplemental Work Authorization No. 2 to Work Authorization No. 1 for the Loop 20 Main Lanes and Frontage Roads Sta. 554+00 to Just North of Loop 20/US 59 Overpass (TxDOT CSJ: 0086-14-058) (Loop 20 Extension) Correction of two clerical errors that were approved under Supplemental Work Authorization No. 1 to Work Authorization No. 1: Amount for Environmental Services to be provided by Arredondo, Zepeda & Brunz, LLC to remain at \$162,131.00 and the "Maximum amount payable under this Work Authorization" to remain at \$1,917,444.78 as originally approved in Work Authorization No. 1; and authorizing the County Judge to execute all relevant documents.[Account #644-8001-6022]

Problem: The Supplemental Work Authorization No. 1 to Work Authorization No. 1 that was approved by Commissioners Court on March 10, 2014 erroneously reduced the "Maximum amount payable under this Work Authorization" from \$1,917,444.78 to \$101,069.53 and included an Attachment E-4 Fee Schedule Revised (2/25/2014) that had a clerical error that reduced the cost of Environmental Services to be provided by Arredondo, Zepeda & Brunz, LLC by \$4.69. The changes in Environmental Services

Scope of work should have had a net zero (no change) effect on the total cost of Work Authorization No. 1.

Solution: Correct the "Maximum amount payable under this Work Authorization" from \$101,069.53 to the original \$1,917,444.78 and correct the clerical error that erroneously reduced the total cost of Environmental Services to be provided by Arredondo, Zepeda & Brunz, LLC by \$4.69 in the Attachment E-4 Detailed Fee Schedule (2/25/2014).

Result: Supplemental Work Authorization No. 2 to Work Authorization No. 1 will correct errors that were part of the approved Supplemental Work Authorization No. 1 to Work Authorization No. 1.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales

Vote: 5 - 0 Motion Carried

32. Discussion and possible action to amend the contract with TYCO SimplexGrinnell for the "Fire Protection System" for the Community Supervision & Corrections Department/Police Athletic League (C.S.C.D./PAL). [Account #742-8001-8801-12 (Capital Outlay Renovations)]

Problem: The original contract for the renovation of the C.S.C.D./PAL building did not include the completion of the fire protection system requirements set by City Ordinance to meet code. TYCO SimplexGrinnell was selected through the Texas State (on contract) to provide services at \$55,296.30 and Commissioners Court approved the item on January 12, 2015. After reevaluation of the costs by the Engineering Department, it was identified that the total cost would be for \$97,046.30.

Solution: Amend contract with TYCO SimplexGrinnell for the Fire Protection System.

Result: Comply with City of Laredo Building Fire Protection System installation services.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Engineer, Mr. Luis Perez Garcia was present to address the Commissioners Court on item #32.

Purchasing Agent, Dr. Cecilia Moreno stated that item #32 was a Cooperative Contract/ State Contract and thus is except from the competitive bidding.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo

Vote: 5 - 0 Motion Carried

33. Discussion and possible action to approve the following line item transfer for the Community, Supervision & Corrections Department/Police Athletic League (C.S.C.D./PAL) Building. An increase in the amount of \$41,750.00 is needed to pay for the complete system, this amount represents the labor, supervision, design, materials, permits and equipment needed for the automatic fire sprinkler system in the building:

From: 741-7501-8801-5 Road Improvement Pct. 1 - Series \$41,750 2013

To: 742-8001-8801-12 Rebuild Restitution Center - \$41,750 Series 2013

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales

Vote: 5 - 0 Motion Carried

Fire Suppression & EMS Services

34. Discussion and possible action to accept a donation from the Washington's Birthday Celebration Association of Laredo, Inc. in the amount of \$500.00, to provide onsite fire supervision and prevention during the public fireworks display to be staged on February 22, 2015 by Melrose Pyrotechnics, Inc. at LIFE Downs, as part of the George Washington Birthday Celebration; and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to accept the donation

Vote: 5 - 0 Motion Carried

Head Start

35. Discussion and possible action to approve the posting and filling of the following Slot:

Slot # Title

Hourly Rate Pay Periods

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales

Vote: 5 - 0 Motion Carried

Information Technology

36. Discussion and possible action to amend the Order of the Commissioner's Court involving County Records Management adopted on November 15, 1994, in order to remove the following subsections:

"Section 6 (d) give final approval to the destruction of records in accordance with approved records control schedules".

"Section 13 (c) Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the Records Management Committee."

Problem: Currently, the order instructs the Records Management Committee to meet in order to approve the destruction of records requests submitted by the record's Custodians. On January 29, 2015 the Records Management Committee met and instructed the Records Management Officer to present this request before the Commissioner Court in order to streamline the records destruction process.

Solution: Removal of the mentioned subsections from the original order adopted by the Commissioners Court on November 15,1994.

Result: By removing these subsections from the order, the destruction of records can be immediately executed after the request is submitted by its custodian, making this process more efficient.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

IT Director, Mr. Rafael Pena was present to address the Commissioners Court on item #36.

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by Commissioner, Pct. 3 John C. Galo

Vote: 5 - 0 Motion Carried

37. Discussion and possible action to appoint a Commissioner and an Elected Officer to the Records Management Committee as required by the Order of the Commissioner's Court involving County Records Management adopted on November 15, 1994 Section 6; and any other matters incident thereto.

Problem: Section 6 of the mentioned order establishes that the Records Management Committee to be integrated by the County Attorney, County Auditor, County Clerk, District Clerk, The President of the County Historical Commission, a rotating Commissioner and rotating Elected Officer, each of the last two members to serve a Two (2) year term. Currently the rotating positions are vacant and need to be occupied.

Solution: Appoint one Commissioner and one Elected Officer to the Records Management Committee. An alternate solution, could be to reconsider the members of the committee and appoint as deemed necessary.

Result: By making these appointments, we will comply with the mentioned order and have a full Records Management Committee.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by Commissioner, Pct. 3 John C. Galo to appoint County Judge Tano Tijerina and District Attorney, Isidro Alaniz

Vote: 5 - 0 Motion Carried

Purchasing

38. Discussion and possible action to solicit Request for Proposals for credit/debit card processing.

Problem: There is a need for Webb County to provide alternate payment methods. In most departments, payments are limited to cash and checks. The Water Utilities Department has requested an opportunity to allow clients to pay with credit and/or debit cards.

Solution: Implementing credit and debit card processing in a few departments will help Webb County make decisions for additional departments.

Result: The water utilities department expects to increase the

number of users who pay on time, thus reducing the number of disconnect notices issued. Customer service and productivity will be improved.

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

Purchasing Agent, Dr. Cecilia Moreno was present to address the Commissioners Court on items #38.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa

Vote: 5 - 0 Motion Carried

39. Discussion and possible action to reject the contractual extension granted to Besse Medical (Bid 2014-35 Annual Contract for Vivitrol) due to a price increase, and to authorize the Purchasing Agent to solicit bids for the following:

RFP 2015-35 - 6 month Contract for Vivitrol

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina

Vote: 5 - 0 Motion Carried

40. Discussion and possible action to purchase Two (2) Currency Counters and Two (2) Coin Sorters for Justice of the Peace Pct. 4 for the use at traffic/accounting department, this is to better manage the currency that is coming in, from Patria Office Supplies in the amount of Eight Hundred Sixty-Four Dollars and Seventy-Four cents (\$864.74). [Requested by Jose "Pepe" Salinas, Justice of the Peace Pct. 4; Account #750-8000-8801 (Capital Outlay Fund Series 2013)]

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Auditor, Mr. Leo Flores was present to address the Commissioners Court on item #40.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa

41. Discussion and possible action to purchase phone system for Justice of the Peace Pct. 4, they currently have an old system that needs to be updated to County standards, this would elevate having to dial 9 to call a County Department, from Insight Public Sector, pursuant to Sections 271.101 and 271.102 Texas Local Government Code, Cooperative Purchasing program DIR-TSO-2542 in the amount of Fourteen Thousand Five Hundred Fifteen Dollars and Twenty-Six Cents (\$14,515.26). [Requested by Jose "Pepe" Salinas, Justice of the Peace Pct. 4; Account #016-1044-6224 (Technology fund)]

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Frank Sciaraffa

Vote: 5 - 0 Motion Carried

42. Discussion and possible action to authorize the Purchasing Agent to solicit proposals for the following annual contract:

RFP2015-49 2 Year Contract for Public and Law Enforcement Service Announcements

Problem: The dollar amount spent this year for public service announcements requires the County to have a contract that has gone through a competitively sealed bid process.

Solution: Solicit competitively sealed proposals to obtain a contract.

Result: Compliance of the law

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by Commissioner, Pct. 3 John C. Galo

- 43. Discussion and possible action to authorize the Purchasing Agent to solicit requests for proposals (RFP) for Commissary Service for the Webb County Jail in accordance with Texas Local Government Code Sub-chapter C. (Operations of County Jails); Section 351.0415 (Commissary Operation by Sheriff or private vendor) and in accordance with rules adopted by the Commission on Jail Standards.
 - The Webb County Sheriff is required by the Texas State Commission on Jail Standards to provide a commissary operation by Sheriff or private vendor.
 - Providing Commissary services to Webb County Inmates will result in compliance with Texas jail Standards and all

proceeds received from Commissary sales commission are used exclusively for the benefit of inmates social and recreational needs, equipment, technology and other services for the well being, health, safety, and security of inmates and the facility as allowed by State law under Section 351.0415.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Frank Sciaraffa

Vote: 5 - 0 Motion Carried

44. Discussion and possible action to approve Webb County Purchasing Department Procedures for the purchase of food items.

Problem: There has been an increased request for the purchase of food items. There is a concern that items purchased should have an acceptable documented purpose.

Solution: The approval by the Webb County Commissioner's Court of the Purchasing Department procedures serves as an internal control and documents the purpose of these purchases.

Result: The approval of the Purchasing Department procedures will provide improved accountability for the use of Webb County funds.

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to table item #44

Vote: 5 - 0 Motion Carried

Closed Session/Executive Session

45. Discussion and possible action to interview and select a candidate for the Webb County Justice of the Peace Precinct 2, Place 2 position from the final list of qualified applicants, to fill the unexpired term of Ricardo Rangel who resigned from office on January 1, 2015; 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)] [Requested by Leroy Medford, Commissioners Court Executive Administrator]

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Attorney's Office, Mr. Ramon Villafranca and Commissioners Court Executive Administrator, Mr. Leroy Medford were both present to address the Commissioners Court on item #45.

The Commissioners Court interviewed three (3) candidates for the Webb County Justice of the Peace Precinct 2, Place 2 position in the order as follows:

- 1. Daniel Dominguez, III
- 2. Jesus Justo Guerra
- 3. Nina G. Juarez

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to take a five (5) minute recess

Vote: 5 - 0 Motion Carried

(Break 1:43 - 1:50 p.m.)

Closed Session/Executive Session

45. Discussion and possible action to interview and select a candidate for the Webb County Justice of the Peace Precinct 2, Place 2 position from the final list of qualified applicants, to fill the unexpired term of Ricardo Rangel who resigned from office on January 1, 2015; 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)] [Requested by Leroy Medford, Commissioners Court Executive Administrator]

Discussion on file at the Webb County Clerk's Office February 9, 2015 Commissioners Court Meeting DVD.

County Attorney's Office, Mr. Ramon Villafranca and Mr. Ray Rodriguez were both present to address the Commissioners Court on item #45.

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by County Judge Tano E. Tijerina to select Daniel Dominguez, III

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by County Judge Tano E. Tijerina to have Mr. Daniel Dominguez, III begin on February 27, 2015

Vote: 5 - 0 Motion Carried

46. Adjourn

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to adjourn