



WEBB COUNTY, TEXAS

COMMISSIONERS COURT

PUBLIC NOTICE COMMISSIONERS COURT MEETING

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

MARGIE R IBARRA
COUNTY CLERK
FILED
2015 MAR --6 AM 8:21
WEBB COUNTY, TEXAS
BY *ME* DEPUTY

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 February 23, 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 Tano E. Tijerina, Webb County Judge

7. Discussion and possible action to approve the purchase of uniforms for the American Legion Honor Guard from Al & Rob Sales, in the amount of \$2,394.70. The Honor Guard provides veterans services by presiding over all veteran's funerals. **[Veterans Assistance Account #001-5050-7492]**
8. Discussion and possible action to designate Mr. Lalo Uribe, County Judge's Executive Administrator and Mr. Leroy Medford, Commissioners Court Administrator, as Webb County Budget Officers, responsible for the preparation of the 2015-2016 fiscal year budget; and any other matters incident thereto.

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

9. Discussion and possible action to create a committee to review and approve projects for expenditure of Precinct 1 funds to be utilized to benefit the Water Utilities Department. This committee should at a minimum include the Commissioner for Precinct 1, the County Engineer, County Auditor, Purchasing Agent, County Judge's Executive Administrator, Executive Administrator for the County Commissioners and County Attorney.

Issue: Webb County by virtue of an enforcement action from TCEQ is under orders to accomplish various improvements and changes at its water utilities department. Prct. 1 Commissioner Frank Sciaraffa has pledged funds available under the Precinct 1 budget to assist with accomplishment of these necessary improvements to the water utilities department. The Commissioner wants transparency and appropriate decision-making in determining where these funds need to be expended.

Solution: This committee will be tasked with review of the TCEQ enforcement order requirements, the needs of the water utilities department to meet and exceed these TCEQ guidelines and recommend expenditures for these funds to assure compliance with the TCEQ requirements.

Result: All requests for expenditures from the water utilities department will be run through this committee to assure transparency, proper expenditure of allocated Precinct 1 or other funds and compliance with TCEQ requirements.

Honorable Rosaura “Wawi” Tijerina, Webb County Commissioner Pct. 2

10. Discussion and possible action to adopt a Resolution to recognize the month of April as World Autism Month and to commemorate World Autism Month in Webb County, Texas by lighting up the Webb County Courthouse in Blue for the month of April, 2015.

11. Discussion and possible action to approve a salary supplement in the amount of \$20,000.00 per year for County Engineer Luis Perez Garcia as compensation for additional duties and responsibilities for overseeing the Building Maintenance/Facilities/Parks & Grounds department. Supplemental pay will be divided by 26 pay periods and will continue to be paid to Mr. Perez Garcia until a permanent director is hired for the Building Maintenance/Facilities/Parks & Grounds department; and any other matters incident thereto. These funds will be paid from the Building Maintenance department payroll cost line item #001-0106-5001.

Issue: Webb County Facilities Director Gilberto Garza's employment ended on February 9, 2015 and the duties of supervising and directing the department were assigned to Webb County Engineer Luis Perez Garcia.

Solution: Webb County Engineer Luis Perez Garcia should be additionally compensated for the additional duties of supervising and directing an additional department and personnel.

Result: Webb County Engineer will continued to be paid a supplemental salary until a permanent director is hired for the Building Maintenance department.

12. Recognition of women from our local and sister city news media in observance of International Women's Day. These women, through their work in informing the community, demonstrate the International Women's Day 2015 theme of "Empowering Women - Empowering Humanity: Picture It".

Commissioners Court Administrator

13. Discussion and possible action to approve a resolution supporting the City of Laredo "Plastic Checkout Bag Reduction" ordinance; with further action to consider approving funds to the Rio Grande International Study Center in an amount not to exceed \$5,000, to assist with the purchase of reusable bags; and any other matters incident thereto. **[Account #010-2204-7054 (Environmental Health)]**

14. Discussion and possible action to pay Allison, Bass & Magee, L.L.P. for legal services rendered to Webb County in the amount of TWENTY-FIVE THOUSAND ONE HUNDRED NINE DOLLARS AND TWENTY-THREE CENTS (\$25,109.23); and any other matters incident thereto. **[Requested by Leroy Medford, Court Administrator; Account #001-0109-6022 (Professional Services)]**

15. Discussion and possible action to pay Person, Whitworth, Borchers & Morales, L.L.P. for legal services rendered to Webb County in the amount of SIXTEEN THOUSAND SIX HUNDRED FORTY-SIX DOLLARS AND SEVENTY-ONE CENTS (\$16,646.71); and any other matters incident thereto. **[Requested by County Attorney's Office, Account #001-0109-6022 (Professional Services)]**

16. Status report with discussion and possible action on pending county employee positions that were approved by the Commissioners Court for fiscal year 2014-2015 for certain county departments; contemplated to begin on April 1, 2015, subject to the availability of funding and budget restraints; and any other matters incident thereto.

Issue: The Commissioners Court approved several employee slots for county departments for the 2014-2015 fiscal year with the caveat that they could not be filled by the department until Six (6) months into the year, subject to available funding and current budget restraints.

Solution: The court needs to assess the current county budgetary limitations in an effort to determine if these new unfilled county positions can be filled on April 1.

Result: The court will determine if favorable budget conditions exist to approve or not fund the filling of these county positions.

MEDIA BREAK

Honorable Marco Montemayor, County Attorney

17. Discussion and possible action to enter into a Sixty (60) month lease agreement between Webb County and Pitney Bowes, beginning on June 30, 2015 and ending on June 30, 2020 for a DM 225 Digital Meter System located at the Webb County Clerk's Office at a monthly payment of ONE HUNDRED TWENTY-FIVE DOLLARS (\$125.00) for a total amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) subject to annual budget appropriation and authorizing the County Judge to sign all relevant documents thereto. **[Requested by Margie Ramirez Ibarra, Webb County Clerk; Account #001-1120-6014 (Repairs and Maintenance of Equipment)]**

18. Discussion and possible action to make an exception to the Webb County Personnel Policy Section 6.05 Overtime and Compensatory Time for payment for overtime worked in the Webb County Elections Department in the amount of SEVEN HUNDRED EIGHTY-EIGHT DOLLARS AND FIFTY-FIVE CENTS (\$788.55) for the November 4, 2014 general election. The funds to be used for the overtime pay are derived from the entities that contract with the Webb County Elections Department to hold elections for their entity; and any other matters incident thereto.

Honorable Martin Cuellar, Sheriff

19. Discussion and possible action to approve the acceptance of a grant award from the National Rifle Association (NRA) Foundation in the amount of \$15,000 for archery equipment for youth; 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.

Issue: Recent decades have seen a decline in the number of youth engaged in outdoor recreational activities with an accompanying increase in obesity, early on-set of diseases facilitated by a sedentary lifestyle, and other negative health indicators. This is especially true of youth from urban areas, of Hispanic heritage, and from low socio-economic backgrounds.

Solution: Grant award to provide equipment for opportunities for local youth to engage in the sport and art of archery in conjunction with the Webb County Sheriff's Office outdoor recreational activities organized through its grant funded Community Outdoor Outreach Program (CO-OP). Archery is a sport which has seen a surge in popularity with youth in recent years; has proven to be equally appealing to girls and boys; and can be undertaken by both able-bodied and physically challenged youth. The physical benefits for youth engaging in archery as a sport is that it facilitates flexibility, hand-eye coordination, mental concentration, and increased physical strength.

Result: The Webb County Sheriff's Office will be equipped in order to be able to provide opportunities for local youth from the Laredo/Webb County area to undertake the outdoor recreational activity of archery.

20. Discussion and possible action to authorize the Purchasing Agent to solicit request for proposals for the donation and/or purchase of a tract of land with water and sewer access and containing not less than One Hundred (100) acres for the construction of the Webb County Jail and Law Enforcement Complex Center. The process to accept donation and/or to purchase land for the construction of a new Webb County Jail and Law Enforcement Complex Center is contingent upon the availability of funding and final approval by Commissioners Court.

Issue: The current Jail facility was built in 1986/1987 and is quickly reaching 30 years of service, with the rapid growth in our Community in the past decades the increase in criminal justice system demands due to crime and subsequent arrests tend to grow with population spikes. Since 1990 Webb County/City of Laredo population figures have increased by more than 100% from 122,899 to our current census figure from 2010 at 250,304. Combining our neighboring Sister City (Nuevo Laredo, Mexico) the estimated population is 636,516. These population spikes contribute to the demand of additional Jail bed spaces as criminals await trial, serve sentences at the local level or wait to be transferred to the States custody.

Solution: Securing land proposals for a new Jail facility site will provide options for jail site, access availability to major interstates, access to utilities, existing infrastructure and other costs associated with selecting a land site such as cost per acreage.

Result: Selection of land site will serve as an anchor to move forward with RFQ for Design build teams and proposals on how to finance overall project to include any costs associated with land acquisition.

Community Action Agency

21. Discussion and possible action to accept a check from Direct Energy/CPL Retail Energy/WTU Retail Energy Neighbor to Neighbor Program in the amount of \$12,000.00. Webb County Community Action Agency will utilize these funds to assist qualified Direct Energy clients.

Issue: Webb County CAA received a check from Direct Energy/CPL Retail Energy/WTU Retail Energy Neighbor to Neighbor Program in the amount of \$12,000.00.

Solution: Webb County CAA will utilize these funds to assist qualified Direct Energy clients.

Result: The clients will assisted to pay their utility assistance bills from this donation Company.

22. Discussion and possible action to authorize the Community Action Agency to enter into an annual vendor agreement with Retail Energy Providers for the implementation of Community Services Block Grant (CSBG) and the Comprehensive Energy Assistance Program (CEAP). These vendor agreements are a Texas Department of Housing and Community Affairs (TDHCA) requirement for the implementation of the programs.

List of Retail Energy Providers

Veteran Energy, LLC
Infinite Electric LLC DBA Infinite Energy

Issue: The Webb County CAA will enter into an annual vendor agreement with Retail Energy Providers for the implementation of Community Services Block Grant (CSBG) and the Comprehensive Energy Assistance Program (CEAP).

Solution: These vendor agreements are a Texas Department of Housing and Community Affairs (TDHCA) requirement for the implementation of the programs.

Result: The Texas Department of Housing and Community Affairs (TDHCA) will provide funding to be used for payment of qualifying low income clients home energy expenses.

23. Discussion and possible action to authorize the Webb County Community Action Agency to enter into an annual agreement, effective as of January 1, 2015 electric home energy assistance agreement with Neighbor to Neighbor Program retail energy providers (REP)-Direct Energy, LP, CPL Retail Energy, LP, WTU Retail Energy, LP, First Choice Power, LP, Bounce Energy, LP, and New Leaf Energy, LP. The purpose of the agreement is to assist low income clients that are serviced by the retail energy providers to pay their electric home energy expenses.

Issue: Webb County Community Action Agency to enter into an annual agreement, effective as of January 1, 2015 electric home energy assistance agreement with Neighbor to Neighbor Program retail energy providers (REP)- Direct Energy, LP, CPL Retail Energy, LP, WTU Retail Energy, LP, First Choice Power, LP, Bounce Energy, LP, and New Leaf Energy, LP.

Solution: Under the agreement the Webb County Community Action Agency and the Retail Energy Providers (REP) shall implement the Neighbor to Neighbor Program, under which the REP will provide funding to be used for payment of qualifying low income clients home energy expense.

Result: Low income clients will be assisted that are serviced by the retail energy providers to pay their electric home energy expenses.

Engineer

24. Discussion and possible action to approve the awarding of a Proposal for an Asbestos Survey at the TexMex Building. [**Account #743-8001-8801-12 (Bond Series 2013)**]

Issue: There is an existing Asbestos Survey report on file showing asbestos in the flooring joint compound in the sheetrock walls & pipe insulation in the HVAC mechanical room.

Solution: Confirmation of previously obtained results.

Result: Materials may not require Asbestos Licensed personnel to remove material before demolition of building.

25. Discussion and possible action to approve to solicit Request for Proposals (RFP's) for the demolition of the TexMex building. **[Account #743-8001-8801-12 (Bond Series 2013)]**

Issue: Building is old and in very poor condition resulting in excessive amount of money to keep it operational (new roof-\$100,000.00) it will require costly upgrades to bring it up to date.

Solution: Demolition to better serve County needs.

Result: Provide additional parking in the downtown area.

26. Discussion and possible action to approve a General Request for Payment to Cintas Corporation for payment of Two (2) invoices; #496563928 in the amount of \$2,402.30 and invoice #496563929 in the amount of \$199.20 for a total amount of \$2,601.50 for Parks & Grounds Department employees. **[Account #001-6002-6202]**

Issue: Department failed to follow Purchasing Department Policies and Procedures. Uniform order was placed before a Purchase Order was created resulting in the cancelation of requisitions #15-0001113 and #15-0001115 on the AS400 system.

Solution: Process payment through a General Request for Payment Form requesting approval from Commissioner Court. Funds are available on Account #001-6002-6202 in the amount of \$3,000.00.

Result: Final payment to Cintas Corporation for the purchase of uniforms.

27. 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:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
1538	Operator I	\$15.15-\$15.93 12/A-E
2712	Truck Driver	\$14.42-\$15.16 11/A-E
0667	Truck Driver	\$14.42-\$15.16 11/A-E

Fire Suppression & EMS Services

28. Discussion and possible action to authorize the Economic Development Department to develop a Fiscal Year 2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Application to the U.S. Department of Homeland Security. The purpose of the application is to supplement the Webb County Volunteer Fire Department with additional frontline firefighters.

Issue: The Webb County Volunteer Fire Department is undermanned.

Solution: Seek funding opportunities that would allow for the expansion of the Webb County Volunteer Fire Department.

Result: A Department of Homeland Security grant can potentially fund the positions of frontline firefighters for Two (2) years.

Head Start

29. Discussion and possible action to approve the posting and filling of the following Slots:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>	<u>Pay Periods</u>
966	Child Care Area Service Manager	\$14.96	26
2520	Child Care Area Service Manager	\$14.96	26
2523	Child Care Family Service Worker	\$14.96	26
2524	Child Care Family Service Worker	\$14.96	26
2564	Early Head Start Teacher	\$9.93	26
2567	Early Head Start Teacher	\$9.93	26

Larga Vista Community Center

30. Discussion and possible action to approve the posting and filling of the following Slot, subject to the availability of payroll funds and any applicable Civil Service guidelines:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2339	Center Aide	\$11.84 - \$12.44 7/A - E

Issue: On February 24, 2015, Slot #2339, Center Aide submitted a letter of resignation effective March 19, 2015.

Solution: To approve the posting and filling of the Slot subject to the availability of payroll funds and any applicable Civil Service guidelines so the community center can operate with a full staff.

Result: When fully staffed we set the standard for high quality assistance

Planning

31. Discussion and possible action to issue a "Certificate of Compliance with Plat Requirements" to authorize an electrical service connection pursuant to Section 232.028 (b)(2) and (b)(3), Local Government Code to an unplatted 0.1607 acre tract of land, more or less, out of Porcion 32, Abstract 296 known as Tract #10, out of that certain 3.0 acre tract conveyed to Pablo Rodriguez In Vol. 597, Pages 546-549 of the Webb County Deed Records (Old Milwaukee East), as further described in Vol. 730, Pages 455-457 of the Webb County Deed Records (Application ID 3866).

Issue: Item is a regulatory compliance issue regarding real property development provisions of state law and local regulations with particular emphasis on the Model Subdivision Rules enacted for residential subdivisions. Commissioners Court must certify to certain property conditions before utility service connections may be authorized.

Solution: As reflected in agenda backup, staff has verified compliance matters and recommends the Court's approval of this certificate.

Result: If approved, applicant may connect property to electrical services. If not approved, electrical connection to property is prohibited.

Pre-Trial Services

32. Discussion and possible action to relocate one existing security camera located at the Webb County Court House and purchase Two duress buttons including the removal of the camera and installation of the equipment at the Pre-Trial Services Department from Convergent Technologies (vender #22548, DIR-SDD-1724), in the amount of \$2,348.97. **[Account #001-1205-6022 (Professional Services)]**
[Co-Sponsor by The Webb County Safety Committee]

Issue: Our department is located on the north end of the 5th floor of the justice center. The only way the public has access to our department is through the elevator located at the north end of the first floor. The public and our clients (most of them with criminal history and/or alcohol and drug issues and perhaps gang affiliations) are screened for an illegal weapons before they are allowed to have access to our department. After it is determined by the court police that the person is cleared of any illegal weapons or contraband, the person is granted access to the elevator to reach our department. There are no other security measures that will immediately alert court police in our department once the public or clients arrive in our lobby area, such as the cameras that are located throughout the building and are monitored by the court police at the central monitoring station located on the first floor. My staff has reported experiencing verbal altercations between clients visiting our department that required office personnel to separate the individuals and also clients becoming argumentative with bond officers.

Solution: The Webb County Safety Committee met on February 12, 2015, and the Webb County Pre-Trial Services Oversight Committee met on February 4, 2015, to discuss this issue and have unanimously supports and recommends to commissioners court to purchase and install the requested equipment that would be beneficial for the department and court police to safe guard the public, clients and staff from any altercations.

Result: Maintaining a safe environment for the public and staff.

Purchasing

33. Discussion and possible action to purchase One (1) Disaster Trailer and shelter kits for the Sheriff's Department from PorPac in the amount of Twenty-One Thousand Seven Hundred Seven Dollars and Ninety-Six Cents (\$21,707.96). **[Requested by Martin Cuellar, Webb County Sheriff; Grant Fund #329-2001-8801]**

Issue: Tragic national historical events have provided important lessons on the requirements for first responders to be able to respond appropriately and nimbly to rapidly escalating and quickly changing catastrophe scenarios. During such emergencies, like natural or man-made disasters, first responders must be able to deploy and respond with swiftness as well as maintain mobility in order to respond adequately to the various crisis hot spots. This is particularly true for a community as geographically large and dynamic as Webb County, which includes various widely scattered colonias, incorporated cities, rural communities, and other population hubs.

Solution: A deployable and mobile emergency response trailer is an economical and versatile first responder tool to agilely respond in order to provide needed emergency services to the Laredo/Webb County community.

Result: The Webb County Sheriff's Office will be better equipped to respond to emergencies and provide other emergency management services to the Laredo/Webb County area.

34. Discussion and possible action to approve the purchase of cell phone service to be used by Commissioner Precinct 4 and his office staff. Service will be from the Verizon agreement approved by the court.
[Requested by Jaime Canales, Commissioner Precinct 4; Account #001-0204-6004-2]

Issue: A cell phone is needed for the Commissioner's office for precinct communication purposes.

Solution: Cell phone service will provide for immediate accessibility for all staff members.

Result: The Commissioner and his staff will be easily accessible even while out of the office.

Road & Bridge

35. Discussion and possible action to approve the transfer of Unit 13-24 - VIN 1XPFDU9XX5D846611 2005 Peterbilt Tractor Truck from Water Utilities Department to Road & Bridge Department.

Issue: Water Utilities Department decided not to repair Unit 13-24 due to high repair cost.

Solution: After Unit 10-38 belonging to Road & Bridge Department was totaled, it was determined its engine was in good working condition. Water Utilities Department and Road & Bridge Department discussed Unit 13-24 could be repaired by having engine from unit 10-38 installed, in addition, transfer of Unit 13-24 was agreed on between both departments. Agenda Item is being placed requesting Unit transfer approval before any repairs are performed on Unit 13-24.

Result: Road & Bridge Department will have an additional Unit to ease the department's daily operations.

Veteran's Office

36. Discussion and possible action to accept a donation in the amount of \$2,480 given to the Webb County Veteran Transportation Assistance Program, as per Texas Local Government Code 81.032 – Acceptance of Donations and Bequests for the donation. Donations received from local professional boxer, Polo Martinez, and local veteran, Jose A. Martinez, for maintenance and any other expenses the program may require.

Issue: The amount of \$2,280, has been received as a donation from local professional boxer, Polo Martinez, for the continuation of the Veteran Transportation Program and Mr. Jose A. Martinez has donated \$200.00 for replacement of tires on the veteran van.

Solution: Accept donations offered from set donors in order to successfully continue providing transportation services to veterans located within the county of Webb.

Result: Donation funds will provide new tires for the Veteran Transportation Van and further maintenance required for proper functionality.

Closed Session/Executive Session

37. Discussion and possible action to approve settlement offer in the claim of Alberto Patino, arising out of an accident that occurred on December 19, 2013 in Laredo, Texas and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071(1)(B) (Consultation with attorney regarding a settlement offer)]**
38. Discussion and possible action to award back pay in the amount of Two Hundred Forty-Four Dollars and Eighty Cents (\$244.80) as per the Conciliation Agreement In the Matter of: United States Equal Employment Opportunity Commission And Yessenia Rubio, Webb County Youth Village, Webb County Juvenile Probation Department, Respondent, EEOC Charge 451-2012-02685; and any other matters incident thereto. **[Closed Meeting/Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (A)(B) (Consultation with Attorney)]**
39. 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 6th DAY OF MARCH, 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 6th day of March, 2015 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 6th DAY OF MARCH, 2015

MARGIE RAMIREZ IBARRA, COUNTY CLERK, WEBB COUNTY, TEXAS

BY: Michelle Cervantes
For Margie Ramirez-Ibarra, County Clerk
By: Michelle Cervantes-Deputy Clerk