

DRAFT

Official Minutes for Webb County Commissioners Court Special Meeting

**Tuesday, December 22, 2015 at 9:00 AM
(Approved DATE)**

Let it be remembered that a special 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,	County Judge
Frank Sciaraffa,	Commissioner, Pct. 1
Rosaura "Wawi" Tijerina,	Commissioner, Pct. 2
John C. Galo,	Commissioner, Pct. 3
Jaime Alberto Canales,	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 18th day of December 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 Ms. Brigette Garay, Co-Chief Deputy County Clerk on behalf of the Honorable Margie Ramirez-Ibarra, Webb County Clerk**
- 2. Pledge of Allegiance**
- 3. Approval of Bills, Payments and other Expenses**

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

County Treasurer, Ms. Delia Perales presented the Recap of Checks, Ratification of Check, Side Bills, and Ratification of Payroll for December 18 pending approval.

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

Vote: 5 - 0 Motion Carried

4. **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.**

Gonzalo Joseph Barrientos, attorney with Hilliard Munoz Gonzales in Corpus Christi

Mr. Barrientos spoke in reference to item #9.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

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

5. **Discussion and possible action to approve a transfer of the following funds within the 2013 Capital Projects Bond Series to fund capital outlay project; and any other matters incident thereto:**

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	741-7501-8801-5	Road Improvements	\$20,908	\$20,908	\$0
To:	750-8000-8801	Capital Outlay Series 2013	\$20,908	\$0	\$20,908

Issue: There is a remaining unused balance of funds within the 2013 bond series Fund 741.

Solution: There is a capital outlaw project that needs funding in order to complete.

Result: Approval of transfer of funds within the 2013 bond series will enable the completion of the project.

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

Chief Deputy Auditor, Mr. Rafael Perez was present to address the Commissioners Court on item #5.

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by Commissioner, Pct. 3 John C. Galo to approve item #5 and to earmark the \$20,908 for the Rio Bravo Soccer Field

Vote: 5 - 0 Motion Carried

Commissioners Court Administrator

- 6. Status report from county staff regarding any/all outstanding invoices owed by Webb County that are more than Sixty (60) days overdue; with discussion and possible action to initiate a process to avoid untimely payments to county vendors; and any other matters incident thereto.**

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

Commissioners Court Administrator, Mr. Leroy Medford, Chief Executive Administrator, Mr. Lalo Uribe, and Auditor's Office, Ms. Gaby Lopez were all present to address the Commissioners Court on item #6.

Honorable Marco Montemayor, County Attorney

- 7. Discussion and possible action to decline the acceptance of 6.54 acres donated to the Webb County Planning Department. On the Warranty Deed, the Grantors were Palmito Estates, Inc., signed by Cecil McDonald as "Grantor", conveyed to Webb County Planning Department as "Grantee". The Deed was filed on October 25, 1994. The Webb County Planning Department is a non-entity and cannot receive title; and authorize the County Judge to sign and execute all relevant documents. [Requested by Rhonda M. Tiffin, Planning Director]**

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

County Attorney's Office, Mr. Ramon Villafranca and Planning Director, Ms. Rhonda Tiffin were both present to address the Commissioners Court on item #7.

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

Vote: 5 - 0 Motion Carried

8. **Discussion and possible action to authorize Webb County as buyer to transfer the monetary funds needed to finalize the closing for the purchase and sale of a 6.14 acre tract of land out of a 10.14 acre tract of land, situated in Webb County, Texas, from Simeon Development, LTD., as seller, and authorizing the Webb County Treasurer to issue a certified check to Stewart Title Company for the purchase price, plus related buyer's title company buyer's closing costs in the total sum of \$107,815.00; this tract is intended for future use as a future Webb County fire station site and/or other Webb County uses. Said tract of land being located out of survey 1713, abstract 525, E.B. Ragsdale, original grantee, survey 737, abstract 275, Rusk Transportation Co., original grantee. [Funding Source, Account #747-8000-8002]**

Issue: Webb County is trying to finalize the purchase of this tract of land for use as a future fire station site by the Webb County fire department in Northwest Webb County.

Solution: The purchase of this tract of land will be for use as a future Webb County fire station site by the Webb County Fire Department and/or other county uses. The Webb County Commissioner's Court had previously accepted the donation of a 4.00 acre tract of land, located directly adjacent to the 6.14 acre tract of land that is being purchased for a combined 10.14 acre tract of land.

Result: To finalize the closing for the purchase and sale of the 6.14 acre tract of land. Let me know if anything else needs to get done.

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

County Attorney's Office, Mr. Ray Rodriguez was present to address the Commissioners Court on item #8.

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by Commissioner, Pct. 3 John C. Galo to only accept the donation of 4.04 acres and not go through with the purchase of the land

Vote: 4 - 0 Motion Carried

Other: County Judge Tano E. Tijerina (ABSTAIN)

Judge Tijerina stated that item #9 would be postponed until the end.

Honorable Martin Cuellar, Sheriff

10. **Discussion and possible action to approve the continuation of payroll costs for Two (2) grant funded employees under the South Texas High Intensity Drug Area (HITDA) Grant for Thirty (30) days effective January 1, 2016 through January 31, 2016, the current grant award terminates December 31, 2015. The Grantee (City of Laredo Police Department) has informed the Sheriff's Office that the grant will continue and is pending the official award letter from HITDA officials. This grant has been active for the past 23 years and is anticipated to continue throughout 2016. [Fund #295-2001-5001]**

Issue: HIDTA is a multi-agency task force that continues to gather intelligence and disrupts the illicit flow of narcotics and money laundering activities along the South Texas Border region. South Texas HITDA is an alliance of over 57 federal, state and local law enforcement agencies working together to combat drug trafficking and related crimes. Historically the Grantor has always submitted award letters to local law enforcement agencies between the months of February and March; Nonetheless, the grants are retroactive to January 1st of each calendar year.

Solution: For the Webb County Sheriff's Office to continue supporting HIDTA by employing grant funded investigators and continue corroborating with other law enforcement agencies to push forward the mission and goals of the South Texas HIDTA task force.

Result: The Webb County Sheriff's Office will continue to employ two (2) HIDTA funded investigators who will actively participate and help the task force fight against the continued flow of illicit drugs and related crime within the South Texas region.

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

Sheriff's Office, Mr. Joe Lopez and Chief Deputy Auditor, Mr. Rafael Perez were both present to address the Commissioners Court on item #10.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to approve item #10 not to exceed ninety (90) days

Vote: 5 - 0 Motion Carried

Honorable Patricia A. Barrera, Tax-Assessor- Collector

11. Discussion and possible action to approve the following refunds:

a) The amount of \$3,786.99 to Schlumberger Technology Corporation, Account #995606020300000, as per Supplement 4 Certified 2015, Protest 2015-12401 resolved on November 19, 2015. Remove 10% Late Rendition Penalty due to failure to send notice for 2015.

b) The amount of \$2,664.36 to Laredo Skyline Ltd, Account #90254001020, as per Supplement 4 Certified 2015, Adjust value as per judgment Cause #2013CV7001377-D2 and Cause #2014CV8002744-D3 111th Judicial District Court for 2013 through 2015.

Issue: a) Account #995606020300000 had the 10% Late Rendition Penalty removed as per Protest 2015-12401 since notice was not sent for 2015. This adjustment generated a refund since the account had been paid prior to receiving the adjustment from the Webb County Appraisal District.

b) Account #90254001020 had the value adjusted as per Cause #2013CV7001377-D2 and Cause #2014CV8002744-D3 for 2013 through 2015. This adjustment generated a refund since the account had been paid prior to receiving the adjustment from the Webb County Appraisal District.

Solution: Refund said amounts to both entities for their over-payments.

Result: The monies will be reimbursed to the appropriate taxpayers.

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

Vote: 5 - 0 Motion Carried

12. Discussion and possible action to approve a refund in the amount of \$7,967.73 to RMH Franchise Corporation, Account #90230001070 had been previously paid prior to receiving check #0870213.

Issue: The aforementioned account had previously been paid by another company prior to receiving check #0870213 from RMH Franchise Corporation which resulted in the over-payment of \$7,967.73.

Solution: Refund said amount to RMH Franchise Corporation for

the over-payment.

Result: The monies will ultimately be reimbursed to the appropriate taxpayer.

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

Vote: 5 - 0 Motion Carried

Engineer

13. **Discussion and possible action to ratify and approve the use of fund 603-0101-8801 for the completion of funding in the amount of \$119,617.00 for the Ultraviolet Disinfection System in the amount of \$390,008.00 to be installed to meet State Treatment Requirements; and any other matters incident thereto.**

Issue: UV Disinfection was initially designed into the original plant. For unknown reasons, this system was never operated or maintained and fell into permanent disrepair. A new system is required to comply with the new Long Term 2 Enhanced Treatment Rule requiring additional treatment techniques for our Plant. This will require new reactors at a cost of \$190,000.00, construction cost for the installation of \$250,000.00 and a recommended \$63,000.00 for three (3) year's annual maintenance and warranty.

Solution: Sole source acquisition of the Wedeco UV Reactors, hiring of contractor with experience in the field of UV installation.

Result: Compliance with the new Texas Commission on Environmental Quality (TCEQ) enhanced treatment rule and prevent continuous Public Notice.

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

County Engineer, Mr. Luis Perez Garcia and Chief Deputy Auditor, Mr. Rafael Perez were both present to address the Commissioners Court on item #13.

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

No action taken.

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to bring back item #8

Vote: 5 - 0 Motion Carried

Honorable Marco Montemayor, County Attorney

8. **Discussion and possible action to authorize Webb County as buyer to transfer the monetary funds needed to finalize the closing for the purchase and sale of a 6.14 acre tract of land out of a 10.14 acre tract of land, situated in Webb County, Texas, from Simeon Development, LTD., as seller, and authorizing the Webb County Treasurer to issue a certified check to Stewart Title Company for the purchase price, plus related buyer's title company buyer's closing costs in the total sum of \$107,815.00; this tract is intended for future use as a future Webb County fire station site and/or other Webb County uses. Said tract of land being located out of survey 1713, abstract 525, E.B. Ragsdale, original grantee, survey 737, abstract 275, Rusk Transportation Co., original grantee. [Funding Source, Account #747-8000-8002]**

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Solution: The purchase of this tract of land will be for use as a future Webb County fire station site by the Webb County Fire Department and/or other county uses. The Webb County Commissioner's Court had previously accepted the donation of a 4.00 acre tract of land, located directly adjacent to the 6.14 acre tract of land that is being purchased for a combined 10.14 acre tract of land.

Result: To finalize the closing for the purchase and sale of the 6.14 acre tract of land. Let me know if anything else needs to get done.

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Planning Director, Ms. Rhonda Tiffin and Fire & EMS Chief, Rick Rangel were both present to address the Commissioners Court on item #8.

County Engineer, Mr. Luis Perez Garcia stated that action on item #13 had not been taken.

Engineer

13. **Discussion and possible action to ratify and approve the use of fund 603-0101-8801 for the completion of funding in the amount of \$119,617.00 for the Ultraviolet Disinfection System in the amount of \$390,008.00 to be installed to meet State Treatment Requirements; and any other matters incident thereto.**

Issue: UV Disinfection was initially designed into the original plant. For unknown reasons, this system was never operated or maintained and fell into permanent disrepair. A new system is required to comply with the new Long Term 2 Enhanced Treatment Rule requiring additional treatment techniques for our Plant. This will require new reactors at a cost of \$190,000.00, construction cost for the installation of \$250,000.00 and a recommended \$63,000.00 for three (3) year's annual maintenance and warranty.

Solution: Sole source acquisition of the Wedeco UV Reactors, hiring of contractor with experience in the field of UV installation.

Result: Compliance with the new Texas Commission on Environmental Quality (TCEQ) enhanced treatment rule and prevent continuous Public Notice.

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County Engineer, Mr. Luis Perez Garcia and Chief Deputy Auditor, Mr. Rafael Perez were both present to address the Commissioners Court on item #13.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to allocate \$119,617 from the Bond Series to Capital Outlay for this specific purpose

Vote: 5 - 0 Motion Carried

Purchasing

14. **Discussion and possible action to authorize the purchase of DataConnect (Unlimited Data) for \$37.99 per month for Santa Teresita Community Center to boost internet signal in order to utilize Time Clock Plus; pursuant to section 271.101 and 271.102, subchapter F; Cooperative Purchasing Program, Texas Local Government Code (DIR -SDD-1777). [Requested by Armandina Garcia, Santa Teresita Community Center Director; Account**

#001-6114-6201]

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

Vote: 5 - 0 Motion Carried

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to go to Executive Session on item #9

Vote: 5 - 0 Motion Carried

(Executive Session 10:13 - 10:29 a.m.)

No action taken.

Honorable Marco Montemayor, County Attorney

- 9. Status report with discussion and possible action to discuss contemplated litigation concerning possible legal claims against Volkswagen Group of America, Inc. and Audi of America, LLC; and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (A) (B) (Consultation With Attorney)]**

Discussion on file at the Webb County Clerk's Office December 22, 2015 Commissioners Court Special Meeting DVD.

County Attorney's Office, Mr. Ray Rodriguez stated that his recommendation was to request that the Commissioners Court authorize the County Attorney to continue negotiations with any interested firms in regards to this lawsuit.

County Attorney's Office, Mr. Jorge Trevino and attorney with Hilliard Munoz Gonzales Law Firm, Mr. Gonzalo Joseph Barrientos were both present to address the Commissioners Court on item #9.

15. Adjourn

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

Vote: 5 - 0 Motion Carried