

DRAFT

Official Minutes for Webb County Commissioners Court Meeting

**Monday, January 25, 2016 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,	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 22nd day of January 2016. 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 11, 2016**

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

Vote: 5 - 0 Motion Carried

- 4. Approval of Bills, Payroll, and Monthly Report**

Accounts Payable Supervisor, Mrs. Deyanira Saenz Villafranca presented the Recap of Checks, Ratification of Payroll for January 15, Auditor's Errors, Ratification of Check in the amount of \$292.50 released on January 21, and Side Bills.

County Treasurer, Ms. Delia Perales presented the Monthly Report for December 2015.

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

Vote: 5 - 0 Motion Carried

LNV INC, Mr. Enrique Valdez and Mr. Dan Leyendecker presented a status report on the current projects at Webb County.

Chief Deputy Auditor, Mr. Rafael Perez and County Engineer, Mr. Luis Perez Garcia were both present to address the Commissioners Court on the report presented by LNV.

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

Vote: 5 - 0 Motion Carried

5. **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.**

Commander for Disabled Veterans Chapter #76, Mr. Valentin Jorge Cuellar
Mr. Cuellar spoke in regards to item #50.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

Honorable Isidro Alaniz, District Attorney

6. **Discussion and possible action to approve the following line item transfers within the forfeiture accounts:**

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	176-1100-6224	Minor Tools & Apparatus	\$66,646	\$74,146.46	\$7,500.46
To:	176-1100-6004	Telephone	\$5,000	\$0.00	\$5,000.00
	176-1100-6022	Professional Services	\$25,000	\$0.00	\$25,000.00
	176-1100-6708	Law Enforcement - Other	\$36,646	\$0.00	\$36,646.00
			\$66,646		

Issue: The following accounts: Telephone, professional services and law enforcement other need funds to cover estimated expenditures that are forecasted for the remainder of the fiscal year.

Solution: A line item transfer will help the accounts not reach a deficit.

Result: The transfer of funds will cover the estimated expenditures for the remainder of the fiscal year.

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

Vote: 5 - 0 Motion Carried

7. **Discussion and possible action to approve the following line item transfers within the forfeiture accounts:**

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	172-1100-5011	Sick Leave Buy Back	\$7,325	\$7,325.13	\$.13
To:	172-1100-6205	Materials & Supplies	\$1,094	\$(930.00)	\$164.00

	172-1100-6224	Minor Tools & Apparatus	\$3,031	\$(3,030.82)	\$.18
	172-1100-6708	Law Enforcement - Other	\$3,200	\$0.00	\$3,200.00
			\$7,325		

Issue: Fiscal year 2015 purchased orders were rolled over to the new fiscal year creating line item deficits.

Solution: Utilize the savings from the sick leave buy back line item to cover the purchase orders that were rolled over.

Result: The line item accounts will have sufficient funds to pay for the purchase orders.

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

Vote: 5 - 0 Motion Carried

8. **Discussion and possible action to approve a budget amendment to the District Attorney State forfeiture fund by increasing the expenditure budget by \$28,795; said amount is available from seized funds pursuant to Chapter 59 of the Texas Code of Criminal Procedure. [Fund #167-1100-6708 (Law Enforcement - Other)]**

Issue: New proceeds under Chapter 59.06 of the Texas Code of Criminal Procedure have been awarded and may be spent by the attorney representing the State after a budget for the expenditure of the proceeds has been submitted to the Governing Body.

Solution: Submit a budget to the Governing Body that clearly list and defines the categories of expenditures.

Result: The attorney representing the State can utilize the new proceeds for the official use of his office.

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

Vote: 5 - 0 Motion Carried

Honorable Jose "Pepe" Salinas, Justice of the Peace Pct. 4

9. **Discussion and possible action to authorize the submission of a Juvenile Justice Local Grant Project application to the Office of the Governor Criminal Justice Division (CJD) in the amount estimated at \$48,500 to continue to pay for the salary and fringe benefits of a case manager to provide enhanced prevention, intervention, and diversion services to at-risk and delinquent youth and their families in the Laredo/Webb County community; and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. This grant does not require any type of match. [Grant Fund #314]**

Issue: Juvenile delinquency is a nationwide problem that negatively affects not only the delinquent youth and their families but also adversely impacts schools, neighborhoods, and the local community at large. In addition, youth at-risk for juvenile delinquency who enter into the juvenile justice system tend to face limited future career, educational, and other socio-economic prospects, especially in the South Texas area.

Solution: Grant application to continue to staff a juvenile delinquency diversion case manager in order to provide prevention, diversion, and intervention strategies through the court of the Justice of the Peace, Precinct 4 in Laredo/Webb County area.

Result: Increased focus on diversion strategies to steer at-risk juveniles from the

juvenile and criminal justice system.

Justice of the Peace Pct.4, Judge Jose Salinas and Case Manager, Ms.Garcia were both present to address the Commissioners Court on item #9.

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

Vote: 5 - 0 Motion Carried

Economic Development

10. **Discussion and possible action to approve a Resolution and authorize the Honorable Tano E. Tijerina, Webb County Judge and Honorable John Galo Commissioner, Pct. #3 as authorized signators to the Texas Community Block Grant Program #7215510 grant and authorizing the County Judge to sign all relevant documentation.**

Issue: Two signatures required on all drawdown requests for reimbursements.

Solution: This will allow by resolution the individuals listed above as authorized signatories for the Request for Payment Form A203 where two (2) signatures are required for reimbursement of funds.

Result: This will allow Webb County to receive reimbursement for funds spent under this water improvement grant from TDA.

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

Vote: 5 - 0 Motion Carried

11. **Discussion and possible action to approve Resolution regarding various compliance matters required by the Texas Department of Agriculture Texas Community Development Block Grant #7215510, and authorize the County Judge to sign all relevant documentation.**

Issue: Civil Rights and other compliance requirements must be implemented by Webb County to be in compliance with grant funding agency program requirements.

Solution: Civil Rights must be implemented and will allow compliance of Citizen Participation Planned Grievance Procedures; Section 3 Policy; Excessive Force Policy; Section 504 Policy; and Fair Housing Policy.

Result: Economic Development Department will assure compliance with requirements from funding agency.

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

Vote: 5 - 0 Motion Carried

Fire Suppression & EMS Services

12. **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 21, 2016 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.**

Issue: State Fire Marshal's Office, site inspection certification of LIFE Downs for annual WBCA fireworks display.

Solution: Site inspected and form completed by Webb County VFD.

Result: State Fire Marshal's office requirements satisfied for fireworks display.

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

Vote: 5 - 0 Motion Carried

13. **Status report by Webb County Fire/EMS Department and Angel Care Ambulance Service (Webb County 911 Service Provider) regarding end of year report for 2015 and outlook for 2016.**

Fire & EMS Chief Rick Rangel and Angel Care Ambulance Service, Mr. Ricardo Jaime were both present to give a status report regarding the 2015 end of year and outlook for 2016.

14. **Discussion and possible action to accept state tobacco funds provided through the Seven Flags RAC Trauma Service Area "T" in the amount of \$6,064.50, to be utilized in the purchase of EMS supplies for both stations of the Webb County Volunteer Fire Department, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Account #001-2203-6205]**

Issue: State funding provided through Seven Flags RAC for EMS needs.

Solution: Accept funds, and utilize monies for purchase of EMS supplies.

Result: Properly stocked emergency units ready for response.

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

Vote: 5 - 0 Motion Carried

15. **Discussion and possible action to approve the transfer of the vehicles below to department 2203 Fire & EMS for the purpose of proper inventory and fuel expense tracking. These vehicles have always been in use by the Fire Department and were previously listed under department 2200 Quad-Auxiliary, which is no longer assigned to the fire department.**

<u>Unit</u>	<u>Description</u>	<u>Plates</u>	<u>VIN</u>
0411	1992 Chevrolet Pick-up	606-169	1GCGC24K8NE112634
0412	2000 Pierce Navistar Int'l	124-3531	1HTSDADR11H257802
0413	2006 Ford F750 Tanker	124-3511	3FRWF75H06V357875

Issue: Fire department units listed under a different department.

Solution: Through vehicle transfer protocol forms, transfer units into proper department.

Result: Accurate reporting of fire department vehicle inventory and fuel and lube expenses.

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

Vote: 5 - 0 Motion Carried

Head Start

16. 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>
1831	Associate Degree Teacher	\$14.72	20
1992	Part Time Child & Adult Care Food Program Clerk	\$9.89	21

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

Vote: 4 - 0 Motion Carried

Other: Commissioner, Pct. 2 Rosaura "Wawi" Tijerina (OUT OF THE COURTROOM)

Juvenile Probation Department

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	001-1301-6208	Groceries	\$20,000	\$42,869.73	\$22,869.73
To:	001-1301-6714	Medical Services	\$20,000	\$8,351.00	\$28,351.00

Issue: Line item required to be able to cover medical costs. Currently have a budget of \$10,000 and we have encumbered expenses totaling \$5,770. Have four (4) additional invoices totaling over \$29,000 that need to be paid before April.

Solution: Make transfer to cover the expenses.

Result: Cover medical costs.

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

Vote: 4 - 0 Motion Carried

Other: Commissioner, Pct. 2 Rosaura "Wawi" Tijerina (OUT OF THE COURTROOM)

Tax Attorney

18. Status report on delinquent tax collection by Webb County Tax Attorney Javier Montemayor, Jr.; and any other matters incident thereto.

Webb County Tax Attorney, Mr. Javier Montemayor Jr. was present to address the Commissioners Court on item # 18.

19. Discussion and possible action regarding the extension of the delinquent tax contract with The Law Offices of Javier Montemayor, Jr., for a period of up to 3 additional years; and any other matters incident thereto.

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

Vote: 5 - 0 Motion Carried

Auditor

20. Discussion and possible action to enter into a Five (5) year renewal agreement with First Southwest Asset Management, LLC, to act as an agent of Webb County in the determination of County's requirement to rebate certain investment earnings "Arbitrage Amount" from the proceeds in connection with the sale of certain bonds, notes, certificates, or other tax-exempt obligations, pursuant to the provisions of Section 148 (f)(2) of the Internal Revenue Code of 1986; and any other matters incident thereto.

Issue: Current contract with First Southwest Asset Management, LLC is due to expire on February 14, 2016.

Solution: Renew contract so that the County can continue to be compliant with monies needed to be paid pursuant to Internal Revenue Codes.

Result: Agreement between Webb County and First Southwest Asset Management, LLC will continue for another Five (5) year agreement.

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

Vote: 5 - 0 Motion Carried

Building Maintenance

21. Discussion and possible action to approve payment to Johnson Control in the amount of \$5,959.00 for services provided to upgrade Metasys Software on September 21, 2015 through September 25, 2015, Invoice #126298919474. [Account #001-0106-6401 (Repair & Maintenance of Buildings)]

Issue: Central Chiller Plant was not working properly and a service call was placed with Johnson Control. Metasys Upgrade services performed were not part of the Planned Service Agreement.

Solution: Johnson Control technician was on site, with the assistance of Webb County I.T. Department both teams performed update, SQL Database Restore, Re-installation of Windows, Re-imaging of Webb County server.

Result: Install and load CCT and SQL and all other applications. Installed SCT software and ADS software. Transferred database and brought system online. Uploaded all NAEs. Downloaded launcher 7.0 on computer and programmed password. Metasys Software controls heating and cooling to Webb County Courthouse, Justice Center and Administration Buildings.

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

Vote: 5 - 0 Motion Carried

Community Action Agency

22. Discussion and possible action to approve conducting Category "B" Elections to fill current vacancy as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency. The Advisory Board shall be composed of membership that complies with the Community Services Block Grant-Texas Administrative Code Rule 5.215. Election will be held on Thursday, January 28, 2016 for a Representative and Alternate for Area V- Fernando Salinas Community Center, 2600 Cedar 9:00 a.m. till 5:00 p.m.

Issue: To hold Election to fill current vacancy for Representative and Alternate for Area V- Fernando Salinas.

Solution: The Advisory Board shall be composed of membership that complies with the Community Services Block Grant- Texas Administrative Code Rule 5.215.

Result: Webb County Community Action Agency will be in compliance with the Texas Administrative Code Rule 5.215.

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

Vote: 5 - 0 Motion Carried

- 23. Discussion and possible action to authorize the Webb County Community Action Agency to enter into an annual agreement with the Neighbor-To- Neighbor Program effective as of January 1, 2016 with Direct Energy, LP ("Direct Energy") CPL Retail Energy, LP, ("CPL Retail Energy") and/or WTU Retail Energy, LP ("WTU Retail Energy") and/or First Choice Power, LP ("First Choice Power"), and/or Bounce Energy, LP ("Bounce Energy") and Three Retail Energy Providers ("REPs). The purpose of the agreement is to assist Direct Energy, LP, CPL Retail Energy, WTU Retail Energy, First Choice Power, Bounce Energy and Three Retail Energy Providers (REP) low income clients pay their electric home energy expenses thru the Neighbor to Neighbor Program.**

Issue: Webb County Community Action Agency will enter into an annual agreement with the Neighbor to Neighbor Program.

Solution: The Neighbor to Neighbor Program will provide funding to the Retail Energy Providers low income clients pay their electric home energy expenses.

Result: Qualifying recipients will receive payment for their home energy expense for up to \$600.00 per calendar year.

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

Vote: 5 - 0 Motion Carried

- 24. Discussion and possible action to accept \$1,561.98 from Reliant Energy Retail Services, LLC. The Webb County Community Action Agency will utilize these funds to assist qualified Reliant Energy Retail Services, LLC clients. [Account #902-4202-7004]**

Issue: Webb County Community Action Agency will receive a check in the amount of \$1,561.98 from Reliant Energy Retail, Services LLC.

Solution: The contributions will provide funding for energy assistance payment to Reliant Energy customers under the CARE Program.

Result: Webb County Community Action Agency will accept enrollment applications from potential clients and qualify Reliant Energy customers as eligible recipients in accordance with Reliant Energy Care program requirements.

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

Vote: 5 - 0 Motion Carried

Elections

- 25. Discussion and possible action to approve modifications to the 2016 Primary Election Early Voting Site Resolution previously approved by Commissioners Court.**

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

Vote: 5 - 0 Motion Carried

Engineer

26. **Discussion and possible action to authorize the Interim Purchasing Agent to solicit Requests For Proposals (RFP's), for "Design Build" for a parking lot project for the empty lot located at 1001 Houston Street, previously old Courthouse Annex building site; and any other matters incident thereto.**

Issue: Lot is vacant

Solution: Construct a parking lot

Result: Add needed parking

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

Vote: 5 - 0 Motion Carried

27. **Discussion and possible action to approve Dannenbaum Engineering Corporation Work Authorization No. 2 for a total of \$567,911.98 for remaining engineering fees after September 1, 2015 to completion for Loop 20 Extension Project (CSJ: 0086-14-058); pending approval from Texas Department of Transportation (TxDOT).**

Issue: Work Authorization No. 2 Contract is for remaining fee (services) after September 1, 2015 until services are 100%

Solution: Add back in fee for services removed from Work Authorization No. 1.

Result: The date for Work Authorization No. 2 completion is August 1, 2020 to match contract.

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

Vote: 5 - 0 Motion Carried

28. **Discussion with possible action to release payment to LNV Engineering for Two (2) invoices totaling \$34,312.60 under their Contract to provide engineering support services for the Rio Bravo Water and Wastewater Treatment Plants. [Account #745-3001-8801-7]**

Issue: LNV Engineering was hired in 2014 to provide repair and rehab services for the Rio Bravo Water and Wastewater Systems, these two final payments remain and have been completed.

Solution: Authorize payment.

Result: Payment to be approved and released at next available meeting.

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

Vote: 5 - 0 Motion Carried

29. Discussion and possible action to authorize the Interim Purchasing Agent to solicit Requests for Proposals (RFP's) to install replacement valves and actuators for the Rio Bravo Water Treatment Plant to provide compliance with the Texas Commission on Environmental Quality (T.C.E.Q.) requirements.

Issue: Current valve and actuator sets are pneumatic and have not been working for approximately Seven (7) years. This has led to material degradation and stoppage of pneumatic. Therefore the plant cannot operate under automatic backwash conditions as originally designed. Project is estimated at \$125,000.00.

Solution: Replace Twenty (20) pneumatic valve and actuator sets with newly functioning electrical sets including installation.

Result: Upon completion of this project, violation can be cleared and electrical control will reduce the need for air compressor services.

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

Vote: 5 - 0 Motion Carried

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to bring up item # 33

Vote: 5 - 0 Motion Carried

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	744-0115-6000-07	Infrastructure Environment	\$72,749	\$677,000	\$604,251
To:	745-3001-8801-7	Capital Outlay Water Utility	\$72,749	\$117,408	\$190,157

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

Vote: 5 - 0 Motion Carried

30. Discussion and possible action to award a Professional Service Contract in the amount of \$33,935.00 to LNV Engineering for engineering support and Texas Commission on Environmental Quality (T.C.E.Q.) coordination for the approval of the Liquid Ammonium Sulfate injection installation for the Rio Bravo Water Treatment Plant; Texas Local Government Code under 262.024 Discretionary Exemptions section (a) (4) a personal or professional service. [Account #745-3001-8801-7]

Issue: Currently the Rio Bravo Water Treatment Plant utilizes Anhydrous Ammonia in combination with Chlorine to provide the effective distribution system disinfectant residual required to comply with state requirements. Enforcement action requires under Provision 3.b.viii that we maintain effective disinfection through monitoring of disinfection zone. Our system currently in place, due to it being a gas substance, makes the environment very hazardous for employees and potentially the public. This project has acquired installation approval and engineering is needed to acquire T.C.E.Q. approval.

Solution: Awarding this contract to LNV Engineering will provide for specifications, standard operational procedures and drawings as well as T.C.E.Q. coordination regarding the LAS conversion.

Result: Upon completion of this project, working conditions will be much safer, consistency in the chemical used to treat the water will be improved and we will comply with the T.C.E.Q. Enforcement Action.

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

Vote: 3 - 0 Motion Carried

Other: County Judge Tano E. Tijerina (ABSTAIN)
Commissioner, Pct. 2 Rosaura "Wawi" Tijerina (ABSTAIN)

- 31. Discussion and possible action to authorize payment of \$6,200.00 to Pollution Control Services for lab testing conducted for permit renewal applications completed once every Five (5) years. These services were not invoiced due to the expectation from Pollution Control Services that our consultant would provide the payment. [Accounts #801-3001-6022-8, #801-3002-6022-8 and #801-3004-6022-8 (Utilities)]**

Issue: We hired a consultant to provide the application process and coordination with the Texas Commission on Environmental Quality (T.C.E.Q.) to renew our current permits, and many times they coordinate the analysis of water samples for the application process. After non-payment it was identified we were never invoiced for these services by Pollution Control Services until December.

Solution: Provide this onetime non-routine services to Pollution Control Services.

Result: Pay for services.

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 declare an emergency and grant the exemption from competitive bidding pursuant to the Texas Local Government Code 262.024 (a) (2) an item necessary to preserve or protect the public health or safety of the residents of the county and award a contract in the amount of \$38,814.00 to the lowest priced bidder Dynamic Pump Systems of Austin, Texas for the purchase of Three (3) pump and motor sets for the High Service Pump Station for compliance with the Texas Commission on Environmental Quality (T.C.E.Q.) violation. [Account #745-3001-8801-7]**

Issue: Current violation by T.C.E.Q. places our existing set of four (4) 600 gallon per minute (gpm) pumps at insufficient capacity to meet by rule our peak day of 2.1 million gallons per day.

Solution: Replace current 600 gpm pumps with new 1,200 gpm capacity pumps meeting today's capacity and future needs.

Result: Upon completion of this project, violation can be cleared and pumping capacity will be sufficient for multiple years.

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

Vote: 5 - 0 Motion Carried

Purchasing

34. Discussion and possible action to award the following Annual Contracts:

Bid 2016-30 - Annual Contract for Hot Mix Asphalt - Anderson Columbia (Primary)

Bid 2016-03-B - Annual Contract for Flexible Base - Zeus Construction & Bertha Aldrete

Issue: Some contracts for the above listed items have expired.

Solution: Re-solicit new contracts.

Result: Purchasing efficiency, compliance of the law

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

Vote: 5 - 0 Motion Carried

35. Discussion and possible action to dispose of office furniture, office equipment, salvage computer/computer parts/electronics as allowed in Texas Local Government Code 263.152(a); sell the identified items by competitive bid or auction and/or dispose of property by donating to a charitable organization or dispose of any property determined to become obsolete for future use.

Sheriff's Office

3 computers, 10 printers, 3 desks, 4 chairs, 4 monitors, 1 file cabinet, 1 vhs player, 1 scanner, 3 copiers & GE Scan Portal.

Community Action Agency

9 computers, 29 printers, 2 desks, 3 monitors, 12 file cabinets, 3 tv's.

Information Technology

34 computers, 11 switches, 10 monitors, 1 fax, 8 phones, 1 printer, 1 scanjet, 8 sets of speakers, 1 MAC all-in-one.

Facilities & Building Maintenance

2 decorative desks, 2 small decorative tables, 3 desks w/return, sofa, 8 drawer cabinet, Portable stage (consisting of platform units, step up unit, railings and assembly poles, desk chair, sound system w/speakers, paper shredders, 1 computer, monitor & telephone.

Purchasing

20 monitors, 15 printers, 16 computers, 10 typewriters, 2 copiers

Issue: Equipment identified no longer meets its intended purpose efficiently (obsolete or not cost effective to repair).

Solution: When feasible, sell equipment (as allowed by state law) to recover some of the cost or in other instances donate to charitable organizations.

Result: Complainece of the Law

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

Vote: 5 - 0 Motion Carried

36. Discussion and possible action to authorize the Purchasing Agent to purchase Forty-Seven (47) Microsoft Office Professional 2016 Licenses, Forty-Seven (47) Microsoft Windows Server 2012, and Forty-Seven (47) Microsoft Exchange Standard Cal 2016 from SHI Government Solutions, in the amount of \$19,255.90, pursuant to Sections 271.101 and 271.102; Cooperative Purchasing Program, Texas Local Government Code; DIR-SDD-2503. [Requested by Martin Cuellar, Sheriff; Account #603-0101-8801]

Issue: Current operating systems on numerous PC/laptops are in non-compliance with CJIS due to Old Window version of operating system, and requires upgrades to ensure compatibility with Tyler records management implementation and state/federal rules.

Solution: Upgrade hardware, software and licenses to Operating systems that will be compatible with all current requirements.

Result: Systems will be in compliance with CJIS; state and federal requirements and compatibility with new Tyler software being implemented.

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

Vote: 4 - 0 Motion Carried

Other: Commissioner, Pct. 3 John C. Galo (OUT OF THE COURTROOM)

37. **Discussion and possible action to authorize the Purchasing Agent to purchase Seventeen (17) display port to VGA video adapter converters, Seventeen (17) Dell Optiplex 7020, Seventeen (17) Belkin Home/Office Surge, Seventeen (17) Dell LED Monitors-22", Seventeen (17) Belkin mouse pads, and Seventeen (17) Dell AC511 from Southern Computer Warehouse, in the amount of \$17,970.19, pursuant to Sections 271.101 and 271.102 Cooperative Purchasing Program, Texas Local Government Code; Buyboard 409-12. [Requested by Martin Cuellar, Sheriff; Account #603-0101-8801]**

Issue: Current operating systems on numerous PC/laptops are in non-compliance with CJIS due to Old Window version of operating system, and requires upgrades to ensure compatibility with Tyler records management implementation and state/federal rules.

Solution: Upgrade hardware, software and licenses to Operating systems that will be compatible with all current requirements.

Result: Systems will be in compliance with CJIS; state and federal requirements and compatibility with new Tyler software being implemented.

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

Vote: 5 - 0 Motion Carried

38. **Discussion and possible action to authorize the Purchasing Agent to purchase Two (2) office desks, Two (2) credenzas, Two (2) Desk Hutch w/ doors, and Two (2) double pedestal desks from Executive office Supplies, in the amount of \$8,297.50. [Requested by Rudy Rodriguez, Constable Pct. 1; Account #603-0101-8801]**

Issue: Current Desks are broken, and falling apart

Solution: Purchase new Desks

Result: Improve work stations

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

Vote: 5 - 0 Motion Carried

Honorable Marco Montemayor, County Attorney

39. Discussion and possible action to authorize Webb County to enter into a Memorandum of Understanding with Texas A&M International University (TAMIU) for the term of (March 1, 2016 through March 15, 2017) to promote quality public administration education and training for Master of Public Administration students and authorizing the County Judge to sign all relevant documents. [Requested by Cynthia Mares, Webb County Administrative Services Director]

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

Vote: 5 - 0 Motion Carried

40. Discussion and possible action to accept the dedication of Two (2) Roadway Right-of-Way easements out of La Presa Subdivision, and to authorize the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Luis Perez-Garcia, Webb County Engineer/Utilities Department Director]

<u>Property - La Presa Subdivision</u>	<u>Grantor</u>
22,327.10 sq. ft. out of Tract 12.	Janeen Gorton
1,650.51 sq. ft. out of Tract "A" any interest within 2.4908 acres out of Tracts 1 thru 11 and any interest within 0.7384 acres out of Tract 1	Palmito Estates

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

Vote: 5 - 0 Motion Carried

Judge Tijerina stated that item #41 would be moved to the end .

Honorable Harold Devally, Constable Pct. 4

42. Discussion and possible action to approve a budget amendment to increase expenditures in the amount of \$14,588 to Account #171-2502-6707 which currently has a balance of \$4,365.00. Available funds from Account #171 are currently \$14,588.00 federal forfeiture received from the department of justice.

Issue: With five months remaining for the 2015- 2016 school year and several presentations scheduled throughout those months, our office has depleted its inventory of promotional and educational items needed for presentations. The fund increase will allow for the purchase of drug free campaign promotional and educational items for department presentations.

Solution: The increase of funds will allow for the department to make necessary purchases throughout the remaining school and summer months.

Result: Once purchased, the items will be distributed accordingly throughout presentation dates.

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

Vote: 5 - 0 Motion Carried

Honorable Martin Cuellar, Sheriff

43. Discussion and possible action to authorize the submission of a Justice Assistance Grant (JAG) application to the Office of the Governor Criminal Justice Division (CJD) in the amount estimated at \$58,000 to continue to pay for the salary and fringe benefits of a patrol officer to provide enhanced border security in the Laredo/Webb County community; and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. This grant does not require any type of match. [Grant Fund 324]

Issue: The County of Webb/City of Laredo continue to constitute an important part of the federally designated South Texas High Intensity Drug Trafficking Area (HIDTA), which is one of the most strategically significant cross-border drug smuggling corridors in the entire United States.

Solution: Grant application to fund an existing peace officer/deputy to continue to be deployed to assist, supplement, and enhance border security in the South Texas High Intensity Drug Trafficking Area (HIDTA) as well as to continue to provide protective services to the residents of Webb County.

Result: Through the grant-funded efforts of the deputy, the patrol division of the Webb County Sheriff's Office will be provided enhanced manpower to detect, deter, and disrupt various illegal transborder activity in the Webb County area.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to approve item #43 and to pay from the actual grant funds till they exhaust them

Vote: 5 - 0 Motion Carried

44. Discussion and possible action to approve the following line item transfers within the forfeiture accounts:

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	168-2001-6411	Repairs & Maintenance - Software	\$5,000	\$5,000	\$0.00
	168-2001-6228	Fire Arms & Ammunition	\$1,500	\$1,500	\$0.00
	168-2001-6202	Uniforms	\$2,500	\$2,500	\$0.00
	168-2001-6706	Canine Expenditures	\$200	\$1,500	\$1,300
			\$9,200		
To:	168-2001-6707	Drug Free Campaign	\$9,200	\$0.00	\$9,200

Issue: Line Item Transfer required to cover future Drug Free Campaign related expenditures.

Solution: Transfer funding from other accounts within State Forfeiture Budget.

Result: Funding availability under the Drug Free Campaign account. State funds.

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

Vote: 5 - 0 Motion Carried

45. Discussion and possible action to approve a budget amendment by increasing revenues and expenditures in the amount of \$110,409.00 for new revenues received from the Department of Treasury from seized funds in accordance with Texas Local Government Code; Section 111.07075 (Special Budget for Revenue Received after Start of Fiscal Year). [Fund #170 (Forfeiture)]

Issue: New revenue receipts received as a result of previous seizures conducted between the Webb County Sheriff's Office and Federal Law enforcement agency(s). These amounts have now been forfeited and awarded to the collaborating agencies for official use.

Solution: Appropriate new revenues and expenditures not currently budgeted for FY 2015-2016.

Result: Utilize new revenues for law enforcement purposes and in accordance with Equitable sharing guidelines. All forfeiture budgets should be used only as a supplement source and not to supplant current budgets approved through the General fund or other non-forfeiture sources.

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

Vote: 5 - 0 Motion Carried

Commissioners Court Administrator

- 46. Discussion and possible action to approve an employee reimbursement for yearly allotted car allowance that was not paid from February 2015 through December 2015 in the amount of \$1,100.00; and any other matters incident thereto.**

Issue: Employee Slot #2350 was transferred from Dept. 6113 on October 1, 2015 to Department 6308. The travel allowance expense was not carried over and through a payroll oversight, was not paid the yearly allotted car allowance that is paid on a monthly basis. This amount totals to \$1,100.00.

Solution: Pay employee the amount due as per the car allowance provided each year.

Result: Employee will be reimbursed for monies due.

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

Vote: 5 - 0 Motion Carried

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

- 47. Discussion and possible action to hire a temporary full time (without benefits) employee for the Carlos Aguilar Activity Center to replace an employee out on Family and Medical Leave Act (FMLA), effective immediately; and to approve the posting and filling of the following Slot, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective January 25, 2016:**

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2320	Activity Center Assistant	\$13.07 Grade 9/A

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

Vote: 5 - 0 Motion Carried

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

48. **Discussion and possible action to authorize the submission of a Housing Preservation Grant application to the United States Department of Agriculture - Rural Development in the amount of \$100,000.00; and authorizing the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in the Housing Preservation Grant Program. There will be a total in-kind match of \$8,500 from debris pick-up and construction soft costs. [Requested by Juan Vargas, Economic Development Department Director]**

Issue: There is a great need for Housing Rehabilitation activities in the rural areas of Webb County.

Solution: Grant funds shall be sought from the United States Department of Agriculture - Rural Development- Housing Preservation Grant Program for eligible housing rehabilitation activities in the rural areas of Webb County.

Result: Webb County shall assist four (4) families with the rehabilitation of their homes.

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

Vote: 5 - 0 Motion Carried

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

49. **Discussion and possible action to consolidate and transfer all unencumbered funds from Accounts #603-0101-8801 (Capital Outlay Fund) and #604-0101-8103 (Permanent Improvement Fund) into a new general fund account or sub-account to be identified by the county budget officers in an effort to reconcile available account balances and to improve transparency of financial accounting from the county's general fund; and any other matters incident thereto.**

Chief Deputy Auditor, Mr. Rafael Perez and Chief Executive Administrator Mr.Lalo Uribe were present to address the Commissioners Court on item #49

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina Commissioner John Galo stated that he wanted to sweep all funds and transfer this money for safekeeping from account #603 (\$143,173.00) and #604 (\$66,110.00) and put them in account #605. We are going to take the utility designation off of that and its going to be a comprehensive and just a contingency funds to remove the labels off of #603 and #604 and lets reconcile those two accounts. Also,to alter the votes we took earlier to charge from #603 and #604 and make them now the new account.

Vote: 5 - 0 Motion Carried

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina Judge Tijerina motion to bring up item #55 and Commissioner Rosaura Tijerina 2nd.

Vote: 5 - 0 Motion Carried

Presentations

55. **Presentation by Fanny Vargas regarding the upcoming Nuestra Belleza Latina All Star competition.**

Fanny Vargas , a native laredoan was present to address the Commissioners Court on her upcoming Nuestra Belleza Latina All Star Competition.

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

50. **Status report from County Staff regarding the continued success of the Veterans Express Transportation Program with discussion and possible action to approve the continuation of the program until further notice; and any other matters incident thereto.**

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

Vote: 5 - 0 Motion Carried

Honorable Tano E. Tijerina, Webb County Judge

52. **Discussion and possible action to request that the Webb County-City of Laredo Regional Mobility Authority ("WC-CL RMA") conduct a study on the feasibility of a county Transportation Reinvestment Zone ("TRZ").**

Issue: Section 222.107 of the Transportation Code authorizes a county to create a TRZ by designating a geographic area (either the entire county or some smaller portion thereof) and capturing the incremental property tax revenue generated in that geographic area for use in funding the development of one or more proposed transportation project(s). Webb County is considering forming a TRZ in order to fund the development of transportation projects. However, prior to undertaking the formation of a TRZ, the County would like more information regarding the financial feasibility and potential benefits of a TRZ.

Solution: Request that the WC-CL RMA conduct of a study regarding the feasibility and benefits of a TRZ, as the WC-CL RMA has expressed a willingness to conduct such a study and has the tools and resources necessary to do so.

Result: Webb County gains valuable insight regarding the feasibility and benefits of forming a TRZ.

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

Vote: 5 - 0 Motion Carried

53. **Discussion and possible to approve a resolution by the Webb County Commissioners Court in support of the creation of a proposed tax increment reinvestment zone by the City of Laredo for the Coves at Winfield Project; and any other matters incident thereto.**

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

Vote: 4 - 0 Motion Carried

Other: Commissioner, Pct. 1 Frank Sciaraffa (OUT OF THE COURTROOM)

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to go to Executive Session on items #41,#51, and #54

Vote: 5 - 0 Motion Carried

(Executive Session 12:01 - 1:22 P.M.)

No action taken.

Honorable Marco Montemayor, County Attorney

41. **Status report with discussion and possible action to discuss 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)]**

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Frank Sciaraffa to approve the recommendations from the County Attorney's Office and to go with Constant Law Firm

Vote: 5 - 0 Motion Carried

Honorable Tano E. Tijerina, Webb County Judge

51. **Discussion and possible action to enter into a collective bargaining agreement for the period of October 1, 2015 through September 30, 2020 among Webb County, Webb County Sheriff Martin Cuellar, and the Webb County Deputy Sheriffs Association; and to authorize the County Judge to execute said agreement on behalf of Webb County; and to take any other action related to said agreement. [Closed Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]**

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

Vote: 5 - 0 Motion Carried

Closed Session/Executive Session

54. **Status report with discussion and possible action regarding settlement negotiations in Cause Number 2013CVF001669 D4, Marion Services, LLC vs. Webb County, Texas; and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071(1)(A) (Consultation with Attorney regarding pending settlement negotiations)]**

Motion by Commissioner, Pct. 1 Frank Sciaraffa, seconded by County Judge Tano E. Tijerina to approve the Assistant County Attorney Jorge Trevino's recommendation to authorize a negotiation an amount not to exceed a reasonable amount of work performed excluding interest and attorney fees.

Vote: 5 - 0 Motion Carried

56. **Communications**

Communications were led by Cmr. Jaime Canales followed by Cmr. John Galo, Cmr. Rosaura Tijerina and Judge Tano Tijerina.

57. **Adjourn**

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

Vote: 5 - 0 Motion Carried