

# DRAFT

## Official Minutes for Webb County Commissioners Court Meeting

**Monday, February 13, 2017 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
Jesse Gonzalez,	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 10th day of February 2017. Present also were Mrs. Virginia M. Rodriguez, 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**

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

**Vote:** 4 - 0 Motion Carried - Unanimously

Other: Commissioner, Pct. 4 Jaime Alberto Canales (ABSENT)

**2. Pledge of Allegiance/Invocation**

9:02 a.m. - Cmr. Canales present.

**3. Approval of Bills, Payroll, and Monthly Report**

County Treasurer, Ms. Delia Perales presented the Recap of Checks, Recap of Immediate Payments, Ratification of Payroll, Ratification of Payroll - 2nd Run, and Auditor's Errors

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

**Vote:** 5 - 0 Motion Carried - Unanimously

Chief Deputy Auditor, Mr. Rafael Perez presented the monthly report for January 2017.

**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, individually or in a group, will be allowed a total of Three (3) minutes within which to make any/all public comments.**

1) Board President of the Laredo Animal Protective Society, Kathy Kazen spoke in regards to the upcoming canine and feline services clinic.

**CONSENT AGENDA:** At most meetings, the Commissioners Court establishes a Consent Agenda. It consists of those Agenda Items which are routine or non-controversial, and which neither a member of the Commissioners court has asked to be pulled for discussion. Once the Commissioners Court has established the Consent Agenda, Agenda Items included on it will be voted upon in one vote, and will not be discussed separately unless requested by the County Judge or Commissioners.

The consent agenda has been created in order to give constituents the opportunity to view any and all pertinent backup information with reference to any item in the agenda. The objective of the consent agenda is for all Webb County constituents to be familiar with everyday county business and to demonstrate the transparency and fairness of this Commissioners Court.

The following Agenda Items are of a routine nature, and the Commissioners Court has received supporting materials for consideration. All of these Agenda Items will be passed with one vote without being discussed separately, unless a member of the Commissioners Court or the public requests that a particular Agenda Item be discussed. If so, that Agenda Item will be pulled from the Consent Agenda and discussed as part of the regular Agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.

### **CONSENT ITEMS**

#### **COURT TO DISCUSS AND ACT ON THE FOLLOWING:**

**5. Honorable Jesse Gonzalez, Webb County Commissioner Pct. 1**

- a. Discussion and possible action to authorize the County Attorney's Office to develop an Interlocal Agreement between Webb County and Mirando City Water Supply Corporation (MCWSC) for the construction of a Water Storage Standpipe Tank in Mirando City, Texas, to be paid from a Texas Community Development Block Grant from Texas Department of Agriculture awarded to the County in the amount of \$500,000 for this purpose. Webb County will assist MCWSC by administering the funding for this project and will provide oversight necessary to ensure that the available funds are used for this specific project. [Requested by Juan Vargas, Economic Development Department Executive Director]

**Issue:** An Interlocal Agreement is necessary in order to outline project responsibilities for both parties.

**Solution:** Develop and execute an Interlocal Agreement to accomplish a clear understanding of project responsibilities for both parties.

**Result:** A full understanding of each party's role and responsibilities during the implementation of this grant.

- b. Discussion and possible action to approve a Resolution and authorize the Honorable Tano E. Tijerina, Webb County Judge, Honorable Jesse Gonzalez Commissioner, Pct. 1 as authorized signators and Honorable Rosaura "Wawi" Tijerina, Pct. 2 as alternate signator to the Texas Community Block Grant Program TCDP # 7216115 grant and authorizing the County Judge to sign all relevant documentation. [Requested by Juan Vargas. Economic Development Department Executive Director]

**Issue:** Two signatures required on all draw down requests for reimbursement.

**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 to Webb County.

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

- c. Discussion and possible action to approve a Resolution regarding various compliance matters required by the Texas Department of Agriculture Texas Community Development Block Grant #7216115 (Construction of Mirando City Standpipe Water Storage Tank), and authorize the County Judge to sign all relevant documentation. [Requested by Juan Vargas, Economic Development Department Executive Director]

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.

7. Honorable Marco Montemayor, County Attorney

- a. Discussion and possible action to approve and adopt a Complaint Procedure Policy in accordance with the Americans with Disabilities Act. The Complaint Procedure would provide for a timely and equitable resolution of general public complaints associated with the provision of services, activities, programs, and facilities by Webb County.

Issue: Title II of the Americans with Disabilities Act pertaining to services and programs provided by local governments requires that a complaint process be implemented by each jurisdiction to be used by the general public in regards to alleged discrimination on the basis of an individual's disability.

Solution: Commissioners Court to adopt a Complaint Process that would be followed by the ADA Coordinator through guidance from the County Attorney's Office.

Result: Provide timely and equitable resolution to alleged discrimination on the basis of disability in the provision of county services, activities, program, benefits, and access to facilities.

8. Honorable Margie Ibarra, County Clerk

- a. Approval of Minutes for January 23, 2017
- b. Discussion and possible action to approve the following line item transfer from the County Clerk Archive Fund:

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	005-2985	Fund Balance	\$80,000	\$1,039,881	\$959,881
To:	005-1120-6022	Professional Services	\$80,000	\$-80,000	\$80,000

Issue: KOFIL P.O.#16-0009378 for \$400,000 was encumbered since September 13, 2016 and was not paid. The balance was carried over to current budget of \$320,000.

Solution: Approval of line item transfer.

Result: The County Clerk Professional Services account will not be in deficit and will be able to pay KOFIL.

9. Honorable Hugo Martinez, County Court at Law 1 Judge

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	001-1010-6024	Court Appointed Attorney	\$4,000	\$13,375	\$9,375
To:	001-1055-6900-10ADU	Expert Witness	\$4,000	\$425	\$4,425

**Issue:** There are not sufficient funds to cover the expense of services for Expert Witness to testify on a certification. Services have already been rendered and payment must be made.

**Solution:** Transfer money in order to be able to pay this invoice.

**Result:** Invoice will be paid promptly.

**10. County Court at Law 2**

a. Discussion and possible action to approve the following line item transfers:

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	001-1011-6011	Training & Education	\$2,100	\$4,550	\$2,450
To:	001-1011-6022	Professional Services	\$1,200	\$1,000	\$2,200
	001-1011-6029	Court Interpreter/Reporter	\$900	\$190	1,090
			\$2,100		

**Issue:** There are not sufficient funds to cover the expense for Professional Services and Court Interpreter to testify on a certification. Services have already been rendered and payment must be made.

**Solution:** Transfer money in order to be able to pay this invoice.

**Result:** Invoice will be paid promptly.

**11. Honorable Ramiro Veliz, Justice of the Peace Pct. 2 Pl. 1**

a. Discussion and possible action to approve the following line item transfer, and authorize the budget officers to process the following budget amendment:

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	001-1042-5001-A	Incentive Suppl Pay	\$10,000	\$10,000	\$0
To:	001-1042-5005	Part Time	\$10,000	\$0	\$10,000

**Issue:** The funding for part time was temporary placed under incentive supplement pay pending the creation of a part time account for this department. The new account was created for the department, but the funds were never moved.

**Solution:** Transferring the funds will allow the department to use this line item.

**Result:** The department can hire part time employees.

**12. Honorable Isidro Alaniz, District Attorney**

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	169-1100-8801	Capital Outlay	\$60,561	\$150,000	\$89,439
To:	169-1100-6022	Professional Services	\$10,000	\$2,402.00	\$12,402
	169-1100-6205	Materials & Supplies	\$3,412	\$(912.00)	\$2,500
	169-1100-6708	Law Enforcement - Other	\$32,831	\$(7,831.00)	\$25,000
	169-1100-7211-06	Bullet Proof Vests	\$14,318	\$(4,318.00)	\$10,000

**Issue:** The following accounts: Professional Services, materials & supplies, law enforcement other and bullet proof vest 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.

**13. Emergency Management**

- a. Discussion and possible action to approve the modifications to the Emergency Management Committee charter that was first approved on March 23, 2015. Changes include the addition of the Constables and Community Center representatives as members of the committee, and to extend the frequency of regular meetings from every two months to every four months (March, July, November); recommended by the Emergency Management Coordinator.

**Issue:** During the dissemination of the 2016 updated Emergency Operations Plan, it was noted that the Constables, who often support first responder operations in various scenarios, and Community Centers who participate in shelter operations, were not part of the Emergency Management Committee membership as approved in 2015. Additionally, given that much of the emergency preparedness planning is completed through meetings with individual departments and county officials, meetings every four months are considered sufficient to meet the committee goals.

**Solution:** Update the Emergency Management Committee Charter.

**Result:** Inclusion of Constables from all precincts and Community Center representatives as part of the Emergency Management Committee, and reduction in frequency of regular meetings.

**14. Fire Suppression & EMS Services**

- a. Discussion and possible action to accept a donation from Medina Electric Cooperative Inc. in the amount of \$500.00 as per Local Government Code 81.032, to be utilized in the acquisition of materials and supplies for the department; and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Account #001-2203-6205 (Materials & Supplies)]

**Issue:** Donation check issued by Medina Electric Cooperative Inc. to support the mission of the Webb County Volunteer Fire Department.

**Solution:** Deposit \$500 check into Materials and Supplies line item, Account #001-2203-6205.

**Result:** Continue working relationship with Medina Electric Cooperative Inc., and purchase needed supplies for department.

- b. Discussion and possible action to accept a donation from the Washington's Birthday Celebration Association of Laredo, Inc. as per Local Government Code 81.032, in the amount of \$500.00, to provide onsite fire supervision and prevention during the public fireworks display to be staged on February 19, 2017 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. [Account #001-0300-3795 (Other Revenues)]

**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.

- c. Discussion and possible action to accept a donation from John Steve Bordovsky, IV in the amount of \$150.00 as per Local Government Code 81.032, to be deposited into Webb County's general fund; and authorizing the Count Judge to sign all relevant documents; and any other matters incident thereto.

Issue: Donation check issued by John Steve Bordovsky, IV in support of the mission of the Webb County Volunteer Fire Department.

Solution: Deposit check into County's general fund.

Result: Continue assisting rural population when the need arises.

15. La Presa Community Center

- a. Discussion and possible action to approve the posting and filling of the following Slot, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective February 13, 2017:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2399	Center Aide	\$11.84 7/A

Issue: Employee was promoted internally and position is now vacant.

Solution: Approve the posting of position to fill vacancy.

Result: The filling of this position will alleviate overload task to the staff, and create efficiency and productivity within the department.

16. Planning & Physical Development

- a. Discussion and possible action to issue a "Certificate of No-Plat Required" pursuant to Section 232.0015(f), Texas Local Government Code and the provision of the Webb County Subdivision Regulations Section XVI.1B(2) to the re-plat of Tracts 67 and 68, Unit II, La Moca Ranch Subdivision containing approximately 284.52 acres, more or less, in Abst. 1998, Surv. 1392, Abst. 1999, Surv. 1394, Abst. 433, Surv. 1393 and Abst. 434, Surv. 1391 as described in Vol. 4162, Pgs. 596-601 of the Webb County Deed Records (ID 7071).

17. Purchasing

- a. Discussion and possible action to award RFP 2017-08 "Webb County Sheriff's Office - Inmate Phone Services to ICSolutions and authorizing the County Judge to sign all relevant documents and any other matters incident thereto. [Requested by Sheriff Martin Cuellar, Account #001-2060-3727 (Telephone Commissions)]

Issue: Webb County solicited formal proposals for the inmate phone system services needed for the County jail. Five (5) proposals were submitted on time and were evaluated in accordance with the weighted criteria published on request for proposals.

Solution: The Purchasing agent has tabulated all scores and is recommending award to the best score / ranked proposal submitted by IC Solutions. IC Solutions is wholly owned subsidiary of the Keefe Group which has served the correctional industry since 1975. Currently IC Solutions is serving over 300 correctional facilities across the United States, serving more than 220,000 inmates.

Result: Secure approval from Commissioners Court and proceed in finalizing contractual agreement and continue providing inmate phone services to County inmates.

- b. Discussion and possible action to approve payment for memberships of non-profit state associations as required by Local Government Code Section 89.002, list attached.

**Issue:** Local Government Code §89.002 requires that:

The commissioners court may spend, in the name of the county, money from the county's general fund for membership fees and dues of a nonprofit state association of counties if:

- (1) a majority of the court votes to approve membership in the association;
- (2) the association exists for the betterment of county government and the benefit of all county officials;
- (3) the association is not affiliated with a labor organization;
- (4) neither the association nor an employee of the association directly or indirectly influences or attempts to influence the outcome of any legislation pending before the legislature, except that this subdivision does not prevent a person from providing information for a member of the legislature or appearing before a legislative committee at the request of the committee or the member of the legislature; and
- (5) neither the association nor an employee of the association directly or indirectly contributes any money, services, or other valuable thing to a political campaign or endorses a candidate or group of candidates for public office.

**Solution:** Obtain court approval as required.

**Result:** Purchase Orders for associations approved by the Court will be processed for payment.

- c. Discussion and possible action to authorize the Purchasing Agent to use GovDeals.com, an online government surplus auction website to sell surplus assets including capital assets and controlled assets that no longer are of use to Webb County and/or not financially feasible to repair to place back into circulation for County operations such as heavy equipment, vehicles, trailers or other assets in our inventory; pursuant to Sections 271.101 and 271.102, Subchapter F, Cooperative Purchasing Program, Texas Local Government Code (Buy-Board Contract #457-14), and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto.

**Issue:** Currently the County has an estimated 50 or more units that are no longer in service and are currently stored at a County yard across from the Road and Bridge Department next to firing range. Additional units are located at Road and Bridge including multiple law enforcement units that have been partially stripped of its equipment and in some cases have equipment that has not been removed.

**Solution:** Auction all units that are no longer needed or operational. Units are deteriorating and taking up space at Road and Bridge and County yard.

**Result:** The County will be able to recover some revenue from the online auctions sales. Further, eliminating surplus vehicles no longer operational will help the Purchasing Agent better manage County wide inventory for both capital assets and controlled assets.

- d. Discussion and possible action to accept a 2017 Dodge Ram 1500 Tradesman purchased by the U.S. Marshals Services for use by the District Attorney's Office for Joint Law Enforcement Operations and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Requested by Isidro R. Alaniz, District Attorney; Account #001-1100-6403]

**Issue:** USMS purchased a 2017 Dodge Ram 1500 truck for the District Attorney's Office for use by Joint Law Enforcement Operations.

**Solution:** Approve the donation of the vehicle from the USMS for law enforcement use.

**Result:** Utilize all resources provided by the Federal government for the benefit of deterrence and to dismantle organized crime in our community and along the Texas border within Webb County.

- e. Discussion and possible action to authorize the Purchasing Agent to process surplus and/or salvage County property in accordance with the Texas Local Government Code (LGC); Section 263.152 (Disposition), competitive bid or auction (A.)(3.)(4.), (6.)(c.) for approximately 25 items and authorize the Purchasing Agent to publish Notice to public as per Local Government Code Section 263.153 (Notice). [Account #001-0600-6006-10]

**Issue:** Excess County property that either is salvage property because of time, accident, or any other cause is so worn, damaged, or obsolete that it has no value for the purpose it was originally intended for and/or surplus property that may have some usefulness for the purpose it was intended.

**Solution:** Attempt to sell the County surplus or salvage property by competitive bids or auction, dispose or destroy property that can't be sold through auction and/or competitive bids because it's deemed worthless or dispose through a recycling program under which property is collected, separated, or processed and returned to use in the form of raw materials of new products.

**Result:** Generate revenue from sale of property, make room for future surplus turned in by departments and/or salvaged property that would require Courts approval for future disposal or other action permitted by law.

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	010-7002-5001	Payroll Costs	\$40,570	\$1,739,239	\$1,698,669
To:	010-7002-8801	Capital Outlay	\$40,570	\$359,763	\$400,333

**Issue:** Funding needed to cover debt service expense for grader and backhoes on lease agreement with CAT Financial for FY 2017.

**Solution:** Transfer salary savings from payroll costs to capital outlay. This will allow for the transfer out to Debt Service.

**Result:** Cover funding needed to submit requisitions and issuance of Purchase Order for heavy equipment previously approved by Commissioners Court during the month of January of 2017.

- g. Discussion and possible action to correct the wording of agenda item #28 from the January 9, 2017 Commissioners Court meeting, requested by County Attorney's Office, to reflect the correct equipment vendor which should be Caterpillar Financial Services Corporation instead of Holt Texas, Ltd.; and to direct the county clerk's office to correct the minutes of said meeting to reflect this change; and any other matters incident thereto.

**18. Water Utilities**

- a. Discussion and possible action to dispose of Sixty-Two (62) non-working meters as salvage to Wilkinson Iron & Metal Pursuant to Subchapter D, Disposition of salvage or surplus property, Section 263.152 (a)(3), under Texas Local Government Code.

**Issue:** Non Functional water meters taking up space.

**Solution:** selling meters will make room for additional change outs.

**Result:** bring in revenue back to Utilities Department by selling non functional meters.

**19. Honorable Martin Cuellar, Sheriff**

- a. Discussion and possible action to approve the following line item transfer within the following Forfeiture funds:

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	170-2001-8801	Capital Outlay	\$6,000	\$13,166	\$7,166



To:	170-2001-6411	Software	\$6,000	\$5,000	\$11,000
-----	---------------	----------	---------	---------	----------

**Issue:** Currently, there is insufficient funds under the software budget category of the Webb County Sheriff's Office forfeiture funds to be able to pay to utilize the LeadsOnline software system that allows Webb County Sheriff's Office investigators to recover stolen items that thieves attempt to sell to pawn shops.

**Solution:** Line item transfer of forfeiture funds from Capital Outlay to Software in order to guarantee access to these important law enforcement services.

**Result:** Webb County Sheriff's Office investigators will be able to continue to utilize this important technology to assist in their investigative work and some citizens whose possessions were stolen or robbed will be able to recover their valuables that were taken to be sold at pawn shops.

- b. Discussion and possible action to approve the purchase of needed network video recorder system in the amount of \$21,846.95 from Global Technologies for the Webb County Justice Center and authorization to transfer funds from Account #175-2001-8801 (Capital Outlay) in the amount of \$16,400; Account #175-2001-6228 (Firearms & Ammo) in the amount of \$5,000; and Account #175-2001-6001 (Office Supplies) in the amount of \$102 to Account #175-2001-6401 (Repair & Maintenance of Building) for a total amount of \$21,502 to pay for this purchase; and any other matters incident thereto. [Account #175-2001-6401] [Co-Sponsored by Jesse Gonzalez, Commissioner, Pct. 1]

**Issue:** System needs to be replaced.

**Solution:** Utilize funds from the capital outlay contingency fund for replacement.

**Result:** With the purchase of a new network video recorder, the Justice Center, its employees, and citizens who utilize the building will be provided with an enhanced security and surveillance system.

- c. Discussion and possible action to approve the purchase of needed replacement jail padding for cell number 111 in the amount of \$24,063 from Marathon Engineering Corporation for the Webb County Jail, and authorization to transfer funds from Account #605-3001-8801-7 to Account #605-2001-8801 in that same amount of \$31,930 to pay for this purchase; and any other matters incident thereto. [Account #605-2001-8801] [Co-Sponsored by Jesse Gonzalez, Commissioner Pct. 1]

**Issue:** This jail cell at the Webb County Jail that is used for those inmates who exhibit self-harm/suicidal tendencies, violent inclinations and/or are under the influence of drugs and/or alcohol. The padding of this cell has comprised to a degree of deteriorated condition that it presents a threat to the safety of these types of high risk inmates. The padding of this cell has been torn by an inmate while in custody. This is a liability for the County Jail and safety measures have to be taken on these types of high risk inmates.

**Solution:** The purchase of new padding will improve jail operations for the increased safety and security of high risk jail inmates who are suicidal, exhibit a propensity to hurt themselves and others as well as the correctional officers guarding/supervising them.

**Result:** Through the purchase of the needed repairs, Webb County will avoid liability issues regarding the padding of this jail cell and the high risk inmates who utilize the padding.

**20. Juvenile Probation Department**

- a. Discussion and possible action to approve the posting and filling of the following Slots, subject to the availability of payroll funds and any applicable Civil Service guidelines, effective February 13, 2017:

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
350	Juvenile Supervision Officer	\$15.73 12/D

**Issue:** Due to resignations and terminations, we are not meeting the staffing ratios for the continuous (24 hours a day/7 days a week) operations of the Juvenile Detention Center.

**Solution:** Approve the posting and filling of vacated positions.

**Result:** Compliance with required supervision ratios.

Cmr. Galo read item #17.g. into the record.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Jesse Gonzalez to approve all Consent Agenda items except items #6.a., #6.b., and #6.c.

**Vote:** 5 - 0 Motion Carried - Unanimously

**6. Commissioners Court Administrator**

- a. **Discussion and possible action to authorize a Resolution expressing opposition to Senate Bill 2 in the Texas Legislature and its efforts to limit local control and any attempts to impose additional revenue caps upon Texas counties; and any other matters incident thereto. [Requested by Legislative Affairs Committee]**

**Issue:** Senate Bill 2 proposes to approve revenue caps for Texas counties which would diminish local control and tie the hands of county officials and limit their ability to provide essential services to address the needs and emergencies of their citizens.

**Solution:** Oppose the passage of Senate Bill 2 and its efforts to impose revenue caps upon Texas counties.

**Result:** Allow Texas Counties to control their own property tax system.

- b. **Discussion and possible action to authorize a Resolution expressly prohibiting the imposition of a mandatory governmental program on Texas counties without the appropriate funding from the Texas Legislature to enable the county to operate said programs; and any other matters incident thereto. [Requested by Legislative Affairs Committee]**

**Issue:** The Texas Legislature mandates that counties implement certain governmental programs or perform certain duties and obligations including financial commitments by a county to expend county funds which causes an unforeseeable disruption and reduction of the county budget and operations.

**Solution:** Request the passage of legislation in the form of an amendment to the Constitution of the State of Texas that would expressly prohibit the imposition of a mandatory governmental program on Texas counties unless funds are allocated to enable Texas counties to operate said governmental program.

**Result:** Eliminate unfunded mandates from the legislature for Texas counties.

- c. **Discussion and possible action to authorize a Resolution requesting that the Texas Legislature fully fund the costs of Indigent Criminal Defense; and any other matters incident thereto. [Requested by Legislative Affairs Committee]**

**Issue:** The Texas Legislature has failed to provide sufficient funding to offset the costs of the Fair Defense Act and has shifted this cost to county taxpayers.

**Solution:** Request that the Texas Legislature fully fund the costs of Indigent Criminal Defense during its current 85<sup>th</sup> legislative session.

**Result:** Provide relief to Texas Counties who lack sufficient funds to be able to comply with requirements of the Fair Defense Act.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to approve items #6.a., #6.b., and #6.c.

**Vote:** 5 - 0 Motion Carried - Unanimously

### **REGULAR AGENDA**

#### **Honorable Isidro Alaniz, District Attorney**

21. **Discussion and possible action to approve a budget amendment to the District Attorney State forfeiture fund by increasing the expenditure budget by \$12,500; said amount is available from seized funds pursuant to Chapter 59 of the Texas Code of Criminal Procedure. [Fund #167-1100-5001 and related Fringe Benefits]**

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

**Vote:** 5 - 0 Motion Carried - Unanimously

#### **Elections**

22. **Discussion and possible action to enter into a Fifty-Six (56) month (February 13, 2017 through September 30, 2021) Lease with Maintenance Agreement between Toshiba Business Solutions and Webb County for the Webb County Elections Office for a Toshiba E-Studio 8508A Copier at a cost of One Hundred Sixty Dollars and Two Cents (\$160.02) per month for a total amount of Eight Thousand Nine Hundred Sixty-One Dollars and Twelve Cents (\$8,961.12) over the term of the agreement, subject to annual budget appropriating and authorizing the County Judge to sign and execute all relevant documents. [Account #001-0107-6402]**

Purchasing Agent, Mr. Joe Lopez recommended that the agreement on item #22 be only for forty-four (44) months ending on 09-30-2020.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to approve item #22 for forty-four (44) months ending on 09-30-2020

**Vote:** 5 - 0 Motion Carried - Unanimously

#### **Engineer**

23. **Discussion and possible action to approve closeout and final payment in the amount of \$17,653.50 and release retainage in the amount of \$15,916.96 for a total amount of \$33,570.46 to Azar Services, LLC., for the completion of RFP 2015-07 Water Utilities Warehouse (P.O. 16-0009095). [Account #745-3001-8801-7 (Capital Outlay Water Utilities) and Account #745-2311 (Retainage Account)]**

**Issue:** Closeout project after completion.

**Solution:** Approve and pay retainage.

**Result:** Project Completed.

24. Discussion and possible action to approve Change Order #1 for the Webb County Main Fire Station in the amount of \$14,779.70. Funds are needed to cover additional work needed but not covered by contract approved allowances or credits. Contract time will be increased to February 28, 2017, for Substantial Completion, and authorize the County Judge to sign all relevant documents. [Account #629-2203-8801 (Capital Outlay), #740-0200-8801 (Capital Outlay) and #751-2203-8410 (Equipment)]

**Issue:** A number of items of work are needed which have exceeded the approved allowances or credits by \$14,779.70. Time will need to be increased by 112 day to compensate for day lost due to weather and day needed to complete the work.

**Solution:** Add time and funds needed to complete the project.

**Result:** Work will be completed by February 28, 2017.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to approve items #23 and #24

**Vote:** 5 - 0 Motion Carried - Unanimously

### Human Resources

25. Discussion and possible action to authorize Webb County to enter an E-VERIFY internet program that will assist the Human Resources Department, in the execution and compliance issues of the new electronic versions of the I-9 (Employment Verification Form). E-VERIFY is an internet based system that compares information from an employees I-9, to data from the U.S. Department of Homeland Security and Social Security Administration records, to confirm employment eligibility, at no cost to the County; and for the County Judge to sign all relevant documents and any other matters incident thereto.

**Issue:** Effective January 22, 2017, Federal Law requires that all employers are to do the I-9 forms electronically. All employers must complete and retain FORM I-9, Employment Verification for every person that is hired. To date, these forms have been done manually, with no ability to confirm employee's identity and employment authorization, other than what the employee filled out and attested to.

**Solution:** By signing on to E-VERIFY system, we can verify the employee's identity and employment authorization data against millions of government records, and provides results within as little as three to five seconds. This system is being used nationwide by more than 600,000 employers of all sizes; used at more than 1.9 million hiring sites; one of the Federal Government's highest-rates services for customer satisfaction. (The City of Laredo is using this system).

**Result:** Improved efficiency in service, plus reliability and fast confirmation on any applicant's employment eligibility status.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

### Purchasing

26. Discussion and possible action to authorize the hiring of a temporary full time position (without benefits) to replace an employee who will be out on Family & Medical Leave Act (FMLA) without pay, effective February 20, 2017 or no later than February the 27, 2017 and to approve the internal posting and filling of the following slot; subject to the availability of payroll funds and any other applicable Civil Service guidelines.

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
0880	Buyer	\$15.15 - 12/A

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

**Vote:** 5 - 0 Motion Carried - Unanimously

**Tax Attorney**

27. **Discussion and/or possible action on the consideration and acceptance of amounts received from City of Laredo (accounts listed below) on foreclosure sale pursuant to §34.05 of the Texas tax code. [Executive session is requested pursuant to Texas government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

<u>Account Number</u>	<u>Address</u>	<u>Amount</u>
332-00433-040	415 W Olive Street	\$22,500.00
555-01561-060	2602 Market St. (Lot 6)	\$35,000.00
555-01561-070	2602 Market St. (Lot 7)	
221-01008-054	4002 Santa Maria Ave.	\$20,200.00

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

**Vote:** 5 - 0 Motion Carried - Unanimously

28. **Discussion and possible action regarding the extension of the delinquent tax contract with The Law Offices of Javier Montemayor, Jr.; and any other matters incident thereto.**

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez to grant Mr. Montemayor the extension as requested until 2021

**Vote:** 4 - 0 Motion Carried

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

29. **Discussion and possible action regarding tax attorney's request to identify county space for the process of conducting Sheriff's tax property sales; and any other matters incident thereto.**

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by County Judge Tano E. Tijerina to authorize Mr. Montemayor to look for an area

**Vote:** 5 - 0 Motion Carried - Unanimously

30. **Discussion and possible action regarding Cause Number: 2016CV8003189-D2; In the 111th District Court, Webb County, Texas Ovation LLC. Vs. John Jacaman Cattle Co LTD, ET AL.; 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 Outside Counsel)]**

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 4 Jaime Alberto Canales

**Vote:** 5 - 0 Motion Carried - Unanimously

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to bring back item #28

**Vote:** 5 - 0 Motion Carried - Unanimously

28. **Discussion and possible action regarding the extension of the delinquent tax contract with The Law Offices of Javier Montemayor, Jr.; and any other matters incident thereto.**

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez to grant Mr. Montemayor the extension as requested until 2021

**Vote:** 5 - 0 Motion Carried - Unanimously

**Water Utilities**

31. **Discussion and possible action to approve closeout and release retainage in the amount of \$21,168.15 to Environmental Improvements, Inc., for the completion of the Ultra Violet Disinfection System Installation at the Rio Bravo Water Treatment Plant (P.O. 16-2155). [Account #745-3001-8801-7 (Capital Outlay Water Utilities)] and Account #745-2311 (Retainage Account)]**

**Issue: Closeout project after completion.**

**Solution: Approve and pay retainage.**

**Result: Project Completed.**

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

**Vote: 5 - 0 Motion Carried - Unanimously**

32. **Discussion and possible action to approve a pricing agreement between Brenntag Southwest, Inc., and Webb County, Texas to provide water treatment chemicals for the Rio Bravo Water Treatment Plant including, Aqualum at \$0.1010 per lb., Aquamine (LAS) at \$0.1250 per lb., Brennfloc at \$765.00 per drum, Calcium Hypochlorite at \$1.5840 per lb., Copper Sulfate at \$87.741 per bag, and Sodium Hydroxide at \$0.2960 per lb., and authorizing the County Judge to sign and execute all relevant documents. [Account #801-3001-6214 (Operational Chemicals)]**

**Issue: Additional new required treatment at plant requires additional chemicals for purchase other than current.**

**Solution: Agreement for Pricing Agreement place together.**

**Result: Plant commences purchasing chemical and annual contracted price.**

Purchasing Agent, Mr. Joe Lopez asked if the agreement can be approved ending 09-30-2017.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to approve item #32 as amended

**Vote: 5 - 0 Motion Carried - Unanimously**

33. **Discussion and possible action to approve a pricing agreement between Pollution Control Services, Inc. and Webb County, Texas for various laboratory procedures established in the contractual agreement required for treatment of Water and Wastewater requirements set forth by TCEQ and operational treatment guidelines, including but not limited to Biochemical Oxygen Demand at \$38.00 per test, and Total Organic Carbon at \$45.00 per test, to include sample bottles and shipment materials, but non-inclusive of shipping fees, and authorizing the County Judge to sign and execute all relevant documents.**

**Issue: Services for lab sampling has been occurring in amounts less than \$50,000; however, due to frequency of use, Accounts Payable has required an annual contract or agreement to be placed into service.**

**Solution: Approve Pricing Agreement.**

**Result: Initiate Pricing Agreement request to Pollution Control Services for pricing for services in which has been used in the past 8 years.**

Purchasing Agent, Mr. Joe Lopez asked if the agreement can be approved ending 09-30-2017 and to include "in accordance with the local government code section 262.024".

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by Commissioner, Pct. 1 Jesse Gonzalez to approve item #33 as amended

**Vote: 5 - 0 Motion Carried - Unanimously**

34. **Discussion with possible action to approve the award of project to Square E Engineering, lowest proposal cost of \$23,970.00, for the installation of a new electrical panel for the Spiral operating primary screen at the Webb County Wastewater Treatment Plant in Rio Bravo, Texas. This is to include all materials, labor, initiating, and training. Project is listed as approved onto 2017 Capital Outlay projects. [Account #758-8005-8601 (2016 Bond Series)]**

**Issue: Installed equipment for screen continue to malfunction due to inconsistent electrical power due to old electrical panel.**

**Solution: Authorize issuance of purchase order to lowest & responsible bidder.**

**Result: Complete installation and operation of screen consistently.**

Judge Tijerina stated that this is for the wastewater side and has nothing to do with the water plant.

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

**Vote: 5 - 0 Motion Carried - Unanimously**

35. **Discussion with possible action to award project to Delta House Elect. & Motor Rewind, Inc., in the amount of \$26,197.96 the lowest cost proposal for purchase only if Four (4) 4" Volute submersible 10.1 horsepower pumps for the use in treating wastewater by wasting treated sludge for disposal. This project is included in the 2017 approved Capital Outlay project listing. [Account #758-8005-8601 (2016 Bond Series)]**

**Issue: Existing pumps were completely removed and therefore treatment process not in service.**

**Solution: Authorize issuance of purchase order to lowest & responsible bidder.**

**Result: Begin operation as plants have been designed.**

Judge Tijerina stated that this is for the wastewater side and has nothing to do with the water plant.

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

**Vote: 5 - 0 Motion Carried - Unanimously**

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to bring up item #62

**Vote: 5 - 0 Motion Carried - Unanimously**

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

62. **Discussion and possible action to authorize an Order requiring that all department line item transfer requests affecting personnel general orders for grant funded slots be submitted to the Business Office for their review for final authorization by the commissioners court; and any other matters incident thereto.**

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to approve item #62, have everything come through the Business Office as the single point of contact after today, have any reassignments be re-approved and presented by Mr. Vargas

**Vote: 5 - 0 Motion Carried - Unanimously**

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to bring up items #58 and #66

**Vote: 5 - 0 Motion Carried - Unanimously**

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

58. **Discussion and possible action to accept a donation from Medina Electric Cooperative, Inc. in the amount of \$2,500.00. This donation is to be used for community events at the Bruni Community Center. Funds should be deposited into the Bruni Community Center Goods for Public Events Account #001-6108-6219-2. [Requested by Nelda Cortinas, Bruni Community Center Director]**

Cmr. Tijerina stated that she would like this money to be deposited to Account #6219 unrestricted funds.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez

**Vote:** 5 - 0 Motion Carried - Unanimously

### **Presentations**

66. **Presentation of Commissions to all County and Precinct Officers elected in the General Election held on November 8, 2016. The County Clerk certifies the names and dates of qualification of county and precinct officers to the Secretary of State for issuance of commissions. Section 601.006, Government Code. [Requested by Margie Ramirez Ibarra, Webb County Clerk]**

### **Honorable Martin Cuellar, Sheriff**

36. **Discussion and possible action to authorize the submission of a Fiscal Year 2018 Local Border Security Program (FY 18 LBSP) grant application to the Office of the Homeland Security Grants Division (HSGD) in the amount estimated between \$150,000 -\$200,000 for peace officers' overtime and applicable fringe benefits to provide enhanced border security in the Laredo/Webb County area, and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. This grant does not require a match.**

**Issue:** The State of Texas recognizes that border communities face urgent security challenges caused by increased activity from transnational organized criminal syndicates and their allies that are intensified by the fluidity of border crossings, heavy commercial activity, and interdependence of the international border communities' economies. These socio-economic pressures place increased demands on law enforcement services and intensify the need for augmented public safety resources.

**Solution:** Grant application to provide enhanced border security in Laredo/Webb County in order to fulfill State of Texas local border security program objectives, including overtime (OT) resources to suppress, deter, and reduce border-related criminal activity in Texas.

**Result:** Enhanced/increased patrol and investigative capacity for certified peace officers working at the Webb County Sheriff's Office.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

37. **Discussion and possible action to ratify and authorize the submission of a grant application to the Office of Texas Attorney General in the amount estimated at \$4,400 for software technology for the Webb County Sheriff's Office Internet Crimes Against Children (ICAC), authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. This grant opportunity was emailed to the Webb County Sheriff's Office on January 17, 2017, with a deadline of January 31, 2017, as its submission date before the agenda item submission deadline of January 30, 2017, for the next available, regularly scheduled Webb County Commissioners' Court meeting on February 13, 2017. This grant requires no match, and thus is at no cost to the Webb County budget.**

**Issue:** The psychological, emotional, and physical damage caused by child predators and inflicted on innocent victims, their families, and communities can be deeply destructive and have far-reaching consequences that can last a lifetime. Furthermore, throughout the United States, criminal cases built against child predators can be extremely complex, technologically challenging, and legally complicated.



**Solution:** The Webb County Sheriff’s Office cybercrimes law enforcement unit has successfully worked with multiple federal, state, and local law enforcement agencies, including the Office of the Attorney General, to arrest over fifty (50) child predators in the Laredo/Webb County area. Grant application to supplement the successful endeavors of the Webb County Sheriff’s Office cyber crimes against children task force to protect the children and youth of the Laredo/Webb County community against child predation.

**Result:** The Webb County Sheriff’s Office will continue to enhance its ability to work proactively not only to catch individual child predators, but to produce an overall inhospitable environment for cyber crimes against children in Laredo/Webb County for the further prevention of child predation in our community.

Motion by Commissioner, Pct. 2 Rosaura “Wawi” Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez

**Vote:** 5 - 0 Motion Carried - Unanimously

38. **Discussion and possible action to authorize the Webb County Sheriff’s Office to acquire One (1) additional credit card assigned exclusively for canine (K9) expenses related to routine office visits, nutrition, supplies, and emergency services and authorizing the Webb County Judge to execute all relevant documents and any other matters incident thereto. [Account #001, 168, 170-2001-6706 (Canine Expenditures)]**

**Issue:** Local Veterinarians are requesting payment for services on a more timely basis for office visits, emergency visits, supplies or other K9 related expenditures. The Sheriff’s Office is seeking approval to utilize a County credit card to obtain these professional services.

**Solution:** Seek approval to designate a credit card for K9 related expenditures, Sheriff’s staff will continue to use the existing procedures in place to document issuance of credit cards for authorize use and submit monthly general request for payments with credit card statement documentation to the County Auditor.

**Result:** Webb County Sheriff’s Office canines (K9s), who deliver important, highly valued, and enhanced law enforcement services, will be provided with the necessary medical services, immunizations, teeth cleanings, specially formulated foods, and other needed maintenance to continue to be healthy assets in order to serve the local communities and citizens of Webb County.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

39. **Discussion and possible action to approve the following line item transfers:**

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	001-2060-6023	Contractual Services	\$54,113	\$406,216	\$352,103
To:	001-2060-6023	Sick Leave Buy Back	\$44,113	-\$44,113	\$0
	001-2001-5012	Retirement Sick Leave Buy Back	\$10,000	0	\$10,000

**Issue:** A retiring officer (Slot #1981 Officer IV) is eligible for Sick Leave Sell-Back in accordance with Section C under Article XII. Benefits (p. 22) of the current Collective Bargaining Agreement (CBA). In addition, payroll sick leave buy back account is in deficit due to the payment to several officers for their Sick Leave Buy-Back in accordance with Section B under Article XII. Benefits (p. 21) of the current Collective Bargaining Agreement (CBA).

Finally, since other retirements from senior officers with health-related issues are anticipated to take place within the coming year, it also expected that other similar line item transfers will have to be taken before the Webb County Commissioners Court within the near future.

**Solution:** Transfer from other budget categories to cover deficit for Sick Leave Buy-Back and the payout to Slot #1981 Officer IV for Sick Leave Sell-Back at Retirement.

**Result:Cover current contractually stipulated benefits under the current Collective Bargaining Agreement (CBA).**

Motion by Commissioner, Pct. 1 Jesse Gonzalez, seconded by Commissioner, Pct. 3 John C. Galo

**Vote:** 5 - 0 Motion Carried - Unanimously

40. **Discussion and possible action to enter into a Memorandum of Understanding (MOU) between the Webb County and Casa Misericordia Domestic Violence Shelter that documents and memorializes the coordination, collaboration, and partnership critical to the implementation to the Improving Criminal Justice Response Grant Program. This MOU is required as part of the grant application that was approved on January 9, 2017 (Item No. 40), and is “a vital component” of the application to the Office on Violence Against Women (OVW) (Page 1 of Request for Proposal). The aforementioned grant has no cash match and will have no impact on the general fund. The grant is anticipated to start on October 1, 2017 and continue until September 30, 2020.**

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

**Solution: Casa Misericordia Domestic Violence Shelter and the Webb County Sheriff's Office seek to continue their coordinated, collaborative efforts to assist victims of domestic violence in the local Laredo/Webb County Community.**

**Result: Victims of domestic violence, sexual assault, dating violence, and stalking in the Laredo/Webb County area will continue to receive improved, enhanced services from the Casa Misericordia Domestic Violence Shelter and the Webb County Sheriff's Office to assist them with needed recovery, restitution, privacy, justice, and dignity.**

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

**Vote:** 5 - 0 Motion Carried - Unanimously

41. **Discussion and possible action to approve a discretionary exemption under the Local Government Code; Section 262.024 (Discretionary Exemptions), (4) Professional Services to use Critter Care Veterinary Clinic for all related veterinary service to include nutrition, supplies and emergency services for law enforcement K9 dogs, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Account #001, 168, 170-2001-6706 (Canine Expenditures)]**

**Issue: Veterinarian Physicians require prompt payment to continue servicing K9 dogs. The discretionary exemption is a safeguard should expenditures exceed the \$50,000.00. Historical expenses show that this ceiling has never been reached. Further, the request to use credit cards for this purpose also requires this action to use as a sole source for professional services.**

**Solution: approve the discretionary exemption rule.**

**Results: Continue using the necessary veterinarian services without interruption.**

42. **Discussion and possible action to approve a discretionary exemption under the local government code; Section 262.024 (Discretionary Exemptions),(4) Professional Services to use Laredo Animal Clinic for all related veterinary service to include nutrition, supplies and emergency services for law enforcement K9 dogs and authorizing the County Judge to sign all relevant documents and any other matters incident thereto. [Account #001, 168, 170-2001-6706 (Canine Expenditures)]**

**Issue: Veterinarian Physicians require prompt payment to continue servicing K9 dogs. The discretionary exemption is a safeguard should expenditures exceed the \$50,000.00. Historical**

expenses show that this ceiling has never been reached. Further, the request to use credit cards for this purpose also requires this action to use as a sole source for professional services.

**Solution:** approve the discretionary exemption rule.

**Result:** Continue using the necessary veterinarian services without interruption.

Motion by Commissioner, Pct. 1 Jesse Gonzalez, seconded by Commissioner, Pct. 3 John C. Galo to approve items #41 and #42

**Vote:** 5 - 0 Motion Carried - Unanimously

**Honorable Patricia A. Barrera, Tax-Assessor- Collector**

43. Discussion and possible action to enter into a Sixty (60) month (March 1, 2017 through April 30, 2022) Fair Market Value Lease Agreement between Pitney Bowes and the Webb County Tax Assessor Office for Mail Stream hardware at a cost of ONE THOUSAND SEVENTY TWO DOLLARS AND EIGHTY FIVE CENTS (\$1,072.85) per month for a total amount of SIXTY FOUR THOUSAND THREE HUNDRED SEVENTY ONE DOLLARS (\$64,371.00) over the term of the agreement, subject to annual budget appropriating and authorizing the County Judge to sign and execute all relevant documents. [Account #001-0700-6402]

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to table item #43

**Vote:** 5 - 0 Motion Carried - Unanimously

44. Discussion and possible action to enter into a Seven (7) month (March 1, 2017 through September 30, 2017) Self-Service Storage Rental Agreement between South Meadow Self Storage and the Webb Tax Office for a 10 x 20 Storage Unit (Space number 073) at a cost of ONE HUNDRED EIGHTY DOLLARS (\$180.00) per month for a total amount of ONE THOUSAND TWO HUNDRED SIXTY DOLLARS (\$1,260.00) over the term of the agreement in accordance with the Local Government Code, Section 262.024 (Discretionary Exemptions) (b)(1)(2)(3) lease renewals,, and authorizing the County Judge to sign and execute all relevant documents. [Account #001-0700-6014]

45. Discussion and possible action to enter into a Seven (7) month (March 1, 2017 through September 30, 2017) Self-Service Storage Rental Agreement between South Meadow Self Storage and the Webb Tax Office for a 10 x 20 Storage Unit (Space number 074) at a cost of ONE HUNDRED EIGHTY DOLLARS (\$180.00) per month for a total amount of ONE THOUSAND TWO HUNDRED SIXTY DOLLARS (\$1,260.00) over the term of the agreement in accordance with the Local Government Code, Section 262.024 (Discretionary Exemptions) (b)(1)(2)(3) lease renewals, and authorizing the County Judge to sign and execute all relevant documents. [Account #001-0700-6014]

46. Discussion and possible action to enter into a Seven (7) month (March 1, 2017 through September 30, 2017) Self-Service Storage Rental Agreement between South Meadow Self Storage and the Webb Tax Office for a 10 x 20 Storage Unit (Space number 075) at a cost of ONE HUNDRED EIGHTY DOLLARS (\$180.00) per month for a total amount of ONE THOUSAND TWO HUNDRED SIXTY DOLLARS (\$1,260.00) over the term of the agreement in accordance with the Local Government Code, Section 262.024 (Discretionary Exemptions) (b)(1)(2)(3) lease renewals, and authorizing the County Judge to sign and execute all relevant documents. [Account #001-0700-6014]

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by County Judge Tano E. Tijerina to approve items #44, #45, and #46

**Vote:** 5 - 0 Motion Carried - Unanimously

**Commissioners Court Administrator**

47. **Discussion and possible action to enter into an Inter-local Agreement with the City of Laredo as necessary to formalize Webb County's authority to provide garbage collection services, impose solid waste regulations, and collect service fees for customers located outside the corporate limits but within the ETJ (extra-territorial jurisdiction) of the City of Laredo, and authorize the County Judge to execute said Agreement; and, any matter incident thereto. [Requested by the Solid Waste Review Committee]**

**Issue:** Without statutory authority or a cooperative agreement to regulate solid waste management within the ETJ of a municipality, Webb County cannot provide solid waste services in the City of Laredo's ETJ. On August 1, 2016, the Laredo City Council took action to approve the necessary authorities for the County to provide solid waste service in the ETJ; however, an official cooperative agreement still needs to be finalized.

**Solution/Result:** Approve the proposed agreement which provides the necessary authorities for Webb County to provide solid waste service, impose fees for said service, and includes the ETJ area under the same rules, terms, fees, and effective dates as imposed for areas located beyond the ETJ limits. Such action eliminates any potential disruption of county solid waste services and provides a uniform solid waste management plan for the entirety of the unincorporated area of Webb County.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

48. **Discussion and possible action to approve and adopt an application to be used by Commissioners Court in evaluating candidates seeking appointment to fill the vacancy in the position of Judge of County Court at Law 2; and any other matters incident thereto.**

**Issue:** On January 30, 2017, Webb County Commissioners Court formally accepted County Court at Law 2 Judge Jesus "Chuy" Garza's letter of resignation creating a vacancy in the office. Pursuant to Texas Government Code §25.009, the Commissioners Court must appoint a person to fill the vacancy in the office of a judge of a statutory court. The Court wishes to allow eligible attorneys to submit their names for consideration to fill said vacancy.

**Solution:** In order to assess the qualifications of each potential appointee, the Court shall customize and adopt an application with criteria for evaluating applicants as proposed by the committee which was created during the January 30, 2017 meeting.

**Result:** By establishing an application and criteria for reviewing the history and qualifications of each applicant, the Judge and each Commissioner will be able to assess the applicants in order to select the best person to fill the vacancy in the position of judge of County Court at Law 2.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez to approve item #48 and set the deadline for February 24 by 5 p.m. through HR

**Vote:** 5 - 0 Motion Carried - Unanimously

49. **Discussion and possible action to amend the tax abatement agreement entered into on July 22, 2013, between Webb County and Javelina Wind Energy, LLC; and any other matters incident thereto.**

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to approve item #49 subject to them accepting the terms laid out by the court

**Vote:** 5 - 0 Motion Carried - Unanimously

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to bring back item #48

**Vote:** 5 - 0 Motion Carried - Unanimously

48. Discussion and possible action to approve and adopt an application to be used by Commissioners Court in evaluating candidates seeking appointment to fill the vacancy in the position of Judge of County Court at Law 2; and any other matters incident thereto.

**Issue:** On January 30, 2017, Webb County Commissioners Court formally accepted County Court at Law 2 Judge Jesus “Chuy” Garza’s letter of resignation creating a vacancy in the office. Pursuant to Texas Government Code §25.009, the Commissioners Court must appoint a person to fill the vacancy in the office of a judge of a statutory court. The Court wishes to allow eligible attorneys to submit their names for consideration to fill said vacancy.

**Solution:** In order to assess the qualifications of each potential appointee, the Court shall customize and adopt an application with criteria for evaluating applicants as proposed by the committee which was created during the January 30, 2017 meeting.

**Result:** By establishing an application and criteria for reviewing the history and qualifications of each applicant, the Judge and each Commissioner will be able to assess the applicants in order to select the best person to fill the vacancy in the position of judge of County Court at Law 2.

No action taken.

**Honorable Jesse Gonzalez, Webb County Commissioner Pct. 1**

50. Discussion and possible action to accept TCDP Contract No. 7216115 grant from the Texas Department of Agriculture under the Texas Community Development Block Grant Program in the amount of Five Hundred Thousand Dollars (\$500,000) effective date of contract shall be November 30, 2016, and shall terminate on November 29, 2018 for the construction of Mirando City Standpipe Water Storage Tank in Mirando City Texas, and designating the County Judge as the County’s Chief Executive Officer and authorized representative to act in all matters in connection with this project. This action will have no impact on the County’s General Fund. [Requested by Juan Vargas, Economic Development Executive Director]

**Issue:** Mirando Rural Water Supply Corporation is under a TCEQ corrective order to improve their water system’s storage capacity or face stiff fines.

**Solution:** Assist Mirando Rural Water Supply Corporation in implementing this grant in order to improve their water system’s water storage capacity.

**Result:** The acceptance of this contract will assist the residents of Mirando City Texas by improving their water system and will meet Texas Commission on Environmental Quality requirements.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

51. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Qualifications (RFQ) for Engineering Services for Mirando Rural Water Supply Corp. Water Storage Tank design and Specifications in accordance to grant contract from the Texas Department of Agriculture (TDA). (Construction will be done by a state grant and will not impact the County General Fund). [Requested by Juan Vargas, Economic Development Department Executive Director]

**Issue:** Engineer required to design water storage standpipe tank.

**Solution:** This will meet Texas Commission on Environmental Quality (TCEQ) requirements for public water system.

**Result:** This will allow Mirando City Rural Water Supply Corporation (MCRWSC) to meet TCEQ’s corrective order for the improvements of the water system.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

- 52. Discussion and possible action to authorize the County Utilities Department to submit an application with plans and specifications to the Texas Commission on Environmental Quality (TCEQ) for their approval to commence construction and issuance of a public water system registration of the La Presa Community Water Dispenser; and any other matters incident thereto.**

**Issue:** Court request to provide a community water dispenser system for the La Presa colonia in southern Webb County.

**Solution:** Development of a project to construct a dispensing station to include all materials and installation of tank, pump, and dispenser equipment. As well as the submittal of plans, specifications, and service information for an approved TCEQ Public Water System Certification.

**Result:** Project completion will provide the community with near access to portable water service as required by TCEQ and continue operational delivery and regulatory compliance.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

- 53. Discussion and possible action to approve a change order to the professional services contract with Hickey Pena Architects for La Presa Park project in an amount not to exceed \$3,500.00, and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Bond Account #635-6115-8601]**

**Issue:** The original design work prepared by Hickey Pena was used to solicit for competitive sealed proposals for La Presa Park project. In meeting with Commissioner Gonzalez, County staff, contractor and Architects it was agreed that minor modifications would be considered in order to provide the community with proper access and placement of design components.

**Solution:** Authorize the change order in the amount of \$3,500 to make the design modifications. This will also provide the contractor and county engineers an opportunity to finalize the value engineering to present a final contract price.

**Results:** Proceed with final design, plans and specifications of overall project scope. Finalize project budget with general contractor for court approval.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

- 54. Discussion and possible action to authorize the Purchasing Agent to solicit and finalize quotes for the replacement of Twenty-five (25) lights with Multi-Kit HID Ballast at the Rio Bravo Community Center Park (Soccer Field); costs to include the lift equipment necessary to replace lights, with additional action to authorize line item transfer from Account: 605-3001-8801-7 (Contingency Fund) into Account: 605-0106-6224 (Minor Tools & Apparatus); and any other matters incident thereto. Total costs are not expected to exceed \$3,000. [Requested by Building Maintenance Department, Capital Outlay Account #605-0106-6224 (Minor Tools & Apparatus)]**

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 4 Jaime Alberto Canales

**Vote:** 5 - 0 Motion Carried - Unanimously

55. Discussion and possible action to authorize the Purchasing Agent to review and finalize quotes for the equipment and parts necessary for the complete replacement of the Twenty (20) Ton Air Conditioning (A/C) Unit located at Ernesto J. Salinas Community Center and to encumber funds in an amount not to exceed \$12,500; and any other matters incident thereto. Building maintenance department will replace system. [Requested by Building Maintenance Department] [Capital Outlay Series 2003 Account #660-8108-8801 and Capital Outlay Series 2006 Account #722-8108-8801]

**Issue:** A/C is a 1989 Unit that is no longer serviceable is expensive to maintain and requires replacement.

**Solution:** Evaluate and finalize quotes for a replacement unit.

**Result:** Replace unit prior to Summer month schedule.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

56. Discussion and possible action to authorize the Purchasing Agent to review solicited quotes and finalize costs associated with the equipment and parts necessary for the replacement of Two (2) Air Conditioning (A/C) Units (5 Ton each) located at El Cenizo Community Center and to encumber funds in an amount not to exceed \$5,001; and any other matters incident thereto. Building maintenance department will complete work associated with replacement. [Requested by Building Maintenance Department] [Capital Outlay Series 2006 Account #722-8108-8801 & Capital Outlay Series 2010 Account #638-8108-8801]

**Issue:** Two of the Three A/C units at the center are in need of replacement. Units are no longer serviceable and are too expensive and inefficient to maintain.

**Solution:** Replacement units are required to avoid system failure.

**Result:** Have a completed A/C system in place prior to Summer month schedule.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

57. Discussion and possible action to authorize the Purchasing Agent to review solicited quotes and finalize costs associated with the equipment and parts necessary for the replacement of 3 Air Conditioning (A/C) Units (3 Ton each) located at Rio Bravo Community Center and to encumber funds in an amount not to exceed \$7,000; and any other matters incident thereto. Building maintenance department will complete work associated with replacement. [Requested by Building Maintenance Department] [Capital Outlay Series 2010 Account #638-8108-8801]

**Issue:** Three of the Four A/C Units at the center are in need of replacement and are no longer serviceable. It is no longer cost effective to continue to maintain these units.

**Solution:** Review and finalize quotes for replacement of units.

**Result:** Replace units prior to Summer month schedule to avoid system failure.

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

**Vote:** 5 - 0 Motion Carried - Unanimously

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

59. **Discussion and possible action to authorize county staff, including County Attorney’s office and Engineer to meet with City of Laredo officials in an effort to initiate legal proceedings necessary to approve the temporary or permanent closure of Wormser Road between Ejido Avenue and Avenue Mexico; and any other matters incident thereto. [Co-Sponsored by Jesse Gonzalez, Commissioner Pct. 1]**

**Issue: Wormser Road between Ejido Avenue and Avenue Mexico is a section of a county road that is seldom used by the public and has been an area where consistent instances of illegal dumping, including hazardous materials, have been occurring.**

**Solution: It is in the best interest of the community for the county to temporarily or permanently close this section of road to control and avoid these environmental concerns from endangering the public health of the community.**

**Result: Limit liabilities to Webb County from these illegal dumping activities and protect the public health.**

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

**Vote: 5 - 0 Motion Carried - Unanimously**

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

60. **Discussion and possible action to Order the transfer of the following vacant slots, including budgeted salaries, within Department #1011 County Court at Law #2, to Department #0703 Business and Financial Department; and any other matters incident thereto.**

	<u>Dept.</u>	<u>Slot #</u>	<u>Title</u>	<u>Salary</u>
From:	1011	2760	Court Coordinator	\$55,057.42 (Grade 16/AD)
To:	0703			
From:	1011	2761	Administrative Assistant	\$31,518.75 - \$33,124.48 (Grade 12/A-E)
To:	0703			

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to transfer \$7,500 from the higher paying slot and \$2,500 from the lower paying slot

**Vote: 5 - 0 Motion Carried - Unanimously**

61. **Discussion and possible action to designate a civil service commission chairman from the Three (3) member panel to preside over the meetings as per §158.008 of the Texas Local Government Code; and any other matters incident thereto.**

Motion by Commissioner, Pct. 2 Rosaura “Wawi” Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to nominate Mr. Roberto Santos for one (1) year

**Vote: 5 - 0 Motion Carried - Unanimously**

**Honorable Tano E. Tijerina, Webb County Judge**

63. **Discussion and possible action to approve and authorize the Webb County Commissioners Court the appointment of Mr. Juan Vargas as the Labor Standards Officer and Designation for Civil Rights Officer to the Texas Community Block Program #7216115 grant, and authorize County Judge to sign all relevant documentation. [Requested by Juan Vargas, Economic Development Department Executive Director]**

**Issue: Labor Standards & Civil Rights Officer must be appointed to be in compliance with funding agency requirements.**

**Solution: Appointment will allow department to oversee the labor portion of the project and allow compliance of fair housing and equal opportunity activities with contract.**



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

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Jesse Gonzalez

**Vote:** 5 - 0 Motion Carried - Unanimously

- 64. Discussion and possible action to enter into a Memorandum of Understanding (MOU) between Webb County for the Webb County Medical Examiner's Department and Duval County. This MOU will designate the terms by which both parties will accept in order for the Webb County Medical Examiner to perform duties in Duval County, and authorizing the County Judge to execute all relevant documents related to this grant; and any other matters thereto. [Requested by Dr. Corinne Stern, Webb County Medical Examiner]**

Motion by Commissioner, Pct. 1 Jesse Gonzalez, seconded by Commissioner, Pct. 3 John C. Galo

**Vote:** 5 - 0 Motion Carried - Unanimously

- 65. Discussion and possible action to authorize the interim Risk Manager, Alexandra Colessides Solis, to enter into negotiations to retain the services of Wilkins, Finston, Friedman, LLP to assist with the review, revisions, and finalization of the employee health benefits contract between Webb County and Aetna, and authorizing the Webb County Judge to sign any relevant documents thereto. This item is exempt from competitive bidding requirements under §262.024(4), Texas Local Government Code (Professional Services Contract) [Requested by Alexandra Colessides, Risk Management Director]**

**Issue:** On January 30, 2017, Webb County Commissioners Court formally authorized the Interim Director of Risk Management to seek qualified legal counsel to assist in the review and finalization of the contract between Webb County and Aetna. Wilkins, Finston, And Friedman, LLP is a Texas law firm that has expertise in the field of employee benefits law.

**Solution:** The engagement of this firm's services will assist in ensuring that the contract includes all necessary language to protect the interests of the County and provide that the County receives the maximum amount of discounts and rebates and that the employees receive all health benefits consistent with the bid proposal made by Aetna.

**Result:** Webb County will have an employee benefits contract that has been reviewed by outside counsel that is highly informed in the area of employee benefits law and contracting.

Risk Manager, Ms. Alexandra Colessides Solis stated that the funding source should be Account #001-0114-6022 Professional Services.

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by Commissioner, Pct. 3 John C. Galo to approve item #65, also included is to keep these people on retainer throughout the year and have Ms. Colessides Solis be authorized to contact them at her discretion

**Vote:** 5 - 0 Motion Carried - Unanimously

- 67. Communications**

Communications were led by Commissioner Jesse Gonzalez, Commissioner Rosaura "Wawi" Tijerina, Commissioner John C. Galo, Commissioner Jaime Alberto Canales, and Judge Tano E. Tijerina.

- 68. Adjourn**

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

**Vote:** 5 - 0 Motion Carried - Unanimously