

DRAFT

Official Minutes for Webb County Commissioners Court Meeting

**Monday, May 8, 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 5th day of May 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**
- 2. Pledge of Allegiance/Invocation**
- 3. Approval of Bills, Payroll, and Monthly Report**

County Treasurer, Ms. Delia Perales presented the Ratification of Checks, Side Bills, Ratification of Payroll Disbursements for payday of April 21, 2017, Ratification of Payroll for one (1) employee, and Extra Side Bill Listing for forty-four (44) checks.

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to accept the Ratification of forty-four (44) checks

Vote: 5 - 0 Motion Carried - Unanimously

County Treasurer, Ms. Delia Perales stated that she will be conducting a second Payroll run for Patricia Barrera, Tax Assessor Collector for forty-four (44) checks which will be distributed to employees on Wednesday at 8:00 a.m. Ms. Perales also mentioned that there would be another Payroll run for six (6) employees who were under paid.

Chief Deputy Auditor, Mr. Rafael Perez presented the Monthly Report for April 2017.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to have the Auditor's Office include a listing of all departments who are delinquent in filing cash reports within the next monthly report

Vote: 5 - 0 Motion Carried - Unanimously

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.**

No one signed up for Public Comment.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

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

5. **Honorable Oscar Hale, 406th District Court Judge**

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	2353-2040-001-421000	Insurance	\$850	\$13,938.20	\$13,088.20
To:	2353-2040-001-426000	Worker's Comp.	\$850	\$-387.88	\$462.12

Issue: Budget for the Substance Abuse and Mental Health Administration (SAMHSA) 406th Judicial District Adult Drug Court Program was submitted prior to a rate increase in the Worker Compensation Fringe and Benefits.

Solution: Approve line item request.

Result: Ensure funding for the remainder of the current fiscal year ending 09/29/2017.

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	Insurance	2354-2040-001-421000	\$950	\$21,871.44	\$20,921.44
To:	Workers Compensation	2354-2040-001-426000	\$950	\$-282.98	\$667.02

Issue: Budget for the Substance Abuse and Mental Health Administration (SAMHSA) 406th Judicial District Court Veterans Treatment Program was submitted prior to a rate increase in the Worker Compensation Fringe and Benefits.

Solution: Approve line item request.

Result: Ensure funding for the remainder of the current fiscal year ending 09/29/2017.

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

- a. Discussion and possible action to accept a donation in the amount of One Hundred Fifty Dollars (\$150.00) from Medina Electric for goods for public events use. Funds to be deposited into Account #1001-6160-461. [Requested by Vicenta Johnson, E. J. Salinas Community Center Director]**

Issue: As required by the court, a request is being submitted so that the funds can be accepted as a donation to the community center.

Solution: Approving donation to add funds available to community center.

Result: Donation will help with costs and expenses incurred for goods for public events.

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

- a. Discussion and possible action to accept a donation from the Bruni Lions Club in the amount of Three Hundred and Fifty (\$350.00) dollars. 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 #1001-6240-001-461003. [Requested by Nelda Cortinas, Director, Bruni Community Center]**

9. Community Action Agency

- a. **Discussion and possible action to authorize Webb County and the Webb County Community Action Agency/Self-Help Center to enter into Three (3) Agreements with Laredo Community College for skills training classes and Instructional Agreements with Laredo Community College to provide for skills training instructional classes to Colonia residents at a cost not to exceed \$30,000 to benefit Webb County colonia residents. These skills training instructional classes shall consist of Basic Household Repairs, Financial Planning and Literacy and Computer Technology Skills training for colonia residents as required in the current grant contract, and authorizing the Webb County Judge to execute any and all relevant documents and any other matters incident thereto. These three (3) Agreements shall run concurrent with the current Self-Help Center Grant Contract # 7216013 (September 1, 2016 - September 1, 2020). This Agreement is subject to annual budgetary appropriation by Webb County and shall be paid from grant funds. This activity will have zero impact on the County's General Fund. [Accounts #443058-045 (Financial Planning & Literacy), #443058-025 (Computer Technology) and #443058-030 (Household Repairs Construction)]**

Issue: The Community Action Agency Self-Help Center (SHC) must carry out skills training classes as required under the current SHC grant contract.

Solution: Enter into Agreement(s) to carry out the required skills training instructional classes with a qualified entity.

Result: Comply with grant requirements.

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	2362-5360-521-41000	Payroll Cost	\$15,000	\$102,035.00	\$ 87,035.00
To:	2362-5360-521-431002	Administrative Expense	\$15,000	\$27.50	\$ 15,027.50

Issue: As per the State we must use both grants Comprehensive Energy Assistance Program (CEAP) and Community Servicesw Block Grant (CSBG) for expenses: space rental, matrials & supplies, office supplies, equipment rental, postage, licenses & permits, etc.

Solution: To have enough funds in CEAP account to pay neccesary expenses.

Result: To ensure funding for the remainder of the current fiscal year.

- c. **Discussion and possible action to accept Amendment #5 to contract #61160002398 - FY-2016 Community Services Block Grant (CSBG) in the amount of \$44,397.19 from the Texas Department of Housing and Community Affairs (TDHCA). This amendment is extended through May 31, 2017.**

Issue: Extension provided by state funding source requesting for agency to expend all funds under the 2016 Community Services Block Grant (CSBG) contract before continuing the use of 2017 Community Services Block Grant (CSBG) funds.

Solution: The Community Services Block Grant (CSBG) provides support services to eligible elderly, disabled and low income residents of Webb

County.

Result: The support services are intended to assist eligible Webb County residents to transition out of poverty.

10. Honorable Rudy Rodriguez, Constable Pct. 1

- a. Discussion with possible action to create Account #2180-3150-001-443000-020 (Repairs and Maintenance Building); and to increase the funding in the amount of \$25,000; and any other matters incident thereto. [Federal Forfeiture Funds]

Issue: Funds will be utilized for law enforcement purposes; K-9 kennels and other needed building improvements.

Solution: Transfer funds to build kennels and fund building improvements.

Result: Adequate K-9 kennels and building improvements.

11. Honorable Mike Villarreal, Constable Pct. 2

- a. Discussion and possible action to accept a grant from the Texas Department of Transportation in the amount of \$5,000.00 for the 2017 Click it or Ticket Campaign, designating the Webb County Judge as the authorized official in all matters related to this grant; and any other matter incident thereto. This grant requires no match.

Issue: Texas Law requires drivers and passengers regardless of where they are seated in a vehicle to be secured by a safety belt or a safety seat for children under the age of 8, unless they are 4 feet 9 inches tall. However many drivers and passengers off all ages continue to ride in a motor vehicle without a safety belt or safety seat.

Solution: Constable Pct. 2 has been awarded a state grant so it can join forces with other State and Local Law Enforcement Agencies to aggressively enforce the seat belt laws in Webb County.

Result: The end result will be to enforce the seat belt law during the enforcement period, and more importantly educate the public and reduce the number of deaths due to the failure of seat belt use.

12. Honorable Harold Devally, Constable Pct. 4

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	2202-3170-001-470000	Federal Forfeitures Fund-Capital Outlay	\$10,000	\$51,648.00	\$41,648.00
To:	2202-3170-001-460105	Minor Tools and Apparatus	\$5,000	\$4.00	\$5,004.00
	2202-3170-001-455501	Drug Free Campaign	\$5,000	7,684.68	12,684.68

Issue: Additional funds are needed in accounts to cover schedule and future expenses.

Solution: Approve Line Item Transfer request.

Result: To ensure funding for the remainder of the current fiscal year.

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	1001-3170-001-456305	Uniforms	\$3,500	\$11,599.17	\$8,099.17
To:	1001-3170-001-456205	Training & Education	\$2,900	\$2,821.44	\$5,721.44
To:	1001-3170-001-458000	Administrative Travel	\$600	\$1,691.25	\$2,291.25

Issue: Additional funds are needed in accounts to cover schedule and future expenses.

Solution: Approve Line Item Transfer request.

Result: To ensure funding for the remainder of the current fiscal year.

13. Honorable Margie Ibarra, County Clerk

a. Approval of Minutes for April 24, 2017

14. Honorable Isidro Alaniz, District Attorney

a. Discussion and possible action to approve a modification to the reimbursement agreement between Webb County District Attorney's Office and the United States Marshals Services in the form of additional funding \$2,000 for overtime expenses. District Attorney forfeiture funds will be utilized to cover the applicable fringe benefits associated with this overtime; therefore no impact to the General Fund. [Account #2580-2260-001-413000 (Forfeiture Funds)]

Issue: Collaboration between Federal, State and local law enforcement agencies is necessary to pursue and capture individuals that have outstanding warrants therefore deemed fugitives from Justice.

Solution: Accept federal assistance to continue local participation in Joint Operations with the U.S. Department of Justice, United States Marshals Service.

Result: Apprehension and prosecution of dangerous fugitives from the Law.

b. Discussion and possible action to approve a budget amendment to the District Attorney's Organized Drug Enforcement Task Forces Grant by increasing the Transfer In line item and the overtime expenditure budget by \$119,800; said amount is available from the District Attorney Federal Forfeiture Fund. [Fund #2587-9080-391000]

Line Item Description	Line Item Account Number	Amount	Justification
Transfer in	2587-9080-391000	\$119,800.00	Investigator Overtime

Overtime	2587-2260-001-413000	\$95,000.00	Investigator Overtime
FICA	2587-2260-001-422000	\$7,300.00	Fringe Benefits related to overtime
Retirement	2587-2260-001-423000	\$10,900.00	Fringe Benefits related to overtime
Unemployment	2587-2260-001-425000	\$1,600.00	Fringe Benefits related to overtime
Workers Compensation	2587-2260-001-426000	\$5,000.00	Fringe Benefits related to overtime

Issue: The Organized Crime Drug Enforcement Task Force overtime and related fringe benefits budget has been exhausted.

Solution: Approve a budget amendment to cover the estimated overtime and related fringe benefits for the remainder of the fiscal year.

Result: Continue the disruption of organized criminal activity along the Texas border and in Webb County.

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	1001-2260-001-464005	Books & Subscriptions	\$2,000	\$2,364.00	\$364.00
	1001-2260-001-464010	Dues & Memberships	\$762	\$5,762.00	\$5,000.00
			\$2,762		
To:	1001-2260-001-461000	Materials & Supplies	\$2,762	\$92.00	\$2,854.00

Issue: The materials & supplies line item has been exhausted. Additional funds are needed to cover daily operating expenditures for the remainder of the fiscal year.

Solution: Make a line item transfer to cover the daily operating expenditures.

Result: Ensure funding for the materials & supplies line item to cover the daily expenditures.

15. Economic Development

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 May 8, 2017:

<u>Slot #</u>	<u>Title</u>	<u>Salary</u>
0016	Project Coordinator	\$38,402.54 16/A

Issue: The employee that was in slot #16 retired effective 4/28/2017.

Solution: Request to fill this vacant slot will allow the department to continue to operate effectively.

Result: The filling of slot #16 will allow the department to run on a full staff if the court grants approval.

16. Fire Suppression & EMS Services

- a. Discussion and possible action to authorize the Economic Development Department to develop and submit a U.S Department of Homeland Security, Fire Prevention and Safety grant application under the FY 2016 Assistance to Firefighters Grant Program for up to \$50,000.00, and authorizing the County Judge to act as the Authorized Representative in all matters pertaining to the County's request for Assistance to Firefighters Grant Program funding. This application requires a five percent (5%) match, this will be in-kind provided by Webb County Volunteer Fire Department.

Issue: Promoting life safety initiatives by assisting rural households with early evacuation during home fires by providing smoke alarms, and a fire safety awareness and education campaign.

Solution: Community risk reduction and education with the distribution of smoke alarms purchased through the AFG: FP&S grant and distributed to rural households.

Result: A more knowledgeable and better prepared rural population, aware of fire hazards, and provided an additional system for faster evacuation.

17. Head Start

- a. 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>
2555	Early Head Start Home Visitor	\$10.58	26
2559	Early Head Start Teacher Floater	\$10.05	26

- b. Discussion and possible action to authorize the Webb County Head Start program to enter into a Service Agreement with Juaquin Sanchez, Certified Public Accountant, in the amount of \$4,788. The purpose of this agreement is to comply with Head Start Program Performance Standard 1302.102 (b) (2) (i) - On-going Assessment of Program Goals. Mr. Sanchez will submit a summary report on the outcome of the monitoring for each section of the Fiscal Protocol, and will conduct his monitoring in accordance with attestation standards established by the American Institute for Certified Public Accountants. The term of the Service Agreement will be from May 16, 2017 through May 18, 2017, and authorizing the County Judge to sign and execute all relevant documents. [Requested by Aliza Oliveros, Head Start Director; Account #2357-5230-531-432068 (Consultants Training)]

18. Information Technology

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	1001-1280-001-443000-110	Repair & Maint. Software	\$10,000	\$82,355	\$72,355
To:	1001-1280-001-456205	Training & Education	\$10,000	- 0 -	\$10,000

Issue: Need Funds for the training and education of employees.

Solution: Transfer funds into our Training & Education line item.

Result: Employees can be trained to meet the demands of changing technology in Webb County.

- b. Discussion and possible action to authorize the purchase of equipment and software from SHI & Dell to be used for the Odyssey Tyler Technology Project, pursuant to Sections 271.101 and 271.102, Texas Local Government Code, Cooperative Purchasing program DIR-SDD-1951 and DIR-SDD-2503 in the amount of \$23,775.65. [Requested by Rafael Pena, Information Technology Director; Accounts #3864-7360-001-470000-180 (Capital Outlay Computerization Judicial) and #3864-7360-001-470000-170 (Capital Outlay CPU Equipment Judicial)]

SHI:	Microsoft Windows Server 2016 Standard Licenses (20)	\$1,432.00
Dell:	VLA Vmware Vsphere 6 Enterprise Plus for 1 Processor (2)	\$6,151.20
	VLA Vmware Prod Support/Subscription (10)	\$8,543.30
	Poweredge R630 (1)	\$7,403.17
	12GB HD-Mini SAS Cable 2m Customer Kit (2)	\$245.98

Issue: The software and hardware equipment is needed to interface e-filing services and other applications hosted by Tyler Technologies Inc.

Solution: To purchase the requested software and hardware equipment.

Result: Acquiring this software and hardware equipment will result in allowing Tyler Technologies to install and configure their product.

19. Road & Bridge

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	2007-7150-001-443000-045	Repairs & Maintenance Bridges	\$30,000	\$76,500	\$46,500
To:	2007-7150-001-441210-005	Indigent Utilities Vending Machine	\$30,000	-\$7,111.48	\$22,888.52
From:	2007-7150-001-462605	Fuel & Lubricants	\$15,000	\$278,793.41	\$263,793.41
To:	2007-7150-001-460105	Minor Tools & Apparatus	\$15,000	\$737.34	\$15,737.34

Issue: Additional funds are needed in accounts to cover scheduled and projected expenses.

Solution: Request line item transfer.

Result: Ensure funding for the remainder of the Fiscal Year.

21. Honorable Marco Montemayor, County Attorney

- a. **Discussion and possible action to amend the Thirty Six (36) month (July 11, 2016 through July10, 2019) Software Subscription Agreement between Thomson Reuters and Webb County for the Webb County Management Information Technology Department for Online/Practice Solutions/Software (WestlawNext) that was approved by the court on July 11, 2016 at a total cost of Three Thousand Nine Hundred Sixty Seven Dollars and Forty Nine Cents (\$4,433.95). An additional user was needed for the newly appointed Judge Victor Villarreal of County Court at Law II. The yearly subscription over the term of the agreement will now be at a cost of Four Thousand Six Hundred Fifty Four Dollars and Fifty-Four Cents (\$4,654.54), subject to annual budget appropriating and authorizing the County Judge to sign and execute all relevant documents. [Requested by Rafael Pena, Director, Information Technology Department; Account #001-0500-6010]**

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez to pull out items #6.a. and #20

Vote: 5 - 0 Motion Carried - Unanimously

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to approve all the Consent Agenda items except items #6.a. and #20

Vote: 5 - 0 Motion Carried - Unanimously

6. Building Maintenance

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	1001-1100-001-410000	Payroll Cost	\$25,000	\$634,886.16	\$609,886.16
To:	1001-1100-001-412000	Part Time	\$25,000	\$-1,699.17	\$23,300.83

Issue: Funds for the part time line item has exhausted and additional funds are needed to cover the balance of the fiscal year.

Solution: Transferring this money will keep part timers employed for the remainder of the fiscal year.

Result: There will be sufficient funds for part time employees.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to allow the budget officers to work with the County Auditor to be able to implement the \$25,000.00

Vote: 5 - 0 Motion Carried - Unanimously

20. Honorable Martin Cuellar, Sheriff

- a. **Discussion and possible action to approve the following line item transfers; and any other matters incident thereto:**

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	1001-3010-001-460000	Office Supplies	\$13,000	\$27,550	\$14,550
	1001-4070-001-464005	Books & Subscription	\$170	\$170	-0-
	1001-4090-001-461000	Materials & Supplies	\$4,000	\$66,874	\$62,874
	1001-4080-001-413000-015	Nurses Overtime	\$40,000	\$44,056	\$4,056

	1001-4070-001-454000	Advertising	\$85	\$85	-0-
	1001-4070-001-460000	Office Supplies	\$1,500	\$15,154	\$13,654
	1001-3010-001-461000	Material & Supplies	\$10,000	\$25,607	\$15,607
	1001-3010-001-460105	Minor Tools	\$4,000	\$10,116	\$6,116
	1001-4070-001-456305	Uniform	\$11,000	\$84,374	\$73,374
	1001-3010-001-455502	Narcotic Disposal	\$7,500	\$7,500	-0-
	1001-3190-001-461000	Materials & Supplies	\$1,028	\$1,028	-0-
	1001-3010-001-460140	Firearms & Ammo	\$1,567	\$19,816	\$18,249
		Total	\$93,850		
To:	1001-3010-001-441205-005	Electricity	\$14,000	\$-0-	\$14,000
	1001-3010-001-44300-075	Repair Maintenance of Vehicle	\$20,000	\$32,758	\$52,758
	1001-3010-001-458000	Administrative Travel	\$10,000	\$3,327	\$13,327
	1001-4070-001-413000-010	Overtime CBA	\$35,000	\$5,789	\$40,789
	1001-3010-001-456205	Training/Education	\$14,850	\$5,179	\$20,029
		Total	\$93,850		

Issue: The accounts listed above (Electricity, Repair-Maintenance of Vehicle, Administrative Travel, and Overtime) require a transfer of funds to cover estimated forecasted expenditures.

Solution: Utilize the savings from selected accounts to cover requests for payments and purchase orders in order to avoid these accounts from reaching deficits.

Result: These requested line item fund transfers will cover the estimated future expenditures.

- b. Discussion and possible action to authorize the budget office to make needed budget line item changes to the following grant budget; and any other matters incident thereto. As requested by the Webb County Treasurer's and Webb County Auditor's Offices in reference to Grant Fund 2701 (Southwest Border Anti-Money Laundering Alliance Grant) Department 3010, a budgetary line item transfer is needed to cover a deficit in payroll costs as well as future forecasted payroll and associated fringe benefit (FICA and Retirement) expenses. According to the funding agency, such a transfer is allowable. Please see attachments for more information.

	Account	Amount	Balance	Ending Balance
From:				
Health/Life Insurance	2701-3010-001-421000	\$5,000	\$6,909.89	\$1,909.89
Unemployment Tax	2701-3010-001-425000	\$5,722	\$5,906.98	\$184.98
Workers' Comp.	2701-3010-001-426000	\$8,439	\$9,640.68	\$1,201.68
Overtime	2701-3010-001-413000	\$6,319	\$6,319.64	0.64
	TOTAL:	\$25,480		
To:				
Payroll Cost	2701-3010-001-41000	\$24,751	-\$2,467.26	\$22,283.74
Retire. Co. Share	2701-3010-001-423000	\$306	\$2,145.85	\$2,451.85
FICA Co. Share	2701-3010-001-422000	\$423	\$1,333.73	\$1,756.73
	TOTAL:	\$25,480		

- c. **Discussion and possible action to approve the following line item transfer; and any other matters incident thereto:**

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	2022-44100-001-432001	Professional Service	\$20,000	\$25,000	\$5,000
To:	2022-4100-001-461000	Materials & Supplies	\$20,000	\$14,592	\$34,592

Issue: Funds are needed under Materials & Supplies.

Solution: A transfer is required from another budget category.

Result: There will be sufficient funds under Materials & Supplies.

Chief Deputy Auditor, Mr. Rafael Perez stated that on item #20.c. the Materials and Supplies account should be increased utilizing the Commissary Fund Acct. #2022.

Motion by Commissioner, Pct. 2 Rosaura “Wawi” Tijerina, seconded by County Judge Tano E. Tijerina to approve all of item #20 with the amendment on item #20.c.

Vote: 5 - 0 Motion Carried - Unanimously

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 2 Rosaura “Wawi” Tijerina to bring up item #37

Vote: 5 - 0 Motion Carried - Unanimously

REGULAR AGENDA

Honorable Tano E. Tijerina, Webb County Judge

37. **Discussion and possible action to enter into negotiations to update and renew an expired agreement with United States Border Patrol and other law enforcement agencies for the remediation of the section of the berm used by Border Patrol located at the Highway 59 Firing Range; and any other matters incident thereto, and authorizing the County Judge to sign any relevant documents thereto.**

Issue: The County has been approached by representatives from the United States Border Patrol requesting that they be allowed to remediate what they believe to be a hazardous situation at their portion of the Highway 59 Firing Range which is owned by Webb County and occupied by Border Patrol for use as a firearms training facility. The agreement under which the parties first agreed to upkeep and maintenance of the property dates back to 1987 and expired in 2007 and has since been on a month to month basis.

Solution: Enter into a new agreement between all entities that use the facility to ensure upkeep and maintenance of the facility and alleviate any potential hazards.

Result: A new agreement between all law enforcement entities using the facilities at Highway 59 Firing Range provide for the maintenance and upkeep of the facility.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to allow them to do the repairs and remediation and to instruct staff to start looking at conducting the renegotiations for the terms

Vote: 5 - 0 Motion Carried - Unanimously

Motion by County Judge Tano E. Tijerina, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to bring up item #31

Vote: 5 - 0 Motion Carried - Unanimously

Honorable Martin Cuellar, Sheriff

- 31. Discussion and possible action to Order an election for the proposed funding of a new Webb County jail facility and authorize the placing of a referendum on the ballot for an election to occur in conjunction with the November 7, 2017 constitutional amendment election; and authorize the County Elections Administrator to conduct said referendum election in accordance with and pursuant to the Texas Election Code; and any other matters incident thereto.**

Issue: Deteriorating infrastructure of the current jail facility, its outdated/ineffective jail layout design, its location in a highly populated area with major residential and commercial properties, and limited capacity causes multiple problems. The current jail was built in 1986 with a design that is now seen as a significant legal liability in terms of the ability of its outmoded linear layout to facilitate effective monitoring and needed separation (classification) of different types of arrestees and gang members. Classification and separation of different rival gang and drug cartel members as well as the separation of felonious, hard core criminal from those arrested on minor infractions is also difficult due to the types and layout of the current jail cells. Moreover, some of these jail parts and equipment (such as jail doors) are no longer made and when parts break down it is difficult to find replacement parts. In addition, the jail is located in the crowded downtown area where there is both a high population density and a mix of residential and commercial properties. Optimally, jails should be surrounded by a no or low-population buffer zone for the maximum safety of the community in which it is located. Furthermore, at the current jail facility, it is difficult for family members of inmates to find adequate parking space to be able to visit. Also, the current facility does not have sufficient capacity to allow for needed services for special populations of jail inmates, who may suffer from mental illness, substance addiction, and/or other conditions which keep them cycling in and out of the jail at significant cost to the tax payer. A new facility with sufficient capacity for standard jail medical facilities, mental health services, and other needed services would facilitate a reduction in these special populations' recidivism and curtail their continual cycling in and out of the jail. Finally, due to the high incarceration rates occurring daily and in order to keep in compliance with strict, state-mandated guard (correctional officers) to inmate ratios, the Webb County jail must pay to transfer and house its inmates at other jail facilities, such as the Zapata and Maverick Counties jail facilities.

Solution: Webb County voters will be able to participate in a referendum to authorize and/or decline to fund a new jail facility for Webb County that is

critically needed due to its strategic location along the international border with Mexico in South Texas. Along with all local law enforcement agencies (LEAs who use the jail facilities exclusively for arrestees & other detainees), the Webb County Sheriff's Office also works closely with all local and federal law enforcement agencies, including the Texas Department of Public Safety, U.S. Marshals and the U.S. Border Patrol, who also utilize the Webb County jail facilities and have authorized access to jail inmates (persons of interest for certain local, state, national, and international issues and cases). The Drug Enforcement Agency (DEA), the Federal Bureau of Investigations (FBI), Department of Homeland Security (DHS), and the Alcohol Tobacco, & Firearms (ATF) are among the local, state, and federal law enforcement agencies who house, interrogate, and seek intelligence gathered at the Webb County jail.

Result: Building a new jail facility for Webb County will allow the Sheriff to house the jail inmates who are currently incarcerated at other communities' facilities. Moreover, the proposed new jail facilities will have sufficient capacity to provide a continuum of services that will allow certain special inmate populations, such as the mentally ill and/or substance addicted, to be able to receive the necessary treatment so that they are less likely to recid.

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. 2 Rosaura "Wawi" Tijerina, seconded by County Judge Tano E. Tijerina to bring up item #41

Vote: 4 - 0 Motion Carried

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

(Recess 10:30 - 10:41 a.m.)

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to bring up items #39, #40, #41, #42, #43, and #44

Vote: 5 - 0 Motion Carried - Unanimously

Presentations

39. **Discussion and possible action to proclaim the month of May, 2017 as Elder Abuse Prevention Month. [Requested by Tano E. Tijerina, County Judge]**

42. **Recognition and presentation of plaques and certificates of appreciation to Sheriff Martin Cuellar and the Webb County Sheriff's Office Mental Health Unit by the South Texas Behavioral Health Center for the Sheriff's and unit's roles, hard work, and dedication in assisting patients in need of mental health care. [Requested by Sheriff Martin Cuellar and the South Texas Behavioral Health Center]**

Issue: There still exists a significant negative stigma surrounding mental illnesses, and often people in need of mental health services go untreated until they reach a severe mental health crisis. Moreover, the community

continues to constitute a medically and mental health underserved area, which requires mentally ill youth and adults to travel to out-of-town facilities in order to receive these needed mental health services.

Solution: Sheriff Martin Cuellar and his Mental Health Unit provide transports for mentally ill youth and adults in crisis to out-of-town mental health facilities.

Result: These youth and adults will receive needed mental health services so that they may begin the process of recovery.

40. Discussion and possible action to proclaim the week of May 7-13, 2017 as Hospital Week in Webb County. [Requested by Tano E. Tijerina, County Judge]
41. Discussion and possible action to proclaim the week of May 6-12, 2017 as Nurses Week in Webb County and recognize our local nurses for their accomplishments and efforts in the health care system. [Requested by Tano E. Tijerina, County Judge]
43. Discussion and possible action to proclaim May 7-13, 2017, as "National Correctional Officers Week". [Requested by Melissa Mojica, Juvenile Probation Director]

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez to bring up item #28

Comr. Tijerina rescinded her motion.

Comr. Gonzalez rescinded his second

44. Recognition of employees and volunteers who helped organize, cook and set up for the Webb County Employee Appreciation Luncheon held on April 27, 2017. [Requested by John Galo, Commissioner Pct. 3]

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 1 Jesse Gonzalez to bring up item #28

Vote: 4 - 0 Motion Carried

Other: County Judge Tano E. Tijerina (OUT OF THE COURTROOM)

Honorable Esther Degollado, District Clerk

28. Discussion and possible action to proclaim the week of May 8-12 as Jury Appreciation Week, in accordance with Senate Bill No. 565, Section 662.155. Jury Appreciation Week is in recognition of the outstanding and important contributions made by Texas citizens who serve as jurors.

Honorable Oscar Hale, 406th District Court Judge

22. **Discussion and possible action to approve a budget modification by authorizing a carry over of unobligated funds from year 1 of the Substance Abuse and Mental Health Services Administration (SAMHSA) Adult Drug Court Program in the amount of \$32,500.00 to utilize in the current fiscal year of the SAMHSA Adult Drug Court Program Grant No. TI026096-02. The intent is to carry over unused funds from year 1 to year 2 and disburse such amounts to the following categories: \$21,388.00 to the Treatment Provider contracted to continue to provide outpatient treatment services to all qualifying participants until the end of the fiscal year 09/29/2017. \$11,112.00 to other expenses, specifically purchasing additional Vivitrol shots to qualifying participants as indicated by the medical physician, and authorizing the County Judge to sign and execute all relevant documents.**

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

Vote: 4 - 0 Motion Carried

Other: County Judge Tano E. Tijerina (OUT OF THE COURTROOM)

Honorable Rebecca Palomo, 341st District Court Judge

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

	Acct. Number	Acct. Name	Amount	Bal.	End Bal.
From:	3015-7050-001-470000-075	Contingency Reserve Fund	\$83,750	\$200,000	\$116,250.00
To:	1001-2230-001-451005	Capital Murder	\$10,000	\$88,621.28	\$98,621.28
	1001-2230-001-451003	Court Interpreter/Reporter	\$58,750	\$0	\$58,750.00
	1001-2230-001-451002	Transcripts	\$15,000	\$25,497.62	\$35,497.62

Issue: Transfer is needed to cover past due and current invoices

Solution: Approve line item transfer.

Result: Transfer prevents shortfalls.

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

Vote: 4 - 0 Motion Carried

Other: County Judge Tano E. Tijerina (OUT OF THE COURTROOM)

Road & Bridge

24. **Discussion and possible action to authorize Dept. 7002 Road & Bridge to set work summer hours for construction crews from 7:00 am to 3:30 pm with 1/2 hour lunch; starting June 2, 2017 through September 29, 2017.**

Issue: Current work schedule (7:30 am to 6:00 pm) will expose our field crews to the intense heat of summer months.

Solution: Temporarily change work schedule from 7 am to 3:30 pm.

Result: Our field crews will be less exposed to the heat during the day and will be able to perform their daily duties in a better and safer manner.

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

Vote: 5 - 0 Motion Carried - Unanimously

Emergency Management

- 25. Discussion and possible action to accept Two (2) satellite phones from the Seven Flags Healthcare Preparedness Coalition with a value of \$1,175 each to be assigned to the Webb County Emergency Management Department and the Webb County Fire Department for use during emergencies for back-up communication. Airtime plans include monthly or annual subscriptions on a prepaid or emergency call basis.**

Issue: Back-up communication during emergency events is critical for adequate coordination during multi-agency events.

Solution: The Seven Flags Healthcare Preparedness Coalition has purchased and assigned multiple satellite phones to support emergency communications in our region. The satellite phones were purchased using federal grant funds that were awarded to Trauma Service Area T which covers Jim Hogg, Zapata, and Webb County. Funds are administered by the City of Laredo Health Department.

Result: The satellite phones have been assigned one each for the Webb County Emergency Management Department and Webb County Fire Department by the coalition. Ability to communicate when primary emergency communications are not available between emergency response agencies from multiple jurisdictions.

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

Vote: 5 - 0 Motion Carried - Unanimously

Indigent Healthcare Services

- 26. Discussion and possible action to accept the 2017 Distribution of Tobacco Settlement proceeds allocated to Webb County by the Texas Department of State Health Services for the submission of the annual Tobacco Settlement Expenditure Report in the amount of One Hundred Forty One Thousand, Seven Hundred Ninety-One Dollars and Thirteen Cents (\$141,791.13); and any other matters incident thereto (Revenue Account #1001-5030-330640).**

Issue: Each year the state of Texas provides healthcare establishments the opportunity to receive a portion of the Annual Distributions made from the Tobacco Settlement Permanent Trust Account. The Indigent Healthcare Services Department prepares the annual Tobacco Settlement Expenditure Report which includes all of the unreimbursed healthcare expenditures. Webb County reported a total of \$6,963,888 for the 2016 calendar year.

Solution: To accept the distribution of proceeds.

Result: Funds will be deposited into the general fund revenue account #1001-5030-330640.

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

Vote: 5 - 0 Motion Carried - Unanimously

Medical Examiner

27. **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 May 8, 2017:**

<u>Slot #</u>	<u>Title</u>	<u>Hourly Rate</u>
2779	Medical Death Investigator	\$20.38 18/A-E

Issue: Slot #2779 will become vacant on May 8, 2017.

Solution: Approve posting and filling of vacant position.

Result: The filling of slot #2779 will alleviate overload and allow for efficiency and productivity of work within the Medical Examiner's Office.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to approve item #27 following all HR policies

Vote: 5 - 0 Motion Carried - Unanimously

Honorable Rudy Rodriguez, Constable Pct. 1

29. **Discussion with possible action to allow law enforcement departments to utilize their respective Training & Education Line Item within their respective budget for part-time sworn peace officers; and any other matters incident thereto. (Co-Sponsored by Commissioner John C. Galo)**

Issue: Current policy does not permit for part-time employees to be sent to training; this includes peace officers.

Solution: Having Commissioners Court approve for part-time sworn peace officers to be allowed to be sent to training.

Result: Trained officers to ensure safety and law updates amongst other required and mandated training.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Jesse Gonzalez to approve item #29 and to allow this for any law enforcement department, ask for this to be placed in the Policy and Procedure Handbook, and for instances where individuals possess dual licensing have training come from full-time entity unless it's just part-time and they have no full-time

Vote: 5 - 0 Motion Carried - Unanimously

Honorable Martin Cuellar, Sheriff

30. Discussion and possible action to authorize the acceptance of a Fiscal Year (FY) 2016 Operation Stonegarden (OPSG) grant award in the amount of \$2,258,768 for overtime/applicable fringe benefits, equipment, supplies, and other eligible costs associated with OPSG-related border security operations in Webb County in conjunction with the U.S. Border Patrol-Laredo Sector, Offices of the Constables Pct. 1, Pct. 2, Pct. 3, and Pct. 4; and designating the Webb County Judge as the authorized official in all matters related to this grant; and any other matters incident thereto. This grant does not require any cash match.

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

Solution: Grant award: (1) to ensure first responders are equipped with enhanced tools/equipment/resources needed to detect, deter, and dismantle well-funded criminal organizations and (2) for the coordination of law enforcement efforts between various local and federal law enforcement agencies.

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

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

Vote: 5 - 0 Motion Carried - Unanimously

32. Discussion and possible action to approve the acceptance of a Fiscal Year 2017 Community Outdoor Outreach Program (CO-OP) grant award to the Webb County Sheriff's Office from the Texas Department of Parks & Wildlife in the amount of \$50,000 to provide educational outdoor recreational trips to Texas State Parks for the children of Laredo/Webb County; and designating the Webb County Judge as the authorized official in all matters related to this grant; and any other matters incident thereto. This grant requires a \$40,000 in-kind match, which will be provided by the Webb County Sheriff's Office, its Community Affairs Division/Police Athletic League (PAL), its volunteers, and its community partners.

Issue: The U.S. Census Bureau data released during October 2016 showed that the 2015 poverty rate for Laredo, Webb County, (listed at 32% in comparison to 16% for the State of Texas and 15% for the United States),

ranked the second highest of all the metropolitan areas in the entire United States. Poverty, along with poor social skills and association with deviant peers, is among the most significant factors for mental, emotional, and behavioral disorders in youth. Important protective factors to counter these risk factors include positive physical development; developing problem-solving skills/self-agency; engagement and connections with peers and athletics; presence of mentors and support for development of skills and interests; positive social norms; and opportunities for engagement within the community.

Solution: The Webb County Sheriff's Office grant award for a 2017 Community Outdoor Outreach Program (CO-OP) will provide at-risk youth in Laredo/Webb County the opportunity to participate in outdoor recreational activities and visit Texas State Parks in order to facilitate their abilities to development pro-social skills, increase self-esteem/self-agency, engage in positive physical development, connect with positive peers, partake in outdoor athletics skills, receive mentorship and support for development of outdoor skills and interests, participate in positive social norms, and enjoy outdoor recreational opportunities that provide constructive engagement with role models/community members, including parents/chaperones, deputies and other employees of the Webb County Sheriff's Office, representatives of the Texas Parks and Wildlife Department, and other civic leaders.

Result: At-risk youth in Laredo/Webb County will be able to participate in outdoor recreational activities at Texas State Parks, which will provide healthy lifestyle-related, fitness-correlated, pro-social, and safe alternatives to often sedentary, unhealthy, risky, and anti-social activities which many of these at-risk youth are more likely to engage in without the structured provision of such alternative outdoor recreational activities.

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

Vote: 4 - 0 Motion Carried

Other: Commissioner, Pct. 3 John C. Galo (ABSTAIN)

Honorable Delia Perales, Treasurer

33. Discussion and possible action to authorize the use of Payroll Savings to cover the excess of max amount of hours required to pay for Employee ID 3154 and Employee ID 3150 not to exceed 139.50 hours and 6.50 hours respectively.

From: 1001-1130-001-431007-015	Operational Reserve Wage Classification	\$5,343.76
To: 1001-2140-001-410000	Payroll Cost	\$4,443.76
1001-2140-001-422000	FICA	\$340.00
1001-2140-001-423000	Retirement	\$490.00
1001-2140-001-425000	Unemployment	\$40.00
1001-2140-001-426000	Workers' Comp	\$30.00

	Total	\$5,343.76
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Issue: It is mandated by Department of Labor to pay any hours to civilian employees that have exceeded the max of 240 hours of Comp Time immediately after the hours are recorded. (See attached). This department has just joined the Time Clock Plus and was discovered that these comp time had been accrued for several years. The department does not have a line item for overtime pay.

Solution: Treasury will pay these monies from the payroll cost account #1001-2140-410000 and will re-classify after approval to fund 3015 (Payroll Savings). With time clock plus in place, all accruals will be monitored each pay period and we can see all clocks in and out daily. Treasury has advised department to reduce their 240 hours remaining.

Result: Paying immediately will avoid penalties involved by Department of Labor (Double the amount - the amount plus the penalty).

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Jesse Gonzalez for the Auditor's Office to have them sign off on an affidavit to the effect of a deadline to pay, once they sign that affidavit we can pay the money owed, and only lend them the money and get it back from their budget

Vote: 5 - 0 Motion Carried - Unanimously

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

- 34. Discussion and possible action to designate office space for the Community Action Agency (CAA) at the recently completed Fernando Salinas Community Center; and any other matters incident thereto.**

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 1 Jesse Gonzalez to find adequate housing on the second floor for the Community Action Agency and to include other entities who want to be part of the center

Vote: 5 - 0 Motion Carried - Unanimously

- 35. Discussion and possible action to authorize an exemption to the participation in the county Time Clock Plus policy for certain county personnel involved in specialized law enforcement tasks or positions whose duties and responsibilities are deemed sensitive to operations; and any other matters incident thereto.**

Motion by Commissioner, Pct. 3 John C. Galo, seconded by County Judge Tano E. Tijerina to have those exempt by statue not be affected

Vote: 4 - 0 Motion Carried

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

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

36. **Discussion and possible action to authorize payment and release of check, immediately, to Zertuche Construction for Pay Application No. 29 in the amount of \$22,125.26 leaving a balance of \$166,168.25 which includes unused allowances, items which contractor has asked to be removed from his contract, as well as retainage. [Accounts #3040-6290-001-474501 (Construction in Progress) and #3040-206000 (Retainage Payable)]**

Issue: Zertuche Construction has progressed with items of work towards the completion of the Fernando Salinas Community Center which are noted in the schedule of values in Pay Application #29.

Solution: Authorize payment.

Result: Approve and ratify payment and release in Commissioner Court Meeting scheduled for May 8, 2017.

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

Vote: 4 - 0 Motion Carried

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

Honorable Tano E. Tijerina, Webb County Judge

38. **Discussion and possible action to review, amend, and/or modify the existing Webb County Drug & Alcohol Policy; 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 - Unanimously

45. **Communications**

Judge Tijerina read communications on behalf of the Commissioners Court. Additional communications were made by Cmr.Galo and Cmr. Gonzalez.

46. **Adjourn**

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

Vote: 5 - 0 Motion Carried - Unanimously