

Issue: Amend scope of services: A. Revision to Function Code 110 Route and Design; B. Revision to Function Code 161 Detention Pond Analysis; and C. Revision to Function Code 130 Right of Way.

Solution: Approve an amendment to Work Authorization No. 1 and to the Main Contract, to include additional services required and approved by the Texas Department of Transportation (TxDOT).

Result: Include all additional necessary services as required and approved by the Texas Department of Transportation (TxDOT)

Planning

OPEN PUBLIC HEARING

- 38. Public hearing in compliance with the provisions of Chapter 2007 of the Texas Government Code to consider the adoption of a proposed mandatory solid waste management order pursuant to the authority in Chapter 364 of the Texas Health and Safety Code.

CLOSE PUBLIC HEARING

- 39. Discussion and possible action to adopt a Webb County Solid Waste Management Regulations Order pursuant to Chapter 364 of the Texas Health and Safety Code and any other matters incident thereto.

Issue: Pursuant to Commissioners Court action of April 25, 2016 and as modified on August 8, 2016 to include the extra-territorial jurisdiction (ETJ) of Laredo (subsequent to Laredo's Council action to enter into a cooperative agreement), Webb County is currently implementing a mandatory solid waste management plan for the unincorporated area of the county which includes converting existing free garbage pick-up and disposal services to a paid, contracted service by the users of those services.

As part of the overall management plan, the Court must adopt an order as set out by Chapter 364, Health and Safety Code (H&S). The adoption of such an order is further subject to the provisions of the Texas Private Real Property Preservation Act under Chapter 2007, Texas Government Code (TxGC) which requires public notice (at least 30-days), public hearing and analysis (takings impact assessment or TIA) to determine if the proposed action is further regulated by said Act.

In compliance with the adoption provisions of both Chapter 364, H&S and Chapter 2007, TxGC, public notice of the proposed action was published in the *Laredo Morning Times* and *El Manana* on July 17, 2016 and July 31, 2016. Such publications included notice of the completed takings impact assessment (TIA) for public review and comment. A copy of the completed TIA is included in the agenda back-up which has identified the proposed action as being "exempt" pursuant to Sections 2007.003(b)(4), (6), and (13), TxGC.

Solution:

1. Hold public hearing to offer any interested citizen of the county the opportunity to testify for or against the proposed order.
2. Consider the adoption and/or modification of the proposed order and rules. If to be adopted, set the effective date of the order (please note that staff recommends an effective date no earlier than October 1, 2016 or no later than January 1, 2017).

Result: Upon the Commissioners Court's adoption and implementation of the recommended order, the county will have the proper authorities in place to:

- a) manage solid waste in the unincorporated area;
- b) impose fees for garbage collection and disposal so that costs associated with those services are borne by the users of such services;
- c) reduce existing county expenditures; and
- d) provide the mechanism under which the county can outsource or contract services to a private third-party service provider for all or part of the unincorporated area.

010 - 2102 Plan Dept Learning Accr.