

1st AMENDMENT
TO THE PROFESSIONAL SERVICE AGREEMENT BETWEEN
WEBB COUNTY AND JESSE GERARDO HERNANDEZ AS EVALUATOR FOR
THE 406th DISTRICT COURT, DRUG COURT PROGRAM EXPANSION
AND ENHANCEMENT PROJECT VETERANS TREATMENT PROGRAM,
SUBSTANCE ABUSE MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)
GRANT FUND NUMBER 1H79TI026702-01

1. This amendment ("The Amendment") is made by Webb County and Mr. Jesse Gerardo Hernandez, parties to the original agreement dated September 30TH, 2016.

2. This agreement is amended by changing the payment terms under Section 19 as follows:

PROFESSIONAL FEES AND EXPENSES

Original payment terms:

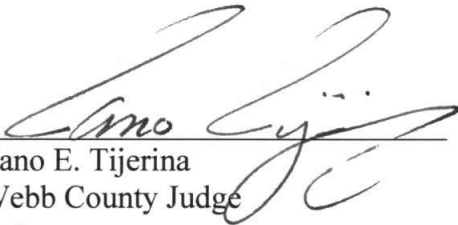
19. In consideration for the Professional Services to be performed by Evaluator under this Agreement. Webb County shall pay Evaluator not more than \$3,000.00 per month for time spent on evaluation, monitoring and other professional services defined herein. Evaluator shall submit written, signed reports of the time spent performing the services described herein, itemizing in reasonable detail the dates on which services were performed, the number of hours spent on such dates and a brief description of the services rendered. Webb County shall pay evaluator the amounts due pursuant to submitted invoices within 30 days after such reports are received by Webb County. The payment of fees shall not exceed \$36,000.00 on an annual basis and may be adjusted in years subsequent to the 2016-2017 award year based on funds awarded by grantor (SAMHSA).

Amended payment terms:

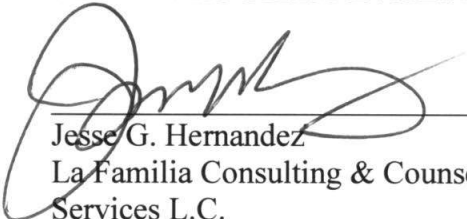
19. In consideration for the Professional Services to be performed by Evaluator under this Agreement. Webb County shall pay Evaluator a fixed fee of \$3,000.00 per month for time spent on evaluation, monitoring and other professional services defined herein, which payment shall be due on the first (1st) of each month for the preceding month's activity without further demand or notice. Evaluator shall submit written, signed reports of the time spent performing the services described herein, itemizing in reasonable detail the dates on which services were performed, the number of hours spent on such dates and a brief description of the services rendered; report must be submitted directly to the 406th District Court Judge or his designee no later than the 10th day of each month for the preceding months activity. The payment of fees shall not exceed \$36,000.00 on an annual basis and may be adjusted in years subsequent to the 2016-2017 award year based on funds awarded by grantor (SAMHSA).


3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

WEBB COUNTY

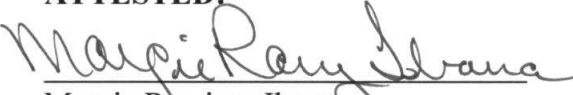

Tano E. Tijerina
Webb County Judge
Date: _____

**406th DISTRICT COURT DRUG
COURT PROGRAM EVALUATOR:**


Jesse G. Hernandez
La Familia Consulting & Counseling
Services L.C.

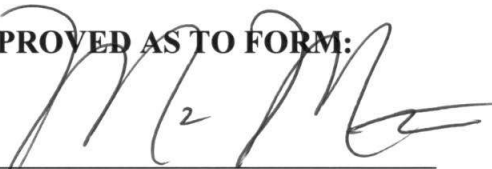

Oscar J. Hale, Jr., Presiding Judge
406th District Court Drug Court Program

ATTESTED:


Margie Ramirez-Ibarra
Webb County Clerk



APPROVED AS TO FORM:


Marco A. Montemayor
Webb County Attorney

*By law, the county attorney's office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).

Passed and approved by the Webb County Commissioners Court
On January 9, 2017. Item No.5a.

**PROFESSIONAL SERVICES AGREEMENT
BETWEEN WEBB COUNTY AND JESSE GERARDO HERNANDEZ, AS EVALUATOR
FOR THE 406TH DISTRICT COURT, DRUG COURT PROGRAM EXPANSION AND
ENHANCEMENT PROJECT VETERANS TREATMENT PROGRAM, SUBSTANCE
ABUSE MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)
GRANT FUND NUMBER 1H79TI026702-01**

This Agreement is made and effective the 30th day of September 2016, by and between WEBB COUNTY, a political subdivision of the State of Texas on behalf of the 406th District Court Veterans Treatment Program, hereafter referred to as Webb County, and, La Familia Consulting & Counseling Services, L.C. hereinafter referred to as Program Evaluator.

RECITALS

WHEREAS, Webb County through the 406th District Court Veterans Treatment Program is authorized by Chapter 469 of the Texas Health and Safety Code to provide an alternative to traditional criminal sanctions for eligible participants of the Drug Court Program; and

WHEREAS, one of the goals of the Webb County and the 406th District Court Veterans Treatment Program is to assist participants of the Veterans Treatment Program in modifying their behavior so that they may be re-integrated into society as socially acceptable, self-sustaining and productive citizens of the community; and

WHEREAS, Webb County desires to secure professional services to evaluate and monitor the 406th District Court Drug Court Program Expansion and Enhancement Project for Veterans Treatment Program, Substance Abuse Mental Health Services Administration (SAMHSA) grant fund number 1H79TI026702-01; and

WHEREAS, Evaluator has the experience and qualifications required to provide professional services to the Webb County 406th District Court Veterans Treatment Program on the terms and conditions provided herein; and

WHEREAS, Evaluator shall to the satisfaction of Webb County and its grantor, evaluate and monitor program activities as requested and described in this Agreement.

NOW, THEREFORE, Webb County hereby retains the services of the Evaluator, and Evaluator agrees to render professional services, set out and described below, to the 406th Services Administration District Court Program Expansion and Enhancement project, specifically The Veterans Treatment Program, Substance Abuse Mental Health (SAMHSA) grant fund number 1H79TI026702-01, hereinafter referred to as Project:

TERM

1. The term of this Agreement shall be for a period of 12 months beginning on September 30, 2016, and ending on September 29, 2017, provided WEBB COUNTY is awarded funding for the year and both parties are satisfied with the working arrangements governed by this Agreement.

PROFESSIONAL SERVICES AND DUTIES OF EVALUATOR

2. Evaluator shall monitor the performance and compliance of the Project with Model fidelity to keep Court personnel and the Council's Executive Director and all program staff aware of program standards and issues;
3. Evaluator shall develop a methodology for cross-referencing client and program outcomes and contextual factors in order to develop a complete picture of how clients are responding to treatment and services;
4. Evaluator shall review the goals and objectives, attached hereto as Exhibit A and incorporated herein as if fully set out, to determine and insure that the program is meeting the described needs, key activity milestones, goals, objectives, and outcomes;
5. Evaluator shall assess the success of the coordinated outreach, infrastructure development and service delivery approach and develop recommendations to improve the system;
6. Evaluator shall prepare and submit monthly and annual performance reports that shall include the following:
 - A. A comprehensive review of performance measures, goals, objectives and outcomes and early identify and address implementation concerns through quality assurance, program management and the program advisory board;
 - B. Identification and documentation of all issues, including barriers and benefits, throughout the project;
 - C. Document and report program adjustments to barriers;
 - D. Review of program according to timelines established by the grant application;
 - E. Review of goals and objectives to measure whether they are being met in a timely manner to insure achievement.
 - F. Respond to the designated outcome questions and designated process questions, attached hereto as Exhibit B.
7. Evaluator shall administer evaluation tools, analyze data collected and recommend program

changes if needed;

8 Attend and participate in quarterly cross-agency team meetings to review client and program progress;

9. Evaluator shall attend the annual National Drug Court Conference (where scheduled) and the Annual Joint Grantee Meeting [5MM-ISA] (where scheduled);

10. Evaluator shall perform any and all other services as described in Program's grant application whether they are stated herein or not.

WEBB COUNTY OBLIGATIONS

11. WEBB COUNTY, by and through 406th District Court Veterans Treatment Program, will be responsible for:

- A. A Program staff secretary shall maintain all data needed to be organized, analyzed and assessed by the Evaluator;
- B. Collecting and reporting client-level data consistent with SAMHSA's requirements and will ensure the quality and security of all data collected;
- C. Identify and address barriers to the collection of client-level data and relay these potential barriers to the Evaluator;
- D. Maintain the technological infrastructure (PCs, LAN, internet access) needed to communicate with the Evaluator to ensure the flow of data and other relevant information;
- E. Maintain a Quality Assurance Management team consisting in part of the Program Director, and Treatment Director which will work with the Evaluator to implement his recommendations for maintaining and/or improving the program;
- F. Respond to Evaluator's request for information or data on a timely basis;
- G. Coordination and preauthorization of the Evaluator's travel expense (Hotel, Meals, and transportation) for the annual National Drug Court Conference (where scheduled) and the annual Joint Grantee Meetings (where scheduled) [5MM-ISA] and thereafter reimbursement of said expenses.
- H. Coordination and preauthorization of the Evaluator's travel expense (Hotel, Meals, and transportation) as necessary, for trainings and evaluation reports and thereafter reimbursement of said expenses.

CONFIDENTIALITY

12. Any reports, information, data or studies given or assembled by Evaluator under this
Page 3 of 11
Agreement Evaluator For the 406th Veterans Treatment Program

Agreement shall be kept confidential and shall not be made available to any individual or organization without the prior written approval of WEBB COUNTY, unless otherwise required by law. Evaluator shall further comply with any and all regulations under the Health Insurance Portability and Accountability Act, the Alcohol and Drug Abuse Patient Records Regulations found at 42 CFR 2, the Program's Privacy Rules, and the Participant's Consent Rules.

INDEPENDENT CONTRACTOR

13. It is the intention of the parties that under this Agreement the Evaluator is an Independent Contractor and not an employee of Webb County. In this regard, Webb County shall not dictate the manner and method of providing services so long as such services are provided in compliance with accepted procedures and standards of care of Evaluator's profession.

In order to protect Webb County, Evaluator shall maintain a policy of professional liability insurance in an amount of two million dollars (\$2,000,000) and vehicle liability insurance in an amount of one million dollars (\$1,000,000). The Evaluator shall further indemnify and hold Webb County harmless from any and all claims arising out of the performance of his duties under this Agreement.

PERSONNEL AND EQUIPMENT

14. Evaluator agrees to provide all equipment and personnel with the required skills, expertise and resources needed to perform the above mentioned services at no additional cost to Webb County.

NON-ASSIGNABILITY

15. Evaluator shall not assign any interests in this Agreement nor delegate the performance of any of his duties herein specified without the written consent of Webb County.

GOVERNING LAW

16. This Agreement shall be governed and construed according to the laws of the State of Texas. Jurisdiction and venue for any action or claim arising out of this Agreement shall be in Webb County Texas.

ENTIRE AGREEMENT

17. This Agreement supersedes any and all prior agreements between Webb County and Evaluator whether written or oral. If any item, provision, covenant or condition of this Agreement should be held by a court of competent jurisdiction to be invalid, void or unenforceable, and such term, provision or condition is not an essential part of the Agreement and appears not to have been a controlling or material inducement to the making thereof, the same shall be deemed of no effect, and shall upon application of either party be stricken from the Agreement without affecting the binding force of the Agreement as it shall remain after omitting such provision.

AMENDMENT

18. This Agreement may only be amended by the mutual agreement of the parties hereto in writing.

PROFESSIONAL FEES AND EXPENSES

19. In consideration for the Professional Services to be performed by Evaluator under this Agreement, Webb County shall pay Evaluator not more than \$3,000.00 per month, for time spent on evaluation, monitoring and other professional services defined herein. Evaluator shall submit written, signed reports of the time spent performing the services described herein, itemizing in reasonable detail the dates on which services were performed, the number of hours spent on such dates and a brief description of the services rendered. Webb County shall pay Evaluator the amounts due pursuant to submitted invoices within 30 days after such reports are received by Webb County. The payment of fees shall not exceed \$36,000.00 on an annual basis and may be adjusted in years subsequent to the 2016-2017 award year based on funds awarded by grantor (SAMHSA).

20. Travel expense reimbursement rate will be at the state per diem rate for travel, lodging, and meal expenses. Such other reasonable expenses will be agreed upon by both parties before authorization. Evaluator shall submit a Travel/Expense Reimbursement Claim Form [attached as Exhibit C] along with written documentation when requesting travel reimbursement.

21. Webb County shall compensate Evaluator not more often than monthly upon his submission of fee invoices and Travel/Expense Reimbursement Claim Forms, if any, to the **Honorable Oscar J. Hale, Jr. Judge 406th District Court, Webb County, Texas, 1110 Victoria Street, Suite 402, Laredo, Texas 78040.**

TERMINATION

22. Either party may terminate this Agreement upon thirty (30) days written notice to the other party. Evaluator will be paid to the date of termination and final payment will be prorated if termination date falls prior to month end.

IMMUNITY

23. Webb County does not and shall not waive or relinquish any immunity or defense on behalf of itself, its commissioners, offices, employees and agents as a result of the execution of this Agreement and performance of the functions and obligations described herein

ADDITIONAL PROVISIONS

24. This Agreement is made as a result of the 406th District Court Drug Court Program Expansion and Enhancement Project, specifically, The Veterans Treatment Program, Substance

Abuse Mental Health Services Administration (SAMHSA) grant fund number 1H79TI026702-01, which has been awarded to Webb County. The Assurances and Certifications of the grant application are reflected in Substance Abuse Mental Health Services Administration (SAMHSA) grant fund number: 1H79TI026702-01 and incorporated herein as if set out in full. Evaluator has received a true and correct copy of said Assurances and Certifications and agrees to abide by those Assurances and Certifications for the duration of the Agreement.

NOTICES

26. Unless otherwise provided in this Agreement, all notices shall be in writing. All notices shall be delivered by personal delivery or by United States mail, first-class, postage prepaid, return receipt requested. If mailed, any notice or communication shall be deemed to be received three (3) days after the date of deposit in the United States mail, first-class, postage prepaid, return receipt requested. Notices shall be delivered to the following addresses:

To Webb County: **Honorable Tano Tijerina**
Webb County Judge
1000 Houston Street
Laredo, Texas 78040

And

Honorable Oscar J. Hale, Jr.
Judge 406th District Court, Webb County, Texas
1110 Victoria Street, Suite 402
Laredo, Texas 78040

To Evaluator: **La Familia Consulting & Counseling Services, L.C.**
1319 Corpus Christi
Laredo, Texas 78040

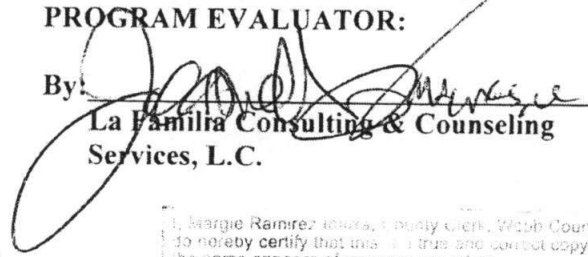
Either party may designate a different address by giving the other party at least ten (10) days written notice in the manner prescribed above.


WITNESS OUR HANDS EFFECTIVE the _____ day of _____, 20__.


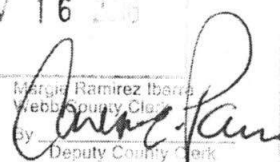
WEBB COUNTY, TEXAS:

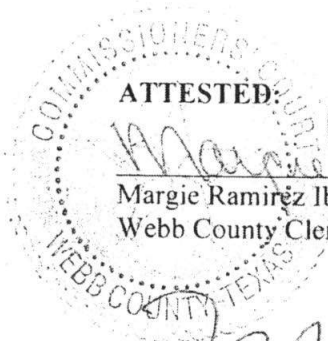
By: 
Tano Tijerina
Webb County Judge

**406th DISTRICT COURT VETERANS
PROGRAM EVALUATOR:**

By: 
**La Familia Consulting & Counseling
Services, L.C.**

By: 
Oscar J. Hale, Jr., Presiding Judge
406th District Court Veterans Treatment

I, Margie Ramirez Ibarra, Deputy Clerk, Webb County, do hereby certify that this is a true and correct copy, as the same appears of record in my office.
Witness my hand and seal of office on
NOV 16 2016

Margie Ramirez Ibarra
Webb County Clerk
By: 
Deputy County Clerk



ATTESTED:

Margie Ramirez Ibarra

Margie Ramirez Ibarra
Webb County Clerk

APPROVED AS TO FORM:

M. Montemayor

Marc Montemayor
Webb County Attorney*

*By Law, the County Attorney's office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorneys.

EXHIBIT A

Resources (Needs)	Program Components (Activities)	Outputs (Objectives)	Outcomes (Goals)
1) Treatment services veterans are fragmented due to limited funding for comprehensive services.	<ol style="list-style-type: none"> 1. 2. Thinking for a Change 3. Screening /Assessment 4. Community-Based Counseling 5. Group Therapy 6. Continuum of Care 5. Brief Interventions 6. Relapse Prevention 7. Outpatient Treatment 8. Random Urinalysis Testing 	<ol style="list-style-type: none"> 1. At least 85% of participants in the VADCP will reduce the frequency of alcohol and other drug use 2. At least 80% of the eligible participants will complete the program successfully and remain abstinent at 60 days, 90 days and 6 month follow-up 3. 100% of the participants who graduate will complete a relapse prevention plan using CENAPS Model. 4. 100% of the participants who successfully graduate will have completed the Cognitive Behavioral Therapy (CBT) Thinking for a Change model to change distorted thinking patterns that impact mental health, and lead to criminogenic behavior . 	To promote self-sufficiency by reducing alcohol and drug abuse, and improving mental health through treatment in the VADCP
2) Veterans need to be motivated, educated and provided with hope for VADCP compliance including retention, completion, and drug and alcohol usage.	<ol style="list-style-type: none"> 1. MET 2. Matrix Model 2. BST/Vivitrol 3. Counselors 4. Case managers 5. Referrals 6. Justice System (Judicial, Prosecutor, Defense, Probation) provide rewards and Incentives. 	<ol style="list-style-type: none"> 1. 100% of the participants referred will be actively receiving alcohol and drug abuse treatment at any given time and will complete the MET Model and the Matrix Treatment Model Protocols. 2. At least 80% of the participants who complete VADCP will be employed upon graduation. 3. 25% of the high risk/high need participants of the ORP who are alcohol, or opiate dependent (25% of target goal – 56 clients) will participate in Broad Spectrum Treatment (BST) and Naltrexone for Alcohol Dependence model for high risk/high need alcohol and opiate dependent clients by using injectable Naltrexone (Vivitrol). 4. At least 80% of the participants who complete the VADCP will be employed upon graduation. 	To provide an integrated program of alcohol, and drug abuse treatment, education, and rehabilitation services for veterans through VADCP enhanced services.
3) Veterans have a high incidence of mental health/PTSD and health issues, and are also at high risk for contracting HIV/AIDS/STD's/Hep C.	<ol style="list-style-type: none"> 1. Mental Health Screening Form-III. 2. Millon Multiaxial Clinical Inventory III (MCMI III). 3. Co-Occurring Psychiatric and Substance Abuse Disorders (COPSD) 4. Trauma Informed Services - Seeking Safety Model Program for PTSD. 5. Gateway Community Health Center 6. Counseling-Testing Referral(CTR), Health Education and Risk Reduction (HERR), Hep B&C 7. Tobacco Cessation Education and referral 8. Case management, referrals, wraparound services 	<ol style="list-style-type: none"> 1. 100% of the VADCP participants will be screened for co-occurring psychiatric and substance use disorders as per the protocol of TIP 42 using the Mental Health Screening Form-III. 2. 100% of the VADCP participants screened and identified with co-occurring psychiatric and substance abuse disorders will have a structured mental health assessment completed including being administered the Millon Multiaxial Clinical Inventory III (MCMI III). 3. 100% of VADCP participants assessed with co-occurring psychiatric and substance use disorders will be referred to the Laredo/Webb County Veterans Clinic for psychiatric services, medication management, and social services, as well as other community appropriate based providers including but not limited to LPC's, LMFT's and LCSW's for individual marital and family counseling as well as to appropriate agencies for case management. 4. 100% of VADCP participants assessed with co-occurring psychiatric and substance use disorders and PTSD will be provided with Prolonged Exposure Therapy (PE) for PTSD. 5. 100% of VADCP participants will be referred for health services to the Laredo/Webb County Veterans Clinic, as well as appropriate health care providers 	To improve mental health/PTSD and health status for VADCP participants as well as prevention and treatment of infectious diseases.

		including, but not limited to private physicians and the Gateway Community Health Center. 6. 100% of VADCP participants will be referred for comprehensive HIV/AIDS/ STD prevention, Hepatitis B&C education and CTR services at community based CDC services with either the City of Laredo Health Department, or nonprofit agencies. 7. 100% of VADCP participants will be referred for tobacco cessation education and for appropriate medical intervention with local health care providers	
4) Veteran offenders are often rearrested.	VADCP, Justice System (Judicial, Prosecutor, Defense, Probation) provide rewards and incentives, as well as sanctions.	1. No more than 5% of the participants who graduate from the VADCP will be rearrested within six months. 2. No more than 10% of the participants who graduate from VADCP will be rearrested within one year.	To promote public safety by reducing recidivism for participants.
5) Veteran offenders increase the cost to operate the justice system, CPS. And other social services	1. Justice System (Judicial, Prosecutor, Defense, Probation) provide rewards and incentives, as well as sanctions. 2. Staff will explore all funding avenues	1. To reduce costs to the criminal justice system by 10%. 2. Not more than 5% of participants who graduate from the program will have child abuse or neglect allegations filed within one year post graduation will reduce costs to the criminal justice system. 3. VADCP staff will pursue additional funding from TXDHS, Webb county, private foundations and other sources to continue services.	To evaluate the cost-effectiveness of the VADCP and to promote future funding and development of diversified funds.

Unduplicated Number of Individuals to be served:

Year 1	Year 2	Year 3
40	45	50

EXHIBIT B

DESIGNATED OUTCOME QUESTIONS

1. What was the effect of the Drug Court intervention on participants? *[Evaluator shall use pre- and post-intervention GPRA data collection to answer this question]*
2. What program/contextual factors were associated with outcomes?
3. How did the policies and procedures of the Drug Court affect participant success?
4. What factors in the administration of the Court's mandated interventions were associated with long-term sobriety at follow-up?
5. Which, if any, factors in the administration of the Court's mandated interventions were associated with relapse?
6. What individual factors were associated with outcomes? *[Evaluator shall use client information data, collected and captured through a global assessment, that includes many individual factors, during the intake process]*
7. How durable were the effects? *[The Evaluator shall measure the durability of effects through follow-up GPRA data that are collected at 6 months and 12 months. It is expected that most participants will complete the MET counseling sessions approximately 3 months after admission and the Matrix Model approximately 8 months after admission. This will allow the program Evaluator to assess durability at two points upon completion of the program.]*

DESIGNATED PROCESS QUESTIONS:

8. How closely did implementation match the plan? *[Evaluator shall evaluate the program from a qualitative viewpoint. The evaluator will regularly communicate with the project director and the 406th District Court Drug Court Team and monitor activities according to the grant application proposal's narrative, timeline and other expected measures of activities. Activities will be documented regularly to assess implementation fidelity.]*
9. What types of deviation from the plan occurred? What led to the deviations? And what effect did the deviations have on the planned intervention and performance assessment? *[If there are deviations from the fidelity of the implementation plan, the evaluator will document them and the barriers, concerns and contextual factors that required the program deviation. In addition, the evaluator will provide additional assessment of the deviation to document the effects produced by the deviation. The Evaluator shall include whether the deviation impacted processes or outcomes.]*
10. Who provided (program staff) what services (modality, type, intensity, duration) to whom

EXHIBIT C

406TH DISTRICT COURT DRUG COURT PROGRAM EXPANSION AND
ENHANCEMENT VETERANS TREATMENT PROGRAM
PROJECT EVALUATOR TRAVEL/EXPENSE REIMBURSEMENT CLAIM FORM

DATE SUBMITTED: _____

REQUESTED GRAND TOTAL: \$ _____

DEPARTMENT HEAD

COUNTY AUDITOR:

CERTIFICATION TO THE

I hereby certify that the travel described above is true and correct, and necessary to the provision of professional services by Jesse Gerardo Hernandez to Webb County, Texas. I further certify that this travel will not be reimbursed by any other entity.

Oscar J. Hale, Jr., Judge 406th District Court

CERTIFICATION BY LA FAMILIA CONSULTING & COUNSELING SERVICES, L.C., EVALUATOR/CLAIMANT

I hereby certify that the information contained on this form is true and correct. I have attached documentation of the actual expenditures for the funds requested pursuant to this form.

La Familia Consulting & Counseling Services,
Evaluator/Claimant

TRAVEL DATES: _____

MILEAGE: Round trip to Laredo from _____ = _____ miles @\$.50 mile = TOTAL: \$ _____

AIR FARE: Round trip to and from Laredo, Texas to _____ = TOTAL: \$ _____

MEALS:

_____ Breakfasts @ \$10.00 each = \$ _____

_____ Lunches @ \$14.00 each = \$ _____

_____ Dinners @ \$16.00 each = \$ _____

TOTAL: \$ _____

LODGING: [SUGGESTED RATES U.S. GENERAL SERVICES
ADMINISTRATION PERDIEM RATE CHART ATTACHED]

_____ night (s) on trip @ _____ per night = TOTAL \$ _____

OTHER EXPENSES (receipts required): \$ TOTAL \$ _____

**Official Minutes for Webb County
Commissioners Court Meeting**

**Monday, January 9, 2017 at 9:00 AM
(Approved January 23, 2017)**

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 6th day of January 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

Roll Call by Mrs. Lucina D. Perez, Chief Deputy County Clerk on behalf of the 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 Recap of Checks, Recap of Released Immediate Payments, Ratification of Checks sent, Ratification of Payroll, and the Monthly Report for November 2016 pending approval.

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

Vote: 5 - 0 Motion Carried

Chief Deputy Auditor, Mr. Rafael Perez presented the monthly report for December 2016.

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

Vote: 5 - 0 Motion Carried

4. Public Comment - This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member, 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 a no cost amendment to the professional services agreement between Webb County and La Familia Consulting & Counseling Services, LC by modifying the payment terms and conditions for the 406th District Court, Drug Court Program and Enhancement Project; Veterans Treatment Program, Substance Abuse Mental Health Services Administration, all other terms and conditions shall remain unchanged and authorizing the County Judge to sign all relevant documents; and any other matters incident thereto. [Grant #1H79TI026702-01, Account #353-1004-6022]
- Issue:** Current payment terms require invoices to list details of services provided which are sensitive in nature in order for payment to be processed. Further, payment can be held for up to 30 after the invoices are submitted. Evaluator during FY 2016 was not paid timely.
- Solution:** Modify payment terms to require payment on the first of each month for prior months activity without notice or demand. All sensitive reports for activity conducted by evaluator will be submitted to Judge Hale for his approval and records.
- Result:** Improve timeliness of payment and safeguard sensitive reports dealing with Counseling sessions pertaining to this program.
- b. Discussion and possible action to approve a no cost amendment to the

professional services agreement between Webb County and La Familia Consulting & Counseling Services, LC by modifying the payment terms and conditions for the 406th District Court, Drug Court Program Expansion and Enhancement Project; Substance Abuse Mental Health Services Administration, all other terms and conditions shall remain unchanged and authorizing the County Judge to sign all relevant documents and any other matters incident thereto. [Grant #1H79TI026096-02, Account #351-1004-6022]

Issue: Current payment terms require invoices to list details of services provided which are sensitive in nature in order for payment to be processed. Further, payment can be held for up to 30 after the invoices are submitted. Evaluator during FY 2016 was not paid timely.

Solution: Modify payment terms to require payment on the first of each month for prior months activity without notice or demand. All sensitive reports for activity conducted by evaluator will be submitted to Judge Hale for his approval and records.

Result: Improve timeliness of payment and safeguard sensitive reports dealing with Counseling sessions pertaining to this program.

6. Community Action Agency

- a. Discussion and possible action to approve conducting Category "B" Elections to fill two current vacancies as per the Governing Regulations of the Advisory Board. The Advisory Board shall be composed of membership that complies with the Community Services Block Grant- Texas Administrative Code Rule 5.215. The First Election will be held on Wednesday, January 18, 2017 for Representative and Alternate for Area IV-Azteca-Guadalupe in the Lilia B. Perez Community Center located at 4420 Santa Maria Road from 9:00 a.m. till 5:00 p.m. The Second Election will be held on Wednesday, January 25, 2017 for Representative and Alternate for Area V- Fernando Salinas Community Center, 2600 Cedar from 9:00 a.m. till 5:00 p.m.

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

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

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

- b. Discussion and possible action to approve funding increase Amendment No. 3 contract #58160002358 award for the Comprehensive Energy Assistance Program (CEAP) from Texas Department of Housing and Community Affairs (TDHCA) for the Program Year 2016- Contract start date January 1, 2016 through March 31, 2017 in the amount of FORTY FIVE THOUSAND SIXTY FIVE DOLLARS. (\$45,065.00). This amendment will increase the PY-2016 CEAP Contract funding from \$1,221,517.00 to \$1,266,582.00 and authorizing the County Judge to sign all relevant documents. [Account #911-4200-3501]

Issue: Approve Amendment No. 3 for the CEAP Program from TDHCA for PY-2016 in the amount of \$ \$45,065.00.

Solution: The Comprehensive Energy Assistance Program (CEAP) provides direct client services to eligible elderly, disabled and low income residents of Webb County.

Result: The services are intended to assist eligible Webb County residents with up to 8 highest remaining calendar months of energy consumption. The CEAP allocation for contract #58160002358 is for twelve months.

- 7. Honorable Marco Montemayor, County Attorney**
- a. Discussion and possible action to enter into a One (1) year (January 9, 2017 through January 8, 2018) Preventative Maintenance Agreement between Ford Audio-Video Systems, LLC and Webb County for the Public Information Office for maintenance on audio and video equipment at a cost of One Thousand Nine Hundred Fifty Six Dollars (\$1,956.00) and authorizing the County Judge to sign and execute all relevant documents. [Requested by Larry Sanchez, Public Information Officer, Account #001-0550-6411]**
 - b. Discussion and possible action for Webb County Head Start to enter into a one (1) year (November 1, 2016 through October 31, 2017) lease agreement extension with the City of Laredo regarding lease space located at 2801 Ireland St., Laredo, Texas (Magic Corner Head Start) at a monthly cost of Six Hundred Fifty Dollars (\$650.00) and a total cost of Seven Thousand Eight Hundred Dollars (\$7,800.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Aliza Oliveros, Webb County Head Start Director; Account #903-4207-6012]**
 - c. Discussion and possible action for Webb County Head Start to enter into a One (1) year (November 1, 2016 through October 31, 2017) lease agreement extension with the City of Laredo regarding lease space located at 6500 Springfield Avenue, Laredo, Texas (Springfield Acres Head Start Center) at a monthly cost of Five Hundred Fifty Dollars (\$550.00) and a total cost of Six Thousand Six Hundred Dollars (\$6,600.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Aliza Oliveros, Webb County Head Start Director; Account #903-4207-6012]**
 - d. Discussion and possible action to correct the fees and account number for the Independent Contractor Agreement with Todd Russell, Ph. D. that was approved by the Commissioner's Court on October 24, 2016. This agreement provides needs assessment, evaluation, and consulting services for the Webb County Court at Law #2 DWI Drug Court Program for a term of One (1) year that shall commence on September 30, 2016 and expire on September 29, 2017. The correct monthly cost is Seven Hundred Fifty Dollars (\$750.00), with a correct total cost of Nine Thousand Dollars (\$9,000.00) and authorizing the County Judge to execute all relevant documents; and any matters incident thereto. [Requested by Judge Jesus Garza, Webb County Court at Law #2; Account #362-1011-6022 (Webb County DWI Drug Court Program)]**
 - e. Discussion and possible action to enter into a One (1) year License Agreement between Productivity Center, Inc. and Webb County for the Webb County Attorney's Office for law enforcement training and certification. The training**

software is to be utilized by investigators of the Webb County Attorney's Office. The term will commence when all documents are executed. The cost associated with the agreement will be Three Hundred Seventeen Dollars (\$317.00); and any other matters incident thereto. [Requested by Marco Montemayor, Webb County Attorney; Account #001-1101-6010]

- f. Discussion and possible action to approve Memorandum of Understanding for the Texas Work-Study Program between Laredo Community College and Webb County. The Agreement provides that Laredo Community College will prepare and place work study employees with Webb County offices fully paid under the Texas Work-Study Funding. Webb County will supervise the work assigned to the student employees. The Agreement will be effective February 1, 2017 through May 12, 2017. The parties may mutually agree to renew the MOU for successive One (1) semester terms. There is no financial impact on the County's General Fund, and authorizing the County Judge to sign and execute all relevant documents; and any other matters incident thereto. [Requested by Alexandra Colessides, Interim Director of Risk Management]
- g. Discussion and possible action to approve a Twelve (12) month contract between Webb County and Zapata County for the housing of Webb County adult inmates effective October 1, 2016 through September 30, 2017 at a rate of \$40.00 per inmate per day and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. [Requested by Webb County Sheriff, Martin Cuellar, Account #001-2060-6023-04]

8. Honorable Margie Ibarra, County Clerk

- a. Approval of Minutes for December 12, 2016

9. Honorable Isidro Alaniz, District Attorney

- a. Discussion and possible action to ratify an amendment to the District Attorney State Forfeiture fund by increasing the expenditure budget by \$30,492.71; said amount is available from seized funds pursuant to Chapter 59 of the Texas Code of Criminal Procedure. [Fund 167-1100-6709]

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.

10. Fire Suppression & EMS Services

- a. Discussion and possible action to accept a donation from Enterprise Texas Pipeline LLC in the amount of \$1,000.00 as per local government code 81.032, to be utilized in the acquisition of training or travel by department personnel; and authorizing the Count Judge to sign all relevant documents; and any other matters incident thereto. [Account #001-2203-6011 (Training and Education)]

Issue: Donation check issued by Enterprise Texas Pipeline LLC to support the mission of the Webb County Volunteer Fire Department.

Solution: Deposit check into Training & Education line item, Account #001-2203-6011.

Result: Continue working relationship with Enterprise Texas Pipeline LLC and send department personnel to needed/required training.

11. 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>
1103	Part Time Classroom Aide	\$8.64	20
998	Bachelor Degreed Teacher	\$15.43	20
968	Associate Degree Area Service Mgr.	\$16.16	20
2569	Part Time Early HS Teacher Floater	\$10.05	26
1800	Part Time Substitute Teacher	\$8.64	20

- b. Discussion and possible action to affirm the Court's approval to continue to allow the Head Start and Early Head Start program to participate in the Child and Adult Care Food Program and to confirm the Court's awareness of the organization's responsibilities and liabilities associated with participation.

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

- a. Discussion and possible action to approve the submission of a Truancy Prevent and Intervention Program grant application in the amount estimated at \$60,000 to continue to pay the grant-funded salary and fringe benefits for a juvenile delinquency diversion case manager in order to continue to divert at-risk juveniles from entering the juvenile justice system in Laredo/Webb County; and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. This grant does not require any cash match.

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

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

Result: Increased focus on diversion strategies to steer at-risk juveniles from the juvenile and criminal justice system.

- b. Discussion and possible action to approve the submission of a Juvenile Justice

Grant Program grant application in the amount estimated at \$20,000 for equipment, training/travel, and supplies costs for the juvenile delinquency diversion case manager in order to divert at-risk juveniles from entering the juvenile justice system in Laredo/Webb County; and authorizing the Webb County Judge to execute all relevant documents; and any other matters incident thereto. This grant does not require any cash match.

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

Solution: Grant application to provide additional services, including equipment, training/travel, and supplies, in order to provide prevention, diversion, and intervention strategies through the court of the Justice of the Peace, Precinct 4 in Laredo/Webb County area.

Result: Increased focus on diversion strategies to steer at-risk juveniles from the juvenile and criminal justice system.

13. Honorable Martin Cuellar, Sheriff

- a. Discussion and possible action to approve the submission of an application to the Criminal Justice Division, Office of the Governor for a Assistance Grant Program (JAG) Operation Border Star in the amount estimated at \$60,000 for the continued salary and fringe benefits for a deputy (certified peace officer) to continue to provide enhanced patrolling for border security; and designating the Webb County Judge in all matters related to this grant; and any other matters incident thereto. This grant requires no match. [Grant Fund Source 324]**

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

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

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

- b. Discussion and possible action to authorize the submission of a Violent Crimes Against Women Criminal Justice and Training (VAWA) grant application to the Criminal Justice Division (CJD) Office of Governor (OOG) in the amount estimated at \$6,500 for training, equipment, and supplies for investigators working at the Webb County Sheriff's Office serving victims of violent crimes against women and authorizing the County Judge to execute all relevant documents; and any other matters incident thereto. This grant requires a Thirty-**

Five (35%) percent cash match, or a \$3,500 cash match, which will be met by the Webb County Sheriff's Office forfeiture funds. Thus, this grant will have no impact to the general fund. [Account #170-9501-9301 (Transfer out from Forfeiture Funds)]

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 number 1 in 4. ("30 Shocking Domestic Violence Statistics That Remind Us It's An Epidemic" Vagianos 10/23/2014)

Solution: Grant application to enhance the tools, techniques, and training to those investigators who follow-up to calls for assistance, conduct interviews with these victims, file incident reports, provide these victims information/referrals to service providers, initiate arrests of perpetrators, refer cases for prosecution, and prepare testimony/evidence for trial in cases of domestic violence, sexual assault, dating violence, and stalking.

Result: Enhanced law enforcement services, including investigative techniques, to deal with emergent criminal trends, such as cyber stalking, and improved efficacy of the law enforcement response to the needs of victims of violent crime.

- c. Discussion and possible action to approve the submission of an application to the Homeland Security Grants Division Office of the Governor for a 2017 State Homeland Security Program (SHSP) grant in the amount estimated at \$40,000 for equipment and supplies; and designating the Webb County Judge to sign all relevant documents; and any other matters incident thereto. This grant requires no match.

Issue: Complex and dynamic law enforcement challenges exist in the Southwest border area of the United States, including Laredo/Webb County. Furthermore, the County of Webb/City of Laredo continues to be one of the busiest in-land ports as well as a strategically significant international commerce corridor for the United States.

Solution: Grant application to further enhance the Webb County Sheriff's Office preparedness to prevent threats, protect citizens, mitigate loss of life and property, and respond quickly to save lives.

Result: Through the grant-funded efforts, the Webb County Sheriff's Office will be able to address high-priority preparedness goals to strengthen core capabilities to prevent, protect, mitigate, respond, and support community recovery.

- d. Discussion and possible action to approve the submission of an application to the Homeland Security Grants Division Office of the Governor for a 2017 Law Enforcement Terrorism Prevention Activities (LETPA) grant in the amount estimated at \$90,000 for law enforcement terrorism prevention equipment; and designating the Webb County Judge in all matters related to this grant; and any

other matters incident thereto. This grant requires no match.

Issue: Since the tragedy of 9/11, the urgent need for expanded and enhanced law enforcement efforts to prevent terrorism in the United States was understood to help save the lives of both first responders and the people they serve.

Solution: Grant application to fund enhanced capabilities for the Webb County Sheriff's Office.

Result: The Webb County Sheriff's Office will have increased capacities and enhanced capabilities.

- e. Discussion and possible action to authorize the continued payment of salary and fringe benefits for the Webb County Sheriff's Office investigators working on the City of Laredo High Intensity Drug Trafficking Area (HIDTA) Task Force not to exceed Ninety (90) days pending the receipt of grant continuation award by the funding agency to the City of Laredo. The City of Laredo has been utilizing this grant for the continuation of this task force for over Twenty (20) years.

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

- a. Discussion and possible action to approve the following refunds:

a) The amount of \$11,299.90 to Laredo Energy LP, Account #04917800080140WI, as per Supplement 4 Certified 2016, Division Order change information provided by Wardlaw for 2016.

b) The amount of \$15,336.61 to be distributed as follows: \$154.45 to Rancho la Cuchina Minerals Ltd, and \$15,182.16 to Webb County Tax Office, Account #04797460180729RI, as per Supplement 4 Certified 2016, Correct ownership per Division Order information provided by Wardlaw Appraisal Group for 2016.

c) The amount of \$15,336.61 to be distributed as follows: \$154.45 to Marmiom Janey Briscoe GST Trust, and \$15,182.16 to Webb County Tax Office, Account #04797460180728RI, as per Supplement 4 Certified 2016, Correct ownership per Division Order information provided by Wardlaw Appraisal Group for 2016.

d) The amount of \$15,336.61 to be distributed as follows: \$154.45 to Miramar Holding LP, and \$15,182.16 to Webb County Tax Office, Account #04797460183690RI, as per Supplement 4 Certified 2016, Correct ownership per Division Order information provided by Wardlaw Appraisal Group for 2016.

Issue: All aforementioned accounts had adjustments as per Supplement 4 Certified 2016 sent by the Webb County Appraisal District. These adjustments generated refunds since the accounts had been paid prior to receiving the information.

Solution: Refund said amounts to all entities for the over-payments.

Result: The monies will be reimbursed to the appropriate taxpayers and any pending taxes will be satisfied.

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 3 John C. Galo to approve all Consent Agenda items