

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 20th day of February 2007, there was conducted a REGULAR Meeting of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

PRESENT:

5:30 P.M.

CARLOS H. CASCOS, CPA
COUNTY JUDGE

SOFIA C. BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Aide A. Trejo Deputy Clerk

ABSENT:

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The meeting was called to order by Judge Cascos at 5:31 P.M. He then asked Frank Castellanos, of Cameron Works, to lead the Court and audience in reciting the Pledge of Allegiance and the Pledge of Allegiance to the State Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on February 16, 2007 at 8:31 A.M.:

(23) CONSIDERATION AND POSSIBLE ACTION TO INITIATE REPAIRS PROCESS AT THE CARRIZALES RUCKER DETENTION CENTER IN ORDER TO COMPLY WITH TEXAS COMMISSION ON JAIL STANDARDS LETTER DATED FEBRUARY 5, 2007. (OL-SHERIFF) (TABLED)

Mr. Gus Reyna, Chief Deputy, stated that the Jail was inspected on January 22nd and 23rd by the Texas Commission on Jail Standards (TCJS) and everything was in compliance with the exception of Section 259, New Construction. He stated that the Sheriff's Office received a letter on February 8, 2007 from the TCJS, dated February 5, 2007, that was addressed to the County Judge and the Sheriff notifying the County that the Jail is not in compliance with that section and placed the County in a position to answer the TCJS within thirty days of receiving the letter.

Judge Cascos stated that there will be a meeting on Thursday, February 22nd, at 10 a.m. with the TCJS, which Commissioner Tamayo will be attending, to discuss this issue and asked the Court for their recommendations as to what direction to take regarding the repairs at the Jail.

Commissioner Wood recommended that if the Jail is to be repaired, the requirements for repairing the Jail to a minimum or maximum security facility be reviewed.

Chief Reyna added that the Jail should have originally been built to maximum security standards.

Judge Cascos recommended that the meeting with the TCJS on February 22nd be held and then a decision be made as to what direction to take.

NOTE: Commissioner Garza joined the meeting at 5:36 p.m.

Commissioner Tamayo asked if there is any documentation as to what repairs needs to be done.

Chief Reyna replied that there is documentation from Aguirre Corporation as to the repairs.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, this Item was **TABLED**.

(1) PUBLIC COMMENTS.

Ms. Mary Helen Flores expressed concern for the protection of Isla Blanca Park from debt. She questioned how expanding an already overburdened and mismanaged Parks System constitutes as an "emergency", why the voters are not being allowed to vote on a general bond for the proposed capital improvements and why the County

cannot wait for House Bill 6 or Senate Bill 252 to pass in order to avoid debt. She stated her belief that using Certificates of Obligation is not a responsible way to fund the expansion of the Parks System.

Ms. Dina Saldana presented to the Court a painting she made of Isla Blanca Park during the summertime. She stated her belief that Isla Blanca Park is important because it represents family values, is protected by the jetties and is a natural beauty.

Mr. Alan Day, President of Property Owners Who Care, expressed concern for the lease, the amended lease and the Certificates of Obligation concerning Isla Blanca Park. He stated that borrowing \$8 million for capital improvements is required to be voted on by the residents of Cameron County and noted that Certificates of Obligation are to be used in emergency situations only. He asked Judge Cascos to halt the process of approving the Certificates of Obligation in order to review all legal ramifications.

Mr. Bill Fisher asked the Court to adopt the Resolutions supporting the Candlewick Apartments and the Las Palmas Apartments as a Residential Community Revitalization Area.

(22) **CONSIDERATION AND ADOPTION OF AN ORDER AUTHORIZING THE ISSUANCE OF "CAMERON COUNTY, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2007" AND OTHER MATTERS RELATED THERETO. (PSJ-ADMINISTRATOR) (Order No. 2007O2006)**

Commissioner Tamayo stressed the fact the many families in Cameron County do not have the means to go to Isla Blanca Park and those same families have been waiting many years for a park in their area.

Mr. Jack Gibson stated that he visited Isla Blanca Park to review the maintenance of the park and commented that there are some maintenance issues but they are no worse than other parks. He recommended having a two-tier price structure for Cameron County residents and Winter Texans at Isla Blanca Park.

Mr. Delton Lee stated his belief that this issue should go before the voters of Cameron County. He noted that many Winter Texans are considering moving out of Cameron County due to the lack of maintenance and amenities at Isla Blanca Park. He asked the Court to reconsider this issue due to the fact that repaying the Certificates of Obligation is based solely on revenue that is to be generated by Isla Blanca Park.

Ms. Claudia Conker expressed her concerns with Isla Blanca Park: 1) the development of a no-bid private development plan complete with architectural renderings and 2) the lack of infrastructure maintenance at Isla Blanca Park despite a 15% increase in camping fees. She requested that the Court table this item until the many questions regarding the maintenance issues at Isla Blanca Park and the maintenance and operation costs of the proposed parks are answered.

Commissioner Garza questioned whether Certificates of Obligation can only be used for emergency purposes.

Mr. Paul Martin, attorney with Winstead Sechrest & Minick P.C., informed the Court that Certificates of Obligation arose from a modernization of the Bond & Ward Act of 1931 and was then codified in the 1990s. He stated that an “emergency” has never been a requirement for the issuance of the Certificates of Obligation and added that any such requirement is not in the statute. He noted that the public can petition and require an election under the Certificates of Obligation Act.

Judge Cascos inquired as to the total debt of Isla Blanca Park.

Mr. Mark Yates, County Auditor, replied that the park is in debt approximately \$2 million.

Judge Cascos stated that he has yet to see a Maintenance and Operation Budget for the proposed parks. He noted that the Certificates of Obligation includes \$607,000 for Isla Blanca Park and none of the funds are for the repair of the restrooms which is estimated to cost \$300,000. He expressed support for voter-supported bond issues. He suggested that this Certificates of Obligation be incorporated into the Capital Improvement Plan that is currently being developed.

Commissioner Tamayo stated that she has received correspondence from several residents requesting that the Certificates of Obligation be approved in order to construct a park in their community. She noted that many of these communities have been waiting (30) years for a park.

Commissioner Benavides stated that she concurs with the maintenance issues at Isla Blanca Park and pointed out there are other residents in Cameron County that do not have the privilege of going to Isla Blanca Park. She expressed support for approving the Certificates of Obligation.

Commissioner Garza asked Judge Cascos if he voted in favor of the 1996-C and 1996-D Certificates of Obligation.

Judge Cascos replied that he does not recall whether he voted in favor against those particular Certificates of Obligation.

Commissioner Garza added that the Court was provided an M & O Budget from the Parks Department.

Judge Cascos stated that he has requested the Budget several times and has yet to receive anything.

Commissioner Garza stated that he would forward the Budget to Judge Cascos. He noted that the fee increases at Isla Blanca Park supports payment of the Certificates of Obligation.

Commissioner Tamayo moved to adopt an order authorizing the Issuance of “Cameron County, Texas Certificates of Obligation, Series 2007” and other matters related thereto.

The motion was seconded by Commissioner Wood and carried as follows:

AYE: Commissioners Benavides, Commissioner Tamayo, Commissioner Wood and Commissioner Garza

NAY: Judge Cascos

The Documentation is as follows:

NOTE: Commissioner Tamayo left the meeting at 6:35 p.m.

PRESENTATIONS

(2) PRESENTATION AND DISCUSSION ON AN OVERVIEW OF CAMERON WORKS. (PSJ-ADMINISTRATOR)

Mr. Frank Castellanos, Executive Director of Cameron Works, described the history of how Cameron Works was created, how funding is expended and how board members are selected. He stated that the funding for the organization has decreased every year for the past 5 years. He presented a "Roadmap" for the future of Cameron Works that includes targeting all resources to growth industries, educating policy makers about assets and liabilities and engaging different businesses and industries.

Commissioner Garza asked how many vacancies are on the Cameron Works Board.

Mr. Castellanos replied that there are (2) vacancies on the board for the private sector.

Judge Cascos asked Mr. Castellanos why the Cameron Works office was relocated from the Southmost area to the ITEC building.

Mr. Castellanos stated that the ITEC building has (35) companies at its site and that alone aids in matching up potential employees more efficiently.

Upon motion by Commissioner Garza, seconded by Commissioner Wood, the Presentation of the Overview of Cameron Works was acknowledged.

(4) PRESENTATION BY HERB TOLENTINO, RN, DIRECTOR OF NURSES FOR THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES REGARDING THE FAMILY PLANNING PROGRAM. (YS-HEALTH ADMINISTRATOR)

Mr. Herb Tolentino, Health Department, presented the Court with a PowerPoint presentation detailing the number of patients seen by the Health Department, the costs of the Nursing Program versus the Family Planning Program and explaining the Women's Health Program.

Mr. Tolentino informed the Court that the County no longer receives special pricing on birth control pills and will pay \$25.00 per package versus the special pricing of \$3.20 per package. He stated that the annual projection cost for 2008 for birth control pills is estimated at \$328,325.00. He noted that 4,608 packages of birth control pills are needed for May thru August 2007 at a cost of \$111,455.00. He stated that his department will continue to seek lower pricing for birth control pills as well as other options.

NOTE: Judge Cascos stepped out at 7:39 p.m.

Commissioner Wood questioned the effect of terminating the Family Planning contract with the Department of State Health Services.

Mr. Tolentino replied that the County would no longer receive about \$100,000 worth of funding from the State. He added that the County may still qualify for the special pricing on birth control pills and notification should be sent within a few weeks regarding the special pricing.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides, the Presentation by Herb Tolentino, RN, Director of Nurses for the Cameron County Department of Health And Human Services Regarding The Family Planning Program was acknowledged.

The Documentation is as follows:

(5) PRESENTATION OF THE FIRST QUARTER REPORT FOR INTERNATIONAL BRIDGE SYSTEM. (PSJ-ADMINISTRATOR)

Mr. David Garcia, Deputy County Administrator, reported that the revenue for Bridge crossings for the First Quarter was \$1.9 million, a 3% decrease from the previous year, and the total revenues for the First Quarter was \$4.5 million, a 1% decrease.

NOTE: Judge Cascos returned to the meeting at 7:42 p.m.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides the Report of the First Quarter for International Bridge System was acknowledged.

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT ITEMS:

Items No. 6 and No. 7:

Commissioner Garza asked to discuss these items separately.

Item No. 9:

Commissioner Wood asked to discuss this item separately.

Commissioner Garza moved to approve the "Consent and Travel Items", excluding Consent Items No. 6, No. 7, and No. 9.

The motion was seconded by Commissioner Wood and carried unanimously.

- (6) CONSIDERATION AND APPROVAL TO ALLOW THE TEXAS ASSOCIATION OF COUNTY'S TO DO AN ASSESSMENT ON THE COUNTY'S INFORMATION TECHNOLOGY DEPARTMENT (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (7) CONSIDERATION AND APPROVAL OF THE CREATION OF AN INFORMATION TECHNOLOGY COMMITTEE. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (8) CONSIDERATION AND APPROVAL OF EXPENSES RELATED TO THE PHONE SYSTEM FOR THE HARLINGEN ANNEX BUILDING AND APPROVAL OF CONTRACT WITH AT&T. (PSJ-ADMINISTRATOR) (Contract No. 2007C02043)**
The Contract is as follows:
- (9) CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR LOS PORTALES SUBDIVISION BEING A 22.40 ACRE TRACT OF LAND, OUT OF BLOCK 1, EL JARDIN SUBDIVISION IN CAMERON COUNTY, TEXAS. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (10) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 1, 2007 TO JANUARY 25, 2008, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VILLA DE RAMOS SUBDIVISION, PCT. 4. (PSJ-ADMINISTRATOR)**

- (11) **CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING LUCERO ON THE OCCASION OF HER SELECTION AS “MR. AMIGO 2006”. (CHC-COUNTY JUDGE)(Resolution No. 2007R02016)**
The Resolution is as follows:
- (12) **CONSIDERATION AND ACCEPTANCE OF AWARD OF \$19,779.00, FOR THE PURCHASE OF ONE (1) VEHICLE TO BE USED BY THE CAMERON COUNTY AUTOMOBILE CRIMES ENFORCEMENT TASK FORCE MEMBERS. (TY-TAX ASSESSOR-COLLECTOR)**
The Documentation is as follows:
- (13) **CONSIDERATION AND POSSIBLE AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN CAMERON COUNTY AND AMERICAN ELECTRIC & POWER FOR THE INSTALLATION OF THE CONVERTING OVERHEAD LINE TO UNDERGROUND. (JM-PARKS) (Contract No. 2007C02046)**
The Documentation is as follows:
- (14) **CONSIDERATION AND POSSIBLE APPROVAL TO EXECUTE A LEASE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION DEPARTMENT) AND THE CITY OF RIO HONDO. (JM-PARKS) (Contract No. 2007C02047)**
The Contract is as follows:
- (15) **CONSIDERATION AND ACCEPTANCE OF FY 2007 FORMULA GRANT IN THE AMOUNT OF \$182,662.00. DESIGNATION OF AND SIGNATURE AUTHORIZATION OF COMMISSIONER’S COURT RESOLUTION. (MY-AUDITOR) (Resolution No. 2007R02015) (Order No. 2007O2004)**
The Documentation is as follows:

TRAVEL ITEMS

- (16) **CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (A) **COMPUTER CENTER EMPLOYEE TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/27/07, TO ATTEND AN EDUCATION PROGRAM THAT ADDRESSES POLICY, MANAGEMENT AND TECHNOLOGY ISSUES FACING COURTS AND LOCAL GOVERNMENT. (DG-DEPUTY ADMINISTRATOR)**
- (B) **COUNTY ADMINISTRATOR TO TRAVEL TO LAREDO, TEXAS, ON 2/20 TO 2/21/07, TO MEET WITH THE SECRETARY OF HOMELAND SECURITY. (PSJ-ADMINISTRATOR)**
- (C) **COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR TO TRAVEL TO AUSTIN, TEXAS, ON 2/22/07, TO MEET WITH THE COMMISSION OF JAIL STANDARDS. (PSJ-ADMINISTRATOR)**
- (D) **COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR TO TRAVEL TO OMAHA, NEBRASKA, ON 2/22 TO 2/23/07, TO MEET WITH UNION PACIFIC OFFICIALS REGARDING THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR)**
- (E) **COUNTY JUDGE, COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR TO TRAVEL TO WASHINGTON, D.C., ON 2/25 TO 2/28/07, TO MEET WITH CONGRESSIONAL DELEGATION AND FEDERAL AGENCIES REGARDING CAMERON COUNTY’S LEGISLATIVE PRIORITIES FOR FY-2008. (CHC-JUDGE)**
- (F) **DISTRICT ATTORNEY’S STAFF (4) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/12 TO 2/16/07, TO ATTEND TDCAA’S INVESTIGATOR’S SCHOOL SEMINAR. (AV-DISTRICT ATTORNEY)**
- (G) **DISTRICT ATTORNEY TO TRAVEL TO AUSTIN, TEXAS, ON 2/22 TO 2/23/07, TO MEET WITH TRAVIS COUNTY ATTORNEY, AUDITOR AND TAX ASSESSOR-COLLECTOR ON COUNTY CENTRALIZED COLLECTIONS. (AV-DISTRICT ATTORNEY)**

- (H) HEALTH DEPARTMENT STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 2/26 TO 2/27/07, TO ATTEND THE TEXAS PUBLIC HEALTH LABORATORY SYSTEM ASSESSMENT (TPHLSA) CONFERENCE. (YS-HEALTH ADMINISTRATOR)**
- (I) JUSTICE OF THE PEACE DAVID GARZA TO TRAVEL TO SAN ANTONIO, TEXAS, ON 3/25 TO 3/28/07, TO ATTEND A TWENTY HOUR JUSTICE OF THE PEACE SEMINAR. (DG-JUSTICE OF THE PEACE)**
- (J) JUVENILE PROBATION STAFF (4) TO TRAVEL TO WACO, TEXAS, ON 2/25 TO 3/2/07, TO ATTEND "TRAINING FOR STAFF TRAINERS". (TR-JUVENILE PROBATION)**
- (K) SHERIFF STAFF (1) TO TRAVEL TO COLLEGE STATION, TEXAS, ON 2/18 TO 2/19/07, TO ATTEND A LAW ENFORCEMENT TRAINING – HORSE THEFT AWARENESS AND PREVENTION. (OL-SHERIFF)**
- (L) SHERIFF STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/19 TO 2/22/07, TO ATTEND COURT SECURITY & EMERGENCY PLANNING FOR COURTS TRAINING SEMINAR. (OL-SHERIFF)**
- (M) SHERIFF STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 2/20 TO 2/22/07, TO ATTEND LEGISLATIVE COMMITTEE MEETING. (OL-SHERIFF)**
- (N) SHERIFF STAFF (3) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/21 TO 2/22/07, TO VIEW EQUIPMENT ARMY SURPLUS. (OL-SHERIFF)**
- (O) SHERIFF STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 2/22/07, FOR A MEETING WITH COMMISSION OF JAIL STANDARDS. (OL-SHERIFF)**
- (P) SHERIFF STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 3/15 TO 3/16/07, TO ATTEND A DPS TLETS SECURITY PACKET CLASS. (OL-SHERIFF)**
- (Q) TAX ASSESSOR-COLLECTOR STAFF (3) TO TRAVEL TO EDINBURG, TEXAS, ON 3/5/07 TO 3/9/07, TO ATTEND COURSE #1 - INTRODUCTION TO THE TEXAS PROPERTY TAX SYSTEM. (TY-TAX ASSESSOR-COLLECTOR)**
- (R) TAX ASSESSOR-COLLECTOR STAFF (9) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 3/2 TO 3/3/07, TO ATTEND AN EDUCATIONAL PROGRAM AT THE 39TH ANNUAL TEXAS ASSOCIATION OF ASSESSING OFFICERS REGION 5 TIP-O-TEX CONFERENCE. (TY-TAX ASSESSOR-COLLECTOR)**
- (S) TAX ASSESSOR-COLLECTOR STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 2/21 TO 2/22/07, TO ATTEND AN AUTO THEFT PREVENTION AUTHORITY GRANT REVIEW MEETING. (TY-TAX ASSESSOR-COLLECTOR)**

- (8) CONSIDERATION AND APPROVAL OF EXPENSES RELATED TO THE PHONE SYSTEM FOR THE HARLINGEN ANNEX BUILDING AND APPROVAL OF CONTRACT WITH AT&T. (PSJ-ADMINISTRATOR) (Contract No. 2007C02043)**
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The Contract is as follows:

- (15) CONSIDERATION AND ACCEPTANCE OF FY 2007 FORMULA GRANT IN THE AMOUNT OF \$182,662.00. DESIGNATION OF AND SIGNATURE AUTHORIZATION OF COMMISSIONER'S COURT RESOLUTION. (MY-AUDITOR) (Resolution No. 2007R02015) (Order No. 2007O2004)**
The Documentation is as follows:

(6) **CONSIDERATION AND APPROVAL TO ALLOW THE TEXAS ASSOCIATION OF COUNTY'S TO DO AN ASSESSMENT ON THE COUNTY'S INFORMATION TECHNOLOGY DEPARTMENT (PSJ-ADMINISTRATOR)**

Commissioner Garza asked if there is any cost associated with this item.

Mr. Pete Sepulveda, County Administrator, stated that there will be travel related expenses that will be brought to the Court for approval as soon as the estimated cost has been received from the Texas Association of Counties.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, authorization to allow the Texas Association of County's To Do an Assessment on the County's Information Technology Department was approved.

The Documentation is as follows:

(7) **CONSIDERATION AND APPROVAL OF THE CREATION OF AN INFORMATION TECHNOLOGY COMMITTEE. (PSJ-ADMINISTRATOR)**

Mr. Pete Sepulveda, County Administrator, read the attached memo into the record recommending the members of the Information Technology Committee.

Commissioner Benavides asked to be included in the Committee.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Creation of an Information Technology Committee was approved, with the addition of Commissioner Benavides.

The Documentation is as follows:

(9) **CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR LOS PORTALES SUBDIVISION BEING A 22.40 ACRE TRACT OF LAND, OUT OF BLOCK 1, EL JARDIN SUBDIVISION IN CAMERON COUNTY, TEXAS. (PSJ-ADMINISTRATOR)**

Commissioner Garza moved to authorize the Final Plat Approval for the Los Portales Subdivision Being a 22.40 Acre Tract of Land, Out Of Block 1, El Jardin Subdivision in Cameron County, Texas.

The motion was seconded by Commissioner Benavides and carried as follows:

AYE: Commissioner Garza and Commissioner Benavides

NAY: None

ABSTAIN: Commissioner Wood

The Documentation is as follows:

SUPPLEMENTAL AGENDA

ACTION ITEMS

- (1) **CONSIDERATION AND APPROVAL OF RESOLUTION RECOGNIZING AND SUPPORTING THE CANDLEWICK APARTMENTS IN THE BROWNSVILLE AREA AS A RESIDENTIAL COMMUNITY REVITALIZATION AREA. (CHC-JUDGE) (Resolution No. 2007R02018)**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Resolution Recognizing and Supporting the Candlewick Apartments in the Brownsville Area as a Residential Community Revitalization Area was approved.

The Resolution is as follows:

(2) **CONSIDERATION AND APPROVAL OF RESOLUTION
RECOGNIZING AND SUPPORTING THE LAS PALMAS
APARTMENTS IN THE LOS FRESNOS/BROWNSVILLE AREA
AS A RESIDENTIAL COMMUNITY REVITALIZATION AREA.
(CHC-JUDGE) (Resolution No. 2007R02017)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Resolution Recognizing and Supporting the Las Palmas Apartments in the Los Fresnos/Brownsville Area as a Residential Community Revitalization Area was approved.

The Resolution is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 7:50 P.M. to discuss the following matters:

(17) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING FRED ROCHA vs. CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT; CAUSE NO. D-1-GN-07-000339, FOR AUTHORITY TO REPRESENT CAMERON COUNTY, CAMERON COUNTY JUVENILE PROBATION DEPARTMENT, TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND JUDGE BEN EURESTI, JR., 107TH DISTRICT JUDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(1).**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE POSSIBLE ANNEXATION BY THE TOWN OF SOUTH PADRE ISLAND, TEXAS OF COUNTY OWNED PROPERTY LOCATED ON THE SOUTHERN END OF SOUTH PADRE ISLAND, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE REVIEW OF APPEAL AND CONSIDERATION OF PAYMENT OF MEDICAL CLAIM UNDER THE HEALTH AND SAFETY PLAN, ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MANAGEMENT AND PURCHASE ISSUES WITH THE INTERNATIONAL BRIDGE SYSTEM ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 8:29 P.M. to discuss the following matters:

(18) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING FRED ROCHA vs. CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT; CAUSE NO. D-1-GN-07-000339, FOR AUTHORITY TO REPRESENT CAMERON COUNTY, CAMERON COUNTY JUVENILE PROBATION DEPARTMENT, TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND JUDGE BEN EURESTI, JR., 107TH DISTRICT JUDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(1).**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report of Legal Counsel was acknowledged and authorization for the Civil Division to represent Cameron County was approved.

- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE POSSIBLE ANNEXATION BY THE TOWN OF SOUTH PADRE ISLAND, TEXAS OF COUNTY OWNED PROPERTY LOCATED ON THE SOUTHERN END OF SOUTH PADRE ISLAND, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2). (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Status Report of Legal Counsel was acknowledged and the Item was **TABLED**.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE REVIEW OF APPEAL AND CONSIDERATION OF PAYMENT OF MEDICAL CLAIM UNDER THE HEALTH AND SAFETY PLAN, ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, authorization to uphold the original determination was approved.

- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MANAGEMENT AND PURCHASE ISSUES WITH THE INTERNATIONAL BRIDGE SYSTEM ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report of Legal Counsel was acknowledged.

ACTION ITEMS

- (19) BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Budget Amendments, Line Item Transfers and/or Salary Schedules were approved.

The Budget Amendments, Line Item Transfers and/or Salary Schedules are as follows:

**(20) APPROVAL OF MINUTES FOR:
(A) JANUARY 29, 2007 – SPECIAL MEETING**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the minutes for the January 29, 2007 – Special Meeting was approved.

(21) APPROVAL OF CLAIMS.

Commissioner Garza moved that the all of the Claims be approved, inclusive of the late claims.

The motion was seconded by Commissioner Benavides and carried as follows:

AYE: Commissioners Wood, Commissioner Garza and Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00176134, made payable to Harlingen Waterworks System, in the amount of \$671.27

The Claims and Affidavit are as follows:

(24) CONSIDERATION AND AUTHORIZATION TO PLACE THE CIVIL LEGAL DIVISION FUND DEPARTMENT 100-4100 DIRECTLY UNDER THE EMPLOYMENT AND CONTROL OF THE COUNTY AND DISTRICT ATTORNEY TO REPRESENT THE COUNTY IN ITS GENERAL LEGAL BUSINESS AND CONDUCT OF ORDINARY CIVIL ACTIONS. (AV-DISTRICT ATTORNEY) (TABLED)

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, this Item was **TABLED**.

(25) CONSIDERATION AND POSSIBLE APPROVAL OF A RENEWAL LEASE WITH THE CATHOLIC DIOCESE OF BROWNSVILLE FOR THE COUNTY PARK AT SANTA MARIA. (DJV-CIVIL LEGAL DIVISION) (Contract No. 2007C02046) (TABLED)

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, this Item was **TABLED**.

(26) CONSIDERATION AND POSSIBLE APPROVAL OF ADDITIONAL REQUIREMENTS TO THE INSTRUCTIONS CONTAINED IN ALL RFQ'S/RFP'S/BIDS. (MF-PURCHASING)

Mr. Mike Forbes, Purchasing Agent, informed the Court that Attachment D has been amended concerning contact with Cameron County officials.

Commissioner Wood questioned the exact meaning of "Has any individual with the firm submitting this bid made any contact with a Cameron County official?"

Judge Cascos recommended adding "any contact with a Cameron County official related to the RFQ/RFP/Bid" to question 2 under Attachment D.

Mr. Richard Burst, Legal Counsel, suggested that the language under Attachment D-2 read as follows: "Has any individual with the firm submitting this bid made any contact with a Cameron County official concerning the RFQ/RFP/Bid, except the Assistant County Purchasing Agent?"

Upon motion by Commissioner Garza, seconded by Judge Cascos and carried unanimously, the Additional Requirements to the Instructions Contained in All RFQ's/RFP's/Bids was approved, with the recommendation as stated by Legal Counsel.

The Documentation is as follows:

(27) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP's AND APPROVAL OF PROPOSAL DRAFT: (MF-ASST. AUDITOR/PURCHASING)**

(A) DELINQUENT TAX COLLECTION ATTORNEY – ANNUAL RFP #1730

Judge Cascos-“Did you all get a chance to look at the new and improved version?”

Commissioner Wood-“Are we incorporating the, I guess pages...new and improved pages, 5, 6 and 7 into the original or the one that has all the pages in it?”

Judge Cascos-“Yeah, I think that the only issue that you brought up, Commissioner, was regarding the collect the current taxes for Cameron County, that language has been revised, to read: “the awarded vendor shall not collect current taxes for Cameron County.”

Commissioner Wood-“For Cameron County.....”

Judge Cascos-“Is that the language that we agreed to?”

Mr. Richard Burst, Legal Counsel-“That’s correct. That is the one...”

Judge Cascos-“That’s the one that you are ok with?”

Mr. Burst-“Yeah”

Judge Cascos-“Ok”

Commissioner Garza-“Is that number 11?”

Commissioner Wood-“Anything from collecting current taxes from another tax entity”

Judge Cascos-“Got you”

Commissioner Garza-“Was that 11?”

Judge Cascos-“Yes sir on page 5.”

Commissioner Garza-“Ok but it says “Shall not compete...”

Judge Cascos-“No, mine says “collect”. Page 5, Item 11?”

Commissioner Wood-“The first page 5.”

Commissioner Garza-“Well maybe I am on the wrong page 5. Oh, the recommended revision part?”

Judge Cascos-“Right.”

Commissioner Benavides-“On Number 19, “Either Cameron County or Vendor may cancel this contract at any time for any reason, provided a thirty (30) day written notice is given”. So in other words if we just decide, don’t you have to have at least a valid reason?”

Judge Cascos-“No. Most of our contracts have 30 day “outs”; maybe all of them have 30 day “outs” to protect us and protect the vendor or for whatever. You don’t have to have a just cause reason for that...”

Mr. Mark Yates, County Auditor-“Judge, the terminology on Number 11 “The awarded vendor shall not collect current taxes for Cameron County”, in settling a delinquent tax account there maybe current taxes along with that that would prohibit the delinquent tax attorneys from including the current portions of the taxes and the delinquent taxes in with their settlement, and so it really does us no service for them to only focus on the delinquent taxes when current taxes are also due in the action. It would be nice to deal with the tax payer in one activity versus making sure...well the delinquent tax attorney, the attorneys collecting the delinquent taxes, only focusing on the delinquents and we look to the delinquent tax attorney to assist us in collecting current taxes.”

Mr. Burst-“They don’t collect fees on the current taxes?”

Mr. Yates-“No they do not, but they do assist us and based on the direction from the Tax Assessor-Collector, the activity of the delinquent tax attorney do help us collect our current portion of our taxes.”

Commissioner Wood-“I think and maybe an example of that might be, Mark, and I am not sure, when a tax payer goes in to make arrangements to pay their delinquent taxes, part of that arrangement, that contract says you also must keep your current taxes current; you can’t get behind on those otherwise you default on the contract, and if you do that then of course at that point they become delinquent taxes if they don’t keep them current”

Mr. Burst-“Mark, will it serve your purpose to amend that to say “Awarded vendor shall not collect a fee...”

Mr. Yates-“Right”

Mr. Burst-“For the collection of current, or shall not be paid a fee for the collection of current fees...”

Mr. Yates-“Well, I don’t think by law they can...”

Mr. Burst-“Excuse me?”

Mr. Yates-“I don’t think they can recover a fee anyway for the collection of current taxes”

Mr. Burst-“Well, no they couldn’t, but the reason this is here is in discussion with the Tax Assessor-Collector, he wanted to make sure we didn’t get ourselves in the position that they could ever do it and that is the reason its in there, because I objected to, or I told him that I could put in there a non-compete provision, in general.”

Mr. Yates-“And taking out the non-compete Number 11 doesn’t really address that.”

Mr. Burst-“No it does not.”

Mr. Yates-“So really Number 11 is fairly moot.”

Commissioner Wood-“Well I am willing to scratch Number 11 all together.”

Mr. Burst-“I think that would be acceptable, as far as I am concerned, it’s in there after discussing with the Tax

Assessor-Collector.”

Judge Cascos-“Ok do I hear a motion to approve the proposed draft with the provision that we eliminate Number 11?”

Commissioner Garza-“Well the intent of having Number 11 in there was not for that reason. The intent...”

Mr. Yates-“It was originally a non-compete issue.”

Commissioner Garza-“Right. It was a non-compete issue, it wasn’t that issue. So we’re taking the non-compete issue out.”

Mr. Yates-“Well, I mean, the non-compete issue is gone in this draft.”

Commissioner Garza-“Right; which means they can compete.”

Mr. Yates-“That was the purpose of Number 11. So Number 11 really serves no purpose for Cameron County.”

Commissioner Garza-“As revised?”

Mr. Yates-“Yes. Do you concur Mr. Burst?”

Mr. Burst-“I would concur. The reason Number 11 is in there is because I was...it was expressed to me that in audits of another taxing entity, the Auditor said it is not good practice for one firm to have a contract to collect both current and delinquent taxes for reasons I could go into. There is a conflict there and so I said, ‘Fine, if that’s what you want’. If you ever decide you want to collect, have a contract for current taxes, then say ‘the current vendor can not bid on it’ but that’s the reason it is in there. You are correct; originally this was a very strong provision about anti-competition and after reviewing that, after discussing it with the AG’s (Attorney General) Office and others, I don’t think we can do that. If you want to take (Number) 11 completely out, that’s fine.”

Commissioner Wood-“(Number) 11 would, if that should ever come up, it would come back to us to start with; whether or not we wanted them to collect current taxes.”

Mr. Yates-“Right, your governing board makes that determination.”

Commissioner Garza-“I think that it was a little bit more, a wider spectrum than that. I think it’s what we’ve seen that has occurred...is that the same firm that does the delinquent tax collection is doing the current tax collection at other entities; and they are approaching other entities to do that for them.”

Commissioner Wood-“Yes.”

Commissioner Garza-“We do that for them as a County.”

Commissioner Wood-“Some of them.”

Commissioner Garza-“Right. And I think where this stemmed from was to try to persuade the delinquent tax attorneys to not go after the current collection business.”

Commissioner Wood-“That was the original one.”

Commissioner Garza-“Right.”

Mr. Yates-“That was the intent of Number 11.”

Commissioner Wood-“Which we have no control over and shouldn’t have on what other entities decide to do.”

Mr. Yates-“I am a proponent of consolidated tax collections for current taxes but as amended by your attorney it doesn’t meet that purpose.”

Mr. Burst-“That’s intentionally. It takes out the ‘no compete’.”

Judge Cascos-“Any further discussion? Do I hear a motion to approve the RFP for the delinquent tax collection attorney but removing Item 11 on page 5?”

Commissioner Benavides-“Judge I have one question. Under ‘Evaluation Criteria and Factors’...”

Judge Cascos-“What page are you on?”

Commissioner Benavides-“(Page) 7. You have there that the ‘award of the contract shall be made to the responsible offerer whose proposal is determined to be the best evaluated offer resulting from negotiations with the consent of the Tax Assessor-Collector...’, but we (Commissioners’ Court) will be the ultimate deciding factor?”

Commissioner Wood-“Are we allowing the Tax Assessor-Collector to tell us who we can or can’t use? Is that what this is saying?”

Commissioner Benavides-“That’s what I’m questioning. Who has the final say and who awards the contract?”

Commissioner Garza-“We do.”

Commissioner Wood-“This says only with the consent of the Tax Assessor-Collector.”

Mr. Burst-“Where are you seeing that?”

Commissioner Wood-“On (page) 7, paragraph ‘C’, the second to last sentence.”

Mr. Burst-“That needs to be, I’m sorry...”

Judge Cascos-“As a matter of fact, that’s exed out. That should stop with a period at the end of the word ‘negotiations’.

Mr. Burst-“Yes.”

Judge Cascos-“And you take ‘with the consent of the Tax Assessor-Collector’ out; ‘negotiations taking into consideration the factors set forth...’. So after ‘negotiations’ you take it to the...there’s a comma and then ‘taking into consideration...’.”

Commissioner Garza-“How do you know it’s exed out?”

Judge Cascos-“Because I just did it.”

Commissioner Garza-“But didn’t we get the version that was already...”

Judge Cascos-“No I just did it right not in anticipation of what Commissioner Benavides was recommending.”

Mr. Burst-“That would not be a valid requirement. You might as well take it out. You have, the Commissioners’ Court, has the ultimate authority to assign the contract or approve the contract and nobody else.”

Judge Cascos-“In other words, that sentence doesn’t mean anything.”

Mr. Burst-“It doesn’t mean anything.”

Judge Cascos-“I don’t know why it was left on there.”

Mr. Burst-“You could also add that the next provision in bold would be modified according to your prior vote if you notice that the revision that says ‘recommended by me’ has been further revised. You just voted on and approved to add a provision to accept that you can contact the Assistant Auditor and that will be added. Correct Mike (Forbes)?

Mr. Mike Forbes, Purchasing Agent-“Correct.”

Commissioner Garza-“Are we on time with this? We’re not in a time crunch right now are we?”

Judge Cascos-“No, but we need to give whoever is going to propose enough time to do something by April 9th, to be turned in by April 9th.”

Commissioner Garza-“Well I figured that particular line that Commissioner Benavides found would have been caught before tonight.”

Commissioner Wood-“There’s a lot of lines in here to read.”

Judge Cascos-“Do you all...”

Commissioner Wood-“We should have caught it last week.”

Commissioner Benavides-“Last week we went through part of it and then we decided to come back this week and continue on it.”

Judge Cascos-“Well would the Court like another week to review the draft again?”

Commissioner Garza-“If I’m going to have to do the review I would like a week. Legal will do it, I mean I would have hoped that it would be done by tonight.”

Mr. Forbes-“Commissioner, there’s also another option you may want to consider as this goes out. While its out, the door is always open to do addendums at any time you feel that there’s a need for change.”

Commissioner Garza-“Ok. Well that being the case I wouldn’t have a problem approving it then.”

Judge Cascos-“That’s fine, but for now lets take out that and if any member of the Court wants to continue looking at it, bring it back so that we can do the addendums. So for now we’re going to take out ‘with the consent of the Tax Assessor-Collector’.”

Commissioner Garza-“Yes”

Judge Cascos-“And on that bold you’re going to add the language that Richard (Burst) eluded to right now. Ok?”

Mr. Forbes-“Did Richard also mention his recommended change on Number 22, page 6?”

Commissioner Wood-“Yes, that’s paying the firm what we were calling ‘handling and shipping’ type fees as opposed to splitting attorney’s fees.”

Mr. Burst-“That’s in there, I...Mike, when was that language added under ‘C’ that we’re now exing out?”

Mr. Forbes-“You exed that out; ‘the offerer shall not make contact with the County Judge, County Commissioners or any member of the evaluation committee appointed to evaluate the RFPs without being discussed in an open meeting set forum.’”

Mr. Burst-“No, I’m talking about the language that Commissioner Benavides caught. When was that added in? It’s in yellow but...”

Mr. Forbes-“Oh, that’s page 7?”

Mr. Burst-“Yes”

Mr. Forbes-“That was page 7 under ‘Evaluation Criteria and Factors’ about the fifth line down...”

Mr. Burst-“No, I’m asking the question when was the language ‘with the consent of the Tax Assessor-Collector’, when was that added?”

Mr. Forbes-“Oh, it’s been there throughout, it just hadn’t been changed and she (Commissioner Benavides) just spotted it today so we will make the change.”

Commissioner Garza-“It was in my original copy.”

Mr. Forbes-“Correct.”

Mr. Burst-“It was highlighted in yellow I thought that meant it was added.”

Mr. Forbes-“It was added prior to being brought to the Court the first time a week ago. It was not in there the last time this was bid.”

Commissioner Benavides-“On Number...Can you tell me the difference between on page 6 Item 19, that I just questioned, and on page 12 under ‘Termination of Contract’. What is the difference between those two?”

Commissioner Garza-“It looks like we don’t need a (30) day notice under ‘O’ Sofie.”

Commissioner Benavides-“I mean I’m asking because this is the first time I go through this.”

Commissioner Garza-“On (Number) 19 it says ‘30 day notice is given’ and on the other one we just say we don’t want it, right? It’s like redundant.”

Mr. Forbes-“Would you like to remove Number 19 and use letter ‘O’, Richard?”

Mr. Burst-“What page are you at?”

Commissioner Benavides-“Page 6 and Page 12. Page 6 Number 19 says you don’t have to have a valid reason just any reason; but on page 12 under ‘Termination of Contract’...I mean what’s the difference between both of them? Can’t we just get rid of one and leave the other?”

Commissioner Wood-“Yeah, on page 12 (letter) ‘O’ (paragraph) ‘b’ says ‘either party may terminate at any time with (30) day notice’ and (number) 19 says...”

Mr. Burst-“Are you talking about ‘O’?”

Commissioner Benavides-“Yes.”

Mr. Burst-“It’s talking about...it’s not inconsistent.”

Commissioner Benavides-“What I’m saying is do we need to have both of them?”

Mr. Burst-“We don’t need both of them but they are not inconsistent. What ‘O’ does is give you a...wait a minute, ‘O’ is the or (page) 12 is the draft... ‘O’ is more specific and it gives us a right to terminate immediately in the event of the conditions stated. (Paragraph) ‘b’ is a repetition of the 30 day notice and ‘b’ doesn’t necessarily need to be there.”

Commissioner Garza-“So why do (number) 19?”

Mr. Burst-“I wouldn’t change it. I mean, it’s not hurting.”

Commissioner Benavides-“So you don’t want to get rid of (number) 19 or do you want to keep them both? Isn’t it basically the same thing?”

Commissioner Wood-“If you’re going to remove one, remove (number) 19 because ‘O’ talks about ‘Termination of Contract’.”

Commissioner Garza-“My concern and I thank you Sofie because you caught that again, my concern is that I don’t believe that I should be sitting up here reading through this contract or any of us. I think that Mr. Burst should present us a contract that has been reviewed legally, we get it and it’s ready to go. It really bothers me that we find this redundancy in a contract such as this where we need to make sure that we cross our ‘T’s and dot our ‘I’s. I have a concern with every contract being presented because if this is how much review we’ve been getting, I rely on you Mr. Burst. I rely on you having read these documents before they’re presented to us for approval.”

Mr. Burst-“Commissioner, I agree with you, but this was not presented to me initially. It is an RFP, it’s not a contract and I haven’t been reviewing all of them. So the changes...”

Commissioner Garza-“I beg to differ with you because I notice on a lot of these things the changes are referenced to ‘Richard Burst requested change be made’.”

Mr. Burst-“Those changes were as a result of the last meeting where there were items that were brought up by the Commission.”

Commissioner Garza-“You know, Judge I move that we TABLE this contract and that we get a document brought to this Commission that has been thoroughly reviewed, doesn’t have any problems with it, that I can rely on Legal having gone over it with a fine tooth comb and when I vote on it I will feel comfortable not speaking to any of the firms that might possibly bid on it and knowing that they don’t have to rely on something that is substandard to work with.”

Judge Cascos-“Alright I have a motion to TABLE for one more week. TABLED by Commissioner Garza, do I have a second?”

Commissioner Wood-“Second.”

Judge Cascos-“Seconded by Commissioner Wood. Any further discussion? I think that we have a general consensus of what we want to go with this. Just make sure that, you know, of the original redundancy; make sure that we clean these things up because it’s typical lawyer contracts. It’ll say the same thing three times three different ways. Let’s make sure that we get it down to simple language, ok? I guess, next time having these duplicate pages of fives and sixes; have one document so that it’s ready to do. Thanks. That was a move by Commissioner Garza seconded by Commissioner Wood. All in favor to TABLE signify by saying ‘aye’.”

Commissioner Garza, Commissioner Wood and Commissioner Benavides-“Aye.”

Judge Cascos-“Any opposed? Item carries.”

The Documentation is as follows:

(28) CONSIDERATION AND DISCUSSION OF A HISTORICAL PRESENTATION REGARDING THE DANCY BUILDING RENOVATION, RESTORATION AND HISTORICAL SIGNIFICANCE TO CAMERON COUNTY. (DAG-COMMISSIONER PCT. 3)

Commissioner Garza recommended that a narrative, describing the history of the Dancy Building, be developed for the public to view when they tour the Courthouse.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Presentation Regarding the Dancy Building Renovation, Restoration and Historical Significance to Cameron County was acknowledged.

(29) CONSIDERATION AND APPROVAL FOR AN ADDENDUM TO THE DEPOSITORY BID TO INCREASE THE CONTRACT TERM FROM 2 YEAR TO A 4 YEAR DURATION IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 116.02. (MY-AUDITOR)

Commissioner Benavides questioned the difference between a 2-year and a 4-year contract term.

Mr. Mark Yates, County Auditor, replied that 4-year term is essentially two 2-year agreements as the depository bank cannot increase its' fees or cost to the County by more than 10% after the first 2 years otherwise the contract can be voided.

Commissioner Garza expressed concern for receiving bids that are 2-year and others that are 4-year as comparing the two against each other can be difficult.

Judge Cascos added that this situation occurred in 2000 and the County lost money in the long run. He recommended that 2-year terms be compared against each other and 4-year terms be compared against each other and then the Court can decide which route they wish to take.

Mr. Yates stated that the agenda item should read "...2 year and/or a 4 year duration...".

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Addendum To The Depository Bid To Increase The Contract Term From 2 Year And/Or A 4 Year Duration In Accordance With Local Government Code 116.02 was approved.

The Documentation is as follows:

(30) CONSIDERATION AND POSSIBLE ADDITION OF LANGUAGE TO ANNUAL BIDS FOR ROAD MATERIALS: #2520 DRAINAGE, #2580 SURFACING AND #2560 FLEXIBLE BASE. (PSJ-ADMINISTRATOR)

Mr. Pete Sepulveda, County Administrator, asked to add language to the specifications for drainage materials, surfacing materials and flexible base materials that would allow the County the opportunity to bid out special projects.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Language to Annual Bids for Road Materials: #2520 Drainage, #2580 Surfacing And #2560 Flexible Base was approved.

The Documentation is as follows:

**(31) CONSIDERATION AND POSSIBLE ACTION REGARDING
THE COUNTY'S LEGISLATIVE AGENDA FOR THE 80TH
TEXAS LEGISLATIVE SESSION. (PSJ-ADMINISTRATOR)**

Judge Cascos encouraged elected officials to bring legislation to the Commissioners' Court so that the items can be placed on the County's Legislative Agenda.

Commissioner Wood noted that House Bills 1342 and 1343 are requesting additional District Courts dealing with family law and criminal law and those requests were not brought to the attention of the Court.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the County's Legislative Agenda for the 80th Texas Legislative Session was acknowledged.

The Documentation is as follows:

(32) DISCUSSION AND POSSIBLE ACTION REGARDING THE COUNTY'S FEDERAL LEGISLATIVE AGENDA. (PSJ-ADMINISTRATOR)

Mr. Pete Sepulveda, County Administrator, informed the Court that staff in Cameron County and Hidalgo County will be meeting with FEMA in Denton, Texas to discuss the digitizing of maps, the levee rehab issue and the flood insurance issue within the next couple of weeks.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the County's Federal Legislative Agenda was acknowledged.

The Documentation is as follows:

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 9:23 P.M.

APPROVED this 3rd day of **April 2007**

CARLOS H. CASCOS, CPA
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS