

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 22<sup>nd</sup> day of May 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 5:34 P.M. He asked Pastor Andreas Lewis for the invocation. Justice of the Peace Sallie Gonzales then led 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 May 18, 2007 at 9:12 A.M.:

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(1) **PUBLIC COMMENTS.**

Mr. William Robert Jacobs expressed concern regarding the Court's decision not to accept the evaluation committee's recommendation as to the contract for Delinquent Tax Collection Services.

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**RESOLUTIONS**

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(2) **CONSIDERATION AND ADOPTION OF A RESOLUTION OPPOSING THE CONSTRUCTION OF A FENCE ALONG THE INTERNATIONAL BOUNDARY BETWEEN THE UNITED STATES AND MEXICO. (CHC-COUNTY JUDGE) (Resolution No. 2007R05054)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Resolution Opposing the Construction of a Fence along the International Boundary between the United States and Mexico was adopted.

**The Resolution is as follows:**

# **SUPPLEMENTAL AGENDA**

## **PRESENTATIONS**

- (1) **PRESENTATION OF PROCLAMATION DECLARING THE MONTH OF MAY, 2007 AS “MENTAL HEALTH AWARENESS MONTH” IN CAMERON COUNTY, TEXAS. (CHC-COUNTY JUDGE) (NO ACTION TAKEN)**

## **ACTION ITEMS**

- (21) **DISCUSSION AND POSSIBLE ACTION REGARDING THE ADDITIONAL LETTERING AT COURTROOM AT THE HARLINGEN ANNEX BUILDING. (PSJ-ADMINISTRATOR)**

Judge Sallie Gonzales asked the Court to formerly dedicate the Harlingen Annex Building in honor of Judge Leo Longoria.

Commissioner Tamayo moved to approve the additional lettering in the name of Judge Leo Longoria.

The motion was seconded by Commissioner Garza and carried unanimously.

## **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 AND TRAVEL ITEMS:

**Consent Item No. 3 and No. 10 and Travel Item No. 14 (A):**

Commissioner Garza asked to discuss these items separately.

**Consent Item No. 5:**

Commissioner Wood asked to discuss this item separately.

**Consent Item No. 4 and No. 8:**

Judge Cascos asked to discuss these items separately.

Commissioner Garza moved to approve the “Consent and Travel Items” and excluding Consent Items No.

3, No. 4, No. 5, No. 8, No. 10, and Travel Item No. 14 (A).

The motion was seconded by Commissioner Wood and carried unanimously.

- (3) **CONSIDERATION AND APPROVAL TO INCREASE THE SALARY FOR THE BAIL BOND’S BOARD ADMINISTRATIVE ASSISTANT TO \$20,000 AS APPROVED BY THE BAIL BOND BOARD. (MP-BAIL BOND) (ACTION TAKEN SEPARATELY)**
- (4) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND MUNOZ FOUNDATION DRILLING FOR THE COURTHOUSE SECURITY WALL. (HG-CONSTRUCTION) (Contract No. 2007C05106) (ACTION TAKEN SEPARATELY)**

- (5) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR J & V SUBDIVISION, PCT. 4, BEING THE SOUTH 5 ACRES OF THE NORTH 14.72 ACRES OF BLOCK EIGHTY-FIVE (85), ADAMS GARDENS SUBDIVISION "B" CAMERON COUNTY, TEXAS. (EH-CCDoT) (ACTION TAKEN SEPARATELY)
- (6) CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR NIXON TRAILS SUBDIVISION, PCT. 4, BEING THE WEST 85 ACRES OF LAND, OUT OF THE WEST 177.77 ACRES OUT OF THE EAST 425.28 ACRES OF SURVEY TWENTY-THREE (23) AND PARTS OF SURVEY TWENTY-TWO (22) AND SURVEY TWENTY-FOUR (24), CAMERON COUNTY, TEXAS. (EH-CCDoT)  
The Documentation is as follows:
- (7) 7CONSIDERATION AND AUTHORIZATION TO UTILIZE THE STATE OF TEXAS – TEXAS BUILDING AND PROCUREMENT SYSTEM (TBPC) CATALOG INFORMATION SYSTEMS VENDOR (CISV) REQUEST FOR OFFER (RFO) #1455DC FOR THE DISTRICT CLERK'S OFFICE RECORDS MANAGEMENT DEPARTMENT IMAGING SYSTEM AND SERVICES. (AdelaG-DISTRICT CLERK)
- (8) 8CONSIDERATION AND AUTHORIZATION TO PURCHASE CELL PHONE FOR INDIGENT DEFENSE COORDINATOR. (CAN-INDIGENT DEFENSE) (ACTION TAKEN SEPARATELY)
- (9) CONSIDERATION AND AUTHORIZATION TO AWARD CONTRACT TO JOHNSON CONTROLS, INC., FOR MONITORING OF THE NEW FIRE PANEL FOR THE JUDICIAL COURTHOUSE, ADMINISTRATION, COUNTY JAIL AND ADULT PROBATION. (MI-BUILDING MAINT.) (Contract No. 2007C05108)  
The Contract is as follows:
- (10) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT AND CHANGE ORDER NUMBER 1, WITH ZIMMERMAN CONSTRUCTION FOR ISLA BLANCA PARK BOAT RAMP DEVELOPMENT. (JM-PARKS) (Contract No. 2007C05103) (Order No. 2007O5017) (ACTION TAKEN SEPARATELY)
- (11) CONSIDERATION AND AUTHORIZATION FOR COUNTY ADMINISTRATOR AND PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO NEGOTIATE A JOINT APPLICATION WITH THE CITY OF BROWNSVILLE FOR A 2007 JUSTICE ASSISTANCE GRANT, CONSISTENT WITH FUNDING REQUIREMENTS. (FB-PD&M)  
The Documentation is as follows:
- (12) CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)
- (A) BUILDING SUPPLIES: PLUMBING – ANNUAL BID #2008-2 (MORRISON SUPPLY, BORDER STATE ELECTRIC SUPPLY)
  - (B) SAFETY GLASSES – PRESCRIPTION – ANNUAL BID #2610 (EYE EAR OPTICAL)
  - (C) FIRE ALARM SYSTEMS INSPECTION & REPAIRS – ANNUAL BID #1425 (SECURITY INTERNATIONAL, ARGUS, SUPERIOR ALARM)
  - (D) LASER PRINTING OF TAX STATEMENTS – ANNUAL BID #1640 (E Z ACCESS)
- The Documentation is as follows:
- (13) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)
- (A) ENGINEERING & DESIGN SERVICES FOR HIGHWAY 48 BOAT RAMP RENOVATIONS – RFQ #070404

## TRAVEL ITEMS

- (14) 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) CIVIL LEGAL DIVISION STAFF (2) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 6/27 TO 6/29/07, TO ATTEND MOMENTUM 2007 – A GOVERNMENTAL PURCHASING SEMINAR. (ACTION TAKEN SEPARATELY)
- (B) DISTRICT CLERK STAFF (2) TO TRAVEL TO HORSESHOE BAY, TEXAS, ON 5/29 TO 5/31/07, TO ATTEND THE 8<sup>TH</sup> ANNUAL GOVERNMENTAL COLLECTORS ASSOCIATION OF TEXAS, INC. (GCAT)
- (C) ENGINEERING STAFF (1) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 6/26 TO 6/29/07, TO ATTEND THE MOMENTUM 2007 GOVERNMENTAL PURCHASING SEMINAR.
- (D) EXTENSION OFFICE STAFF (1) TO TRAVEL TO GALVESTON, TEXAS, ON 5/17 TO 5/20/07, TO REPRESENT TEXAS SEA GRANT EXTENSION AND CAMERON COUNTY AT THE TEXAS SHRIMP ASSOCIATION ANNUAL MEETING.
- (E) HEALTH AND HUMAN SERVICES STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 5/29 TO 6/1/07, TO ATTEND THE TB PROMOTORA TRAINING SPONSORED BY THE HEART LAND NATIONAL TB CENTER A PARTNERSHIP OF UT HEALTH CENTER AND TEXAS CENTER FOR INFECTIOUS DISEASES.
- (F) JUVENILE PROBATION STAFF (4) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 5/29 TO 6/1/07, TO ATTEND “TEXAS JUVENILE DETENTION ASSOCIATION SPRING CONFERENCE 2007”.
- (G) JUSTICE OF THE PEACE PCT. 2 PLACE 2 STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 5/29 TO 5/31/07, TO ATTEND THE TEXAS JUSTICE COURT TRAINING CENTER.
- (H) TAX OFFICE STAFF (2) TO TRAVEL TO GALVESTON, TEXAS, ON 6/3 TO 6/8/07, TO ATTEND THE “2007 TAX ASSESSOR – COLLECTORS ASSOCIATION OF TEXAS 53<sup>RD</sup> ANNUAL CONFERENCE”.
- (I) TAX OFFICE STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 6/12 TO 6/14/07, TO ATTEND THE “TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY BOARD MEETING AND GRANT REVIEW”.

- (6) CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR NIXON TRAILS SUBDIVISION, PCT. 4, BEING THE WEST 85 ACRES OF LAND, OUT OF THE WEST 177.77 ACRES OUT OF THE EAST 425.28 ACRES OF SURVEY TWENTY-THREE (23) AND PARTS OF SURVEY TWENTY-TWO (22) AND SURVEY TWENTY-FOUR (24), CAMERON COUNTY, TEXAS. (EH-CCD6T)  
The Documentation is as follows:**

- (9) **CONSIDERATION AND AUTHORIZATION TO AWARD CONTRACT TO JOHNSON CONTROLS, INC., FOR MONITORING OF THE NEW FIRE PANEL FOR THE JUDICIAL COURTHOUSE, ADMINISTRATION, COUNTY JAIL AND ADULT PROBATION. (MI-BUILDING MAINT.) (Contract No. 2007C05108)**  
**The Contract is as follows:**

- (11) **CONSIDERATION AND AUTHORIZATION FOR COUNTY ADMINISTRATOR AND PROGRAM DEVELOPMENT AND MANAGEMENT DEPARTMENT TO NEGOTIATE A JOINT APPLICATION WITH THE CITY OF BROWNSVILLE FOR A 2007 JUSTICE ASSISTANCE GRANT, CONSISTENT WITH FUNDING REQUIREMENTS. (FB-PD&M)**  
**The Documentation is as follows:**

- (12) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)**
- (A) **BUILDING SUPPLIES: PLUMBING – ANNUAL BID #2008-2 (MORRISON SUPPLY, BORDER STATE ELECTRIC SUPPLY)**
  - (B) **SAFETY GLASSES – PRESCRIPTION – ANNUAL BID #2610 (EYE EAR OPTICAL)**
  - (C) **FIRE ALARM SYSTEMS INSPECTION & REPAIRS – ANNUAL BID #1425 (SECURITY INTERNATIONAL, ARGUS, SUPERIOR ALARM)**
  - (D) **LASER PRINTING OF TAX STATEMENTS – ANNUAL BID #1640 (E Z ACCESS)**

**The Documentation is as follows:**

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## **EXECUTIVE SESSION**

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Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 5:53 P.M. to discuss the following matters:

**(15) EXECUTIVE SESSION:**

- (A) 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).**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JAVIER ALEJANDRO GARZA VS. THE UNITED STATES MARSHAL'S SERVICE, THE CAMERON COUNTY SHERIFF'S DEPT., COSME MARTINEZ, MICHAEL DAVID SAAVEDRA, SGT. JOSE ALEJANDRO GARCIA, JOHN ROY HARRIS, JOSE YBARRA, AND LETICIA ANDRADE, INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES; CASE NO. 07-CV-52, FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ROEL GONZALEZ AND SONIA GONZALEZ VS. CAMERON COUNTY, TEXAS AND JESUS VILLANUEVA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; CIVIL ACTION NO. 05-278, FOR DISCUSSION OF STATUS OF CASE AND SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072 (1)(A).**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AN EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CLAIM OF JULIA CASTRO, FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CLAIM OF KAUFFMAN FOR DISCUSSION ON STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (B).**
- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING OLGA ORTEGA VS. CAMERON COUNTY JUVENILE PROBATION DEPARTMENT, EEOC CHARGE NO. 451-2007-0021, FOR DISCUSSION ON STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (B).**
- (G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING HIDTA CONTRACT, INCLUDING POSSIBLE TERMINATION 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).**

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Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 6:38 P.M. to discuss the following matters:

**(16) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (A) 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). (TABLED)**

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

- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JAVIER ALEJANDRO GARZA VS. THE UNITED STATES MARSHAL'S SERVICE, THE CAMERON COUNTY SHERIFF'S DEPT., COSME MARTINEZ, MICHAEL DAVID SAAVEDRA, SGT. JOSE ALEJANDRO GARCIA, JOHN ROY HARRIS, JOSE YBARRA, AND LETICIA ANDRADE, INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES; CASE NO. 07-CV-52, FOR DISCUSSION AND AUTHORITY TO REPRESENT THE COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Legal Counsel was acknowledged and authorization for the District Attorney to represent Jose Ybarra and the Civil Division to represent Cameron County was approved.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ROEL GONZALEZ AND SONIA GONZALEZ VS. CAMERON COUNTY, TEXAS AND JESUS VILLANUEVA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; CIVIL ACTION NO. 05-278, FOR DISCUSSION OF STATUS OF CASE AND SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072 (1)(A). (TABLED)**

- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AN EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CLAIM OF JULIA CASTRO, FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2). (TABLED)**

- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING A CLAIM OF KAUFFMAN FOR DISCUSSION ON STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (B). (TABLED)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, Executive Session Items No. 16 (C), (D) and (E) were **TABLED**.

- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING OLGA ORTEGA VS. CAMERON COUNTY JUVENILE PROBATION DEPARTMENT, EEOC CHARGE NO. 451-2007-0021, FOR DISCUSSION ON STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (B).**

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

- (G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING HIDTA CONTRACT, INCLUDING POSSIBLE TERMINATION 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 Benavides and carried unanimously, the Status Report by the Civil Division and the District Attorney was acknowledged.

## **ACTION ITEMS**

- (28) **CONSIDERATION AND ACTION APPROVING THE MAINTENANCE CONTRACT WITH IBM FOR THE INFOPRINT, MODEL 1145-DNI PRINTER USED FOR PRINTING THE VOTER REGISTRATION LISTINGS, VOTER REGISTRATION CARDS AND REPORTS ON ALL ELECTIONS CONDUCTED BY THE COUNTY ELECTIONS/VOTER REGISTRATION OFFICE. (RO-ELECTIONS) (Contract No. 2007C05107)**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Maintenance Contract with IBM for the Infoprint, Model 1145-Dni Printer Used For Printing The Voter Registration Listings, Voter Registration Cards And Reports On All Elections Conducted By The County Elections/Voter Registration Office was approved.

**The Contract is as follows:**

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**(29) CANVASSING OF PRECINCT ELECTION RETURNS FOR THE SPECIAL STATE CONSTITUTIONAL AMENDMENT ELECTION CONDUCTED ON MAY 12, 2007, AND IN ACCORDANCE WITH CHAPTER 67, CANVASSING ELECTIONS, SEC. 67.002, CANVASS OF PRECINCT RETURNS OF THE TEXAS ELECTION CODE. (RO-ELECTIONS)**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Canvassing of Precinct Election Returns for The Special State Constitutional Amendment Election Conducted On May 12, 2007, And In Accordance With Chapter 67, Canvassing Elections, Sec. 67.002, Canvass of Precinct Returns of The Texas Election Code was approved.

**The Documentation is as follows:**

## **CONSENT ITEMS**

- (3) **CONSIDERATION AND APPROVAL TO INCREASE THE SALARY FOR THE BAIL BOND'S BOARD ADMINISTRATIVE ASSISTANT TO \$20,000 AS APPROVED BY THE BAIL BOND BOARD. (MP-BAIL BOND)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, Authorization to Increase the Salary for The Bail Bond's Board Administrative Assistant To \$20,000 was approved.

**The Salary Schedule is as follows:**

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(4) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND MUNOZ FOUNDATION DRILLING FOR THE COURTHOUSE SECURITY WALL. (HG-CONSTRUCTION) (Contract No. 2007C05106)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Contract between Cameron County and Munoz Foundation Drilling for the Courthouse Security Wall was approved.

**The Contract is as follows:**

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(5) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR J & V SUBDIVISION, PCT. 4, BEING THE SOUTH 5 ACRES OF THE NORTH 14.72 ACRES OF BLOCK EIGHTY-FIVE (85), ADAMS GARDENS SUBDIVISION “B” CAMERON COUNTY, TEXAS. (EH-CCDoT)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, Authorization for Preliminary Plat Approval for J & V Subdivision, Pct. 4, Being the South 5 Acres of the North 14.72 Acres of Block Eighty-Five (85), Adams Gardens Subdivision “B” Cameron County, Texas was approved

**The Documentation is as follows:**

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**(8) CONSIDERATION AND AUTHORIZATION TO PURCHASE CELL PHONE FOR INDIGENT DEFENSE COORDINATOR. (CAN-INDIGENT DEFENSE)**

Mr. Pete Sepulveda, County Administrator, informed the Court that the purchase for the cell phone is to come from Fund 100-435 6047.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Authorization to Purchase Cell Phone for the Indigent Defense Coordinator was approved.

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**(10) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT AND CHANGE ORDER NUMBER 1, WITH ZIMMERMAN CONSTRUCTION FOR ISLA BLANCA PARK BOAT RAMP DEVELOPMENT. (JM-PARKS) (Contract No. 2007C05103) (Order No. 2007O5017)**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, Authorization to Execute Contract and Change Order Number 1, With Zimmerman Construction for Isla Blanca Park Boat Ramp Development, was approved.

**The Contract and Order are as follows:**

## **TRAVEL ITEMS**

- (14) **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) **CIVIL LEGAL DIVISION STAFF (2) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 6/27 TO 6/29/07, TO ATTEND MOMENTUM 2007 – A GOVERNMENTAL PURCHASING SEMINAR.**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously,

Travel Item No. 14 (A) was approved.

## **ACTION ITEMS**

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

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo 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:**

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- (18) **APPROVAL OF MINUTES FOR:**  
(A) **MARCH 27, 2007 – REGULAR MEETING**  
(B) **APRIL 3, 2007 – REGULAR MEETING**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the minutes for the March 27, 2007-Regular Meeting and April 3, 2007-Regular Meeting were approved.

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(19) **APPROVAL OF CLAIMS.**

Mr. Mark Yates, County Auditor, asked the Court to void Warrant No. 0181281 made payable to School of Health Corporation in the amount of \$4,408.17.

Commissioner Wood motioned to void Warrant No. 0181281 and to approve the remaining Claims.

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

AYE: Commissioner Wood, Commissioner Benavides and Commissioner Tamayo

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00181150, made payable to Harlingen Waterworks System, in the amount of \$519.55 and Commissioner Garza as to Warrant No. 00181218, made payable to The Medicine Shoppe, in the amount of \$304.57

**The Claims and Affidavits are as follows:**

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**(20) DISCUSSION AND POSSIBLE ACTION ON TEMPORARY CONTRACT NEGOTIATIONS REGARDING THE PERFORMANCE OF AUTOPSIES FOR CAMERON COUNTY. (PSJ-ADMINISTRATOR) (TABLED)**

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

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**(22) CONSIDERATION AND APPROVAL OF INTERLOCAL COOPERATION AGREEMENT FOR TAX ASSESSMENT AND COLLECTION FOR BROWNSVILLE INDEPENDENT SCHOOL DISTRICT (B.I.S.D.). (TY-TAC) (Contract No. 2007C05104)**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Interlocal Cooperation Agreement for Tax Assessment and Collection for Brownsville Independent School District (B.I.S.D.) was approved.

**The Contract is as follows:**

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**(23) DISCUSSION AND POSSIBLE ACTION REGARDING THE UPPER PAYMENT LIMIT OPTION FOR THE INDIGENT HEALTH CARE FUNDS. (PSJ-ADMINISTRATOR) (TABLED)**

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

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**(24) CONSIDERATION AND AUTHORIZATION TO RELEASE THE 2007 TOBACCO SETTLEMENT PROCEEDS OF \$423,344.01 TO THE RIO GRANDE VALLEY HEALTH SERVICES DISTRICT. (MY-AUDITOR)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Authorization to Release the 2007 Tobacco Settlement Proceeds of \$423,344.01 to The Rio Grande Valley Health Services District was approved.

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**(25) CONSIDERATION AND DISCUSSION FOR RETENTION OF ADMINISTRATION BY PRESENT ADMINISTRATOR LIFE-RE INSURANCE COMPANY OR REQUEST PROPOSALS FOR IRC 125 CAFETERIA PLAN ADMINISTRATION FOR OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008. (MV-HR)**

Commissioner Garza motioned to extend the Contract with Life-Re Insurance Company for (1) year in accordance with the option subject to approval by Legal Counsel.

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

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

NAY: Judge Cascos

**The Documentation is as follows:**

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- (26) **CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING FOR THE PURPOSE OF DISCONTINUING AND ABANDONING A PORTION OF KANSAS CITY ROAD. THE ROAD IS LOCATED IN PRECINCT NO. 4 AND SAID ROAD IS A PUBLICLY DEDICATED ROAD SHOWN IN MAP OF HOOKS AND HODGES SUBDIVISION RECORDED IN VOLUME 5, PAGE 10, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. (PSJ-ADMINISTRATOR)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Public Hearing was opened.

Mr. Pete Sepulveda, County Administrator, informed the Court that the petitioners have followed the proper procedures.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Public Hearing was closed.

**The Documentation is as follows:**

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- (27) **CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER TO FOR THE PURPOSE OF DISCONTINUING AND ABANDONING A PORTION OF KANSAS CITY ROAD. THE ROAD IS LOCATED IN PRECINCT NO. 4 AND SAID ROAD IS A PUBLICLY DEDICATED ROAD SHOWN IN MAP OF HOOKS AND HODGES SUBDIVISION RECORDED IN VOLUME 5, PAGE 10, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. (PSJ-ADMINISTRATOR) (Order No. 2007O5014)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Order to for The Purpose of Discontinuing and Abandoning a Portion of Kansas City Road, the Road Is Located In Precinct No. 4 And Said Road Is A Publicly Dedicated Road Shown In Map Of Hooks And Hodges Subdivision Recorded In Volume 5, Page 10, Of The Map Records Of Cameron County, Texas, was adopted.

**The Order is as follows:**

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**(30) CONSIDERATION AND APPROVAL OF SCOPE AND FEE WITH AGUIRRE CORPORATION FOR THE REPAIRS TO THE CARRIZALEZ/RUCKER FACILITY. (PSJ-ADMINISTRATOR) (TABLED)**

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

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

Mr. David Garcia, Deputy County Administrator, informed the Court that the 80<sup>th</sup> Texas Legislative Session will be ending in less than one week.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Report by David Garcia regarding the County's Legislative Agenda for the 80<sup>th</sup> Texas Legislative Session was acknowledged.

**The Documentation is as follows:**

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

Mr. David Garcia, Deputy County Administrator, informed the Court that a letter has been sent to the South Texas County Judges and the Border County Judges regarding the VA Hospital and the border fence issue and noted that some responses have already been received.

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

**The Documentation is as follows:**

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**(33) DISCUSSION AND POSSIBLE ACTION TO INTERVIEW ALL FIRMS THAT SUBMITTED AN RFP (RFP 1730) FOR DELINQUENT TAX COLLECTION SERVICES. (PSJ-ADMINISTRATOR)**

Commissioner Garza motioned to Interview All Firms That Submitted An RFP (RFP 1730) For Delinquent Tax Collection Services.

The motion was seconded by Commissioner Wood and carried unanimously.

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**(34) INTERVIEWS OF THE DELINQUENT TAX COLLECTION FIRMS THAT SUBMITTED AN RFP. (PSJ-ADMINISTRATOR)**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Presentations were acknowledged.

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**(35) DISCUSSION AND POSSIBLE ACTION REGARDING THE SELECTION OF THE DELINQUENT TAX COLLECTION ATTORNEY/FIRM. (PSJ-ADMINISTRATOR)**

Commissioner Garza motioned to bring back the firm of Perdue, Brandon, Fielder, Collins & Mott and the firm of McCreary, Veselka, Bragg & Allen for a final interview.

The motion was seconded by Judge Cascos and the vote was as follows:

AYE: Commissioner Garza and Judge Cascos

NAY: Commissioner Tamayo, Commissioner Wood and Commissioner Benavides

The motion failed by a vote of (2) to (3).

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Commissioner Tamayo motioned to award the contract to the firm of McCreary, Veselka, Bragg & Allen.

The motion was seconded by Judge Cascos and the vote was as follows:

AYE: Commissioner Tamayo and Judge Cascos

NAY: Commissioner Garza, Commissioner Wood and Commissioner Benavides

The motion failed by a vote of (2) to (3).

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Commissioner Wood motioned to award the contract to the firm of Pena, Esparza & Garza.

The motion was seconded by Commissioner Benavides and the vote was as follows:

AYE: Commissioner Wood and Commissioner Benavides

NAY: Commissioner Garza, Commissioner Tamayo and Judge Cascos

The motion failed by a vote of (2) to (3).

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Commissioner Wood motioned to award the contract to the firm of Linebarger, Goggan, Blair & Sampson.

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

AYE: Commissioner Tamayo, Commissioner Wood and Commissioner Benavides

NAY: Judge Cascos and Commissioner Garza

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There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 9:27 P.M.

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**APPROVED** this 17<sup>th</sup> day of **July 2007**

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**CARLOS H. CASCOS, CPA**  
**COUNTY JUDGE**

**ATTEST:**

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