

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8th day of July 2008, 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:

5:00 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

COMMISSIONER PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Aide A. Trejo **Deputy Clerk**

ABSENT:
EDNA TAMAYO

The meeting was called to order by Judge Cascos at 5:04 P.M. He asked Felix Rodriguez for the invocation. Mr. Rodriguez 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 July 3, 2008 at 10:26 A.M.:

NOTE: Commissioner Benavides was not present at the start of the Meeting.

BIDS, RFP'S, RFQ'S ITEMS

(1) BIDS, RFP'S, RFQ'S:

(A) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR SUBSTANCE ABUSE TREATMENT – ANNUAL BID #1727. (RS-ADULT PROBATION)

Commissioner Garza motioned to approve the authorization to advertise for proposals for Substance Abuse Treatment – Annual Bid #1727.

The motion was seconded by Commissioner Wood and carried unanimously.

(B) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)

a. INSURANCE: PROPERTY & CASUALTY – ANNUAL RFP #1464 (TAC)

Commissioner Garza motioned to approve the authorization to Award the Bids/RFP's/RFQ's for the following: Insurance: Property & Casualty – Annual RFP #1464 (TAC).

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

(C) CONSIDERATION AND AUTHORIZATION TO TERMINATE ANNUAL BID #1420 – EQUIPMENT FINANCING (BANK OF AMERICA). (MF-PURCHASING) (TABLED)

Commissioner Wood motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

PRESENTATIONS

(4) PRESENTATIONS.

(A) PRESENTATION OF A REVENUE SHARING CHECK FROM THE U.S. FISH & WILDLIFE SERVICE IN THE AMOUNT OF \$127,123.00. (JW-U.S. FISH & WILDLIFE SERVICE)

Commissioner Wood motioned to acknowledge the receipt of the Revenue Sharing Check from the U.S. Fish & Wildlife Service in the amount of \$127,123.00.

The motion was seconded by Commissioner Garza and carried unanimously.

(5) PUBLIC COMMENTS.

Mr. Felix Rodriguez invited the public to participate in the “My Valley, My Vote” voter registration drive that is being organized by the Southwest Voter Registration & Education Project and funded by local Valley business leaders.

Mr. Mario Garcia added that the voter registration drive is a non-partisan effort and asked for support from the County by means of the Cameron County Elections Department.

EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 5:23 P.M. to discuss the following matters:

(2) EXECUTIVE SESSION:

(A) 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 OWN CAPACITIES; CASE NO. 07-CV-52, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (B) & (2).

(B) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL CONCERNING ARNULFO HUERTA VS. CAMERON COUNTY; EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

(EEOC) CHARGE NO. 451-2008-00211, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (B).

- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 23, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 5:30 P.M. to discuss the following matters:

NOTE: Commissioner Benavides joined the Meeting at this time.

(3) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) 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 OWN CAPACITIES; CASE NO. 07-CV-52, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (B) & (2).**

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

- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ARNULFO HUERTA VS. CAMERON COUNTY; EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CHARGE NO. 451-2008-00211, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (B).**

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

- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 23, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Garza motioned to accept the appraised value of \$61,787.

The motion was seconded by Commissioner Benavides and carried unanimously.

CONSENT ITEMS

- (6) 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. 6 (A):

Judge Cascos asked to TABLE this item.

Consent Item No. 6 (P):

Mr. David Garcia, Deputy County Administrator, asked to TABLE this item.

Consent Items No. 6 (L) and (M):

Commissioner Garza asked to discuss these items separately.

Commissioner Wood moved to approve the "Consent and Travel Items", excluding Consent Items No. 6

(L) and (M) and tabling Consent Items No. 6 (A) and (P).

The motion was seconded by Commissioner Garza and carried unanimously.

- (A) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE RENEWAL OF THE "GAS TRANSPORTATION AGREEMENT" SUBMITTED BY TEXAS GAS SERVICE COMPANY AS PER EXEMPTION 262.024 (7) (C). (RL-ADMINISTRATIVE SERVICES) (TABLED)**
- (B) **CONSIDERATION AND APPROVAL OF PROPOSAL FOR PROFESSIONAL SERVICES FROM ROBERTO J. RUIZ, ARCHITECT, TO PRODUCE "AS-BUILT" DRAWINGS FOR THE DANCY BUILDING INTERIOR RESTORATION FOR A BASE FEE OF \$30,000.00, PLUS REIMBURSABLE EXPENSES. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:
- (C) **CONSIDERATION AND AUTHORIZATION TO RENEW INDEPENDENT AUDIT SERVICES FOR CAMERON COUNTY ANNUAL RFP #1220 WITH LONG CHILTON, LLP FOR ANNUAL AUDIT FOR CAMERON COUNTY FISCAL YEAR END 9/30/2008. (MG-AUDITOR) (Contract No. 2008C07205)**
The Contract is as follows:
- (D) **CONSIDERATION AND AUTHORIZATION TO ACCEPT CACTUS FLOWER DRIVE LOCATED IN CACTUS ESTATES SUBDIVISION, PCT. 3, AS RECORDED IN CABINET 1, PAGE., 2843-B, 2844-A AND 2844-B OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS, INTO THE COUNTY ROAD SYSTEM. (EH-CCDoT)**
The Documentation is as follows:
- (E) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR RIVERSIDE GARDENS SUBDIVISION, PCT. 4, BEING 2.90 ACRES OF LAND OUT OF 30.196 ACRE TRACT OF LAND, MORE OR LESS, BEING THE "EUBANKS 30.0 AC." TRACT OUT OF SUBDIVISION NO. 1 OF HICKS RESERVE, CAMERON COUNTY, TEXAS. (EH-CCDoT)**
The Documentation is as follows:
- (F) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 16, 2008 TO MAY 16, 2011 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AND WATER WELL IMPROVEMENTS AT ALOE VERA SUBDIVISION SECTION 1, PCT. 4. (EH-CCDoT)**
The Documentation is as follows:
- (G) **CONSIDERATION AND APPROVAL OF PROCLAMATION HONORING THE LOCAL UNITED STATES TENNIS ASSOCIATION (USTA) FOR PLACING FIRST PLACE IN THE 2008 USTA JR. TEAM TENNIS TEXAS SECTION SPRING CHAMPIONSHIPS. (COMM. COURT)**
- (H) **CONSIDERATION AND AUTHORIZATION TO PURCHASE SWITCH HARDWARE UPGRADE, GIGABIT MODULES, CABLE'S. UTILIZING THE COOPERATIVE PURCHASING NETWORK. (TCPN). (JR-COMPUTER CENTER)**
The Documentation is as follows:
- (I) **CONSIDERATION AND APPROVAL OF AMENDMENT TO MEMORANDUM OF UNDERSTANDING AGREEMENT DATED APRIL 3, 2007 BETWEEN BROWNSVILLE URBAN SYSTEM AND CAMERON COUNTY FOR CONTINUATION AND EXPANSION OF PUBLIC TRANSPORTATION TO COLONIAS IN CAMERON COUNTY. (DG-DEPUTY ADMINISTRATOR) (Contract No. 2008C07206)**
The Contract is as follows:
- (J) **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH STATE OF TEXAS CONTRACT DIR-SDD-515 WITH TDIR/XEROX FOR A NEW COPIER. (AV-DISTRICT ATTORNEY) (Contract No. 2008C07207)**
The Contract is as follows:

- (K) **CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO ACCEPT FUNDS FROM UNITED WAY IN THE AMOUNT OF \$41,340.37. (TR-JUVENILE PROBATION)**
The Documentation is as follows:
- (L) **CONSIDERATION AND AUTHORIZATION TO SOLICIT PROPOSALS FOR RESTAURANT AND BEVERAGE CONCESSION AT DOLPHIN COVE (LOCATION #11) AND APPROVAL OF R.F.P. #080602. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (M) **CONSIDERATION AND AUTHORIZATION TO SOLICIT PROPOSALS FOR MARINA RESTAURANT CONCESSION AT ISLA BLANCA PARK (LOCATION #10) AND APPROVAL OF R.F.P. #080601. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (N) **CONSIDERATION AND AUTHORIZATION TO ACCEPT THE SUBSTANTIAL COMPLETION STATUS OF THE SANTA ROSA BOYS & GIRLS CLUB PROJECT BY ZIWA CONSTRUCTION. (JM-PARKS)**
The Documentation is as follows:
- (O) **CONSIDERATION AND AUTHORIZATION TO ACCEPT THE SUBSTANTIAL COMPLETION STATUS OF THE ISLA BLANCA PARK BOAT RAMP PROJECT BY ZIMMERMAN CONSTRUCTION. (JM-PARKS)**
The Documentation is as follows:
- (P) **CONSIDERATION AND AUTHORIZATION TO UTILIZE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS HGAC INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT FOR FINANCING OF EQUIPMENT (BAYSTONE FINANCIAL). (MF-PURCHASING) (TABLED)**
- (Q) **CONSIDERATION AND AUTHORIZATION TO UTILIZE TEXAS PROCUREMENT AND SUPPORT SERVICES (TPASS) STATE CONTRACT #962-A6 FOR TIRE AND RUBBER SCRAP REMOVAL AND DISPOSAL /RECYCLING (LIBERTY TIRE RECYCLING). (LL-VEHICLE MAINTENANCE)**
The Documentation is as follows:

TRAVEL ITEMS

- (7) **CONSIDERATION AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (A) **COUNTY ADMINISTRATOR, DEPUTY COUNTY ADMINISTRATOR AND CONSTRUCTION MANAGER TO TRAVEL TO SAN ANTONIO, TEXAS, ON 7/8 TO 7/9/08, TO MEET WITH YATES CONSTRUCTION REGARDING THE CARRIZALEZ RUCKER ADDITION.**
- (B) **DISTRICT ATTORNEY'S OFFICE STAFF (1) TO TRAVEL TO IRVING, TEXAS, ON 7/21 TO 7/24/08, TO ATTEND THE TEXAS NARCOTIC OFFICERS ASSOCIATION'S 08 ANNUAL TRAINING CONFERENCE.**
- (C) **EMERGENCY MANAGEMENT STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 7/14 TO 7/15/08, TO ATTEND THE TRAINING AND DISCUSSION OF THE RIO GRANDE VALLEY MEDICAL OPERATION CENTER (MOC).**
- (D) **GIS DEPARTMENT STAFF (1) TO TRAVEL TO KANSAS CITY, MISSOURI, ON 8/3 TO 8/7/08, TO ATTEND THE APCO 74TH ANNUAL CONFERENCE & EXPO.**
- (E) **HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO LAREDO, TEXAS, ON 7/21 TO 7/22/08, TO ATTEND THE LOCAL HEALTH DEPARTMENT QUARTERLY MEETING.**

- (F) HEALTH DEPARTMENT STAFF (2) TO TRAVEL TO MIDLAND, TEXAS, ON 8/4 TO 8/7/08, TO ATTEND THE TEXAS ANIMAL CONTROL ASSOCIATION EUTHANASIA TRAINING.**
- (G) HEALTH DEPARTMENT STAFF (5) TO TRAVEL TO WESLACO, TEXAS, ON 8/7/08, TO ATTEND THE RIO GRANDE VALLEY BREASTFEEDING COALITION 3RD ANNUAL BREASTFEEDING EDUCATION CONFERENCE.**
- (H) JUVENILE JUSTICE DEPARTMENT STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 7/14 TO 7/17/08, TO ATTEND THE MOTIVATIONAL INTERVIEWING TRAINING FOR SNBP.**
- (I) JUVENILE JUSTICE DEPARTMENT STAFF (7) TO TRAVEL TO McALLEN, TEXAS, ON 7/14 TO 7/18/08, TO ATTEND THE 12TH ANNUAL DI INSTITUTE.**
- (J) JUVENILE JUSTICE DEPARTMENT STAFF (15) AND 40 CHILDREN FROM THE COMMUNITY, TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 7/14 TO 7/18/08, TO SUPPORT THIS YEARS DRUG EDUCATION FOR YOUTH CAMP.**
- (K) SHERIFF'S DEPARTMENT STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 7/8 TO 7/9/08, TO MEET WITH BUILDING COMMITTEE.**
- (L) SHERIFF'S DEPARTMENT STAFF (3) TO TRAVEL TO AUSTIN, TEXAS, ON 8/27 TO 8/29/08, TO ATTEND THE TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE.**

- (B) CONSIDERATION AND APPROVAL OF PROPOSAL FOR PROFESSIONAL SERVICES FROM ROBERTO J. RUIZ, ARCHITECT, TO PRODUCE “AS-BUILT” DRAWINGS FOR THE DANCY BUILDING INTERIOR RESTORATION FOR A BASE FEE OF \$30,000.00, PLUS REIMBURSABLE EXPENSES. (PSJ-ADMINISTRATOR)**
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The Documentation is as follows:

(6) CONSENT ITEMS.

- (L) CONSIDERATION AND AUTHORIZATION TO SOLICIT PROPOSALS FOR RESTAURANT AND BEVERAGE CONCESSION AT DOLPHIN COVE (LOCATION #11) AND APPROVAL OF R.F.P. #080602. (JM-PARKS) (TABLED)**
- (M) CONSIDERATION AND AUTHORIZATION TO SOLICIT PROPOSALS FOR MARINA RESTAURANT CONCESSION AT ISLA BLANCA PARK (LOCATION #10) AND APPROVAL OF R.F.P. #080601. (JM-PARKS) (TABLED)**

Commissioner Garza motioned to TABLE Consent Items No. 6 (L) and (M).

The motion was seconded by Commissioner Wood and carried unanimously.

ACTION ITEMS

(8) ACTION ITEMS.

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

Upon motion by Commissioner Garza, seconded by Commissioner Benavides 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:

(B) APPROVAL OF CLAIMS.

Commissioner Garza moved to approve the Claims.

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

AYE: Commissioner Garza, Commissioner Wood and Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00203468, made payable to Harlingen Waterworks System, in the amount of \$419.24 and Warrant No. 00203556, made payable to Public Utilities Board, in the amount of \$7,922.87.

The Claims and Affidavits are as follows:

**(C) APPROVAL OF MINUTES FOR:
JUNE 17, 2008- REGULAR MEETING**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Minutes for the June 17, 2008- Regular Meeting were approved.

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

Commissioner Wood motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

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 6:03 P.M.

APPROVED this 5th day of **August 2008**

CARLOS H. CASCOS, CPA
COUNTY JUDGE

ATTEST:

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