

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 17th day of January 2007, there was conducted a SPECIAL 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 Carlos H. Cascos at 5:30 P.M. He asked Minister John Phillips for the invocation. Commissioner Wood 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 January 12, 2007 at 10:17 A.M.:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 5:32 P.M. to discuss the following matters:

(2) 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 FRED ROCHA VS. CAMERON COUNTY AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT (NEW CASE); FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND AUTHORITY TO FILE CHANGE TO VENUE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LEONARDO RINCONES VS. CAMERON COUNTY, CAUSE NO. 05-06-003057-A IN THE 107TH JUDICIAL DISTRICT COURT, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 6:01 P.M. to discuss the following matters:

(1) PUBLIC COMMENTS.

Senator Eddie Lucio Jr. presented Judge Cascos with a gavel and asked that he use the gavel during his term as County Judge. He welcomed any recommendations from the Court regarding the Legislative Agenda.

Senator Lucio mentioned that immigration will be at the forefront of many issues during the upcoming Legislative Session. He noted that some of those issues include anti-immigration bills and pro-immigration bills such as: 1) creating accountability for funds sent to law enforcement agencies for border security efforts, 2) ensuring first responders focus on providing essential public safety services and avoid taking on the roll of an unofficial immigration agent. He highlighted a study conducted by former Comptroller Strayhorn showing that undocumented immigrants added \$17.7 billion to the Gross State Product and \$1.58 billion to the State revenue for 2005.

Senator Lucio went on to say that water will also be a big issue and that he hopes the Rio Grande Regional Water Authority will be expanded from 15 to 18 members and that 6 counties will be brought together to leverage more Federal and State dollars.

Senator Lucio commented on the issue of Transportation and noted that Texas gets anywhere from \$.70 to \$.82 for every dollar of federal gas tax and one-third of those funds are allocated for education. He stressed the fact that those funds are not a reliable funding source and expressed his opinion that the federal gas tax be used solely for roads and another funding source be used to fund education. He added that he will continue to support bonding authority to leverage buying power for roads and right-of-way.

Senator Lucio informed the Court that the insurance risk bill is being aimed at creating a safety net for those that are denied private insurance for certain medical diagnoses. He added that currently, the insurance risk bill only covers a quarter of a million Texans.

Senator Lucio stated that electric regulation is being aimed at lowering rates and giving clear authority to the Public Utilities Commission to demand price adjustments when the price of fuel drops.

Senator Lucio commented on how he hopes to restore services and eligibility for the Medicaid Program and the CHIP Program.

Senator Lucio informed the Court that he has (17) appointments that are yet to be confirmed by Governor Rick Perry and (69) total appointees. He offered his assistance on any issue that the Court may have.

Commissioner Benavides thanked Senator Lucio for his comments and for including Cameron County in his Legislative Agenda.

Commissioner Wood applauded Senator Lucio for his willingness to work with Cameron County

Commissioner Tamayo congratulated Senator Lucio on his appointments and thanked him for his prompt response to her emails and phone calls. She informed Senator Lucio that she has been receiving calls from retired teachers who are greatly concerned about their pension fund.

Senator Lucio stated that a bill has been filed by Representative Martinez that intends to put retired teachers at the same level of retirees State employees, in terms of insurance benefits.

Commissioner Garza stated that there are a number of items that the Commissioners' Court would like to present to him that include subdivision regulation and construction, health and human services, rail relocation projects and the colonia access program.

Senator Lucio added that he would like to see a list of the roads that need to be fixed including the roads to colonias and the roads within colonias. He asked the Court for their position on appraisal caps.

Judge Cascos expressed his support for appraisal caps and noted that appraisal caps allow for prioritizing allocation of funds.

Senator Lucio informed the Court that his theme for this Legislative Session is “Finding Solutions Together” and added that he hopes to work with Cameron County to do so.

Judge Cascos commented of the Health Service District and added that his Office is trying to schedule a meeting with Senator Lucio, Senator Ruben Hinojosa, Hidalgo County Judge J.D. Salinas and the Cameron County and Hidalgo County Health Administrators.

Senator Lucio thanked the Court for their time.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 6:48 P.M. to discuss the following matters:

(2) 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 FRED ROCHA VS. CAMERON COUNTY AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT (NEW CASE); FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND AUTHORITY TO FILE CHANGE TO VENUE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**
- (C) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL CONCERNING LEONARDO RINCONES VS. CAMERON COUNTY, CAUSE NO. 05-06-003057-A IN THE 107TH JUDICIAL DISTRICT COURT, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 7:05 P.M. to discuss the following matters:

(3) 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).**

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

- (B) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING FRED ROCHA VS. CAMERON COUNTY AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT (NEW CASE); FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND TOMMY RAMIREZ, CHIEF ADMINISTRATOR CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND AUTHORITY TO FILE CHANGE TO VENUE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**

Commissioner Garza moved to authorize Legal Counsel to represent Cameron County and Tommy Ramirez and to apply for a change of venue.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (C) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LEONARDO RINCONES VS. CAMERON COUNTY, CAUSE NO. 05-06-003057-A IN THE 107TH JUDICIAL DISTRICT COURT, FOR DISCUSSION ON STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**

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

Item No. 10:

Commissioner Garza asked to discuss Item No. 10 separately.

Commissioner Wood moved to approve the "Consent Items", excluding Item No. 10

The motion was seconded by Commissioner Garza and carried unanimously.

- (4) **CONSIDERATION AND APPROVAL OF THE CONDITIONS ON MINUTE ORDER NO. 110690 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION RELATED TO THE WEST RAIL PROJECT.(PS-COUNTY ADMINISTRATOR)**
The Documentation is as follows:
- (5) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JANUARY 23, 2007 TO DECEMBER 18, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEM) AT ESQUIVEL SUBDIVISION, PCT. 3.(PS-COUNTY ADMINISTRATOR)**
The Documentation is as follows:
- (6) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RABBIT RUN SUBDIVISION, PCT. 2, FOR UNBUILT SEPTIC SYSTEMS.(PS-COUNTY ADMINISTRATOR)**
The Documentation is as follows:
- (7) **CONSIDERATION AND AUTHORIZATION TO PURCHASE MOBILE PHONE AND SERVICE FOR COMPLIANCE OFFICER, FUND NO. 10-499.(TY-TAX ASSESSOR)**
The Documentation is as follows:

- (8) **CONSIDERATION AND APPROVAL OF MR. CRIS VALADEZ, ADMINISTRATIVE ASSISTANT, TO SERVE AS DESIGNEE FOR THE COUNTY JUDGE'S OFFICE ON THE CAMERON COUNTY BAIL BOND BOARD AS PER CHAPTER 1704 OF THE TEXAS OCCUPATIONS CODE.(CC-COUNTY JUDGE)**
The Documentation is as follows:
- (9) **CONSIDERATION AND APPOINTMENT OF MR. FRANK PARKER, JR., TO THE REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS.(CC-COUNTY JUDGE)**
- (10) **CONSIDERATION AND AUTHORIZATION TO SUBMIT AN APPLICATION FOR BEACH CLEANING AND MAINTENANCE ASSISTANCE WITH THE TEXAS GENERAL LAND OFFICE FOR STATE FINANCIAL ASSISTANCE FOR FISCAL YEAR 2007.(JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (11) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION DEPARTMENT) AND BILL DOAN, CHAIRMAN D/B/A B&S KITES FOR THE USE OF COUNTY PROPERTY FOR THE 7TH ANNUAL "SPI KITE FEST" EVENT.(JM-PARKS) (Contract No. 2007C01031)**
The Contract is as follows:
- (12) **CONSIDERATION AND AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN CAMERON COUNTY PARKS AND RECREATION AND LINN BACKUS D/B/A COMPASS PUBLISHING, INC.(JM-PARKS) (Contract No. 2007C01030)**
The Contract is as follows:
- (13) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH FOR THE PROVISION OF PROFESSIONAL SERVICES.(YS-HEALTH) (Contract No. 2007C01029)**
The Contract is as follows:
- (14) **CONSIDERATION AND POSSIBLE APPROVAL OF AN EXTENSION TO THE CURRENT LEASE OF OFFICE SPACE AT 1122 MORGAN BOULEVARD IN HARLINGEN, TEXAS, ESTABLISHING A MONTH TO MONTH AGREEMENT.(YS-HEALTH) (Contract No. 2007C01026)**
The Contract is as follows:

- (4) **CONSIDERATION AND APPROVAL OF THE CONDITIONS ON MINUTE ORDER NO. 110690 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION RELATED TO THE WEST RAIL PROJECT.(PS-COUNTY ADMINISTRATOR)**
The Documentation is as follows:

- (5) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JANUARY 23, 2007 TO DECEMBER 18, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEM) AT ESQUIVEL SUBDIVISION, PCT. 3.(PS-COUNTY ADMINISTRATOR)**
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The Contract is as follows:

(10) **CONSIDERATION AND AUTHORIZATION TO SUBMIT AN APPLICATION FOR BEACH CLEANING AND MAINTENANCE ASSISTANCE WITH THE TEXAS GENERAL LAND OFFICE FOR STATE FINANCIAL ASSISTANCE FOR FISCAL YEAR 2007.(JM-PARKS)**

Commissioner Garza asked Mr. Javier Mendez, Parks Director, to briefly explain the budget portion of the application.

Mr. Mendez stated that the budget includes expenses for last fiscal year for the Parks System and the maintenance expenses for Boca Chica Beach, which falls under the Public Works Department.

Commissioner Garza inquired as to the percentage of the total budget amount for the Parks System and the Public Works Department.

Mr. Mendez replied that the percentage of the total budget is approximately 75% for the Parks System and 25% for the Public Works Department.

Commissioner Garza asked if 25% of the funds received from the State will be allocated to the Public Works Department.

Mr. Mendez replied in the affirmative.

Commissioner Tamayo asked for a timeline of when the funds will be received.

Mr. Mendez replied that quarterly reports are submitted and at the end of the year the funds are disbursed from the State.

Commissioner Garza moved to approve the Authorization to Submit an Application for Beach Cleaning and Maintenance Assistance with the Texas General Land Office for State Financial Assistance for Fiscal Year 2007.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Judge Cascos suggested that Mr. Mendez or Mr. Mark Yates, County Auditor, notify the Court when the funds are received from the State and the amount that is disbursed to the Parks System and the Public Works Department.

The Application is as follows:

TRAVEL ITEMS

- (15) **CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**

DISCUSSION CONCERNING TRAVEL ITEMS:

Item No. 15 (K):

Mr. David Garcia, Department of Transportation Assistant Director, informed the Court that the trip to Austin, Texas, from January 16 through January 17 was not taken.

Commissioner Tamayo moved to approve "Travel Items" (A) through (J).

The motion was seconded by Commissioner Benavides and carried unanimously.

- (A) **COUNTY CLERK AND 2 CLERKS, TO TRAVEL TO AUSTIN, TEXAS, ON 1/31-2/1/07, TO ATTEND THE "2007 COURTS & LOCAL GOVERNMENT TECHNOLOGY CONFERENCE."**
- (B) **JUSTICE OF THE PEACE PCT. 4, TO TRAVEL TO AUSTIN, TEXAS, ON 1/30-2/1/07, TO ATTEND THE "2007 COURTS & LOCAL GOVERNMENT TECHNOLOGY CONFERENCE."**
- (C) **JUSTICE OF THE PEACE PCT. 7-1, TO TRAVEL TO AUSTIN, TEXAS, ON 1/29-2/2/07, TO ATTEND THE "2007 COURTS & LOCAL GOVERNMENT TECHNOLOGY CONFERENCE."**
- (D) **JUSTICE OF THE PEACE PCT. 7-2, TO TRAVEL TO AUSTIN, TEXAS, ON 1/29-2/1/07, TO ATTEND THE "2007 COURTS & LOCAL GOVERNMENT TECHNOLOGY CONFERENCE."**
- (E) **JUSTICE OF THE PEACE PCT. 2-2, TO TRAVEL TO AUSTIN, TEXAS, ON 1/21-26/07, TO ATTEND THE NEWLY ELECTED JUSTICE OF THE PEACE TRAINING.**
- (F) **SHERIFF'S DEPARTMENT LIEUTENANT OF PATROL, TO TRAVEL TO CORPUS CHRISTI, TEXAS ON 1/9-12/07, TO ATTEND THE TRAFFIC SAFETY PROJECT MANAGEMENT COURSE-TEXAS DEPARTMENT OF TRANSPORTATION.**
- (G) **COMMISSIONERS' COURT LEGAL COUNSEL, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 3/1-2/07, TO ATTEND THE 20TH ANNUAL CONSTRUCTION LAW CONFERENCE.**
- (H) **COUNTY EXTENSION AGENT-MARINE, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/26-3/2/07, TO ATTEND THE AQUACULTURE 2007 ANNUAL MEETING.**
- (I) **COUNTY EXTENSION AGENT-4H AND YOUTH, TO TRAVEL TO LAREDO, TEXAS, ON 1/6/07, TO ATTEND THE DISTRICT 12 4-H COUNCIL AND ADULT LEADERS ASSOCIATION MEETING.**
- (J) **CONSTABLE PCT. 2 DEPUTIES (2), TO TRAVEL TO TYLER, TEXAS, ON 2/4-7/07, TO ATTEND THE CIVIL PROCESS TRAINING.**
- (K) **COUNTY ADMINISTRATOR AND ASSISTANT DIRECTOR OF TRANSPORTATION, TO TRAVEL TO AUSTIN, TEXAS, ON 1/16-17/07, TO ATTEND THE ALLIANCE FOR I-69 LEGISLATIVE DAY. (NO ACTION TAKEN)**

PRESENTATIONS

(16) PRESENTATION OF PROGRESS REPORT BY RED RIVER SERVICE CORPORATION REGARDING SOLID WASTE ISSUES.(COMM. PCT. 3)

Mr. David Cooper, Director of Business Development for Red River Services Corporation, stated that when the project first began (2) years ago, 9-1-1 addresses were used and put into a software program that provided Red River with a routing method.

He noted that Red River is currently providing weekly garbage collection for all residents in unincorporated areas of Cameron County as well as monthly collection for brush and bulky items. He informed the Court that a semi-automated system was first used for collection and the system has since been upgraded to a fully-automated operation that has increased efficiency.

Commissioner Wood expressed concern for using larger trucks for the fully-automated system as the trucks tend to damage County roads.

Mr. Cooper responded that the trucks that are being used are 28 cubic yard trucks and added that Red River is using single-axle satellite trucks when passing narrow bridges, or areas that are not passable by the larger trucks. He added that the satellite trucks are used to reduce damage to the roads and is still a mode of operation.

Mr. Cooper presented to the Court a modified collection route that is aimed at increasing efficiency and preparing for future growth. He highlighted the fact that Cameron County is growing at a fast pace and noted that Red River has added 726 new customers within the past 30 days.

Commissioner Tamayo questioned whether staff has been added to address the needs of all the customers of Red River.

Mr. Cooper replied that more routes are being added and the route size is being reduced to prepare for the increase in customer base.

Commissioner Tamayo added that she has received several calls from Red River customers concerned about not being able to get through when they call in.

Mr. Cooper assured the Court that the staff can handle the additional customers. He informed the Court that there are (4) administrative staff in the Los Fresnos Office to answer (8) phone lines.

Commissioner Tamayo asked if any additional staff will be hired.

Mr. Cooper responded that there are no plans at this time to hire additional employees.

Commissioner Garza asked if the issue with the stickers has been rectified.

Mr. Cooper replied in the affirmative.

Commissioner Tamayo added that people had simply forgotten to place the sticker on their container and were upset that they needed to place a sticker on their container as they are paying their bill on time.

Mr. Cooper stated that the sticker program is one mechanism that identifies the customer that is current and the customer that is not current and many of the customers that do call in have an issue with billing.

Commissioner Tamayo disagreed with Mr. Cooper and stressed the fact that customers should be able to get through when they call in.

Mr. Ray Grey, Residential and Commercial Operations Manager for Red River Services Corporation, informed the Court that previously there were only three employees and a fourth has been added to address the concerns as stated by Commissioner Tamayo.

Mr. Cooper stated that the issue of customers not being able to get through was an unusual situation as there was a chain of events that included the holiday, the issue with the sticker program and the increase of the customer base.

Commissioner Tamayo stated that this problem needs to be taken care of if it not has already been addressed.

Mr. Cooper noted that this was an unfortunate event and assured the Court that everything is being done to reduce the possibility of the issue reoccurring in the future. He stated that the updated collection route includes a change in the Monday and Friday customers.

Mr. Cooper stated that the brush collection system has been reviewed and the updated route will now determine the week and the day that the truck will pick up the brush for any one customer.

Commissioner Garza added that if a customer was missed for brush collection, the truck will go back to collect the brush during the same week.

Mr. Cooper noted that the route areas are smaller and GPS tracking devices have been added to each truck. He stated that software has been added so that the billing and GPS systems are integrated that will allow the driver to check if the customer is current.

Commissioner Garza asked Legal Counsel to review the GIS addressing process and whether or not that information can be shared with Red River.

Mr. David Garcia, Department of Transportation Assistant Director, informed the Court that the initial implementation of the Red River Solid Waste Collection system was based on GIS addressees.

Judge Cascos asked how many Red River customers are delinquent.

Mr. Cooper replied that Red River has 16,485 billable customers and of those 10,683 customers are current. Judge Cascos asked if there has been a reoccurrence of the issue with customers not being able to get through when they call in.

Commissioner Tamayo replied that the issue occurred during the time aforementioned.

Commissioner Garza noted that there have not been any problems recently.

Commissioner Tamayo asked how often the stickers are distributed.

Mr. Cooper replied that the stickers are distributed quarterly and added that he would like to work with the Judge's Office to possibly identify a better method.

Commissioner Garza thanked Red River for helping out the Barrera Family in the Laureles area.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Presentation of Progress Report by Red River Service Corporation Regarding Solid Waste Issues was acknowledged.

ACTION ITEMS

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

Mr. Xavier Villarreal, Budget Officer-"Judge and Commissioners, the first couple are just routine line item transfers between different line items. The third one, on the Gateway Bridge, is actually setting up the funding or the partial funding for the action that the Court took in reference for the transferring of the monies to the Port of Brownsville; this is the half of the \$350,000. As soon as that is set up, then that check can be issued. The salary schedule is for the two positions that were approved for the Tax Office for the compliance officer and the clerk for the gaming machines that they are going to be tracking."

Commissioner Garza-"Move to approve."

Commissioner Wood-"Second."

Judge Cascos-"Moved by Commissioner Garza, second by Commissioner Wood. The amount of the transfer didn't agree to the amount of the check. The amount of the check that I thought I saw on the claims was for \$200,000. Is that a problem Mark? I think it was \$200,000"

Mr. Mark Yates, County Auditor-"You're absolutely right. We need to do a technical correction on that."

Judge Cascos-"I'm sorry?"

Mr. Yates-"Mr. (Pete) Sepulveda put an invoice through that sent it through at \$200,000. I needed to make sure that was communicated to him and I failed to do that."

Judge Cascos-"Ok, so then should that budget amendment be \$200,000?"

Mr. Yates-"I would like to recommend that change to the budget amendment be at \$200,000"

Judge Cascos-"Ok"

Mr. Yates-"Initially we were looking at doing it in half and half, which is \$350,000."

Judge Cascos-"Is that part of your motion then? Commissioner Garza, Commissioner Wood..."

Commissioner Garza-"Yes"

Judge Cascos-"...to increase to \$200,000?"

Commissioner Wood-"Yes"

Judge Cascos-"Alright? Ok, just make that change."

Commissioner Garza-"So that means we only owe \$150,000?"

Judge Cascos-"Correct."

Mr. Yates-"That is correct, in fact check number 173771 is payable to the Brownsville Navigation District and that's the \$200,000. I alerted the Treasurer of that check, not to mail it but to deliver it to the appropriate contact person for personal delivery to the Navigation District so it doesn't get lost in the mail."

Judge Cascos-"Well that was item number 17, we're not on County Claims yet."

Mr. Yates-"You're right."

Judge Cascos-"We had a motion and a second, all in favor signify by saying 'aye'."

Commissioner Garza, Commissioner Wood, Commissioner Benavides and Commissioner Tamayo-"Aye."

Judge Cascos-"Opposed? Item carries."

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

**(18) APPROVAL OF MINUTES FOR:
(A) DECEMBER 19, 2006-REGULAR MEETING**

Commissioner Tamayo moved to approve the minutes for the December 19, 2006-Regular Meeting.

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

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

NAY: None

ABSTAIN: Judge Cascos

(19) APPROVAL OF CLAIMS.

Mr. Mark Yates, County Auditor, requested that the following claims be voided:

Warrant No. 00173832, made payable to Farmer Brothers Co., in the amount of \$2, 761.10

Warrant No. 00173942, made payable to Minyard Auto Supply, in the amount of \$3,816.11

He presented additional claims starting with Warrant No. 00174049 through Warrant No. 00174058.

Mr. Yates informed the Court that the County is currently in negotiations with Mutual of Omaha and if there are any changes in fees, a credit will be applied to any future claims.

Commissioner Garza moved to approve the Claims, with the inclusion of the additional claims and voiding the claims as presented by the County Auditor.

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

AYE: Commissioner Garza, Commissioner Wood and Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00173913, made payable to Javier A. Jover, M.D., in the amount of \$97.87 and Commissioner Tamayo as to Warrant No. 00173962, made payable to Red River Service Corporation, in the amount of \$189.45.

The Claims and Affidavits are as follows:

**(20) CONSIDERATION AND AUTHORIZATION TO PAY
REMAINING LIEN ON VEHICLE AWARDED TO THE
CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE
PURSUANT TO CHAPTER 59 OF THE TEXAS CODE OF
CRIMINAL PROCEDURE.(AV-DISTRICT ATTORNEY)**

Mr. Armando Villalobos, District Attorney, informed the Court that a 2006 Land Rover was seized with approximately \$35,000 in equity. He asked for authorization to pay the existing lien of \$17,571.88 and then trade-in the vehicle for (3) economy cars.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, Authorization to Pay Remaining Lien on Vehicle Awarded to the Cameron County District Attorney's Office Pursuant To Chapter 59 of the Texas Code of Criminal Procedure was approved.

The Documentation is as follows:

(21) **CONSIDERATION AND AUTHORIZATION TO BID FOR VEHICLES IN EXCHANGE FOR A VEHICLE SEIZED PURSUANT TO CHAPTER 59 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.(AV-DISTRICT ATTORNEY)**

Commissioner Garza asked if Mr. Mike Forbes, Purchasing Director, has been contacted regarding this issue.

Mr. Armando Villalobos, District Attorney, replied in the affirmative.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, Authorization to Bid for Vehicles In Exchange For a Vehicle Seized Pursuant To Chapter 59 of the Texas Code of Criminal Procedure was approved.

The Documentation is as follows:

(22) CONSIDERATION AND ACTION TO TRANSFER LAPSED SALARIES IN THE AMOUNT OF \$5,000 FROM FUND 10-499, SLOT NO. 3 TO EXTRA HELP, FUND NO. 10-499, AND \$4,800 FROM FUND 10-499, SLOT NO. 3 TO SLOT NO. 91, BUILDING IMPROVEMENTS.(TY-TAX ASSESSOR)

Commissioner Garza questioned whether every department will begin using lapsed salaries for other purposes. He stated that he was under the impression that lapsed salaries were to accumulate to create a surplus at the end of the fiscal year.

Judge Cascos stated that the Court has set a precedent for allowing this type of practice within the last 20 to 30 days.

Commissioner Wood clarified that space has been allocated to the Tax Office with no funding for improvements.

Judge Cascos added that the use of lapsed salaries should be reviewed on a case-by-case basis.

Commissioner Garza expressed his concern for how lapsed salaries can be used.

Judge Cascos suggested that a policy be put in place addressing this issue.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Transfer Lapsed Salaries in the Amount Of \$5,000 From Fund 10-499, Slot No. 3 to Extra Help, Fund No. 10-499, and \$4,800 From Fund 10-499, Slot No. 3 to Slot No. 91, Building Improvements, was approved.

The Documentation is as follows:

(23) **CONSIDERATION AND POSSIBLE AUTHORIZATION TO ALLOW FISH ACROSS TEXAS – SURF FISHING TOURNAMENT CONTESTANTS FREE ACCESS TO COUNTY BEACHES ON 2/10/07.(JM-PARKS)**

Mr. Javier Mendez, Parks Director, stated that Mr. Shane Wilson, with Fish Across Texas, is requesting that Cameron County be a sponsor of this event and allow free access to the participants. He noted that an event of this nature has never been done; however, Fish Across Texas will be providing advertising for the County as well as beach cleaning.

Mr. Shane Wilson, President of Sea Turtles, Inc., informed the Court that Fish Across Texas is an organization that deals with youth. He explained that the participants will be issued yellow bracelets and a bag and will be asked to pick-up trash. He stated that the participants will then turn in their bags full of trash and receive a t-shirt.

Judge Cascos asked if this event will affect the bond covenants.

Mr. Mendez replied in the negative.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Authorization to allow Fish Across Texas – Surf Fishing Tournament Contestants Free Access to County Beaches on February 10, 2007 was approved.

The Documentation is as follows:

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 8:10 P.M.

APPROVED this 6th day of **February 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