

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 23rd day of January 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 6:02 P.M. He asked Reverend Bob Clark for the invocation. He then asked District Attorney Armando Villalobos 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 January 19, 2007 at 12:26 P.M.:

(1) **PUBLIC COMMENTS.**

None were presented.

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. 3:

Commissioner Garza asked if any of the bids or RFPs will need an evaluation committee.

Mr. Pete Sepulveda, County Administrator, replied that a standing evaluation committee that includes a representative from the District Attorney's Office, the Tax Assessor-Collector, the County Auditor or his representative, the Budget Officer and himself or his representative will be in place in the event that an evaluation committee is needed.

Commissioner Tamayo moved to approve the "Consent Items", reaffirming the evaluation committee.

The motion was seconded by Commissioner Garza and carried unanimously.

(2) **CONSIDERATION AND APPROVAL OF INTERLOCAL COOPERATION CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT PUBLIC SAFETY FOR THE SHERIFF'S DEPARTMENT TO PARTICIPATE IN THE BORDER SECURITY ENHANCEMENT OPERATIONS (BSEO) PROJECT.(OL-SHERIFF) (Contract No. 2007C01028)**

The Contract is as follows:

(3) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR:(MF-AUDITOR)**

- A. **DEMOLITION OF STRUCTURES – DEL MAR HEIGHTS FEMA BUYOUT PROJECT – BID #061202**
- B. **SAFETY SUPPLIES – ANNUAL BID #2600**
- C. **POLICE SUPPLIES – ANNUAL BID #2505**
- D. **ROAD MATERIALS: DIRT, SAND, LIME – ANNUAL BID #2515**
- E. **ROAD MATERIALS: CONCRETE – ANNUAL BID #2510**
- F. **ROAD MACHINERY: RENTAL – ANNUAL BID #1710**
- G. **PATROL CARS (QTY. 29) – BID #070101**
- H. **MOSQUITO INSECTICIDE – ANNUAL BID #2430**
- I. **CONCRETE INLETS & MANHOLES (CAMERON PARK #3) – BID #070102**
- J. **HAULING OF DIRT & CONCRETE (CAMERON PARK #3) – BID #070103**
- K. **DENTAL SERVICES – INFIRMARY – ANNUAL RFP #1366**
- L. **RADIOLOGICAL DIAGNOSTIC SERVICES – INFIRMARY – ANNUAL RFP #1690**

(4) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR:(MF-AUDITOR)**

LANDSCAPING & IRRIGATION IMPROVEMENTS N.E. PARKING – BID #061204

- (A) **POSSIBLE DEVELOPMENT OF LAND (THE FLATS) AT ANDY BOWIE PARK IMMEDIATELY NORTH OF THE SOUTH PADRE ISLAND CONVENTION CENTER – RFP #061203.**

- (2) **CONSIDERATION AND APPROVAL OF INTERLOCAL COOPERATION CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT PUBLIC SAFETY FOR THE SHERIFF'S DEPARTMENT TO PARTICIPATE IN THE BORDER SECURITY ENHANCEMENT OPERATIONS (BSEO) PROJECT.(OL-SHERIFF) (Contract No. 2007C01028)**
The Contract is as follows:

TRAVEL ITEMS

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

Commissioner Garza moved to approve the "Travel Items".

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) JUVENILE PROBATION EMPLOYEES (4), TO TRAVEL TO VICTORIA, TEXAS, CORPUS CHRISTI, TEXAS AND SOUTH PADRE ISLAND, TEXAS, ON 1/22-23/07, 5/3-4/07 AND 8/24/07, TO ATTEND THE "REGIONAL TRAINER'S MEETING."**
- (B) JUVENILE PROBATION DIRECTOR AND EMPLOYEES (2), TO TRAVEL TO AUSTIN, TEXAS, ON 1/24-26/07, TO ATTEND THE "2007 CHIEFS SUMMIT."**
- (C) SHERIFF'S DEPARTMENT RADIO COMMUNICATION OFFICERS (3), TO TRAVEL TO KINGSVILLE, TEXAS, ON 1/16-17/07, TO ATTEND THE NCIC/TCIC TRAINING.**
- (D) SHERIFF'S DEPARTMENT EMPLOYEES (3), TO TRAVEL TO TUCSON, ARIZONA, ON 1/21-24/07, TO ATTEND THE TEXAS/SOUTHWEST BORDER SHERIFF'S COALITION MEETING.**
- (E) SHERIFF'S DEPARTMENT EMPLOYEES (2), TO TRAVEL TO SAN ANTONIO, TEXAS, ON 1/24-25/07, TO VIEW SURPLUS EQUIPMENT.**
- (F) COUNTY EXTENSION AGENT-COASTAL & MARINE RESOURCES, TO TRAVEL TO HOUSTON, TEXAS, ON 1/11-12/07, TO WORK THE BOOTH AT THE HOUSTON BOAT SHOW.**
- (G) COUNTY EXTENSION AGENT 4-H & YOUTH, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 1/26-27/07, TO ACCOMPANY CAMERON COUNTY 4-H HONOREE AT RURAL YOUTH BANQUET.**
- (H) COUNTY EXTENSION AGENT FCS, TO TRAVEL TO COLLEGE STATION, TEXAS, ON 1/31-2/2/07, TO ATTEND THE 34TH ANNUAL TEXAS HUMAN NUTRITION CONFERENCE AND THE FOOD PRESERVATION UPDATE.**
- (I) COUNTY JUDGE, TO TRAVEL TO AUSTIN, TEXAS, ON 1/29-2/2/07, TO ATTEND THE NEWLY ELECTED COUNTY JUDGES AND COMMISSIONERS SEMINAR.**
- (J) JUSTICE OF THE PEACE PCT. 5-1 AND STAFF (3), TO TRAVEL TO AUSTIN, TEXAS, ON 1/29-2/1/07, TO ATTEND THE TAC'S 2007 COURTS AND LOCAL GOVERNMENT TECHNOLOGY CONFERENCE.**
- (K) COUNTY ADMINISTRATOR, TO TRAVEL TO WASHINGTON, DC, ON 1/16-18/07, TO ATTEND MEETING WITH THE SECRETARY OF HOMELAND SECURITY.**
- (L) UNIT AGENT, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 1/29-2/2/07, TO ATTEND THE FINANCIAL TRAINING CONFERENCE.**
- (M) HEALTH DEPARTMENT EMPLOYEES (3), TO TRAVEL TO AUSTIN, TEXAS, ON 2/1-2/07, TO ATTEND THE TEXAS INFLUENZA OUTREACH PROGRAM TRAINING.**
- (N) CONSTABLE PRECINCT 3, TO TRAVEL TO AUSTIN, TEXAS, ON 2/25-28/07, TO ATTEND THE TEXAS FOR CIVIL PROCESS TRAINING FOR CONSTABLES.**

(21) CONSIDERATION AND AUTHORIZATION TO PAY DR. RAUL GARZA FOR INMATE SERVICES FOR THE MONTH OF OCTOBER 2006 AT \$164.38 A DAY (\$4,931.40) FOR 30 DAYS AND \$12,000 A MONTH FOR THE NOVEMBER 2006 AND DECEMBER 2006 FOR A GRAND TOTAL OF \$28,931.40.(MY-AUDITOR)

Judge Cascos asked for clarification as to the \$12,000 a month fee for November and December 2006.

Mr. Yates informed the Court that Dr. Victor Gonzalez was originally the physician for the jail and he suddenly fell ill and Dr. Raul Garza stepped forward and has provided services since September 2006.

Judge Cascos questioned the \$12,000 a month for November and December 2006 versus the \$4,931.40 for October 2006.

Sheriff Omar Lucio responded that when Dr. Lenz was the physician for the jail he was being paid \$60,000 a year and a nurse practitioner was being paid \$90,000 a year for a total of \$150,000. He noted that Dr. Garza is the only one providing services at the jail twenty to thirty hours a week. He added that having a physician at the jail for longer periods of time saves on having to transport inmates to various locations for treatment.

Commissioner Tamayo asked if there have been more visits to the infirmary

Sheriff Lucio replied in the affirmative and added that he was not aware the Dr. Garza was not on contract.

Judge Cascos asked for justification as to why only one person is now needed to provide physician services for the jail at \$144,000 a year.

Commissioner Garza noted that when Dr. Garza originally came on board, he was on an on-call basis.

Mr. Yates noted that Dr. Garza is at the jail 30 hours a week or 120 hours a month which equates to \$100 an hour.

Commissioner Benavides asked how much Dr. Gonzalez was being paid per month.

Mr. Yates replied that he was not sure if Dr. Gonzalez was ever paid before he fell ill.

Commissioner Benavides moved to approve the authorization to pay Dr. Raul Garza for inmate services for the month of October 2006 at \$164.38 a day (\$4,931.40) for 30 days and \$12,000 a month for the November 2006 and December 2006 for a grand total of \$28,931.40

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

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

NAY: None

ABSTAIN: Judge Cascos

Commissioner Garza asked if there is any issue with approving payment over \$15,000 as this is a professional service.

Mr. Richard Burst, Legal Counsel, informed the Court that there is an issue, however, this is something that needs to be done as not to hinder County operations and added that RFQs need to go out as soon as possible.

The Documentation is as follows:

(22) CONSIDERATION AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH DR. RAUL GARZA, JR. TO PROVIDE MEDICAL SERVICES TO THE CAMERON COUNTY JAIL FACILITIES.(OL-SHERIFF) (Contract No. 2007C01025)

Judge Cascos asked if the contract is for \$12,000 a month.

Sheriff Omar Lucio replied in the affirmative and added that RFPs will go out as soon as possible for this item.

Judge Cascos directed Mr. Mike Forbes, Purchasing Agent, to go out for RFQs immediately.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Professional Services Agreement with Dr. Raul Garza, Jr. to Provide Medical Services to the Cameron County Jail Facilities was approved.

The Agreement is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 6:18 P.M. to discuss the following matters:

(6) 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) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 29, PRIMERA ROAD IN THE PCT. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, FOR RIGHT OF AWAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AGREEMENTS WITH MUTUAL OF OMAHA FOR INSURANCE FOR COUNTY EMPLOYEES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 6:33 P.M. to discuss the following matters:

(7) 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 Benavides and carried unanimously, the Status Report by Legal Counsel was acknowledged.

- (B) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 29, PRIMERA ROAD IN THE PCT. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Wood moved to accept the amount of \$692.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, FOR RIGHT OF AWAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

(D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AGREEMENTS WITH MUTUAL OF OMAHA FOR INSURANCE FOR COUNTY EMPLOYEES, 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.

ACTION ITEMS

(8) 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:

(9) APPROVAL OF MINUTES FOR:
(A) DECEMBER 28, 2006 – SPECIAL MEETING
(B) JANUARY 5, 2007 – SPECIAL MEETING

Commissioner Tamayo moved to approve the minutes from the December 28, 2006-Special Meeting and the January 5, 2007-Special Meeting.

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

AYE: Commissioner Tamayo, Commissioner Garza and Commissioner Benavides

NAY: none

ABSTAIN: Judge Cascos as to the December 28, 2006-Special Meeting and Commissioner Wood as to the January 5, 2007-Special Meeting

(10) APPROVAL OF CLAIMS.

Mr. Mark Yates, County Auditor, presented the following late claims:

Warrant No. 00174361, made payable to AEP, in the amount of \$3,642.00

Warrant No. 00174362, made payable to Border Health Issues, in the amount of \$3,000.00

Warrant No. 00174363, made payable to John Shergold, in the amount of \$ 450.00

Warrant No. 00174364, made payable to United Narcotics Intelligence, in the amount of \$5,000.00

Warrant No. 00174365, made payable to Aurora Aguilar, in the amount of \$258.47

Warrant No. 00174366, made payable to the Texas Department of Public Safety, in the amount of \$550.00

Warrant No. 00174372, made payable to Leonardo Rincones & Phil A. Bellamy, in the amount of \$14,000.00

Commissioner Tamayo moved that the all of the Claims be approved, inclusive of the late claims as presented by the County Auditor.

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

AYE: Commissioner Tamayo, Commissioner Wood and Commissioner Benavides

NAY: None

ABSTAIN: Commissioner Garza as to Warrant No. 00174237, made payable to the Medicine Shoppe, in the amount of \$9,602.19 and Judge Cascos as to Warrant No. 00174166, made payable to Harlingen Waterworks System, in the amount of \$501.23

The Claims and Affidavits are as follows:

(11) CONSIDERATION AND AUTHORIZATION TO DEVELOP A POLICY REGARDING THE USE OF COUNTY PROPERTY.(CC-COUNTY JUDGE)

Judge Cascos informed the Court of his intentions to develop a policy addressing the use of County property. He added that he hopes to present a policy to the Court within a few weeks.

Commissioner Tamayo moved to authorize the development of a policy regarding the use of County property.

The motion was seconded by Commissioner Garza and carried unanimously.

(12) CONSIDERATION AND AUTHORIZATION TO DEVELOP A POLICY REGARDING THE NAMING OF COUNTY PROPERTY.(CC-COUNTY JUDGE)

Judge Cascos informed the Court of his intentions to develop a policy regarding the naming of County property and added that he hopes to present the policy to the Court within a few weeks. He presented the Court with an agenda item from 1999 regarding the issue of naming County property.

Commissioner Tamayo questioned whether a policy is in place regarding the naming of County property.

Judge Cascos responded that a policy could not be found and requested that a policy be formalized for future reference.

Commissioner Garza moved to authorize the development of a policy regarding the naming of County property.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

(13) CONSIDERATION AND ACTION REGARDING THE COMPOSITION OF THE SALARY GRIEVANCE COMMITTEE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 152.014.(CC-COUNTY JUDGE)

Commissioner Garza moved that the Salary Grievance Committee Be composed of (9) Members of the General Public, Pursuant To V.T.C.A. Government Code, Section 152.014.

The motion was seconded by Commissioner Wood and carried unanimously.

(14) CONSIDERATION AND APPROVAL OF REVISED SALARY SCHEDULE FOR COMMISSIONER PRECINCT 2 – FUND 150-618 SLOT NO. 1. (JW-COMM. PCT. 2)

Commissioner Benavides moved to approve the revised salary schedule for Commissioner Precinct 2 Fund 150-618 Slot No. 1.

Commissioner Garza inquired as to the funding source for the increase.

Commissioner Wood replied that lapsed salaries within his budget would be used to fund the increase.

Commissioner Garza expressed his opinion that all of the Commissioners' secretaries be equalized in terms of salary.

Commissioner Wood recommended looking at the Commissioners' secretaries salaries during the time when the budget is being adopted.

Commissioner Garza stated that he has an issue with using lapsed salaries for other purposes and noted that a precedent has been set regarding lapsed salaries.

Commissioner Wood noted that is has been difficult attracting someone at the current salary of \$24,825.00.

Commissioner Tamayo asked if there are any extra funds available to equalize the salaries of the Commissioners' secretaries.

Judge Cascos noted that there are lapsed salaries within the County Judge's budget and recommended using those funds to equalize the salaries. He asked the Court if they would be in favor of his office developing a policy addressing the usage of lapsed salaries.

Commissioner Garza added that he will assist the Judge's Office in developing the policy.

Mr. Xavier Villarreal, Budget Officer, asked for direction from the Court as to what amount to equalize the salaries to as the secretary for Commissioner Precinct No. 1 is at a higher salary than \$27,000.00

Judge Cascos recommended using lapsed salaries within the County Judge's budget to equalize the secretaries' salaries to \$27,000.00 for Commissioner Precinct 3 and Commissioner Precinct 4.

Commissioner Benavides amended her motion to include authorization for the increase for the secretarial positions for Commissioner Precinct 3 and Commissioner Precinct 4 to \$27,000 using lapsed salaries from the County Judge's budget, with the understanding that this item is to be placed on next week's agenda for approval.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Salary Schedule is as follows:

(15) CONSIDERATION AND SELECTION OF PUBLIC MEMBERS FOR THE CAMERON COUNTY GRIEVANCE COMMITTEE IN COMPLIANCE WITH THE TEXAS LOCAL GOVERNMENT CODE, SECTION 152.014 (A) AND SECTION 152.015.(CC-COUNTY JUDGE)

Judge Cascos selected the following Public Members for the Cameron County Grievance Committee:

GRIEVANCE COMMITTEE

- (1) Mary G. Zuniga
- (2) Rey Reyes
- (3) Deborah Elliff
- (4) Perla Garza
- (5) Abraham Vega
- (6) Rafaela A. Morales
- (7) Maria Christina Garcia
- (8) Micaela Resendez
- (9) James Thomas Elkin
- (10) Mary Ann Bazan
- (11) Leigh Ann Fitzpatrick
- (12) Patty Montes
- (13) Flavio R. Gonzalez
- (14) Luis R. Rodriguez
- (15) Jim Griffin
- (16) Rodrigo Rodriguez
- (17) Joe Gonzalez
- (18) Cinthia Martinez
- (19) John Phillips
- (20) Dan Russell
- (21) Alicia Gonzalez
- (22) Raquel F. Diaz
- (23) Francisco Guerrero
- (24) Gabriel Garcia
- (25) Eric Rodenbaugh
- (26) Margarito Morillon
- (27) Barbie Garcia

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Selection of Public Members for the Cameron County Grievance Committee in Compliance with the Texas Local Government Code, Section 152.014 (A) and Section 152.015 was approved.

(16) CONSIDERATION AND ACTION REGARDING THE COUNTY'S LEGISLATIVE AGENDA FOR THE 80TH TEXAS LEGISLATIVE SESSION.(PS-COUNTY ADMINISTRATOR)

Mr. Pete Sepulveda, County Administrator, informed the Court that there are no updates regarding the Legislative Agenda.

Commissioner Tamayo moved to acknowledge the discussion for the County's Legislative Agenda for the 80th Texas Legislative Session.

The motion was seconded by Commissioner Garza and carried unanimously.

Commissioner Garza brought it to the attention of the Court that he has been contacted by an individual who wishes to serve as a consultant for the Legislative Agenda.

Commissioner Tamayo expressed her opinion that the Legislative Agenda can be handled in-house.

Commissioner Benavides added that she feels staff is capable of managing the Legislative Agenda and asked Mr. Sepulveda if he feels otherwise.

Commissioner Wood asked Mr. Sepulveda about the bill regarding the issue in Olmito.

Mr. Sepulveda replied that the bill regarding Olmito can be added to the Legislative Agenda. He expressed his belief that the Legislative Agenda can be managed by staff.

Commissioner Garza informed the Court that he has received a letter from State representative Veronica Gonzalez in regards to the lighting of County roadways using CDBG funds. He stated that Mr. Gonzalez is taking legislation one step further to be able to assess the residents of the roadways and to get them to agree to pay for the lighting. He added that he has recommended to Ms. Gonzalez that the bill include enforcing collection.

Commissioner Tamayo added that she has e-mailed Veronica Gonzalez and Ms. Gonzalez has asked for Cameron County's support regarding this issue.

Mr. Sepulveda stated that he will get in contact with Veronica Gonzalez's office to discuss this matter.

Commissioner Garza added that he will forward the correspondence with Veronica Gonzalez to Mr. Sepulveda so that his office can prepare a response.

The Documentation is as follows:

**(17) CONSIDERATION AND APPROVAL OF SIGNAGE ON
DANCY BUILDING OFFICES. (PS-COUNTY
ADMINISTRATOR)**

Commissioner Garza asked if the signage has been approved by the Texas Historical Commission.

Mr. David Garcia, Department of Transportation Assistant Director, replied in the affirmative.

Commissioner Benavides moved to approve the Signage on the Dancy Building Offices.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(18) CONSIDERATION AND APPROVAL OF RESOLUTION REGARDING REALIGNMENT OF FM/803.(PS-COUNTY ADMINISTRATOR) (Resolution No. 2007R01006) (TABLED)

Commissioner Wood informed the Court that he attended a public meeting in Los Fresnos several months ago regarding this issue. He stated that an issue that arose with FM 511 being rebuilt to interstate standards was access by residents that live on FM 803 as TxDOT talked about eliminating access. He added that many residents that live between FM 511 and the proposed FM 803 are concerned. He asked if TxDOT has clarified the issue of access for these residents.

Mr. Pete Sepulveda, County Administrator, responded that he was not aware of this issue and added that he placed this item on the agenda at the request of TxDOT. He recommended that this item be tabled.

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

(19) CONSIDERATION AND POSSIBLE ACTION REGARDING THE COUNTY'S FEDERAL LEGISLATIVE AGENDA.(PS-COUNTY ADMINISTRATOR)

Mr. David Garcia, Department of Transportation Assistant Director, presented the Court with a memo to review.

Commissioner Garza questioned whether \$1 million is sufficient to fund the next phase of the GIWW Realignment Project.

Mr. Garcia replied that there is a meeting next week addressing the statuses of this project and noted that the \$1 million will assist in the completion of studies.

Commissioner Garza asked if the studies include the environmental assessment.

Mr. Garcia replied in the negative and added that the environmental assessment will cost \$7 million.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the County's Federal Legislative Agenda was approved.

The Documentation is as follows:

(20) CONSIDERATION AND APPROVAL OF LEGAL SERVICES AGREEMENT WITH RUBEN HERRERA AND SANTIAGO GALARZA TO PROVIDE REPRESENTATION FOR THE INDIGENT DEFENDANTS OF THE COUNTY COURT AT LAW NO. 2.(LB-COUNTY COURT AT LAW JUDGE) (Ruben Herrera-Contract No. 2007C01023) (Santiago Galarza-Contract No. 2007C01024)

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Legal Services Agreement with Ruben Herrera and Santiago Galarza to Provide Representation for the Indigent Defendants of the County Court at Law No. 2 were approved.

The Contracts are as follows:

(23) CONSIDERATION AND APPROVAL OF THIS AMENDMENT AND EXTENSION COMMERCIAL LEASE AGREEMENT BETWEEN CAMERON COUNTY AND B.P. NEWMAN TO PROVIDE OFFICES FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE AND WHITE SANDS HIDTA LOCATED AT 1100 FM/802, SUITE 101, BROWNSVILLE, TEXAS 78521, FROM JANUARY 1, 2007 THRU DECEMBER 31, 2007.(FB-UNIT DIRECTOR & AV-DISTRICT ATTORNEY) (Contract No. 2007C01032- White Sands HIDTA) (Contract No. 2007C02041- Unified Narcotics Intelligence Task Force)

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Amendment And Extension Commercial Lease Agreement Between Cameron County And B.P. Newman To Provide Offices For The Unified Narcotics Intelligence Task Force And White Sands HIDTA Located At 1100 Fm/802, Suite 101, Brownsville, Texas 78521, From January 1, 2007 Thru December 31, 2007 was approved.

The Agreement is as follows:

(24) CONSIDERATION AND POSSIBLE APPROVAL OF FISCAL YEAR 2007 EQUIPMENT LIST.(XV-BUDGET OFFICER)

Mr. Xavier Villarreal, Budget Officer, informed the Court that there are (3) lists to be considered: the General Fund Equipment List, the Vehicle Equipment List and the Bridge System Equipment List. He stated that the General Fund Equipment List requested total is \$680,461 and the recommended total is \$332,197, with priority being to replace computer equipment.

Mr. Villarreal referred to the final page of the Equipment List packet that addresses phone and security systems. He noted that there are requests from the County Clerk Judicial and Administrative Departments for security systems, additional cameras for the Tax Assessor-Collector Office, a new phone system for the Los Fresnos Annex, a new phone system and security system for the La Feria Annex and surveillance cameras for the Juvenile Probation Department.

Judge Cascos inquired as to the security fee that is collected by the JP Courts.

Mr. Villarreal replied that previously all funds associated with the security fee were put into a separate fund and this past fiscal year, the fees collected were rolled into the General Fund.

Judge Cascos questioned whether the funds that are being collected from the security fee are being used strictly for security purposes.

Mr. Mark Yates, County Auditor, replied that the funds are held in reserves.

Judge Cascos asked if the JPs have implemented security measures for their offices utilizing the security fund.

Mr. Yates replied that there was discussion regarding using the security fund for the security systems.

Judge Cascos asked Mr. Yates if the fees that are collected for the security fund considered restricted or an unreserved amount.

Mr. Yates replied that in this year's audit, the monies will show up as unrestricted.

Judge Cascos inquired as to the total amount of monies in the security fund.

Mr. Yates responded that he was not aware of how much money is in the security fund and added that he will get the figure to the Court tomorrow.

Judge Adam Gonzales, Justice of the Peace Precinct 7 Place 1, stated the he would like to implement a security measure of some type for his office and added that the current security system is not adequate or reliable.

Commissioner Tamayo asked if the County is currently paying a security company for this system.

Mr. Yates replied that Judge Gonzales is referring to an alarm system for the security of the building after hours.

Commissioner Tamayo asked Judge Gonzales if he has previously requested using the monies in the security fund.

Judge Gonzales replied in the negative and added that he is requesting to use the fund at this time. He added that there is an issue with the front door that has been known to be unlocked during the weekends.

Judge Cascos recommended that the Maintenance Department assess the damage to the door and determine whether or not locked needs to be replaced or the entire door needs to be replaced.

Commissioner Benavides asked if the building in question is a County owned building.

Judge Gonzales replied that the building is County owned.

Judge Cascos asked how many JP Offices have a silent alarm system.

Mr. Yates responded that there are no JP Offices that have a silent alarm system

Judge Cascos recommended that every JP Court have a security camera system and a silent alarm system.

Mr. Yates recommended that a security system be included in the construction of every building that houses judicial functions. He recommended that a comprehensive plan be developed to address the funding for surveillance cameras for all the annex buildings that house JP Courts.

Judge Cascos asked if a security system has been incorporated into the Harlingen Annex and the Levi Building for the JP Courts that are to be housed there.

Commissioner Tamayo replied in the negative.

Judge Cascos recommended that a security system be added to the Levi Building and the Harlingen Annex.

Commissioner Tamayo summarized the discussion thus far: 1) the door at the La Feria Annex will be repaired, 2) the total amount in the security fund will be forwarded to the Court and 3) a comprehensive plan will be developed regarding the issue of security systems.

Commissioner Garza inquired as to the typewriter being recommended under fund 100-4570, JP 3-2. He noted that there are typewriters available during the County surplus auction in the summer. He asked Mr. Villarreal if there are any typewriters available at this time.

Mr. Villarreal replied in the negative.

Judge Cascos asked if the amount shown on the Equipment List as "recommended" is the amount that is going to be spent.

Mr. Villarreal replied that each department will have to go out for bids or quotes or purchase the equipment off the State contract.

Commissioner Tamayo moved to approve the Fiscal Year 2007 Equipment List as presented by the Budget Officer.

The motion was seconded by Commissioner Garza.

Mr. Villarreal asked for direction from the Court as to the phone systems that are being requested for the La Feria Annex and the Los Fresnos Annex.

Judge Cascos asked for an explanation as to the criteria that Mr. Villarreal uses in determining his recommendations for the equipment list.

Mr. Villarreal responded that historically, the payment schedule is used as criteria so that the payments are the same from one year to the next.

Judge Cascos asked Mr. Villarreal if his recommendations are based on keeping the County's amortized cost at the same amount.

Mr. Villarreal replied in the affirmative.

Mr. Tony Yzaguirre, Tax Assessor-Collector, requested an upgraded phone system for the Los Fresnos Annex and the La Feria Annex as calls cannot be transferred to other County departments.

Judge Cascos asked the Court if they are willing to 1) add more debt or 2) reduce the amount recommended by the Budget Officer to fund the phone systems for the Los Fresnos Annex and the La Feria Annex. He added that the Court needs to be aware of the operating costs for the security systems that are being requested before a decision can be made.

Judge Gonzales explained that one of the problems with the phone system is transferring calls and noted that taxpayers get upset when they learn that they have to hang up and dial another number, especially if they are calling from a pay phone or long distance.

Commissioner Benavides asked how old the phone system is.

Commissioner Garza replied that the system is (5) years old.

Judge Cascos directed Mr. Xavier Villarreal to determine how to fund the phone systems for the La Feria Annex and the Los Fresnos Annex over (4) years so that the cost will not adversely affect the debt of the County.

The vote was taken and the motion was carried unanimously.

The Equipment List is as follows:

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- (25) **CONSIDERATION AND POSSIBLE SELECTION OF EVALUATION COMMITTEE FOR:(MF-AUDITOR) (TABLED)**
- (A) **DENTAL SERVICES – INFIRMARY – RFP #1366**
 - (B) **RADIOLOGICAL DIAGNOSTIC SERVICES – INFIRMARY – RFP #1690**
 - (C) **POSSIBLE DEVELOPMENT OF LAND (THE FLATS) AT ANDY BOWIE PARK IMMEDIATELY NORTH OF THE S.P.I. CONVENTION CENTER – RFP #061203**

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

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 7:51 P.M.

APPROVED this 13th 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