

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 11th day of September 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 5:30 P.M. He asked Pastor Charles Sharrow for the invocation. Constable Robert Lopez and Constable Cesar Diaz 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 September 7, 2007 at 10:24 A.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.

Commissioner Garza moved to approve the "Consent and Travel Items".

The motion was seconded by Commissioner Tamayo and carried unanimously.

(2) **CONSIDERATION AND AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO REQUEST RFQ'S FOR REAL ESTATE BROKER/AGENT FOR THE MARKETING AND SALE OF COUNTY OWNED PROPERTY. (PSJ-ADMINISTRATOR)**

The Documentation is as follows:

(3) **CONSIDERATION AND APPROVAL TO OPEN A BANK ACCOUNT FOR THE EMPLOYEE HEALTH BENEFITS FUND AT TEXAS STATE BANK WITH ITS CORRESPONDING BANKING RESOLUTION. (RA-AUDITOR) (Resolution No. 2007R09087)**

The Resolution is as follows:

(4) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR RFP'S FOR IMAGING SERVICES FOR THE DISTRICT SERVICES FOR THE DISTRICT CLERKS OFFICE. (AdelaG-DISTRICT CLERK)**

(5) **CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES WITH ALEJANDRO SOLIS TO SERVE AS AN INTERPRETER FOR THE SIX DISTRICT COURTS. (DJV-LEGAL) (Contract No. 2007C09209)**

The Contract is as follows:

(6) **CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR LEGAL SERVICES WITH NATHANIEL C. PEREZ, JR. TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 107TH DISTRICT COURT. (DJV-LEGAL) (Contract No. 2007C09210)**

The Contract is as follows:

(7) **CONSIDERATION AND POSSIBLE APPROVAL OF MODIFICATION TO CONTRACT #696-AG-6-7-L0024 WITH TEXAS DEPARTMENT OF CRIMINAL JUSTICE (FOOD BANK OF THE RIO GRANDE VALLEY, INC.). (DJV-LEGAL) (Contract No. 2007C09215)**

The Contract is as follows:

(8) **CONSIDERATION AND ACTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF LAGUNA VISTA AND CAMERON COUNTY, TEXAS FOR THE COLLECTION OF AD VALOREM TAXES. (TY-TAX ASSESSOR) (Contract No. 2007C09222)**

The Documentation is as follows:

TRAVEL ITEMS

(9) **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) 103RD DISTRICT COURT STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 10/9 TO 10/12/07, TO ATTEND THE 31ST ANNUAL EDUCATION CONFERENCE "COMMUNICATING COURT LEADERSHIP SKILLS".
- (B) COUNTY TREASURER TO TRAVEL TO AUSTIN, TEXAS, ON 9/30 TO 10/06/07, TO ATTEND THE COUNTY INVESTMENT OFFICER TRAINING LEVEL I.
- (C) DISTRICT CLERK'S OFFICE STAFF (4) TO TRAVEL TO KERRVILLE, TEXAS, ON 9/17/07 TO 9/20/07, TO ATTEND THE TEXAS DISTRICT COURT ALLIANCE 7TH ANNUAL WORKSHOP CLERK'S COLLEGE.
- (D) EMERGENCY MANAGEMENT STAFF (3) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 9/20/07, TO ATTEND THE TEXAS PREPAREDNESS SCHEDULING WORKSHOP.
- (E) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO FORT WORTH, TEXAS, ON 10/14 TO 10/17/07, TO ATTEND THE 2007 TEXAS ASSOCIATION OF LOCAL WIC DIRECTORS ANNUAL MEETING.
- (F) PROGRAM DEVELOPMENT & MANAGEMENT STAFF (1) TO TRAVEL TO MERCEDES, TEXAS, ON 9/12/07, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL MEETING.
- (G) TAX ASSESSOR-COLLECTOR AND STAFF (1) TO TRAVEL TO KERRVILLE, TX, ON 10/8 TO 10/12/07 TO ATTEND AND PARTICIPATE IN THE 2007 SOUTH CENTRAL REGIONAL CHAPTER TEXAS ASSOCIATION OF VEHICLE THEFT INVESTIGATORS TRAINING CONFERENCE.

- (2) **CONSIDERATION AND AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO REQUEST RFQ'S FOR REAL ESTATE BROKER/AGENT FOR THE MARKETING AND SALE OF COUNTY OWNED PROPERTY. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:

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The Contract is as follows:

- (8) CONSIDERATION AND ACTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF LAGUNA VISTA AND CAMERON COUNTY, TEXAS FOR THE COLLECTION OF AD VALOREM TAXES. (TY-TAX ASSESSOR) (Contract No. 2007C09222)**
The Documentation is as follows:

**(16) CONSIDERATION AND APPROVAL FOR CHANGE OF
POLICE VEHICLE EMBLEMS AND STRIPING FOR ALL
CONSTABLE POLICE UNITS. (RL-CONSTABLE PCT. 4)**

Commissioner Tamayo motioned to approve the Change of Police Vehicle Emblems and Striping for all Constable Police Units with the modification of “County Police” to “Precinct #”.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(25) CONSIDERATION AND AUTHORIZATION TO APPROVE THE DISTRICT ATTORNEY'S OFFICE APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR JUSTICE ASSISTANCE GRANT FUNDS TO CONTINUE FUNDING THE CAMERON COUNTY SPECIAL OPERATIONS GROUP. (AV-DISTRICT ATTORNEY)

Commissioner Garza motioned to approve the District Attorney's Office Application to the Governor's Office Criminal Justice Division for Justice Assistance Grant Funds to continue funding the Cameron County Special Operations Group.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(27) **DISCUSSION AND POSSIBLE ACTION REGARDING THE REPAIRS TO THE CARRIZALEZ RUCKER FACILITY OR THE CONSTRUCTION OF ADDITIONAL BEDS. (PSJ-ADMINISTRATOR)**

Commissioner Tamayo motioned to authorize Pete Sepulveda to negotiate a new and improved scope with Aguirre Corporation regarding the Carrizales-Rucker Facility.

The motion was seconded by Commissioner Benavides and carried unanimously.

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 5:55 P.M. to discuss the following matters:

(10) **EXECUTIVE SESSION:**

- (A) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 28, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (B) **EVALUATION OF THE CAMERON COUNTY ADMINISTRATOR, PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.074(A) (1).**
- (C) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A; BFI WASTE SERVICES OF TEXAS, LP AND WASTE MANAGEMENT OF TEXAS, INC. VS. COUNTY OF CAMERON, IN THE THIRTEENTH COURT OF APPEALS, CORPUS CHRISTI, TEXAS CAUSE NO. 13-06-623-CV; AND BFI WASTE SERVICES OF TEXAS, L.P. VS. COUNTY OF CAMERON AND RED RIVER SERVICE CORPORATION OF TEXAS, INC., CASE NO. B-05-279, FOR DISCUSSION ON STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (B).**

SUPPLEMENTAL AGENDA

EXECUTIVE SESSION

(1) **EXECUTIVE SESSION:**

- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING OUTSTANDING INVOICES FROM INDIGENT CARE PROVIDERS, 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). (ROB-LEGAL)**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 7:40 P.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING OUTSTANDING INVOICES FROM INDIGENT CARE PROVIDERS, 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). (ROB-LEGAL)**

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

(11) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 28, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (Contract No. 2007C10259)**

Commissioner Garza motioned to acknowledge the acceptance of \$13,697 for the Right of Way.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(B) EVALUATION OF THE CAMERON COUNTY ADMINISTRATOR, PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.074(A) (1).

Commissioner Wood motioned to acknowledge a favorable evaluation of the County Administrator.

The motion was seconded by Commissioner Benavides and carried unanimously.

(C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A; BFI WASTE SERVICES OF TEXAS, LP AND WASTE MANAGEMENT OF TEXAS, INC. VS. COUNTY OF CAMERON, IN THE THIRTEENTH COURT OF APPEALS, CORPUS CHRISTI, TEXAS CAUSE NO. 13-06-623-CV; AND BFI WASTE SERVICES OF TEXAS, L.P. VS. COUNTY OF CAMERON AND RED RIVER SERVICE CORPORATION OF TEXAS, INC., CASE NO. B-05-279, FOR DISCUSSION ON STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (B).

Commissioner Garza motioned to acknowledge settlement to BFI in the amount of \$25,000.

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

AYE: Commissioner Garza, Commissioner Wood and Commissioner Benavides

NAY: None

ABSTAIN: Commissioner Tamayo

The Affidavit is as follows:

ACTION ITEMS

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

Upon motion by Commissioner Garza, 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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- (13) **APPROVAL OF MINUTES FOR: (TABLED)**
(A) **AUGUST 7, 2007 – REGULAR MEETING**
(B) **AUGUST 13, 2007 – SPECIAL MEETING**
(C) **AUGUST 14, 2007 – REGULAR MEETING**

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

(14) **APPROVAL OF CLAIMS.**

Judge Cascos requested that an additional claim, made payable to BFI, in the amount of \$25,000 be included for approval.

Commissioner Garza motioned to approve the Claims, with the inclusion of the claim to BFI.

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

AYE: Commissioner Garza, Commissioner Benavides and Commissioner Wood

NAY: None

ABSTAIN: Commissioner Tamayo as to Warrant No. 00187349, made payable to Red River Service Corporation, in the amount of \$204.39 and Judge Cascos as to Warrant No. 00187215, made payable to Harlingen Waterworks System, in the amount of \$137.98.

The Claims and Affidavits are as follows:

(15) **CONSIDERATION AND ACKNOWLEDGEMENT OF AUGUST 2007 COUNTY TREASURER'S REPORT TO COMMISSIONERS' COURT ON ACCOUNTS HELD BY THE COUNTY TREASURER'S OFFICE. (DAB-TREASURER)**

Mr. David Betancourt, County Treasurer-"Any questions?"

Commissioner Tamayo-"Motion for approval."

Commissioner Benavides-"Second."

Judge Cascos-"Moved by Commissioner Tamayo, seconded by Commissioner Benavides. Discussion? I have a question."

Mr. Betancourt-"It has already been approved."

Judge Cascos-"No; just a motion and a second. On the pages here regarding the Texas State Bank, "NOW ACCOUNTS", and I guess my question may be just a clarification ...on August 1, 2007 there was a book balance, but I don't recall having a book balance in those banks as of July 31..."

Mr. Betancourt-"But that is just how we state it here.... it's stated from August 1st thru August 31st, that doesn't mean that the money was there exactly August 1st..."

Judge Cascos-"I'm sorry?"

Mr. Betancourt-"It's for the whole month, from August 1st thru August 30th. And then whatever we are adding and subtracting, adding and subtracting..."

Judge Cascos-"No, I don't think that's right..."

Mr. Betancourt-"Ok."

Judge Cascos-"...because I think where those numbers belong...Wouldn't they belong under the receipt section? If I remember right the July 30th..."

Mr. Betancourt-"But the money was already there, it has already been claimed as a receipt in the First National Account..."

Judge Cascos-"Yeah but when...?"

Mr. Betancourt-"Whenever we received them."

Judge Carlos Cascos-"Yeah but was it on August...July 31st of 2007, Remember the discussion? I asked, 'Are there any monies at Texas State Bank?'"

Mr. Betancourt-"Yeah, but you have already acknowledged that report. I don't have that report before me. I am talking to you about this."

Judge Cascos-“Let me recommend something here. The only way this can be right is if on August 1st those monies went in. If they went in during the month (of August), then I would think they would show up as receipts and then your book balance at the end of the month is correct. What I’m saying is the book balance as of August 1st 2007, I think is misleading.”

Mr. Betancourt-“But these monies have already claimed as receipts in the First National Account or the previous accounts. They have already been claimed as receipts. The money was already sitting in the bank, its just part of our balance....”

Judge Cascos-“At what bank?”

Mr. Betancourt-“It was part of the balance at First National that was being transferred...”

Judge Cascos-“That’s my point. If they are at First National Bank on July 31st and they were...”

Mr. Betancourt-“Yes, but then if you add both...If you are going to add the receipts from First National (Bank) plus the receipts at Texas State (Bank), you are going to get...your numbers are going to be all skewed.”

Judge Cascos-“No, because you should have disbursements coming out or transfers coming out of First National Bank...going out and then coming in to the Texas State Bank. I didn’t look to see the...”

Commissioner Garza-“They are minus on the other...On the First National Bank “NOW ACCOUNT”, the first page...”

Mr. Betancourt-“Well first of all, accounts receivable are in the Auditor’s Office. We don’t, we are just doing the bank accounts. Ok?”

Commissioner Garza-“Yeah but...”

Mr. Betancourt-“That’s what we claim as a receivable.”

Commissioner Garza- “I am taking (for example) FD# 020 (Dancy Building), on the first page...”

Mr. Betancourt-“The first page of what account?”

Commissioner Garza-“The first page on the report, Dancy Building. I see a (-) \$210,000 and then I see a book balance at Texas State Bank of \$210,000. So you just shifted it (the funds) from that Account (First National Bank) to the Texas State (Bank) Account, right?”

Mr. Betancourt-“Right.”

Judge Cascos-“That’s wrong.”

Mr. Betancourt-“Look this is the first time these reports have been done. We’re making a good faith effort to do it correctly and there may be some adjustments that need to be done but the numbers are true to our accounts.”

Judge Cascos-“No, they’re not right.”

Mr. Betancourt-“The numbers are...these are basically our bank statements.”

Judge Cascos-“David (Betancourt), I think what Commissioner Garza was trying to say, and correct me David if I’m wrong, but on the First National Bank you show the disbursements going out.”

Mr. Betancourt-“I understand that.”

Judge Cascos-“Well if there is a disbursement going out in the middle of the month, you cannot have a beginning balance of that month, of that \$210,000 (for example), because on August 1st those monies, I bet you, were not at Texas State Bank.”

Mr. Betancourt-“That’s right, but this is the way the statement comes; from August 1st thru August 31st.”

Judge Cascos-“So are you saying that if I look at the bank statement for August 1st it’s going to show...”

Mr. Betancourt-“No, I am not showing that at all.”

Judge Cascos-“That is what you are telling me.”

Mr. Betancourt-“No, this is for the whole month, that’s what I am saying.”

Judge Cascos-“I understand that.”

Mr. Betancourt-“If you take off...then take off “August 1st” and just put “August”.”

Judge Cascos-“Look, this form is wrong...”

Mr. Betancourt-No, it’s not Judge.”

Judge Cascos-“...and it’s wrong because on August 1, 2007...”

Mr. Betancourt-“No, it’s not.”

Judge Cascos-“...Yes it is, yes sir...”

Mr. Betancourt-“Look, you are supposed to be comparing the Auditor’s monthly report to the Court, which I don’t think is being done, to this report; that would give you the correct amount.”

Judge Cascos-“I am telling you that this number...”

Mr. Betancourt-“I am doing the reports as required by the statutes...”

Judge Cascos-“Well this report that you are doing is wrong. On August 1, 2007, this money...”

Mr. Betancourt-“Are you asking me about the July Reports? Have you all done the...”

Judge Cascos-“No, no I am asking you about...”

Mr. Betancourt-“No, you had asked me before.... are you...have you all already done the affidavits and the publishing of those reports for your compliance issues?”

Judge Cascos-“Before we get to that, just answer me this...What you’re saying is that the book balance on August 1st 2007...”

Mr. Betancourt-“No that is not what I said. I’m saying that for the month of August, it’s for the whole month of August; there’s 31 days in August....”

Judge Cascos-“Ok, well I can’t approve this. I think the report is wrong. I think that you need to have over here...and maybe the end is the same but what I’m saying is that this report...”

Mr. Betancourt-“Judge, you have had this since Friday....”

Judge Cascos-“I’m sorry?”

Mr. Betancourt-“...the other report you have had since the 24th. You all have not come to my office to say, ‘You know what, adjust this, change this’. These are the first time these reports have been done. I’m making a good faith effort. These are the numbers that we have in my office....”

Judge Cascos-“I’m not disputing that you are making a good faith effort. What I am saying is that this is fundamental. This book balance of August 1, 2007...”

Mr. Betancourt-“Hey Judge you know what...I would like you to come to my office and we can discuss it with my staff and we will work with you. Ok? I appreciate that.”

Judge Cascos-“I’m just telling you that this report as presented is not accurate.”

Mr. Betancourt-“Ok, well I will appreciate if you come to my office and we’ll discuss it.”

Judge Cascos-“That’s fine.”

Mr. Betancourt-“Ok, great.”

Judge Cascos-“Well I had a motion to approve it but I can’t support it.”

Commissioner Garza-“I would like to hear one thought finished out from either party.”

Judge Cascos-“I’m trying to just ask a question.”

Commissioner Tamayo-“What you are telling us is that these are true figures?”

Mr. Betancourt-“Yes, ma’am. My staff we have Dora (Corona) that’s been in the Treasurer’s and Auditor’s Office for 30 years, 35 years probably. She prepares these reports.”

Judge Cascos-“I had a motion and a second to approve. All those in favor signify by saying ‘aye’.”

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

Commissioner Garza-“Aye because I don’t know any better.”

Judge Cascos-“Any opposed? I say ‘nay’.”

Commissioner Garza-“I don’t know why I would not approve because I did not hear any rationale; or why I would approve for that matter. I didn’t hear rationale to substantiate...”

Judge Cascos-“Well, the rationale is that on August...if you show a disbursement going out from First National Bank, you should have the receipt coming in at Texas State Bank. And those receipts...show me where the receipts are shown. What it shows is a book balance of August 1, 2007 showing these amounts, but on August 1, 2007, on that day, those amounts were not there. They went in as receipts and all I’m saying is that the way, it’s not that big (of) a deal to fix, but as presented this report is not accurate.”

Commissioner Garza-“Yeah, I see. (For example) book balance should be \$0 and receipts should be \$210,000.”

Judge Cascos-“That’s correct. That’s all I’m saying. The book value of August 1st should be \$0 on all those columns and we should show the receipts as monies coming in. The First National Bank (reports) are done correctly. Those show the monies going out. You know, you don’t change the book balance of August 1st at First National Bank to reflect the money going out already if it went out during the month.”

Commissioner Garza-“You change it at the end.”

Judge Cascos-“That’s right. That’s all I’m saying.”

Commissioner Garza-“Well that’s simple.”

Judge Cascos-“I thought it was simple.”

Commissioner Garza-“It makes sense.”

Judge Cascos-“All right.”

Commissioner Garza-“It’s kind of like subtracting from your checking account.”

Judge Cascos-“That’s what I thought.”

Commissioner Tamayo-“Moving along.”

The Report is as follows:

**(17) CONSIDERATION AND APPROVAL OF SUBSTANTIAL
COMPLETION OF THE HARLINGEN ANNEX. (AG-CCD0T)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously,
Substantial Completion of the Harlingen Annex was approved.

The Documentation is as follows:

(18) CONSIDERATION AND POSSIBLE ACTION TO CREATE THE CAMERON COUNTY DEPARTMENT OF ADMINISTRATIVE SERVICES THROUGH THE CONSOLIDATION OF THE FOLLOWING ADMINISTRATIVE PROGRAMS AND DEPARTMENTS: COPY CENTER, COMPUTER CENTER AND BUILDING MAINTENANCE. (PSJ-ADMINISTRATOR)

Commissioner Garza motioned to approve the Creation of the Cameron County Department of Administrative Services through the Consolidation of the following Administrative Programs and Departments: Copy Center, Computer Center and Building Maintenance.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(19) DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL OF THE JOB DESCRIPTION FOR THE DIRECTOR OF THE ADMINISTRATIVE SERVICES DEPARTMENT. (PSJ-ADMINISTRATOR)

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Job Description for the Director of the Administrative Services Department was approved.

The Documentation is as follows:

(20) DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL OF THE SCHEDULE OF TOLL RATES FOR THE CAMERON COUNTY INTERNATIONAL BRIDGE SYSTEM. (PSJ-ADMINISTRATOR)

Mr. Pete Sepulveda, County Administrator, stated that the proposed toll schedule represents a \$.50 decrease per truck.

Mr. Sergio Tito Lopez thanked the Court for reducing the toll rates.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Schedule of Toll Rates for the Cameron County International Bridge System was approved.

The Documentation is as follows:

(21) CONSIDERATION AND ADOPTION OF THE BUDGETS FOR THE CAMERON COUNTY GENERAL FUND, THE SPECIAL ROAD AND BRIDGE FUND, THE LAW LIBRARY FUND, THE EMPLOYEE BENEFITS FUND, THE DEBT SERVICES FUNDS, THE INTERNATIONAL TOLL BRIDGE SYSTEM FUNDS, THE PARK SYSTEM FUNDS, THE AIRPORT FUNDS FOR THE FISCAL YEAR 2007-2008. (XV-BUDGET)

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Budgets for the Cameron County General Fund, the Special Road and Bridge Fund, the Law Library Fund, the Employee Benefits Fund, the Debt Services Funds, the International Toll Bridge System Funds, the Park System Funds and the Airport Funds for the Fiscal Year 2007-2008 were adopted.

The Documentation is as follows:

(22) CONSIDERATION AND POSSIBLE ACTION ON THE RATIFICATION OF THE PROPERTY TAX INCREASE REFLECTED IN THE BUDGET. (XV-BUDGET)

Mr. Xavier Villarreal, Budget Officer, explained that as required by statute, when a Court adopts a tax rate in excess of the effective rate, separate action must be taken. He stated that the intent is to notify the public that the tax rate being adopted is above the effective rate.

Commissioner Garza motioned to approve the Ratification of the Property Tax Increase reflected in the Budget.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(23) CONSIDERATION AND ACTION SETTING THE TAX RATE FOR THE FY 2007-2008 AT \$0.343191 PER EVERY \$100 VALUATION IN ACCORDANCE WITH THE ATTACHED ORDER FOR TAX RATE.(XV-BUDGET) (Order No. 2007O9034)

Commissioner Tamayo moved that property taxes be increased by the adoption of a tax rate of \$0.343191 per every \$100 valuation.

The motion was seconded by Commissioner Garza and carried unanimously.

Mr. Xavier Villarreal, Budget Officer, read the following and noted that each tax rate is per every \$100 valuation:

General Fund	\$0.260544
Special Road and Bridge Maintenance Fund	\$0.035609
Lease/Equipment Financing (Tax Pledge)	<u>\$0.011135</u>
TOTAL M&O Funds	<u>\$0.307288</u>

INTEREST AND SINKING FUNDS

1994 Road Bonds	\$0.001385
1995 Road Bonds	\$0.001508
2002 Road Bonds	\$0.000574
2005 Road Bonds	<u>\$0.000856</u>
TOTAL Unlimited Tax Road Bonds	<u>\$0.004323</u>

2005 Refunding Certificates of Obligation	\$0.009140
2005 Certificates of Obligation	\$0.005907
2004 Certificates of Obligation	\$0.002143
2004 Refunding Certificates of Obligation	\$0.006817
2000 Certificates of Obligation	<u>\$0.007573</u>
TOTAL Limited Tax Bonds	<u>\$0.031580</u>

TOTAL INTEREST & SINKING FUNDS \$0.035903

TOTAL COUNTY LEVY \$0.343191

The Order is as follows:

(24) DISCUSSION AND POSSIBLE ACTION REGARDING AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE BROWNSVILLE PUBLIC UTILITIES BOARD. (PSJ-ADMINISTRATOR) (Contract No. 2007C09216)

Commissioner Wood motioned to approve the Interlocal Agreement between Cameron County and the Brownsville Public Utilities Board.

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

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

NAY: None

ABSTAIN: Judge Cascos

The Contract is as follows:

**(26) CONSIDERATION AND APPROVAL OF RELEASE AND
SUBSTITUTION OF COLLATERAL AT TEXAS STATE BANK.
(DAB-TREASURER)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Release and Substitution of Collateral at the Texas State Bank 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 Benavides and carried unanimously, the meeting was **ADJOURNED** at 8:09 P.M.

APPROVED this 9th day of **October 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