

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8th day of January 2008, there was conducted a **REGULAR Meeting** of the **Honorable Commissioners' Court of Cameron County, Texas**, at the **Courthouse thereof, in the City of Brownsville, Texas**, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

5:30 P.M.

PRESENT:

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. All members of the Court 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 4, 2008 at 10:18 A.M.:

(1) **PUBLIC COMMENTS.**

None were presented.

PRESENTATIONS

(2) **PRESENTATION BY GODFREY GARZA REGARDING THE
LEVEE REHABILITATION PROJECT IN HIDALGO COUNTY.
(PSJ-ADMINISTRATOR) (NO ACTION TAKEN)**

(1) **PUBLIC COMMENTS.**

Mr. Javier Gonzalez announced that he is running for the 444th District Court and congratulated the Court on their solidarity thus far.

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.

DISCUSSION CONCERNING CONSENT AND TRAVEL ITEMS:

Consent Item No. 17:

Commissioner Tamayo asked to discuss this item separately.

Consent Item No. 18:

Commissioner Garza asked to discuss this item separately.

Commissioner Garza motioned to approve the "Consent and Travel Items" with the inclusion of the "Supplemental Consent Item" and excluding Consent Items No. 17 and No. 18.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(3) **CONSIDERATION AND APPROVAL OF DONATION OF A CONFERENCE ROOM TABLE BY HNTB CORPORATION. (PSJ-ADMINISTRATOR)**

(4) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE CONLEY GROUP TO PROVIDE AN EXTERIOR EVALUATION OF THE DANCY COURTHOUSE. (PSJ-ADMINISTRATOR) (Contract No. 2008C01006)**

The Contract is as follows:

(5) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND KSA ENGINEERS TO PROVIDE A SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN AND STORM WATER POLLUTION PREVENTION PLAN FOR THE COUNTY AIRPORT. (PSJ-ADMINISTRATOR) (Contract No. 2008C01005)**

The Contract is as follows:

(6) **CONSIDERATION AND APPROVAL OF FINAL RETAINAGE PAYMENT TO SCOGGINS CONSTRUCTION FOR THE HARLINGEN ANNEX PROJECT. (PSJ-ADMINISTRATOR)**

The Documentation is as follows:

- (7) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR RANDOLPH SUBDIVISION, PCT. 4, BEING A 7.407 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCK EIGHTY-SEVEN (87), WILSON TRACT SUBDIVISION, CAMERON COUNTY, TEXAS. (EH-CCDoT)**
The Documentation is as follows:
- (8) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR GARDEN TERRACE SUBDIVISION, PCT. 4, BEING A 9.34 ACRES OUT OF BLOCK NUMBER NINETEEN (19), BRIGGS AND COLEMAN SURVEY 49, CAMERON COUNTY, TEXAS. (EH-CCDoT)**
The Documentation is as follows:
- (9) **CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR HIGGINBOTHAM ACRES SUBDIVISION, PCT. 1, BEING A 5.0 ACRE TRACT OF LAND OUT OF BLOCK 3, EL JARDIN SUBDIVISION, CAMERON COUNTY, TEXAS. (EH-CCDoT)**
The Documentation is as follows:
- (10) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM NOVEMBER 8, 2007 TO NOVEMBER 8, 2010 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT CROSSING EIGHT'S SUBDIVISION. (EH-CCDoT)**
- (11) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JANUARY 24, 2008 TO JANUARY 24, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT VEGA SUBDIVISION PHASE II AND III. (EH-CCDoT)**
- (12) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM DECEMBER 1, 2007 TO DECEMBER 1, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT PELICAN POINTE SUBDIVISION PHASE II. (EH-CCDoT)**
- (13) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM OCTOBER 20, 2007 TO DECEMBER 5, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT EAGLE ESTATES SUBDIVISION. (EH-CCDoT)**
- (14) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JUNE 7, 2004 TO NOVEMBER 15, 2010 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT FERIA ROSA SUBDIVISION. (EH-CCDoT)**
- (15) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JANUARY 25, 2008 TO JANUARY 25, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT WHISPERING OAKS SUBDIVISION. (EH-CCDoT)**
- (16) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM NOVEMBER 8, 2007 TO NOVEMBER 8, 2010 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT CROSSING EIGHT'S SUBDIVISION. (EH-CCDoT)**
- (17) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM DECEMBER 31, 2007 TO DECEMBER 31, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA VIEW ESTATES SUBDIVISION, PHASE I. (EH-CCDoT) (ACTION TAKEN SEPARATELY)**
- (18) **CONSIDERATION AND APPROVAL OF A CONTRACT FOR DEPUTIES TO WORK OVERTIME ON HIGHWAY DRUG INTERDICTION AND BRIDGE OUTBOUND DETAIL FOR U.S. CUSTOMS ENFORCEMENT/IMMIGRATION UNDER THE REIMBURSEMENT OF EXPENSES. (AG-CONSTABLE PCT. 2) (ACTION TAKEN SEPARATELY)**
- (19) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR HURRICANE CONTRACTOR REMOVAL MONITORING AND DAMAGE ASSESSMENT DATA COLLECTION SERVICES AND APPROVAL OF RFQ DRAFT. (JC-EMERGENCY MANAGEMENT)**
The Documentation is as follows:

- (20) **CONSIDERATION AND AUTHORIZATION FOR THE PARK SYSTEM TO ADVERTISE FOR RFQ'S FOR ARCHITECTURAL/ENGINEERING SERVICES TO PREPARE PLANS FOR THE RENOVATION OF THE THREE COMMUNITY POOLS, EL RANCHITO, SANTA MARIA, AND SANTA ROSA. (JM-PARKS)**

The Documentation is as follows:

TRAVEL ITEMS

- (21) **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) **COMMISSIONERS COURT, COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR TO TRAVEL TO TEXAS DEPARTMENT OF TRANSPORTATION I-69/TRANS TEXAS CORRIDOR TOWN HALL MEETINGS IN WESLACO, LAREDO AND ROBSTOWN, TEXAS AND PUBLIC HEARINGS IN SOUTH TEXAS DURING THE MONTHS OF JANUARY AND FEBRUARY 2008.**
 - (B) **COUNTY ADMINISTRATOR, DEPUTY COUNTY ADMINISTRATOR AND CONSTRUCTION MANAGER, TO TRAVEL TO AUSTIN, TEXAS, ON 1/9/08, TO MEET WITH THE TEXAS COMMISSION ON JAIL STANDARDS.**
 - (C) **JUVENILE PROBATION OFFICE STAFF (3) TO TRAVEL TO AUSTIN, TEXAS, ON 1/28 TO 1/31/08, TO ATTEND 2008 CHIEFS SUMMIT.**
 - (D) **PROGRAM DEVELOPMENT AND MANAGEMENT STAFF (1) TO TRAVEL TO RAYMONDVILLE, TEXAS, ON 12/27/07, TO OBTAIN BASE MAPS AND WILLACY COUNTIES COLONIA SELF-HELP CENTER.**
 - (E) **PROGRAM DEVELOPMENT AND MANAGEMENT STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 1/9/07, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL ADVISORY REVIEW PANEL (PARP).**

SUPPLEMENTAL AGENDA

CONSENT ITEM

- (1) **CONSIDERATION AND AUTHORIZATION OF RENEWAL CONTRACTS FOR SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA KNOWN AS "HIDTA" FOR YEAR 2008. (Contract No. 2008C01007-Melissa Luza) (Contract No. 2008C01008-LeRoy V. Barrera) (Contract No. 2008C01009-Edward E. Hebisen) (Contract No. 2008C01010-Hortencia Sambrano) (Contract No. 2008C01011-Vernon P. Parker) (Contract No. 2008C01012-Kimberley D. Cobb) (Contract No. 2008C01013-Lorena Robles) (Contract No. 2008C01014-Gabriela Osoria) (Contract No. 2008C01015-Dewey J. Owens) (Contract No. 2008C01016-Reynaldo Mendoza) (Contract No. 2008C01017-Reta M. Garza) (Contract No. 2008C01018-Patricia L. Gobar)**

The Contracts are as follows:

- (4) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND THE CONLEY GROUP TO PROVIDE AN EXTERIOR EVALUATION OF THE DANCY COURTHOUSE. (PSJ-ADMINISTRATOR) (Contract No. 2008C01006)**
The Contract is as follows:

- (5) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND KSA ENGINEERS TO PROVIDE A SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN AND STORM WATER POLLUTION PREVENTION PLAN FOR THE COUNTY AIRPORT. (PSJ-ADMINISTRATOR) (Contract No. 2008C01005)**
The Contract is as follows:

- (6) **CONSIDERATION AND APPROVAL OF FINAL RETAINAGE PAYMENT TO SCOGGINS CONSTRUCTION FOR THE HARLINGEN ANNEX PROJECT. (PSJ-ADMINISTRATOR)**
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The Documentation is as follows:

- (1) **CONSIDERATION AND AUTHORIZATION OF RENEWAL CONTRACTS FOR SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA KNOWN AS “HIDTA” FOR YEAR 2008. (Contract No. 2008C01007-Melissa Luza) (Contract No. 2008C01008-LeRoy V. Barrera) (Contract No. 2008C01009-Edward E. Hebisen) (Contract No. 2008C01010-Hortencia Sambrano) (Contract No. 2008C01011-Vernon P. Parker) (Contract No. 2008C01012-Kimberley D. Cobb) (Contract No. 2008C01013-Lorena Robles) (Contract No. 2008C01014-Gabriela Osoria) (Contract No. 2008C01015-Dewey J. Owens) (Contract No. 2008C01016-Reynaldo Mendoza) (Contract No. 2008C01017-Reta M. Garza) (Contract No. 2008C01018-Patricia L. Gobar)**
The Contracts are as follows:

(17) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM DECEMBER 31, 2007 TO DECEMBER 31, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA VIEW ESTATES SUBDIVISION, PHASE I. (EH-CCD6T)

Commissioner Tamayo inquired as to which precinct the Resaca View Estates Subdivision lies in.

Mr. Ernesto Hinojosa, County Engineer, replied that he was unsure as to which precinct the Resaca View Estates Subdivision is in and added that he will update the Court as to that information at a later date.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Time Extension from December 31, 2007 to December 31, 2008 for Providing Sewer Facilities (Septic Systems) at Resaca View Estates Subdivision, Phase I, was approved.

(18) CONSIDERATION AND APPROVAL OF A CONTRACT FOR DEPUTIES TO WORK OVERTIME ON HIGHWAY DRUG INTERDICTION AND BRIDGE OUTBOUND DETAIL FOR U.S. CUSTOMS ENFORCEMENT/IMMIGRATION UNDER THE REIMBURSEMENT OF EXPENSES. (AG-CONSTABLE PCT. 2) (Contract No. 2008C01001)

Commissioner Garza-“I had a question on that Judge, is this going to be somehow coordinated with the detail that we have out there now?”

Judge Cascos-“That is a good question, I don’t know.”

Commissioner Garza-“Because we have a detail that works outbound already...”

Judge Cascos-“That’s correct.”

Commissioner Garza-“...And I don’t know if you could have duplication of effort, probably not. I don’t know but I’m just wondering.”

Commissioner Tamayo-“Just so it’s coordinated, I guess.”

Deputy Constable Salvador Cabrera, Precinct 2-“Good Evening, Happy New Year Judge and Commissioners. I am Deputy Cabrera, Salvador, with Precinct 2. We went to a meeting with the U.S. Customs and they offered this contract to us for overtime and for our participation with their task force and highway interdiction and on the outbound bridge inspections, you know, all currency and...”

Judge Cascos-“We are talking about southbound, southbound surveillance?”

Deputy Cabrera-“Yes sir.”

Judge Cascos-“Are we talking about all the bridges or just the B & M or Los Indios? Because those are the (2) bridges that are really not covered.”

Deputy Cabrera-"It alternates. Sometimes you're at the Tomates Bridge, sometimes you're at the Veterans, sometimes you're at the old bridge, sometimes you're at the new bridge."

Judge Cascos-"But if you have, and I support the effort believe me, if you have, like we are supposed to have a full-time surveillance from the Sheriff's Office at the Los Tomates, the Veterans Bridge and the Gateway Bridge..."

Deputy Cabrera-"When they're there, we don't participate there."

Judge Cascos-"Ok, but they're supposed to be there all the time."

Deputy Cabrera-"If there is nobody at that location, then we're posted there. There is a supervisor from Customs and then there might be (2) or (3) officers from us."

Carlos Cascos-"Ok let me go back here, how do you know...let's talk about the Veteran's bridge and the Gateway Bridge. How do you know if there is not going to be a Sheriff's detail there?"

Deputy Cabrera-"They're the ones that inform us."

Judge Cascos-"Who's 'they'?"

Deputy Cabrera-"ICE, U.S. Customs. They never inform us of where we're going to be at or what we're going to be practicing. We are just there supporting them, as extra hands you could say. They are never at the same place. They might be 30 minutes over here and then 30 minutes over there or an hour over here..."

Commissioner Benavides-"And by 'they', you are referring to Customs?"

Deputy Cabrera-"Yes."

Commissioner Wood-"ICE."

Commissioner Tamayo-"No you are referring to..."

Deputy Cabrera-"The inspections we are going to be doing is going to be alternated. We are never going to know where we're going to be at; how many hours we're going to be there. It's just on demand."

Commissioner Wood-"This is a joint effort that you're going to be working in conjunction with them along side with them?"

Deputy Cabrera-"Yes."

Commissioner Wood-"They will also have a presence there when you are there?"

Deputy Cabrera-"The command will be them, but if we confiscate or find any currency or whatever, it's going to be shared. Whatever we find is going to be shared between them and us, or the County."

Commissioner Benavides-"Let me ask you something, do you know whether or not ICE has contacted the Sheriff's Department to see if they are going to be also working along side with them?"

Deputy Cabrera-"No ma'am."

Commissioner Benavides-"You don't know?"

Deputy Cabrera-"As far as I know, Precinct 6 was working it, I don't know if they are working it at this time. I do know that they had to turn in their new rates for overtime, in order to apply again, to be called. They won't be called in until they turn in that information, but it's not a set hour or a set schedule, its just on a back-up call."

Commissioner Benavides-"I see."

Deputy Cabrera-"They will call the Constables and say we need (2) officers or I need (6) but you only have (2) available, they will get another Precinct or another Police Department and get the people form them in order to get the amount of people they need for that surveillance."

Commissioner Tamayo-"And who is ultimately responsible for the tracking of the time that you're spending there?"

Deputy Cabrera-"Actually I am going to be..."

Commissioner Tamayo-"Pardon."

Deputy Cabrera-"I am going to be responsible for that because at the end every officer that works, it's a 24-hour turn-in slip, so I am going to have to e-mail the contact that we have in Customs everyday, if we work everyday. There is no set schedule. I worked this when I was working Los Fresnos a couple of months ago and if I got called for maybe for (16) hours that was about it in the whole year, last year. But if there is enough time for them to offer us we can earn up to \$1,140.00 within the year. We cannot go over that because that's what they have separated for each officer. There are (7) officers in our Department. That's what we could earn, so we are just asking for your approval and consideration and for us to try to earn that and be available for that overtime."

Judge Cascos-"Yeah I think and Constable that's a good idea but I think our, well let me speak for me. My apprehension is that if you have 8 or 9 folks at the Veteran's Bridge and the Gateway Bridge and the B & M Bridge is unmanned and Los Indios Bridge is unmanned, you may want to check with ICE and see if at all possible, they can some how utilize you at those locations instead. I mean I just don't see having the ICE folks there, having you all there, Deputy Sheriff's there at the Gateway Bridge; (6) or (7) people basically trying to do or attempting to do the same thing."

Deputy Cabrera-"Well the Sheriff's Office has a schedule; they are there certain hours."

Judge Cascos-"No, No, they're supposed to be there full-time."

Deputy Cabrera-"Full-time."

Judge Cascos-"Well, they're supposed to be and I think they are full-time now."

Deputy Cabrera-"Yeah most of the...yes."

Judge Cascos-"I mean it's a good project but..."

Deputy Cabrera-"Their contract is kind of different, we are going to be with ICE looking for drugs, looking for currency, looking for weapons, and if we do highway interdiction we are going to be on our own. We are going to be doing traffic stops to see what we find; stolen vehicles or whatever. All of those are going to be confiscated and they're going to come down and if they are already paid for they could be sold and all of that currency is going to be coming into the General Funds of the County. That's what we're also looking for, not just our overtime but we are trying to get currency for the County."

Judge Cascos-"I'm just trying to.... I mean it's a good concept. I don't know if you all got the article that I emailed to you all from the El Paso Times, a couple of weeks, a week or so ago that they started using southbound surveillance using Border Security money that we allocated but they have been strictly Auto Theft. They are doing the same thing you're doing, but it's the local PD that is doing it in El Paso. And this is, it's a good idea, I'm just saying, if they are calling you to go to the (2) bridges that we already have full-time surveillance; that just doesn't make a whole lot of sense. If they're leaving the B & M Bridge without surveillance or the Los Indios Bridge without surveillance..."

Deputy Cabrera-"We're not just going to be permanent in one location; the idea is to catch off-guard. If they know you're there, they're not going to go through there. So it's got to be a spur of the moment; go and stall and check a couple of cars. They're going to go to another bridge so you alternate to the other bridge and try to catch them over there."

Judge Cascos-"Yeah but by the time you get there, they're going to be through the bridge. Look these guys are smart. They are going to go to the bridge that's not manned."

Deputy Cabrera-"It's on odds. You can catch them here or you can catch them over there, but..."

Judge Cascos-"Okay."

Deputy Cabrera-"Everybody's got the advantage of a cell phone so, "Hey I see him over here"; so everybody starts heading over there."

Judge Cascos-"Well, I tell you what, if it's any comfort, I understand what you're saying but then again I just want to make sure that all bridges are covered. And right now we don't have that. If you could have the head of the...who are you all dealing with?"

Deputy Cabrera-"Raul Garcia, he's the ICE supervisor."

Judge Cascos-“Just have him give us a call or have him give me a call.”

Deputy Cabrera-“Ok.”

Judge Cascos-“Maybe we can do something because I’d much prefer to have you...I mean it’s a great project but it’s not going to make any sense if you got six or seven or eight or nine people at one or two bridges and the other bridges are not manned. That’s all I’m suggesting to you so if they can do something like that, I think, you know you get your shot at it and I think everybody is okay with that; unless you all have something different that you all want to...”

Commissioner Benavides-“No, I mean...”

Commissioner Wood-“I’d like to go ahead and make a motion to approve it.”

Commissioner Benavides-“I second.”

Commissioner Garza-“I support it too. I just wanted to know what kind of coordination that was going to exist between the agencies so that we could have broader coverage. I think it’s a great idea.”

Deputy Cabrera-“We’re going to alternate, so we could be at the bridge or we could be on the highway.”

Commissioner Garza-“Yeah.”

Deputy Cabrera-“Maybe at Combs-level; catch everything that’s coming in and whatever’s going out. If they missed it over here at the first or secondary level, we might catch it at the third.”

Judge Cascos-“Well have him give me a call anyway.”

Deputy Cabrera-“Ok, I’ll have him call you.”

Judge Cascos-“I’d like to visit with him.”

Commissioner Tamayo-“Thank you.”

Judge Cascos-“Moved by Commissioner Wood, second by Commissioner Benavides; any further discussion? All those in favor signify by saying ‘aye’.”

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

Judge Cascos-“Any opposed? Item carries.”

The Contract is as follows:

ACTION ITEMS

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

Upon motion by Commissioner Benavides, 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:

(25) APPROVAL OF CLAIMS.

Commissioner Garza moved to approve the Claims, inclusive of the late claims.

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

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

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00193330, made payable to Brownsville Independent School District, in the amount of \$20.00 and Warrant No. 00193380, made payable to Harlingen Waterworks System, in the amount of \$588.15 and Warrant No. 00193407, made payable to Los Fresnos Consolidated Independent School District, in the amount of \$55.00 and Warrant No. 00193444, made payable to Public Utilities Board, in the amount of \$26,467.20.

The Claims and Affidavits are as follows:

(26) APPROVAL OF MINUTES FOR:

- (A) DECEMBER 11, 2007 – REGULAR MEETING**
- (B) DECEMBER 18, 2007 – REGULAR MEETING**
- (C) DECEMBER 28, 2007 – SPECIAL MEETING**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Minutes for the December 11,2007- Regular Meeting, December 18,2007- Regular Meeting, and December 28, 2007- Special Meeting were approved.

(27) CONSIDERATION AND APPOINTMENT OF THE JUDGE PRO-TEM. (CHC-COUNTY JUDGE)

Commissioner Tamayo motioned to appoint Commissioner David A. Garza as Judge Pro-Tem.

The motion was seconded by Commissioner Benavides and carried unanimously.

(28) CONSIDERATION AND APPROVAL OF MEETING TIME FOR THE CAMERON COUNTY COMMISSIONERS' COURT REGULAR MEETINGS. (CHC-COUNTY JUDGE)

Commissioner Tamayo motioned to set the Meeting Time for the Cameron County Commissioners' Court Regular Meetings at 5:00 PM on Tuesdays with "Executive Session" being at the beginning of each meeting.

The motion was seconded by Commissioner Wood and carried unanimously.

(29) CONSIDERATION AND ACTION TO EXECUTE A DRAINAGE EASEMENT AGREEMENT FOR THE FUTURE INSTALLATION OF UNDERGROUND STORM WATER OUTFALL LINE FROM REYNOLDS ROAD (PCT.4) TO THE ARROYO COLORADO. (EH-CCDoT) (Contract No. 2008C01003)

Commissioner Wood motioned to Execute a Drainage Easement Agreement for the Future Installation of Underground Storm Water Outfall Line from Reynolds Road (Pct. 4) To The Arroyo Colorado.

The motion was seconded by Commissioner Garza and carried unanimously.

The Contract is as follows:

(30) CONSIDERATION AND AUTHORIZATION TO HOLD PUBLIC HEARING TO REVIEW AND CONSIDER AN APPLICATION/PETITION BY RESIDENT(S) OF OLMITO, TEXAS WITH RESPECT TO A CERTAIN SUBDIVISION PLAT WITHIN OLMITO TOWNSITE FILED ON OR BEFORE MARCH 10, 1930. (PSJ-ADMINISTRATOR)

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the public hearing was opened.

Mr. David Garcia, Deputy County Administrator, informed the Court that there is an issue regarding subdivision maps in the Olmito area and that the issue is being resolved through legislation and with the help of Commissioner Wood. He stated that subdivision maps are currently identified using grove/site areas instead of the lot/block method. He noted that several residents in the area are having difficulty developing their property and added that the legislation will allow residents to revert back to the original description.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the public hearing was closed.

(31) CONSIDERATION AND AUTHORIZATION TO ADOPT ORDER ACCEPTING CANCELLATION AND REESTABLISHMENT OF A CERTAIN SUBDIVISION PLAT WITHIN OLMITO TOWNSITE FILED ON OR BEFORE MARCH 10, 1930. (PSJ-ADMINISTRATOR) (Order No. 2008O1002)

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Order Accepting Cancellation and Reestablishment of a Certain Subdivision Plat within Olmito Townsite Filed on or Before March 10, 1930 was adopted.

The Order is as follows:

(32) CONSIDERATION AND APPROVAL OF THE EARLY VOTING POLLING LOCATIONS FOR THE DEMOCRATIC PRIMARY AND REPUBLICAN PRIMARY ELECTIONS OF MARCH 4, 2008 AND SETTING COMPENSATION RATES. (RO-ELECTIONS)

Commissioner Garza motioned to approve the Early Voting Polling Locations for the Democratic Primary and Republican Primary Elections of March 4, 2008 and the Setting of Compensation Rates with the elimination of the South Padre Island City Hall and the addition of the Southmost Social Service Center located on Browne Rd.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(33) CONSIDERATION AND AUTHORIZATION TO APPROVE AGREEMENT WITH LA CUESTA SOL DEVELOPMENT, LTD. FOR THE DONATION OF 20.06 ACRES OUT OF SHARE W, TRACT N. OF CARLOS ZEPEDA PARTITION IN EL RANCHITO. (JM-PARKS) (Contract No. 2008C01004)

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Agreement with La Cuesta Sol Development, Ltd. for the Donation of 20.06 Acres out of Share W, Tract N. of Carlos Zepeda Partition in El Ranchito was approved.

The Contract is as follows:

(34) CONSIDERATION AND AUTHORIZATION TO ACCEPT THE DONATION OF 20.06 ACRES FROM LA CUESTA SOL DEVELOPMENT, LTD. FOR THE DEVELOPMENT OF A COMMUNITY PARK IN EL RANCHITO. (JM-PARKS)

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Donation of 20.06 Acres from La Cuesta Sol Development, Ltd. for the Development of a Community Park in El Ranchito was approved.

The Documentation is as follows:

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

Commissioner Benavides inquired as to why TxDOT cut funding and asked what other funding sources are available to continue transportation projects.

Mr. David Garcia, Deputy County Administrator, replied that there is a meeting tomorrow with consultants to look at several financing options. He reminded the Court of the \$5 increase to the vehicle inspection fee and stated that the increase could be utilized as additional funding to continue studies and engineering work for transportation projects. He discussed the possibility of federal earmarks and public/private partnerships that the Cameron County Regional Mobility Authority is going to be reviewing this coming year.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the County's State and Federal Legislative Agenda was acknowledged.

(36) CONSIDERATION AND APPROVAL OF THIS AMENDMENT AND EXTENSION COMMERCIAL LEASE AGREEMENT BETWEEN CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE AND B.P. NEWMAN TO PROVIDE OFFICES FOR THE UNIFIED NARCOTICS INTELLIGENCE TASK FORCE AND WHITE STANDS HIDTA LOCATED AT 1100 FM 802, SUITE 101, BROWNSVILLE, TEXAS 78521, FROM JANUARY 1, 2008 THRU DECEMBER 31, 2008. (AV-DA) (Contract No. 2008C0 1002-UNIT) (Contract No. 2008C01019-HIDTA)

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Amendment and Extension Commercial Lease Agreement between the Cameron County District Attorney's Office and B.P. Newman to provide offices for the Unified Narcotics Intelligence Task Force and White Stands HIDTA located at 1100 FM 802, Suite 101, Brownsville, Texas 78521, from January 1, 2008 thru December 31, 2008 was approved, subject to review by Legal Counsel and the County Auditor.

The Contracts are as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 6:42 P.M. to discuss the following matters:

(22) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THREATENED LITIGATION BY FEDERAL GOVERNMENT FOR RIGHT OF ENTRY TO SURVEY AND DO SITE EVALUATIONS ON CAMERON COUNTY OWNED PROPERTY ALONG THE RIVER FOR THE BORDER SECURITY INFRASTRUCTURE PROJECT COMMONLY REFEREED TO AS THE "BORDER FENCE", AUTHORITY TO REPRESENT CAMERON COUNTY IN SAID LITIGATION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**

NOTE: Judge Cascos did not return to the meeting.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 6:49 P.M. to discuss the following matters:

(23) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THREATENED LITIGATION BY FEDERAL GOVERNMENT FOR RIGHT OF ENTRY TO SURVEY AND DO SITE EVALUATIONS ON CAMERON COUNTY OWNED PROPERTY ALONG THE RIVER FOR THE BORDER SECURITY INFRASTRUCTURE PROJECT COMMONLY REFEREED TO AS THE "BORDER FENCE", AUTHORITY TO REPRESENT CAMERON COUNTY IN SAID LITIGATION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).**

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

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the meeting was **ADJOURNED** at 6:49 P.M.

APPROVED this 29th day of **January 2008**

CARLOS H. CASCOS, CPA
COUNTY JUDGE

ATTEST:

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