

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 22nd 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:

PRESENT:

5:00 P.M.

CARLOS H. CASCOS, CPA
COUNTY JUDGE

SOFIA C. BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Aide A. Trejo **Deputy Clerk**

ABSENT:

=====

The meeting was called to order by Judge Cascos at 5:00 P.M.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on January 18, 2008 at 12:25 P.M.:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 5:01 P.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF TIMOTHY R. FLOYD FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(B).**
- (B) 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).**
- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 19, FOR RIGHT OF WAY FOR THE FM 732 PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF LOTS 1A AND 1B, BLOCK 122, BROWNSVILLE ORIGINAL TOWNSITE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 5:49 P.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF TIMOTHY R. FLOYD FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(B).**

Commissioner Benavides motioned to instruct the attorneys to proceed along the terms and conditions as described in Executive Session.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (B) 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).**

Commissioner Tamayo motioned to instruct the Civil Division Attorney to ask for an Attorney General's Opinion to determine whether or not the money that is still outstanding to the indigent healthcare providers is a legal debt of Cameron County.

The motion was seconded by Commissioner Garza and carried unanimously.

(C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 19, FOR RIGHT OF WAY FOR THE FM 732 PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

Commissioner Wood motioned to accept the counteroffer in the amount of \$49,500.

The motion was seconded by Commissioner Garza and carried unanimously.

(D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF LOTS 1A AND 1B, BLOCK 122, BROWNSVILLE ORIGINAL TOWNSITE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

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

He asked Pastor Andreas Lewis for the invocation. Mr. David Betancourt then led the Court and audience in reciting the Pledge of Allegiance and the Pledge of Allegiance to the State Flag.

(3) PUBLIC COMMENTS.

Mr. Joe G. Rivera, County Clerk, informed the Court that Ms. Aide A. Trejo, Commissioners' Court Secretary, and he were invited to the 36th Annual County & District Clerk's Continuing Education Conference to give a presentation concerning Commissioners' Court Minutes. He commented on how successful the presentation was and commended Ms. Trejo for her hard work.

Commissioner Benavides asked for a moment of silence for Mr. Anastacio Guillen, a former Public Works employee for 40 years, who passed away on January 17, 2008.

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 Items No. 22 and No. 23:

Mr. David Garcia, Deputy County Administrator, asked to TABLE these items.

Consent Item No. 17:

Commissioner Wood asked to discuss this item separately.

Consent Items No. 4, No. 5, No. 20 and No. 21:

Judge Cascos asked to discuss these items separately.

Consent Item No. 29:

Judge Cascos asked to TABLE this item.

Travel Item No. 31 (J):

Judge Cascos asked to discuss this item separately.

Commissioner Benavides moved to approve the "Consent and Travel Items", excluding Consent Items No. 4, No. 5, No. 17, No. 20, No. 21 and Travel Item No. 31 (J) and tabling Consent Items No. 22, No. 23 and No. 29.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (4) **CONSIDERATION AND APPROVAL OF LOWEST QUOTE FOR THE CANOPY STRUCTURE FOR THE SECURITY WALL PROJECT TO BOWMAN DISTRIBUTING COMPANY. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (5) **CONSIDERATION AND APPROVAL OF CONTRACT WITH BOWMAN DISTRIBUTING COMPANY FOR THE SECURITY WALL PROJECT. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (6) **CONSIDERATION AND AUTHORIZATION TO ADD MAINTENANCE PLAN TO COUNTY CELL PHONES. (XV-BUDGET)**
The Documentation is as follows:
- (7) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR HERNANDEZ-IBARRA SUBDIVISION, PCT. 2, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**
The Documentation is as follows:
- (8) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JANUARY 16, 2008 TO DECEMBER 3, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA DE CARRICITOS SUBDIVISION, PHASE II & III, PCT. 3. (EH-CCDoT)**
The Documentation is as follows:
- (9) **CONSIDERATION AND AUTHORIZATION TO AMEND THE ADOPTED ORDER NO. 2007012047 REGARDING THE CANCELLATION OF A PORTION OF A SUBDIVISION PLAT CONSISTING OF FARM LOT 95, LOT 97, LOT 98, LOT 99, LOT 100, LOT 135, LOT 136, LOT 137, LOT 138, PARK B AND PARK C OF THE RIO HONDO PARK TOWNSITE AND SMALL ACREAGE RESIDENCE GARDEN AND ORCHARD LOTS SUBDIVISION. (EH-CCDoT) (Order No. 2008O1006)**
The Order is as follows:
- (10) **CONSIDERATION AND APPROVAL OF LEASE AGREEMENT BETWEEN CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE AND ALL VALLEY TOWING FOR STORAGE SPACE. (AV-DISTRICT ATTORNEY) (Contract No. 2008C01025)**
The Contract is as follows:
- (11) **CONSIDERATION AND APPROVAL FOR CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES ENVIRONMENTAL HEALTH PROGRAM TO PARTICIPATE IN THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AUTOMATED SYSTEM FOR REPORTING MONTHLY ON-SITE SEWAGE FACILITIES (OSSF) ACTIVITIES. (YS-HEALTH)**
The Documentation is as follows:
- (12) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH. (YS-HEALTH) (Contract No. 2008C01024)**
The Contract is as follows:
- (13) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF OVIDIO CISNEROS, JR., DEPUTY CONSTABLE FOR PRECINCT 1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE**

CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)

The Documentation is as follows:

- (14) **CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT APPLICATIONS FOR CONTINUATION OF FUNDING TO THE STATE OF TEXAS OFFICE OF THE GOVERNOR. (TR-JUVENILE PROBATION) (Resolution No. 2008R01004-Victim Assistance Program) (Resolution No. 2008R01005-Victim's Assistance for Families of Abuse/Assault) (Resolution No. 2008R01006-Juvenile Justice Alternative Program) (Resolution No. 2008R01007-Truancy Reduction Program) (Resolution No. 2008R01008-Safe Transport Program)**

The Resolutions are as follows:

- (15) **CONSIDERATION AND AUTHORIZATION TO RE-ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR MENTAL HEALTH SERVICES TO PROVIDE THERAPY FOR VICTIMS OF SEXUAL ASSAULT AND APPROVAL OF RFQ DRAFT. (TR-JUVENILE PROBATION)**

The Documentation is as follows:

- (16) **CONSIDERATION AND APPROVAL OF ANNUAL SUPPORT AGREEMENT WITH SUNGUARD PUBLIC SECTOR BI-TECH LLC. (ROB-LEGAL) (Contract No. 2008C01027)**

The Contract is as follows:

- (17) **CONSIDERATION AND APPOINTMENT OF DR. CHRIS GARCIA AND MS. HORTENCIA MANCHA TO FILL COMMISSIONER POSITIONS WITH THE CAMERON COUNTY CIVIL SERVICE COMMISSION AND THE RE-APPOINTMENT OF MR. JAVIER DE LEON AS A COMMISSIONER AND DESIGNATION OF MR. JAVIER DE LEON AS CHAIRMAN OF THE CIVIL SERVICE COMMISSION, UNDER SECTION 158.008 OF THE LOCAL GOVERNMENT CODE. (BWH-LEGAL) (Order No. 2008O1004) (ACTION TAKEN SEPARATELY)**

- (18) **CONSIDERATION AND APPROVAL OF AMENDMENT OF PROJECT AGREEMENT WITH CAMERON COUNTY EMERGENCY (9-1-1) COMMUNICATION DISTRICT. (DJV-LEGAL) (Contract No. 2008C01032)**

The Contract is as follows:

- (19) **CONSIDERATION AND AUTHORIZATION TO EXEMPT FROM THE COUNTY PURCHASING ACT THE CONTRACT FOR PREVENTIVE MAINTENANCE ON PRINTING SYSTEMS FOR THE PUBLIC WORKS DEPARTMENT AND COUNTY CLERKS DEPARTMENT, SPECIFICALLY THE REQUIREMENTS OF V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.023, PURSUANT TO AUTHORITY GRANTED IN SECTION 262.024 (A) (7)(D). (DJV-LEGAL) (Order No. 2008O1003)**

The Order is as follows:

- (20) **CONSIDERATION AND APPROVAL OF A PREVENTIVE MAINTENANCE AGREEMENT WITH TEXAS REPROGRAPHICS, INC. FOR THE OCE TCS 500 COLOR PRINT, COPY AND SCAN SYSTEM. (JGR-COUNTY CLERK) (Contract No. 2008C01030) (ACTION TAKEN SEPARATELY)**

- (21) **CONSIDERATION AND APPROVAL OF A PREVENTIVE MAINTENANCE AGREEMENT WITH TEXAS REPROGRAPHICS, INC. FOR THE OCE TCS 500 COLOR PRINT, COPY AND SCAN SYSTEM. (EH-CCDoT) (Contract No. 2008C01031) (ACTION TAKEN SEPARATELY)**

- (22) **CONSIDERATION AND POSSIBLE ACTION TO SOLICIT BIDS AND APPROVAL OF BID FOR BEACH RENTAL CONCESSIONS AT DJ LERMA AND SAND PIPER PAVILION LOCATED IN ISLA BLANCA PARK. (JM-PARKS) (TABLED)**

- (23) **CONSIDERATION AND POSSIBLE ACTION TO SOLICIT BIDS FOR BEACH SNACK CONCESSION AT ANDY BOWIE PARK. (JM-PARKS) (TABLED)**

- (24) **CONSIDERATION AND AUTHORIZATION TO EXECUTE AN EASEMENT TO AEP TEXAS CENTRAL COMPANY FOR THE UNDERGROUND ELECTRICAL SERVICE FOR LA PALOMA COMMUNITY PARK. (JM-PARKS) (Contract No. 2008C01026)**

The Documentation is as follows:

- (25) CONSIDERATION AND AUTHORIZATION TO RENEW TWO (2) MOBILE VENDING PERMITS TO JAIME SALAZAR, D/B/A ELOTES RUBY FOR UNITS #1 AND #2. (JM-PARKS)

The Documentation is as follows:

- (26) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO APPLY FOR A VICTIMS OF CRIME ACT (VOCA) GRANT APPLICATION FROM THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION (CJD) FOR THE 2008/2009 VICTIM ASSISTANCE PROGRAM, AND DESIGNATION OF FUNDING SOURCE FOR REQUIRED MATCH. (FB-PD&M) (Resolution No. 2008R01003)

The Resolution is as follows:

- (27) CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)

(A) ROAD MATERIALS, CONCRETE – ANNUAL BID #2510 (VARMICON)

(B) ROAD MATERIALS, DIRT, SAND & LIME – ANNUAL BID #2515 (RUBIO BROS & CHEMICAL LIME)

(C) ROAD MACHINERY RENTAL – ANNUAL BID #1710 (NUECES POWER EQUIP.)

The Tabulation is as follows:

- (28) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)

(A) ELECTRICAL SUPPLIES – ANNUAL BID #2002

- (29) CONSIDERATION AND APPROVAL OF SERVICE AGREEMENT CONCERNING CAMERON COUNTY EMERGENCY COMMUNICATION (9-1-1 DISTRICT). (OL-SHERIFF) (TABLED)

- (30) CONSIDERATION AND ISSUANCE OF ORDER APPROVING THE TREASURER'S REPORT FOR THE DECEMBER 2007 TERM. (DAB-TREASURER) (Order No. 2008O1005)

The Order is as follows:

TRAVEL ITEMS

- (31) 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) COMPUTER CENTER STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 1/28 TO 1/31/08, TO ATTEND THE GTC SOUTHWEST 2008 CONFERENCE.

(B) CONSTABLE PRECINCT 2 STAFF (3) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 3/18 TO 3/21/08, TO ATTEND THE CIVIL PROCESS SEMINAR.

(C) COUNTY CLERK STAFF (3) TO TRAVEL TO AUSTIN, TEXAS, ON 1/29 TO 1/31/08, TO ATTEND THE 2008 COURTS & LOCAL GOVERNMENT TECHNOLOGY CONFERENCE.

(D) DISTRICT ATTORNEY STAFF (4) TO TRAVEL TO AUSTIN, TEXAS, ON 1/13 TO 1/18/08, TO ATTEND THE TEXAS DISTRICT & COUNTY ATTORNEY'S ASSOCIATION SEMINAR.

(E) EXTENSION OFFICE STAFF (1) TO TRAVEL TO HOUSTON, TEXAS, ON 1/10 TO 1/13/08, TO MEET WITH SEA GRANT SPECIALIST GARY GRAHAM TO PLAN FISHERIES SPECIALIST TRAINING.

(F) JUSTICE OF THE PEACE PCT. 5 PLACE 1 STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 1/29 TO 2/1/08, TO ATTEND CONTINUING EDUCATION SEMINAR FOR JUSTICES OF THE PEACE.

- (G) JUSTICE OF THE PEACE PCT. 7 PLACE 1 STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 1/29 TO 1/31/08, TO ATTEND A SEMINAR FOR JUDGES.**
- (H) JUSTICE OF THE PEACE PCT. 7 PLACE 2 STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 1/29 TO 1/31/08, TO ATTEND A SEMINAR FOR JUDGES.**
- (I) JUVENILE PROBATION STAFF (1) TO TRAVEL TO TABOR-BRYAN, TEXAS, ON 1/18 TO 1/19/08, TO ATTEND "VISIT WITH EVERYDAY LIFE PLACEMENT FACILITY".**
- (J) PARKS SYSTEM STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 1/23 TO 1/24/08, TO TESTIFY FOR THE T.P.W.D. COMMISSION IN SUPPORT OF THE LAURELES PARK GRANT APPLICATION AND TO SUPPORT STAFF RECOMMENDATION.
(ACTION TAKEN SEPARATELY)**
- (K) PROGRAM DEVELOPMENT & MANAGEMENT STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 1/15/08, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT SOLID WASTE ADVISORY COMMITTEE.**
- (L) SHERIFFS OFFICE STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 1/21 TO 1/24/08, TO ATTEND THE PREVENTION OF POLICE MISCONDUCT TRAINING SEMINAR.**
- (M) SHERIFFS OFFICE STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 1/25 TO 1/26/08, TO VIEW SURPLUS EQUIPMENT.**
- (N) SHERIFFS OFFICE STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 2/5 TO 2/6/08, TO ATTEND THE TEXAS JAIL COMMISSION ON JAIL STANDARDS PRESENTATION.**
- (O) SHERIFFS OFFICE STAFF (2) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 2/19 TO 2/21/08, TO ATTEND THE LAW ENFORCEMENT SUPERVISION, MANAGEMENT AND LEADERSHIP SKILLS FOR CHALLENGING TIMES SEMINAR.**
- (P) TAX OFFICE STAFF (2) TO TRAVEL TO FORT WORTH, TEXAS, ON 2/16 TO 2/21/08, TO ATTEND THE 27TH ANNUAL TAAD CONFERENCE.**

- (6) **CONSIDERATION AND AUTHORIZATION TO ADD MAINTENANCE PLAN TO COUNTY CELL PHONES. (XV-BUDGET)**
The Documentation is as follows:

- (7) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR HERNANDEZ-IBARRA SUBDIVISION, PCT. 2, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**

The Documentation is as follows:

- (8) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JANUARY 16, 2008 TO DECEMBER 3, 2008 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA DE CARRICITOS SUBDIVISION, PHASE II & III, PCT. 3. (EH-CCDoT)**
The Documentation is as follows:

- (9) **CONSIDERATION AND AUTHORIZATION TO AMEND THE ADOPTED ORDER NO. 2007012047 REGARDING THE CANCELLATION OF A PORTION OF A SUBDIVISION PLAT CONSISTING OF FARM LOT 95, LOT 97, LOT 98, LOT 99, LOT 100, LOT 135, LOT 136, LOT 137, LOT 138, PARK B AND PARK C OF THE RIO HONDO PARK TOWNSITE AND SMALL ACREAGE RESIDENCE GARDEN AND ORCHARD LOTS SUBDIVISION. (EH-CCDoT) (Order No. 2008O1006)**
The Order is as follows:

- (10) CONSIDERATION AND APPROVAL OF LEASE AGREEMENT BETWEEN CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE AND ALL VALLEY TOWING FOR STORAGE SPACE. (AV-DISTRICT ATTORNEY) (Contract No. 2008C01025)
The Contract is as follows:**

- (11) **CONSIDERATION AND APPROVAL FOR CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES ENVIRONMENTAL HEALTH PROGRAM TO PARTICIPATE IN THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AUTOMATED SYSTEM FOR REPORTING MONTHLY ON-SITE SEWAGE FACILITIES (OSSF) ACTIVITIES. (YS-HEALTH)**
The Documentation is as follows:

- (12) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH. (YS-HEALTH) (Contract No. 2008C01024)**
The Contract is as follows:

- (13) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF OVIDIO CISNEROS, JR., DEPUTY CONSTABLE FOR PRECINCT 1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**
The Documentation is as follows:

- (14) **CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT APPLICATIONS FOR CONTINUATION OF FUNDING TO THE STATE OF TEXAS OFFICE OF THE GOVERNOR. (TR-JUVENILE PROBATION) (Resolution No. 2008R01004-Victim Assistance Program) (Resolution No. 2008R01005-Victim's Assistance for Families of Abuse/Assault) (Resolution No. 2008R01006-Juvenile Justice Alternative Program) (Resolution No. 2008R01007-Truancy Reduction Program) (Resolution No. 2008R01008-Safe Transport Program)**
The Resolutions are as follows:

- (15) CONSIDERATION AND AUTHORIZATION TO RE-ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR MENTAL HEALTH SERVICES TO PROVIDE THERAPY FOR VICTIMS OF SEXUAL ASSAULT AND APPROVAL OF RFQ DRAFT. (TR-JUVENILE PROBATION)**
The Documentation is as follows:

- (16) CONSIDERATION AND APPROVAL OF ANNUAL SUPPORT AGREEMENT WITH SUNGUARD PUBLIC SECTOR BI-TECH LLC. (ROB-LEGAL) (Contract No. 2008C01027)
The Contract is as follows:**

- (18) CONSIDERATION AND APPROVAL OF AMENDMENT OF PROJECT AGREEMENT WITH CAMERON COUNTY EMERGENCY (9-1-1) COMMUNICATION DISTRICT. (DJV-LEGAL)
(Contract No. 2008C01032)
The Contract is as follows:**

- (19) **CONSIDERATION AND AUTHORIZATION TO EXEMPT FROM THE COUNTY PURCHASING ACT THE CONTRACT FOR PREVENTIVE MAINTENANCE ON PRINTING SYSTEMS FOR THE PUBLIC WORKS DEPARTMENT AND COUNTY CLERKS DEPARTMENT, SPECIFICALLY THE REQUIREMENTS OF V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.023, PURSUANT TO AUTHORITY GRANTED IN SECTION 262.024 (A) (7)(D). (DJV-LEGAL) (Order No. 2008O1003)**
The Order is as follows:

- (24) CONSIDERATION AND AUTHORIZATION TO EXECUTE AN EASEMENT TO AEP TEXAS CENTRAL COMPANY FOR THE UNDERGROUND ELECTRICAL SERVICE FOR LA PALOMA COMMUNITY PARK. (JM-PARKS) (Contract No. 2008C01026)**
The Documentation is as follows:

- (25) CONSIDERATION AND AUTHORIZATION TO RENEW TWO (2) MOBILE VENDING PERMITS TO JAIME SALAZAR, D/B/A ELOTES RUBY FOR UNITS #1 AND #2. (JM-PARKS)
The Documentation is as follows:**

- (26) **CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO APPLY FOR A VICTIMS OF CRIME ACT (VOCA) GRANT APPLICATION FROM THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION (CJD) FOR THE 2008/2009 VICTIM ASSISTANCE PROGRAM, AND DESIGNATION OF FUNDING SOURCE FOR REQUIRED MATCH. (FB-PD&M) (Resolution No. 2008R01003)**
The Resolution is as follows:

- (27) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)**
- (A) **ROAD MATERIALS, CONCRETE – ANNUAL BID #2510 (VARMICON)**
 - (B) **ROAD MATERIALS, DIRT, SAND & LIME – ANNUAL BID #2515 (RUBIO BROS & CHEMICAL LIME)**
 - (C) **ROAD MACHINERY RENTAL – ANNUAL BID #1710 (NUECES POWER EQUIP.)**
- The Tabulation is as follows:**

- (30) CONSIDERATION AND ISSUANCE OF ORDER APPROVING THE TREASURER'S REPORT FOR THE DECEMBER 2007 TERM. (DAB-TREASURER) (Order No. 2008O1005)**
The Order is as follows:

-
- (4) **CONSIDERATION AND APPROVAL OF LOWEST QUOTE FOR THE CANOPY STRUCTURE FOR THE SECURITY WALL PROJECT TO BOWMAN DISTRIBUTING COMPANY. (PSJ-ADMINISTRATOR) (TABLED)**
- (5) **CONSIDERATION AND APPROVAL OF CONTRACT WITH BOWMAN DISTRIBUTING COMPANY FOR THE SECURITY WALL PROJECT. (PSJ-ADMINISTRATOR) (TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, Consent Items No. 4 and No. 5 were **TABLED**.

-
- (17) **CONSIDERATION AND APPOINTMENT OF DR. CHRIS GARCIA AND MS. HORTENCIA MANCHA TO FILL COMMISSIONER POSITIONS WITH THE CAMERON COUNTY CIVIL SERVICE COMMISSION AND THE RE-APPOINTMENT OF MR. JAVIER DE LEON AS A COMMISSIONER AND DESIGNATION OF MR. JAVIER DE LEON AS CHAIRMAN OF THE CIVIL SERVICE COMMISSION, UNDER SECTION 158.008 OF THE LOCAL GOVERNMENT CODE. (BWH-LEGAL) (Order No. 2008O1004)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Appointment of Dr. Chris Garcia and Ms. Hortencia Mancha to fill Commissioner positions with the Cameron County Civil Service Commission and the Re-Appointment of Mr. Javier De Leon as a Commissioner and Designation of Mr. Javier De Leon as Chairman of the Civil Service Commission, under Section 158.008 of the Local Government Code, was approved.

The Order is as follows:

-
- (20) **CONSIDERATION AND APPROVAL OF A PREVENTIVE MAINTENANCE AGREEMENT WITH TEXAS REPROGRAPHICS, INC. FOR THE OCE TCS 500 COLOR PRINT, COPY AND SCAN SYSTEM. (JGR-COUNTY CLERK) (Contract No. 2008C01030)**
 - (21) **CONSIDERATION AND APPROVAL OF A PREVENTIVE MAINTENANCE AGREEMENT WITH TEXAS REPROGRAPHICS, INC. FOR THE OCE TCS 500 COLOR PRINT, COPY AND SCAN SYSTEM. (EH-CCDoT) (Contract No. 2008C01031)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Preventive Maintenance Agreements with Texas Reprographics, Inc. for the OCE TCS 500 Color Print, Copy and Scan System were approved.

The Contracts are as follows:

(29) CONSIDERATION AND APPROVAL OF SERVICE AGREEMENT CONCERNING CAMERON COUNTY EMERGENCY COMMUNICATION (9-1-1 DISTRICT). (OL-SHERIFF) (TABLED)

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

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

(J) PARKS SYSTEM STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 1/23 TO 1/24/08, TO TESTIFY FOR THE T.P.W.D. COMMISSION IN SUPPORT OF THE LAURELES PARK GRANT APPLICATION AND TO SUPPORT STAFF RECOMMENDATION.

Mr. Javier Mendez, Parks Director, stated that Parks Staff will be making a recommendation to the T.P.W.D. Commission and to offer testimony and support.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, Travel Item No. 31 (J) was approved.

ACTION ITEMS

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

Upon motion by Commissioner Wood, 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:

(33) APPROVAL OF CLAIMS.

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

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

AYE: Commissioner Garza, Commissioner Wood and Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00194089, made payable to Harlingen Waterworks System, in the amount of \$286.76 and Warrant No. 00194164, made payable to Public Utilities, in the amount of \$69,743.78 and Commissioner Tamayo as to Warrant No. 00194167, made payable to Red River Service Corporation, in the amount of \$437.08.

The Claims and Affidavits are as follows:

(34) DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF MEMBERS TO THE COMMITTEE TO OVERSEE THE DISTRIBUTION OF TOBACCO SETTLEMENT FUNDS. (PSJ-ADMINISTRATOR)

Commissioner Benavides recommended Mr. Daniel Tijerina, PEIMS Director for BISD, as a member for the committee to oversee the distribution of tobacco settlement funds.

Commissioner Wood recommended Jerry Frank as a member for the committee to oversee the distribution of tobacco settlement funds.

Commissioner Garza and Judge Cascos stated that they are pending confirmation from their prospective recommendations and will forward the name of the individuals at a later date to the County Administrator's Office.

Commissioner Tamayo recommended Dr. Adela Valdez as a member for the committee to oversee the distribution of tobacco settlement funds.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the recommendations made by Commissioner Benavides, Commissioner Wood and Commissioner Tamayo regarding the appointment of members to the committee to oversee the distribution of tobacco settlement funds were acknowledged.

(35) CONSIDERATION AND AUTHORIZATION FOR THE TICK ERADICATION DIVISION/UNITED STATES DEPARTMENT OF AGRICULTURE TO USE COUNTY PROPERTY ON FLORIDA ROAD AND FM 511 (DIPPING VAT) TO PLACE A TRAILER/RV FOR ADDITIONAL OFFICE AND REST ROOM SPACE AND TO INSTALL A SEPTIC TANK. (RL-ADMINISTRATIVE SERVICES) (TABLED)

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

(36) CONSIDERATION AND POSSIBLE ACTION TO EXTEND WOODY'S BEACH SNACK CONCESSION AGREEMENT ON A MONTHLY BASIS OR UNTIL SUCCESSOR'S AGREEMENT IS EXECUTED. (JM-PARKS)

Commissioner Garza motioned to extend Woody's Beach Snack Concession Agreement on a monthly basis.

The motion was seconded by Commissioner Benavides and carried unanimously.

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

Mr. David Garcia, Deputy County Administrator, informed the Court that the annual Bi-National Conference on Bridges and Border Crossings will be held in El Paso, Texas from February 12th thru February 13th, 2008. He noted that the West Rail Relocation Project and the Veteran's Bridge Expansion Project will be presented at this conference.

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

There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 6:41 P.M.

APPROVED this 19th day of **February 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