

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 5<sup>th</sup> day of February 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:**

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The meeting was called to order by Judge Cascos at 5:00 P.M. He asked Minister John Phillips for the invocation. Ms. Hortencia Mancha and Mr. Javier De Leon 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 February 1, 2008 at 2:40 P.M.:

# **EXECUTIVE SESSION**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 5:03 P.M. to discuss the following matters:

- (1) **EXECUTIVE SESSION:**
  - (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING PROPOSED CHANGE ORDERS 39, 42, 63, 101 AND 102 RELATING TO CONSTRUCTION WORK UNDER DANCY BUILDING RENOVATION CONTRACT WITH JOE R. JONES CONSTRUCTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(2).**
  - (B) **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 REFERRED 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).**
  - (C) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF LOTS 1 AND 2, BLOCK 1, CASTEX EXPORT, INC. SUBDIVISION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 13, FOR RIGHT OF WAY FOR THE DIXIELAND ROAD PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (E) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 5, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (F) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (G) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 17, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (H) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARIA ESTELLA & SOCORRO G. PEREZ VS. ALEEM AHMED, CONSTABLE FRANK ROBLES, JR.; IN THE 197<sup>TH</sup> DISTRICT COURT; CAUSE NO. 2008-01-106-C, FOR AUTHORITY TO REPRESENT CAMERON COUNTY FRANK ROBLES, R., CONSTABLE PCT. 3, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**
  - (I) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ROSA M. RAMOS, INDIVIDUALLY AS THE ADMINISTRATIVE ESTATE OF JOSE E. RAMOS, ET. AL. VS. OMAR LUCIO, CAMERON COUNTY, ROBERT OYERVIDES, JUAN CORTEZ III, FNUK GARCIA, LT. RAUL RODRÍGUEZ, CAMERON COUNTY DEPUTIES, OFFICE OF CONSTABLE PCT. 6, CAMERON COUNTY, TX, CONSTABLE MERCED BURNIAS, PCT. 6 CAMERON COUNTY AND SGT. REFUGIO PEREZ, DEPUTY CONSTABLE PCT. 6; IN THE UNITED STATES DISTRICT COURT; CASE NO. 7-08-CV0011, FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND INDIVIDUALS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**

Commissioner Tamayo asked that the Cameron County Civil Service Commission be sworn in before the Court meets in Executive Session.

Commissioner Tamayo motioned for the Court to not proceed into Executive Session.

The motion was seconded by Commissioner Benavides and carried unanimously.

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**(5) PRESENTATION OF SWEARING IN OF NEWLY APPOINTED  
CIVIL SERVICE COMMISSIONER'S: (MV-HUMAN  
RESOURCES)**

**MR. JAVIER DE LEON – CHAIR PERSON  
DR. CHRIS GARCIA – COMMISSIONER  
MS. HORTENCIA MANCHA - COMMISSIONER**

Judge Cascos administered the oath of office unto the members of the Civil Service Commission.

The members of the Civil Service Commission thanked the Court for the opportunity to serve.

**The Documentation is as follows:**

## **EXECUTIVE SESSION**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 5:09 P.M. to discuss the following matters:

- (1) **EXECUTIVE SESSION:**
  - (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING PROPOSED CHANGE ORDERS 39, 42, 63, 101 AND 102 RELATING TO CONSTRUCTION WORK UNDER DANCY BUILDING RENOVATION CONTRACT WITH JOE R. JONES CONSTRUCTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(2).**
  - (B) **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 REFERRED 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).**
  - (C) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF LOTS 1 AND 2, BLOCK 1, CASTEX EXPORT, INC. SUBDIVISION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 13, FOR RIGHT OF WAY FOR THE DIXIELAND ROAD PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (E) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 5, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (F) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (G) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 17, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - (H) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARIA ESTELLA & SOCORRO G. PEREZ VS. ALEEM AHMED, CONSTABLE FRANK ROBLES, JR.; IN THE 197<sup>TH</sup> DISTRICT COURT; CAUSE NO. 2008-01-106-C, FOR AUTHORITY TO REPRESENT CAMERON COUNTY FRANK ROBLES, R., CONSTABLE PCT. 3, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**
  - (I) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ROSA M. RAMOS, INDIVIDUALLY AS THE ADMINISTRATIVE ESTATE OF JOSE E. RAMOS, ET. AL. VS. OMAR LUCIO, CAMERON COUNTY, ROBERT OYERVIDES, JUAN CORTEZ III, FNUK GARCIA, LT. RAUL RODRÍGUEZ, CAMERON COUNTY DEPUTIES, OFFICE OF CONSTABLE PCT. 6, CAMERON COUNTY, TX, CONSTABLE MERCED BURNIAS, PCT. 6 CAMERON COUNTY AND SGT. REFUGIO PEREZ, DEPUTY CONSTABLE PCT. 6; IN THE UNITED STATES DISTRICT COURT; CASE NO. 7-08-CV0011, FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND INDIVIDUALS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**

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Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 5:57 P.M. to discuss the following matters:

**(2) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING PROPOSED CHANGE ORDERS 39, 42, 63, 101 AND 102 RELATING TO CONSTRUCTION WORK UNDER DANCY BUILDING RENOVATION CONTRACT WITH JOE R. JONES CONSTRUCTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(2).**

Commissioner Tamayo motioned to deny all change orders.

The motion was seconded by Commissioner Garza and carried unanimously.

- (B) 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 REFERRED 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).**

Judge Cascos-"Do you want to read the motion for us, Bruce? Just so we make sure we have the wording right."

Mr. Bruce Hodge, Legal Counsel-"The motion would be to grant the United States government a right of entry to Cameron County parcels along the river, 11 parcels in all, on terms similar to those already given by Judge (inaudible) in similar cases already filed in federal court and upon similar terms. Those terms so far have been \$100 worth of temporary right of entry compensation that the federal government will not unreasonably damage the property; there will be a discussion and negotiations by which the United States will tell us what steps they intend to take to try to minimize the impact on the environment, culture, commerce, quality of life for those lands and the people in Cameron County."

Judge Cascos-"and to include the videotape"

Commissioner Garza-"and to include also the concept of the levee system and the videotaping; giving authority to our Engineering Department to videotape the properties, to document the condition they're in now before anything occurs. So moved."

Commissioner Tamayo-"Second"

Judge Cascos-"Moved by Commissioner Garza, second by Commissioner Tamayo. Any further discussion? All those in favor signify by saying 'aye'."

Commissioner Garza, Commissioner Tamayo and Commissioner Benavides-"aye"

Judge Cascos-“Any opposed?”

Commissioner Wood-“Nay”

Judge Cascos-“Item carries. Please note Commissioner Wood’s ‘nay’.”

- (C) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF LOTS 1 AND 2, BLOCK 1, CASTEX EXPORT, INC. SUBDIVISION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 13, FOR RIGHT OF WAY FOR THE DIXIELAND ROAD PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Garza motioned to acknowledge the Report by Legal Counsel and to authorize negotiations.

The motion was seconded by Commissioner Wood and carried unanimously.

- (E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 5, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

- (F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Benavides motioned to go to condemnation.

The motion was seconded by Commissioner Garza and carried unanimously.

- (G) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 17, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Tamayo motioned to acknowledge the Report by Legal Counsel and to authorize negotiations.

The motion was seconded by Commissioner Garza and carried unanimously.

- (H) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL CONCERNING MARIA ESTELLA & SOCORRO G. PEREZ VS. ALEEM AHMED, CONSTABLE FRANK ROBLES, JR.; IN THE 197<sup>TH</sup> DISTRICT COURT; CAUSE NO. 2008-01-106-C, FOR AUTHORITY TO REPRESENT CAMERON COUNTY FRANK ROBLES, R., CONSTABLE PCT. 3, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**

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

- (I) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL CONCERNING ROSA M. RAMOS, INDIVIDUALLY AS THE ADMINISTRATIVE ESTATE OF JOSE E. RAMOS, ET. AL. VS. OMAR LUCIO, CAMERON COUNTY, ROBERT OYERVIDES, JUAN CORTEZ III, FNUK GARCIA, LT. RAUL RODRÍGUEZ, CAMERON COUNTY DEPUTIES, OFFICE OF**

**CONSTABLE PCT. 6, CAMERON COUNTY, TX, CONSTABLE MERCED BURNIAS, PCT. 6 CAMERON COUNTY AND SGT. REFUGIO PEREZ, DEPUTY CONSTABLE PCT. 6; IN THE UNITED STATES DISTRICT COURT; CASE NO. 7-08-CV0011, FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND INDIVIDUALS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**

Commissioner Tamayo motioned to authorize representation of all County personnel to the greatest extent possible without conflict.

The motion was seconded by Commissioner Wood and carried unanimously.

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**(3) PUBLIC COMMENTS.**

Mr. Sergio Zarate, with Down by the Border, asked the Court to consider building new parks with a playground area that is designed to include children with disabilities.

Ms. Brenda Heredia, Executive Director for the Family Crisis Center, asked the Court to consider increasing the Family Protection Fee from \$15 to \$30.

Commissioner Garza announced that CPL Retail Energy has agreed to provide service for the next (2) years for the lighting projects in the Cameron Park and Laguna Heights Park area.

**NOTE: Commissioner Garza left the meeting at 6:11 PM.**

Mr. Francisco Sifuentes asked the Court consider assisting the District Clerk's Office with necessary funding and personnel concerning the processing of passports.

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## **PRESENTATIONS**

**(4) PRESENTATION OF A RESOLUTION RECOGNIZING BALDOMERO "MR. B" TREVINO FOR BEING SELECTED AS 2007 TEXAS INDEPENDENT AUTOMOBILE DEALER'S "QUALITY DEALER OF THE YEAR". (PSJ-ADMINISTRATOR)**

Mr. Tony Yzaguirre, Tax Assessor-Collector, congratulated Mr. Trevino on his "Quality Dealer of the Year" award.

Judge Cascos presented Mr. Trevino with the Resolution recognizing his being selected as the 2007 Texas Independent Automobile Dealer's "Quality Dealer of the Year".

Mr. Baldomero "Mr. B" Trevino thanked the Court for the honor.

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**(6) PRESENTATION ON STATUS OF ALL CAPITAL IMPROVEMENTS ON PARK PROJECTS. (JM-PARKS)**

Mr. Jim White, Parks & Recreation, updated the Court as to the current projects at Isla Blanca Park, Andy Bowie Park, E.K. Atwood Park, the Highway 48 Boat Ramp, Benavides County Park, Cameron Park, Bejarano-McFarland Community Park, Laureles Community Park, Adolph Thomae Jr. County Park, Santa Rosa Community Park, Santa Maria Community Park, El Ranchito Community Park, La Paloma Community Park, Los Indios Community Park, the Santa Rosa Boys & Girls Club and Rio Hondo Community Park.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Presentation on the Status of All Capital Improvements on Park Projects was acknowledged.

**The Presentation is as follows:**



# **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. 15:**

Mr. Javier Mendez, Parks Director, asked to discuss this item separately.

Commissioner Benavides moved to approve the "Consent and Travel Items", excluding Item No. 15.

The motion was seconded by Commissioner Wood and carried unanimously.

- (7) **CONSIDERATION AND APPROVAL OF THE EARLY VOTING POLLING LOCATIONS FOR THE DEMOCRATIC PRIMARY AND REPUBLICAN PRIMARY ELECTIONS OF MARCH 4, 2008. (RO-ELECTIONS)**

**The Documentation is as follows:**

- (8) **CONSIDERATION AND AUTHORIZATION TO CLOSE GATEWAY BRIDGE TO SOUTHBOUND TRAFFIC DURING CHARRO DAYS FESTIVITIES ON THE FOLLOWING DATES AND TIMES: FEBRUARY 28, 2008 FROM 10:00 A.M. TO 11:00 A.M. AND FROM 2:00 P.M. TO 4:00 P.M., FEBRUARY 29, 2008 FROM 6:00 P.M. TO 8:00 P.M., AND MARCH 1, 2008 FROM 12:00 NOON TO 4:00 P.M. (PSJ-ADMINISTRATOR)**

- (9) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR TWO PINES SUBDIVISION, PCT. 3, BEING THE SOUTH 8.00 ACRES OF BLOCK NUMBER FORTY SIX (46) OF THE BAYVIEW CITRUS GROVES SUBDIVISION, UNIT NUMBER (2), CAMERON COUNTY, TEXAS. (EH-CCDoT)**

**The Documentation is as follows:**

- (10) **CONSIDERATION AND APPROVAL TO AMEND CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY08 LOCAL PUBLIC HEALTH PREPAREDNESS WORK PLAN AND BUDGET. (YS-HEALTH) (Contract No. 2008C02038)**

**The Contract is as follows:**

- (11) **CONSIDERATION AND AUTHORIZATION OF PAYROLL DEDUCTION FOR CHASE BANK. (MV-HUMAN RESOURCES)**

**The Documentation is as follows:**

- (12) **CONSIDERATION AND APPROVAL FOR CAMERON COUNTY JUVENILE JUSTICE CENTER AND CAMERON PARK YOUTH CENTER TO ENTER FLOAT IN CHARRO DAYS PARADE FESTIVITIES. (TR-JUVENILE PROBATION)**

- (13) **CONSIDERATION AND AUTHORIZATION TO EXEMPT FROM THE COUNTY PURCHASING ACT THE CONTRACT FOR SUPPORT SERVICES OF THE EZ-ACCESS APPLICATION SOFTWARE FOR THE DEPARTMENT OF ELECTIONS AND VOTERS REGISTRATION, SPECIFICALLY THE REQUIREMENTS OF V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.023, PURSUANT TO AUTHORITY GRANTED IN SECTION 262.024 (A) (2). (DJV-LEGAL) (Order No. 2008O2008)**

**The Order is as follows:**

- (14) **CONSIDERATION AND APPROVAL OF APPLICATION SOFTWARE SUPPORT RENEWAL SERVICES AGREEMENT WITH EASY ACCESS INC. (SOLE SOURCE ITEM) ON VOTER REGISTRATION AND TRACKING SYSTEM (EZ-VOTE), STATE OF TEXAS OFF-LINE COUNTY API (SOS-API), AND GRAPHICAL USER INTERFACE (EZ-GUI) AND COVERING THE PERIOD OF 03-01-08 THROUGH 2/28/09 FROM EASY ACCESS INC. (RO-ELECTIONS) (Contract No. 2008C02039)**

**The Contract is as follows:**

- (15) **CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT NO. 2008C02037 FOR A MEMORANDUM OF UNDERSTANDING BETWEEN BEACON OF HOPE AND CAMERON COUNTY FOR THE USE OF CENTRO CULTURAL COMMUNITY CENTER TO PROVIDE SERVICES LOCATED AT 2100 GREGORY AVENUE, BROWNSVILLE, TEXAS, 78521. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (16) **CONSIDERATION AND APPROVAL OF AGREEMENT NO. 2008C01036 FOR PROFESSIONAL SERVICES BETWEEN CAMERON COUNTY PARKS AND RECREATION AND COMPASS PUBLISHING, INC. (JM-PARKS)**  
**The Contract is as follows:**
- (17) **CONSIDERATION AND AUTHORIZATION TO RENEW BEACH VENDING PERMIT TO FELICIANO DURAN, D/B/A EL PARAISO. (JM-PARKS)**  
**The Documentation is as follows:**
- (18) **CONSIDERATION AND AUTHORIZATION TO RENEW THREE (3) MOBILE VENDING PERMITS TO FRANCISCO H. TORRES, D/B/A EL REY DEL ELOTE FOR UNITS #2, #3 & #4. (JM-PARKS)**  
**The Documentation is as follows:**
- (19) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**  
**(A) BUILDING SUPPLIES: ELECTRICAL – ANNUAL BID #2000-2 (ELECTRIC FIXTURE, BORDER STATES AND GRAYBAR ELECTRIC)**  
**The Tabulation is as follows:**
- (20) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ'S FOR: (MF-PURCHASING)**  
**(A) INSURANCE COVERAGE FOR PROPERTY AND CONTENTS – WINDSTORM HURRICANE & HAIL – ANNUAL RFP #080102.**
- (21) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)**  
**(A) ROAD DRAINAGE MATERIALS – ANNUAL BID #2520 (CONTECH CONSTRUCTION & VARMICON & HANSON PIPE)**  
**(B) POLICE SUPPLIES & BODY ARMOR – ANNUAL BID #2505 (G.T. DISTRIBUTORS)**  
**The Tabulation is as follows:**
- (22) **CONSIDERATION AND APPROVAL OF SERVICE AGREEMENT CONCERNING CAMERON COUNTY EMERGENCY COMMUNICATION (9-1-1 DISTRICT). (OL-SHERIFF) (Contract No. 2008C01028)**  
**The Contract is as follows:**
- (23) **CONSIDERATION TO ACKNOWLEDGE THE RACIAL PROFILE REPORT FROM JANUARY THRU DECEMBER 2007. (OL-SHERIFF)**  
**The Report is as follows:**
- (24) **CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING CONCERNING DISTRICT FUGITIVE TASK FORCE (DTF). (OL-SHERIFF) (Contract No. 2008C02041)**  
**The Documentation is as follows:**
- (25) **CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE SHERIFF'S DEPARTMENT TO FILE A JUSTICE ASSISTANCE GRANT APPLICATION WITH THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR OPERATION BORDER STAR AND TO ACCEPT THE AWARD. (OL-SHERIFF) (Resolution No. 2008R02011)**  
**The Resolution is as follows:**

## **TRAVEL ITEMS**

- (26) **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 MEXICO CITY, MEXICO, ON 2/7 TO 2/8/08, TO MEET WITH SCT AND SRE OFFICIALS REGARDING THE WEST RAIL AND VETERANS BRIDGE EXPANSION PROJECT.**
  - (B) **ENGINEERING STAFF (2) TO TRAVEL TO BROWNSVILLE, TEXAS, ON 2/9/08, TO ATTEND CONTINUING EDUCATION COURSE NEEDED FOR LICENSE RENEWAL – BROWNSVILLE MOTORS & TRANSFORMERS.**
  - (C) **ENGINEERING DEPARTMENT STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/28 TO 2/29/08, TO ATTEND THE 21<sup>ST</sup> ANNUAL CONSTRUCTION LAW CONFERENCE.**
  - (D) **JUSTICE OF THE PEACE PRECINCT 3 PLACE 2 STAFF (1) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 2/26 TO 2/29/08 TO ATTEND THE FY 2008 JUSTICE OF THE PEACE SEMINAR.**
  - (E) **JUVENILE PROBATION OFFICE STAFF (4) TO TRAVEL TO AUSTIN, TEXAS, ON 3/18 TO 3/20/08 TO ATTEND “HANDLE W/CARE INSTRUCTOR’S TRAINING AND RECERTIFICATION TRAINING.**
  - (F) **SHERIFF’S OFFICE STAFF (4) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/6 TO 2/7/08 TO ATTEND THE JAIL SYMPOSIUM CROWDING IN TEXAS ORIGINS & SOLUTIONS SEMINAR.**

- (7) **CONSIDERATION AND APPROVAL OF THE EARLY VOTING POLLING LOCATIONS FOR THE DEMOCRATIC PRIMARY AND REPUBLICAN PRIMARY ELECTIONS OF MARCH 4, 2008. (RO-ELECTIONS)**  
**The Documentation is as follows:**

- (9) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR TWO PINES SUBDIVISION, PCT. 3, BEING THE SOUTH 8.00 ACRES OF BLOCK NUMBER FORTY SIX (46) OF THE BAYVIEW CITRUS GROVES SUBDIVISION, UNIT NUMBER (2), CAMERON COUNTY, TEXAS. (EH-CCDoT)**  
**The Documentation is as follows:**

- (10) CONSIDERATION AND APPROVAL TO AMEND CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY08 LOCAL PUBLIC HEALTH PREPAREDNESS WORK PLAN AND BUDGET. (YS-HEALTH) (Contract No. 2008C02038)**  
**The Contract is as follows:**

- (11) CONSIDERATION AND AUTHORIZATION OF PAYROLL DEDUCTION FOR CHASE BANK. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**

- (13) **CONSIDERATION AND AUTHORIZATION TO EXEMPT FROM THE COUNTY PURCHASING ACT THE CONTRACT FOR SUPPORT SERVICES OF THE EZ-ACCESS APPLICATION SOFTWARE FOR THE DEPARTMENT OF ELECTIONS AND VOTERS REGISTRATION, SPECIFICALLY THE REQUIREMENTS OF V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.023, PURSUANT TO AUTHORITY GRANTED IN SECTION 262.024 (A) (2). (DJV-LEGAL) (Order No. 2008O2008)**  
**The Order is as follows:**



- (14) **CONSIDERATION AND APPROVAL OF APPLICATION SOFTWARE SUPPORT RENEWAL SERVICES AGREEMENT WITH EASY ACCESS INC. (SOLE SOURCE ITEM) ON VOTER REGISTRATION AND TRACKING SYSTEM (EZ-VOTE), STATE OF TEXAS OFF-LINE COUNTY API (SOS-API), AND GRAPHICAL USER INTERFACE (EZ-GUI) AND COVERING THE PERIOD OF 03-01-08 THROUGH 2/28/09 FROM EASY ACCESS INC. (RO-ELECTIONS) (Contract No. 2008C02039)**  
**The Contract is as follows:**

- (16) **CONSIDERATION AND APPROVAL OF AGREEMENT NO. 2008C01036 FOR PROFESSIONAL SERVICES BETWEEN CAMERON COUNTY PARKS AND RECREATION AND COMPASS PUBLISHING, INC. (JM-PARKS)**  
**The Contract is as follows:**

- (17) **CONSIDERATION AND AUTHORIZATION TO RENEW BEACH VENDING PERMIT TO FELICIANO DURAN, D/B/A EL PARAISO. (JM-PARKS)**  
**The Documentation is as follows:**

- (18) CONSIDERATION AND AUTHORIZATION TO RENEW THREE (3) MOBILE VENDING PERMITS TO FRANCISCO H. TORRES, D/B/A EL REY DEL ELOTE FOR UNITS #2, #3 & #4. (JM-PARKS)  
The Documentation is as follows:**

**(19) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING:  
(MF-PURCHASING)**

**(A) BUILDING SUPPLIES: ELECTRICAL – ANNUAL BID #2000-2 (ELECTRIC FIXTURE,  
BORDER STATES AND GRAYBAR ELECTRIC)**

**The Tabulation is as follows:**

- (21) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)**
- (A) **ROAD DRAINAGE MATERIALS – ANNUAL BID #2520 (CONTECH CONSTRUCTION & VARMICON & HANSON PIPE)**
  - (B) **POLICE SUPPLIES & BODY ARMOR – ANNUAL BID #2505 (G.T. DISTRIBUTORS)**
- The Tabulation is as follows:**

- (22) CONSIDERATION AND APPROVAL OF SERVICE AGREEMENT CONCERNING CAMERON COUNTY EMERGENCY COMMUNICATION (9-1-1 DISTRICT), (OL-SHERIFF) (Contract No. 2008C01028)**  
**The Contract is as follows:**

- (23) CONSIDERATION TO ACKNOWLEDGE THE RACIAL PROFILE REPORT FROM JANUARY THRU DECEMBER 2007. (OL-SHERIFF)**  
**The Report is as follows:**



- (24) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING CONCERNING DISTRICT FUGITIVE TASK FORCE (DTF). (OL-SHERIFF) (Contract No. 2008C02041)  
The Documentation is as follows:**

- (25) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE SHERIFF'S DEPARTMENT TO FILE A JUSTICE ASSISTANCE GRANT APPLICATION WITH THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR OPERATION BORDER STAR AND TO ACCEPT THE AWARD. (OL-SHERIFF) (Resolution No. 2008R02011)**  
**The Resolution is as follows:**

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**(15) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT NO. 2008C02037 FOR A MEMORANDUM OF UNDERSTANDING BETWEEN BEACON OF HOPE AND CAMERON COUNTY FOR THE USE OF CENTRO CULTURAL COMMUNITY CENTER TO PROVIDE SERVICES LOCATED AT 2100 GREGORY AVENUE, BROWNSVILLE, TEXAS, 78521. (JM-PARKS)**

Commissioner Tamayo motioned to approve the Memorandum of Understanding between Beacon of Hope and Cameron County for the use of Centro Cultural Community Center to provide Services located at 2100 Gregory Avenue, Brownsville, Texas, 78521, subject to the receipt of a copy of adequate insurance coverage.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Contract is as follows:**

## **ACTION ITEMS**

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

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides 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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**(28) APPROVAL OF CLAIMS.**

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

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

AYE: Commissioner Wood and Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00194721, made payable to Brownsville Independent School District, in the amount of \$35.00, Warrant No. 00194817, made payable to Los Fresnos ISD, in the amount of \$5.00, Warrant No. 00194843, made payable to Point Isabel ISD, in the amount of \$5.00, Warrant No. 00194845, made payable to the City of Port Isabel, in the amount of \$60.00, and Warrant No. 00194850, made payable to Public Utilities Board, in the amount of \$697.34, and Commissioner Tamayo as to Warrant No. 00194854, made payable to Red River Service Corporation, in the amount of \$1,368.24.

**The Claims and Affidavits are as follows:**

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**(29) CONSIDERATION AND ADOPTION OF THE CAMERON COUNTY STORM WATER PREVENTION PLAN. (PSJ-ADMINISTRATOR)**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Cameron County Storm Water Prevention Plan was adopted.

**The Plan is as follows:**

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**(30) CONSIDERATION AND POSSIBLE ACTION REGARDING  
THE 2007-2008 EQUIPMENT LIST. (XV-BUDGET)**

Mr. Xavier Villarreal, Budget Officer, stated that the General Fund Equipment List includes equipment requests for the Computer Center, Constable Pct. 5, the Sheriff's Office, the Jail System and Juvenile Probation as well as vehicles for Constable Pct. 2, Constable Pct. 3, Constable Pct. 4, Constable Pct. 6, Constable Pct. 7 and equipment for the Tax Office.

Judge Cascos inquired as to the annual amortization payment for the General Fund Equipment List.

Mr. Villarreal replied that the yearly funding requirement is \$271,493 based on 5% interest.

Judge Cascos asked the Parks Director if the proposed Parks Equipment List can be absorbed into the Parks System Budget.

Mr. Javier Mendez, Parks Director, replied in the affirmative and added that he anticipates additional revenues coming in to cover costs.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Parks System Equipment List for FY 2008 was approved.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Road & Bridge Equipment List for FY 2008 was approved.

Judge Cascos asked that the Court to defer action on the General Fund Equipment List until after a 6-month review has been presented to the Court in mid-May.

Commissioner Wood recommended that the bullet proof vests for the Constable's Office be approved as well as other items that may affect day-to-day County operations. He recommended that the General Fund Equipment List be approved excluding the request from the Computer Center until the 6-month budget review.

Commissioner Wood motioned to approve the General Fund Equipment List as presented with the exception of the Computer Center.

The motion was seconded by Commissioner Tamayo.

Mr. Joe Reyes, Computer Center, asked the court to approve at minimum the email server, the CISCO 48 port switches, the CISCO 24 port switches and the hard disk addition.

Commissioner Tamayo inquired as to the severity of the equipment needed for the Computer Center.

Mr. Reyes replied that he can try a bigger "band aid" on the email server and insisted on approving the CISCO 48 port switches, the CISCO 24 port switches and the hard disk addition.

Judge Cascos stressed the importance of the network system and noted that there will be an impact on almost every facet of County government if the network goes down.

Constable Abel Gomez, Pct. 2, informed the Court that his office has made an agreement with the County Clerk's Office to take over their Warrant Officer Program and noted that this program has the potential to generate additional revenues. He advised the Court that if the vehicle he is requesting is not approved, the program will suffer and may not be able to operate.

Commissioner Wood inquired as to the revenue being generated by the Justice of the Peace Warrant Officer Program.

Mr. Villarreal replied that the revenue generated is covering operational expenditures and noted that not all of the Justice of the Peace are utilizing the warrant officers.

Commissioner Tamayo asked that a report from the Justice of the Peace be presented to the Court detailing the revenue being generated by the warrant officers.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the General Fund Equipment List for FY 2008 was approved, excluding the list of equipment requested by the Computer Center.

Judge Cascos recommended that the Computer Center Equipment List be placed on the agenda next week to determine what equipment is absolutely essential until the 6-month budget review.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Equipment List pertaining to the Computer Center was **TABLED**.

**The Equipment Lists are as follows:**



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**(31) CONSIDERATION AND AUTHORIZATION TO EXECUTE  
CONCESSION AGREEMENT NO. 071104 TO ICE PRIMO,  
LLC. (JM-PARKS) (Contract No. 2008C02040)**

Mr. Javier Mendez, Parks Director, asked that this item be approved subject to the increase in rent from \$500 per month to \$750 per month. He noted that the concessionaire has agreed to the increase in rent.

Commissioner Benavides motioned to approve the Concession Agreement with Ice Primo, LLC with the change of increasing the monthly rent from \$500 to \$750.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Contract is as follows:**

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**(32) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND VALLEY MUNICIPAL UTILITY DISTRICT #2 REGARDING THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2008C02043)**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Interlocal Agreement between Cameron County and Valley Municipal Utility District #2 regarding the West Rail Project was approved.

**The Agreement is as follows:**

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**(33) CONSIDERATION AND AUTHORIZATION TO UTILIZE  
EXCESS PASSPORT REVENUES TO INCREASE THE EXTRA  
HELP AND OVERTIME LINE ITEMS WITHIN THE  
CAMERON COUNTY DISTRICT CLERK'S OFFICE BUDGET.  
(AdelaG-DISTRICT ATTORNEY)**

Commissioner Tamayo motioned to authorize the utilization of Excess Passport Revenues to Increase the Extra Help and Overtime Line Items within the Cameron County District Clerk's Office Budget.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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

Mr. David Garcia, Deputy County Administrator, reported that there was a meeting yesterday to discuss the ongoing concept of the levee wall with Border Patrol Chief Agent Votello, the Mayor of Brownsville, Dr. Juliet Garcia, President of the University of Texas at Brownsville, representatives from the Public Utilities Board, Ana Garcia, with Senator John Cornyn, Julian Alvarez, with Senator Hutchinson, and Denise Blanchard with Congressman Ortiz.

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

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There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the meeting was **ADJOURNED** at 7:25 P.M.

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**APPROVED** this 19<sup>th</sup> day of **February 2008**

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**CARLOS H. CASCOS, CPA**  
**COUNTY JUDGE**

**ATTEST:**

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