

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 11th day of February 2008, there was conducted a **SPECIAL 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:

8:00 A.M.

CARLOS H. CASCOS, CPA
COUNTY JUDGE

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:
SOFIA C. BENAVIDES

The meeting was called to order by Judge Cascos at 8:00 A.M. He asked for a moment of silence for Robert Goss, Michael Sanchez and Raul Garcia, who perished in a helicopter crash on February 5, 2008, and Ms. Maria Lydia Sepulveda, mother of County Administrator Pete Sepulveda, who passed away on February 8, 2008. The District Clerk employees 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 7, 2008 at 3:15 P.M.:

ACTION ITEMS

(7) ACTION ITEMS.

- (I) 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 TO INCLUDE SUPERVISORY EMPLOYEES AS AN EXEMPTION OF THE COUNTY OVERTIME POLICY BECAUSE OF THE EXTRAORDINARY WORK TO BE DONE BY EMPLOYEES ON PASSPORTS.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, Authorization to utilize excess Passport Revenues to increase the Extra Help and Overtime Line Items within the Cameron County District Clerk's Office Budget to include Supervisory Employees as an exemption of the County Overtime Policy because of the extraordinary work to be done by employees on passports was approved.

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 8:10 A.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JUANITA E. PATERSON VS. CAMERON COUNTY, TEXAS; COURT AT LAW NO. 2; CAUSE NO. 2008-CCL158-B, FOR DISCUSSION OF STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 8:15 A.M. to discuss the following matters:

NOTE: Judge Cascos did not return to the meeting after Executive Session.

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

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

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, this item was TABLED.

- (B) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JUANITA E. PATERSON VS. CAMERON COUNTY, TEXAS; COURT AT LAW NO. 2; CAUSE NO. 2008-CCL158-B, FOR DISCUSSION OF STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**

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

NOTE: Judge Cascos returned to the meeting at 8:17 a.m.

(3) **PUBLIC COMMENTS.**

Commissioner Garza commented on the tragedy that struck Valley Air Care last week and took the lives of three individuals that were dedicated to saving the lives of others. He publicly expressed sorrow for the family of Michael Sanchez.

RESOLUTIONS

(4) **PRESENTATIONS/RESOLUTIONS.**

- (A) **CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING ANGELICA VALE ON THE OCCASION OF HER SELECTION AS "MR. AMIGO 2007". (CHC-JUDGE) (Resolution No. 2008R02020)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Resolution honoring Angelica Vale on the occasion of her selection as "Mr. Amigo 2007" was adopted.

The Resolution is as follows:

CONSENT ITEMS

- (5) **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. 5(L):

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

Consent Item No. 5(G):

Mr. Manuel Villarreal, Human Resources Director, asked to discuss this item separately.

Commissioner Wood moved to approve the "Consent and Travel Items", excluding Consent Items No.

5(G) and 5 (L).

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VILLA DE RAMOS SUBDIVISION, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**
The Documentation is as follows:
- (B) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VICTORIA ESTATES SUBDIVISION, PCT. 3, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**
The Documentation is as follows:
- (C) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RANCHO BLANCO ESTATES SUBDIVISION, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**
The Documentation is as follows:
- (D) **CONSIDERATION AND AUTHORIZATION TO AWARD BID NO. 080103 TO PETERSON CONSTRUCTION CO., INC. FOR THE CAMERON PARK, SECTION 3, CURB & GUTTER AND SIDEWALKS PROJECT. (EH-CCDoT)**
The Documentation is as follows:
- (E) **CONSIDERATION AND APPROVAL OF A RENEWAL OF LEASE CONTRACT BETWEEN CAMERON COUNTY AND ASIM ZAMIR, M.D. TO RENT SPACE FOR WIC PROGRAM SERVICES. (YS-HEALTH) (Contract No. 2008C02046)**
The Contract is as follows:
- (F) **CONSIDERATION AND APPROVAL OF A RENEWAL OF LEASE CONTRACT BETWEEN CAMERON COUNTY AND DAGOBERTO MARTINEZ, M.D. TO RENT SPACE FOR WIC PROGRAM SERVICES. (YS-HEALTH) (Contract No. 2008C02047)**
The Contract is as follows:
- (G) **REQUEST FOR AUTHORIZATION TO NEGOTIATE FOR CONSULTANT SERVICES BY KEN WETHE, INDEPENDENT INSURANCE CONSULTANT TO EVALUATE OUR EXISTING HEALTH PLAN TO INCLUDE MUTUAL OF OMAHA RUN-OUT CLAIMS AND OR REQUEST TEXAS ASSOCIATION OF COUNTIES TO PROVIDE US WITH A STATUS REPORT ON OUR EXISTING HEALTH PLAN ADMINISTRATION. (MV-HUMAN RESOURCES) (ACTION TAKEN SEPARATELY)**
- (H) **CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO ENTER IN THE WORKING AGREEMENT WITH THE BROWNSVILLE**

INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT TO OPERATE THE TRUANCY REDUCTION PROGRAM. (TR-JUVENILE PROBATION) (Contract No. 2008C02048)

The Agreement is as follows:

- (I) **CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR LABORATORY SERVICES: DRUG AND ALCOHOL TESTING OF COUNTY EMPLOYEES WITH URGENT CARE CENTER. (DJV-LEGAL) (Contract No. 2008C02044)**
The Contract is as follows:
- (J) **CONSIDERATION AND POSSIBLE APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO COMMENCE CONDEMNATION PROCEEDINGS FOR PARCEL 5, WEST RAIL PROJECT. (DJV-LEGAL) (Resolution No. 2008R02012)**
The Resolution is as follows:
- (K) **CONSIDERATION AND POSSIBLE APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO COMMENCE CONDEMNATION PROCEEDINGS FOR PARCEL 6, WEST RAIL PROJECT. (DJV-LEGAL) (Resolution No. 2008R02013)**
The Resolution is as follows:
- (L) **CONSIDERATION AND AUTHORIZATION TO SOLICIT PROPOSALS AND APPROVAL OF RFP DOCUMENT FOR THE DEVELOPMENT OF 20.91 ACRES AT ANDY BOWIE PARK. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (M) **CONSIDERATION AND POSSIBLE AUTHORIZATION TO EXECUTE CONTRACT #2008C02042 BETWEEN CAMERON COUNTY AND AMERICAN ELECTRIC & POWER TEXAS CENTRAL COMPANY FOR THE INSTALLATION OF OVERHEAD TRANSFORMER, AIRCRAFT AERIAL WARNING LIGHTS, AND LINE MARKERS FOR THE HELIPAD AT ISLA BLANCA PARK. (JM-PARKS)**
The Contract is as follows:
- (N) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FROM THE BETTERMENT FUND ON CONTRACT #2007C09218 IN THE AMOUNT OF \$5,320.00 FOR THE INSTALLATION OF A SEPTIC SYSTEM FOR THE LEARNING CENTER AT LA PALOMA. (JM-PARKS) (Order No. 2008O2009)**
The Order is as follows:
- (O) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)**
a. **MOSQUITO INSECTICIDE – ANNUAL BID #2430 (UNIVAR USA AND B&G CHEMICALS)**
The Tabulation is as follows:
- (P) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ'S FOR: (MF-PURCHASING)**
a. **MENTAL HEALTH SERVICES – CC JUVENILE JUSTICE DEPT. – RFQ #071101**
b. **ARCHITECTURAL / ENGINEERING SERVICES – PUBLIC POOL FACILITIES – PARKS DEPT. PUBLIC POOLS – EL RANCHITO, SANTA MARIA, SANTA ROSA – RFQ #080101**
- (Q) **CONSIDERATION AND ACKNOWLEDGEMENT OF CERTIFICATION OF THE COUNTY TREASURER AS A COUNTY INVESTMENT OFFICER. (DAB-TREASURER)**
The Documentation is as follows:
- (R) **CONSIDERATION AND AUTHORIZATION TO ALLOW TEXAS STATE BANK TO RELEASE SECURITIES HELD BY THE FEDERAL RESERVE BANK ON THE COUNTY'S BEHALF. (DAB-TREASURER)**
The Documentation is as follows:

TRAVEL ITEMS

- (6) **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) **AUDITORS OFFICE STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/11 TO 2/15/08, TO ATTEND THE NATIONAL HIDTA ASSISTANCE CENTER TRAINING.**
 - (B) **DEPARTMENT OF TRANSPORTATION STAFF (3) TO TRAVEL TO MCALLEN, TEXAS, ON 2/19 TO 2/20/08, TO ATTEND THE TEXAS DISASTER RECOVERY COURSE.**
 - (C) **DEPARTMENT OF TRANSPORTATION STAFF (1) TO TRAVEL TO GALVESTON, TEXAS, ON 5/20 TO 5/22/08, TO ATTEND THE HURRICANE CONFERENCE.**
 - (D) **DIRECTOR OF ADMINISTRATIVE SERVICES TO TRAVEL TO AUSTIN, TEXAS, ON 2/20 TO 2/21/08, TO ATTEND A TEEEX FLAGGER TRAINING COURSE.**
 - (E) **DISTRICT ATTORNEY STAFF (4) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 2/11 TO 2/15/08, TO ATTEND THE TDCAA'S INVESTIGATOR'S SCHOOL SEMINAR.**
 - (F) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/12 TO 2/17/08, TO SUPPORT THE CAMERON COUNTY 4-HER'S AT THE SAN ANTONIO LIVESTOCK SHOW, ALSO TO ATTEND A MASTER BEEF AND SWINE PLANNING MEETING.**
 - (G) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 2/14 TO 2/16/08, TO DISCUSS POTENTIAL CIAP GRANT FUNDING FOR THE ARROYO COLORADO PROJECT.**
 - (H) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO COLLEGE STATION, TEXAS, ON 2/5 TO 2/8/08, TO PARTICIPATE IN THE PROFESSIONAL CAREER LADDER SYSTEM FOR COUNTY EXTENSION AGENTS STATE REVIEW COMMITTEE.**
 - (I) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO COLLEGE STATION, TEXAS, ON 2/26 TO 2/28/08, TO REPRESENT SEA GRANT EXTENSION AND CAMERON COUNTY AT THE TEXAS VETERINARY MEDICAL DIAGNOSTIC LAB REFRESHER COURSE FOR THE SHRIMP INSPECTION PROGRAM.**
 - (J) **JUVENILE PROBATION STAFF (3) TO TRAVEL TO PORTLAND, OREGON, ON 3/3 TO 3/6/08, TO ATTEND THE 2008 WEED AND SEED STRATEGY DEVELOPMENT CONFERENCE.**
 - (K) **JUSTICE OF THE PEACE PRECINCT 4 STAFF (1) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 3/3 TO 3/5/08, TO ATTEND THE 2008 COURT PERSONNEL SEMINAR.**
 - (L) **JUSTICE OF THE PEACE PRECINCT 6 PLACE 1 STAFF (1) TO TRAVEL TO TYLER, TEXAS ON 12/4 TO 12/7/07, TO ATTEND CONTINUING EDUCATION FOR JUSTICE OF THE PEACE PROVIDED BY TEXAS JUSTICE COURT TRAINING CENTER.**
 - (M) **PUBLIC WORKS STAFF (7) TO TRAVEL TO MCALLEN, TEXAS, ON 2/19 TO 2/20/08, TO ATTEND THE TEXAS DISASTER RECOVERY COURSE.**

- (A) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VILLA DE RAMOS SUBDIVISION, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**

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- a. MOSQUITO INSECTICIDE – ANNUAL BID #2430 (UNIVAR USA AND B&G CHEMICALS)**
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The Documentation is as follows:

(5) **CONSENT ITEMS.**

- (G) **REQUEST FOR AUTHORIZATION TO NEGOTIATE FOR CONSULTANT SERVICES BY KEN WETHE, INDEPENDENT INSURANCE CONSULTANT TO EVALUATE OUR EXISTING HEALTH PLAN TO INCLUDE MUTUAL OF OMAHA RUN-OUT CLAIMS AND OR REQUEST TEXAS ASSOCIATION OF COUNTIES TO PROVIDE US WITH A STATUS REPORT ON OUR EXISTING HEALTH PLAN ADMINISTRATION. (Contract No. 2008C02055)**

Commissioner Garza motioned to approve the proposed rate of \$1,500 per month, which is inclusive of out-of-pocket expenses

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

AYE: Commissioner Garza and Commissioner Tamayo

NAY: Commissioner Wood

The Contract is as follows:

(L) CONSIDERATION AND AUTHORIZATION TO SOLICIT PROPOSALS AND APPROVAL OF RFP DOCUMENT FOR THE DEVELOPMENT OF 20.91 ACRES AT ANDY BOWIE PARK. (JM-PARKS)

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, Authorization to Solicit Proposals and the RFP Document for the Development of 20.91 Acres at Andy Bowie Park were approved.

The Documentation is as follows:

ACTION ITEMS

(7) ACTION ITEMS.

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

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Budget Amendments, Line Item Transfers and/or Salary Schedules were approved.

The Budget Amendments, Line Item Transfers and/or Salary Schedules are as follows:

(B) APPROVAL OF CLAIMS.

Commissioner Tamayo moved to approve the Claims.

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

AYE: Commissioner Tamayo and Commissioner Wood

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00195280, made payable to Public Utilities Board, in the amount of \$26,696.09 and Warrant No. 00195191, made payable to Harlingen Waterworks System, in the amount of \$533.17 and Commissioner Garza as to Warrant No. 195239, made payable to The Medicine Shoppe, in the amount of \$612.42.

The Claims and Affidavits are as follows:

(C) APPROVAL OF MINUTES FOR: (TABLED)

**JANUARY 22, 2008 – REGULAR MEETING
JANUARY 29, 2008 – REGULAR MEETING**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Minutes for the January 22, 2008- Regular Meeting and January 29, 2008- Regular Meeting were **TABLED**.

**(D) CONSIDERATION AND POSSIBLE APPOINTMENT
OF COMMITTEE TO REVIEW THE CAMERON
COUNTY INVESTMENT POLICY. (DAB-
TREASURER) (TABLED)**

Mr. David Betancourt, County Treasurer, informed the Court that the Cameron County Investment Policy requires the Commissioners' Court to appoint an investment banker, a banker and a private citizen to the committee. He stated that the remaining members of the committee include the County Auditor, a representative from the Civil/Legal Division, the County Judge or his designee and the County Treasurer. He noted that the Investment Policy must be approved every year. He recommended Mr. Henry Najera, First National Bank, as the banker for the committee.

Judge Cascos asked the Court to TABLE this item until names for prospective committee members for the investment banker and private citizen are submitted to the County Treasurer for selection.

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

The Documentation is as follows:

(E) CONSIDERATION AND APPROVAL FOR THE REMODELING OF VITAL STATISTICS DEPARTMENT 2ND FLOOR ADMINISTRATIVE BUILDING ROOM 215, BY CAMERON COUNTY BUILDING AND MAINTENANCE DEPARTMENT. (JGR-COUNTY CLERK)

Judge Cascos directed Mr. David Garcia, Deputy County Administrator, to check with the Maintenance Director regarding the status of other projects that are currently on-going.

Mr. Robert L. Lopez, Director of Administrative Services, advised the Court that (2) part-time employees will be hired and a full-time employee will be assigned to this project.

Commissioner Garza inquired as to the funding for this project.

Mr. David Garcia, Deputy County Administrator, informed the Court that Mr. Joe G. Rivera, County Clerk, has stated that funding is available for this project.

Commissioner Garza motioned to approve the remodeling of the Vital Statistics Department 2nd Floor Administrative Building Room 215, by the Cameron County Building and Maintenance Department subject to confirming the status of on-going Building and Maintenance Department projects with the Maintenance Director and hiring the (2) part-time employees.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

(F) CONSIDERATION AND POSSIBLE ACTION REGARDING THE COMPUTER CENTER EQUIPMENT LIST. (XV-BUDGET) (TABLED)

Commissioner Tamayo motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

(G) DISCUSSION OF CAMERON COUNTY JUVENILE PROBATION DEPARTMENT SECURE FACILITIES FUNDS. (TR-JUVENILE PROBATION) (TABLED)

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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

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

Upon motion by Commissioner Wood, 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 Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 8:55 A.M.

APPROVED this 26th 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