

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 7<sup>th</sup> day of April 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

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 8:00 A.M. He asked for a moment of silence. Commissioner Wood 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 April 3, 2008 at 4:31 P.M.:

**NOTE: Commissioner Benavides was not present as the meeting was called to order.**

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**(1) PUBLIC COMMENTS.**

Commissioner Garza informed the Court that he received a letter asking him to serve on the TT-69 Advisory Committee for Cameron County.

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**CONSENT ITEMS**

**(2) 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. 2 (O):**

Mr. Pete Sepulveda, County Administrator, asked to discuss this item separately.

**Consent Item No. 2 (K) and (R):**

Judge Cascos asked to discuss these items separately.

**Consent Item No. 2 (N):**

Commissioner Wood asked to discuss this item separately.

Commissioner Garza moved to approve the "Consent and Travel Items", excluding Consent Items No. 2 (K), (N), (O) and (R).

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR PARCEL 19(E), FOR FM 511 DRAINAGE OUTFALL EASEMENTS BETWEEN FM 1847 AND STATE HIGHWAY 48. (PSJ-ADMINISTRATOR) (Contract No. 2008C04103)**  
The Documentation is as follows:
- (B) CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR PARCELS 4-A, 27, 36 AND 36-A, 46, 49, 57, 116, 117, 152, AND 159, IN THE PRIMERA, PCT. 4 AREA. (PSJ-ADMINISTRATOR)**  
The Documentation is as follows:
- (C) CONSIDERATION AND ADOPTION OF A PROCLAMATION DECLARING APRIL 11-12, 2008, AS "RELAY FOR LIFE DAYS" IN CAMERON COUNTY, TEXAS. (CHC-COUNTY JUDGE)**
- (D) CONSIDERATION AND AUTHORIZATION TO APPROVE THE EXTENDED SUBDIVISION CONSTRUCTION AGREEMENT FOR RANGERVILLE GARDENS SUBDIVISION, SECTION 1, PCT. 4. (EH-CCDoT) (Contract No. 2008C04114)**  
The Contract is as follows:
- (E) CONSIDERATION AND AUTHORIZATION TO APPROVE FINAL PAYMENT TO CUBCO CONSTRUCTION, INC. FOR THE PIPELINE CROSSING IN OLMITO SUBDIVISION. (EH-CCDoT)**  
The Documentation is as follows:
- (F) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 30, 2008 TO MARCH 30, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS), WATER WELL FACILITIES AND REVERSE OSMOSIS SYSTEMS AT CLOSNER-GARCIA SUBDIVISION, PCT. 4. (EH-CCDoT)**  
The Documentation is as follows:

- (G) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 31, 2008 TO MARCH 31, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT WHITE RANCH MANOR SUBDIVISION, PCT. 4. (EH-CCDoT)**  
**The Documentation is as follows:**
- (H) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 26, 2008 TO NOVEMBER 8, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT CITRUS ESTATES SUBDIVISION, PCT. 4. (EH-CCDoT)**  
**The Documentation is as follows:**
- (I) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR REMAR SUBDIVISION, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**  
**The Documentation is as follows:**
- (J) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR PALOMAR SUBDIVISION, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)**  
**The Documentation is as follows:**
- (K) **CONSIDERATION AND AUTHORIZATION TO UTILIZE THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS INTERLOCAL COOPERATIVE PURCHASING AGREEMENT (HGAC) FOR THE PURCHASE OF (4) VEHICLES FOR THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE. (AV-DISTRICT ATTORNEY) (ACTION TAKEN SEPARATELY)**
- (L) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF STEVE BERLANGA RESERVE DEPUTY CONSTABLE FOR PRECINCT #6 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 WHICHEVER ENDS SOONER. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**
- (M) **CONSIDERATION AND POSSIBLE APPROVAL TO ADVERTISE LETTER OF INTEREST FOR THE DISPERSAL OF FAMILY PROTECTION FEE MONIES. (CHC-JUDGE)**  
**The Documentation is as follows:**
- (N) **CONSIDERATION AND AUTHORIZATION TO APPROVE DUNE PERMIT AND BEACH FRONT CONSTRUCTION CERTIFICATE TO HERB HOUSTON FOR BLAZER PROPERTIES TO INSTALL SAND FENCES ON TRACT 11 OF SOUTH PADRE ISLAND INVESTMENT COMPANY SUBDIVISION. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (O) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING) (ACTION TAKEN SEPARATELY)**  
a. **PATROL CARS – SHERIFF'S & CONSTABLES (QTY. 12) (LOCAL WITHIN 3% OF LOW BID)**  
**PICK-UP TRUCKS – ENGINEERING PLANNING DEPT. (QTY. 2) (LOW BID) (TIPTON FORD)**  
**VAN (15 PASSENGER) – JAIL (QTY. 1) (LOCAL WITHIN 3% OF LOW BID) AS PER BID #-80302**
- (P) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S: (MF-PURCHASING)**  
a. **ROAD MACHINERY & FARM IMPLEMENT: OEM PARTS – ANNUAL BID #2507**
- (Q) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ'S FOR: (MF-PURCHASING)**  
a. **PEST CONTROL – ANNUAL BID #1600**  
b. **BERMUDA HYDRO-MULCH & SOD INSTALLATION – COUNTY PARKS – BID #080303**
- (R) **CONSIDERATION AND AUTHORIZATION TO UTILIZE THE BUY-BOARD VIA PHILPOT MOTORS, BUYBOARD #281-07, FOR THE PURCHASE OF (1) FORD EXPEDITION USING DRUG FORFEITURE MONIES FUND 900. (OL-SHERIFF) (ACTION TAKEN SEPARATELY)**

- (S) **CONSIDERATION AND ADOPTION OF A PROCLAMATION DECLARING THE MONTH OF APRIL 2008, AS "SEXUAL ASSAULT AWARENESS MONTH" IN CAMERON COUNTY, TEXAS. (CHC-COUNTY JUDGE)**

## TRAVEL ITEMS

- (3) **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) **COMMISSIONER PRECINCT 4 TO TRAVEL TO AUSTIN, TEXAS, ON 8/27 TO 8/29/08, TO ATTEND THE 2008 TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE.**
  - (B) **COUNTY JUDGE AND DEPUTY PARKS DIRECTOR TO TRAVEL TO AUSTIN, TEXAS, ON 4/30 TO 5/1/08, TO ATTEND THE TCEQ ENVIRONMENTAL EXCELLENCE AWARDS BANQUET.**
  - (C) **DISTRICT ATTORNEY'S OFFICE STAFF (4) TO TRAVEL TO AUSTIN, TEXAS, ON 4/8 TO 4/11/08, TO ATTEND THE TEXAS DISTRICT & COUNTY ATTORNEY'S ASSOCIATION SEMINAR ON SEXUAL ASSAULTS OF CHILDREN.**
  - (D) **DISTRICT ATTORNEY'S OFFICE STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 4/21 TO 4/23/08, TO ATTEND THE SOUTH TEXAS HIDTA WEB PMP PERFORMANCE MANAGEMENT COURSE.**
  - (E) **EMERGENCY MANAGEMENT STAFF (3) TO TRAVEL TO COLLEGE STATION, TEXAS, ON 4/21 TO 4/25/08, TO ATTEND THE MULTI-AGENCY COORDINATING CENTER (MACC) TRAINING SPONSORED BY TEXAS A&M EXTENSION SERVICE AND THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT.**
  - (F) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO COLLEGE STATION, TEXAS, ON 4/18 TO 4/19/08, TO ATTEND AND ASSIST WITH THE 4-H MULTI DISTRICT JUDGING.**
  - (G) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 4/21/08 TO ATTEND THE BRAND MASTER TRAINING.**
  - (H) **EXTENSION OFFICE STAFF (3) TO TRAVEL TO KINGSVILLE, TEXAS, ON 4/26/08 TO ASSIST WITH THE 4-H DISTRICT FASHION SHOW.**
  - (I) **EXTENSION OFFICE STAFF (2) TO TRAVEL TO KINGSVILLE, TEXAS, ON 5/3/08 TO ASSIST WITH THE 4-H ROUND-UP.**
  - (J) **EXTENSION OFFICE STAFF (2) TO TRAVEL TO FALFURRIAS, TEXAS, ON 5/3/08 TO ASSIST WITH THE 4-H RIFLE CONTEST.**
  - (K) **JUSTICE OF THE PEACE PRECINCT 1 STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 4/8 TO 4/11/08, TO ATTEND THE 2008 JUSTICE OF THE PEACE SEMINAR.**
  - (L) **PROGRAM DEVELOPMENT AND MANAGEMENT STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 4/9/08, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL.**
  - (M) **CAMERON COUNTY JUDGE TO TRAVEL TO COLLEGE STATION, TEXAS, ON 4/8 TO 4/9/08, TO ATTEND THE 2008 HURRICANE EXERCISE (ROC DRILL). (CHC-COUNTY JUDGE)**
  - (N) **FAMILY COURT ASSOCIATE JUDGE TO TRAVEL TO GALVESTON, TEXAS, ON 4/16 TO 4/18/08, TO ATTEND THE MARRIAGE DISSOLUTION COURSE.**

- (A) CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR PARCEL 19(E), FOR FM 511 DRAINAGE OUTFALL EASEMENTS BETWEEN FM 1847 AND STATE HIGHWAY 48. (PSJ-ADMINISTRATOR) (Contract No. 2008C04103)**  
**The Documentation is as follows:**

**(B) CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR PARCELS 4-A, 27, 36 AND 36-A, 46, 49, 57, 116, 117, 152, AND 159, IN THE PRIMERA, PCT. 4 AREA. (PSJ-ADMINISTRATOR) (Contract No. 2008C04104-Parcel 4-A) (Contract No. 2008C04105-Parcel 27) (Contract No. 2008C04106-Parcels 36 & 36-A) (Contract No. 2008C04107-Parcel 46) (Contract No. 2008C04108-Parcel 49) (Contract No. 2008C04109-Parcel 57) (Contract No. 2008C04110-Parcel 116) (Contract No. 2008C04111-Parcel 117) (Contract No. 2008C04112-Parcel 152) (Contract No. 2008C04113-Parcel 159)**

**The Documentation is as follows:**

- (D) CONSIDERATION AND AUTHORIZATION TO APPROVE THE EXTENDED SUBDIVISION CONSTRUCTION AGREEMENT FOR RANGERVILLE GARDENS SUBDIVISION, SECTION 1, PCT. 4. (EH-CCDoT) (Contract No. 2008C04114)**  
**The Contract is as follows:**

- (E) CONSIDERATION AND AUTHORIZATION TO APPROVE FINAL PAYMENT TO CUBCO CONSTRUCTION, INC. FOR THE PIPELINE CROSSING IN OLMITO SUBDIVISION. (EH-CCD0T)**  
**The Documentation is as follows:**



- (F) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 30, 2008 TO MARCH 30, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS), WATER WELL FACILITIES AND REVERSE OSMOSIS SYSTEMS AT CLOSNER-GARCIA SUBDIVISION, PCT. 4. (EH-CCDoT)**  
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The Documentation is as follows:**

- (L) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF STEVE BERLANGA RESERVE DEPUTY CONSTABLE FOR PRECINCT #6 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 WHICHEVER ENDS SOONER. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**

- (M) CONSIDERATION AND POSSIBLE APPROVAL TO ADVERTISE LETTER OF INTEREST FOR THE DISPERSAL OF FAMILY PROTECTION FEE MONIES. (CHC-JUDGE)**  
**The Documentation is as follows:**

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(2) **CONSENT ITEMS.**

- (K) **CONSIDERATION AND AUTHORIZATION TO UTILIZE THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS INTERLOCAL COOPERATIVE PURCHASING AGREEMENT (HGAC) FOR THE PURCHASE OF (4) VEHICLES FOR THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE. (AV-DISTRICT ATTORNEY) (TABLED)**

Judge Cascos recommended that this item be tabled in order for this item to be bid out.

Commissioner Tamayo asked to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (N) **CONSIDERATION AND AUTHORIZATION TO APPROVE DUNE PERMIT AND BEACH FRONT CONSTRUCTION CERTIFICATE TO HERB HOUSTON FOR BLAZER PROPERTIES TO INSTALL SAND FENCES ON TRACT 11 OF SOUTH PADRE ISLAND INVESTMENT COMPANY SUBDIVISION. (JM-PARKS)**

Commissioner Garza motioned to approve the Dune Permit and Beach Front Construction Certificate to Herb Houston for Blazer Properties to Install Sand Fences on Tract 11 of South Padre Island Investment Company Subdivision.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**



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- (O) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING) (Resolution No. 2008R04030)**
- a. **PATROL CARS – SHERIFF'S & CONSTABLES (QTY. 12) (LOCAL WITHIN 3% OF LOW BID) PICK-UP TRUCKS – ENGINEERING PLANNING DEPT. (QTY. 2) (LOW BID) (TIPTON FORD) VAN (15 PASSENGER) – JAIL (QTY. 1) (LOCAL WITHIN 3% OF LOW BID) AS PER BID #0-80302**

Commissioner Wood motioned award the bid for Patrol Cars-Sheriff's & Constables (Qty. 12), Pick-Up Trucks-Engineering Planning Dept. (Qty. 2) and Van (15 Passenger)-Jail (Qty. 1) to Tipton Ford.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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**(R) CONSIDERATION AND AUTHORIZATION TO UTILIZE THE BUY-BOARD VIA PHILPOT MOTORS, BUYBOARD #281-07, FOR THE PURCHASE OF (1) FORD EXPEDITION USING DRUG FORFEITURE MONIES FUND 900. (OL-SHERIFF) (TABLED)**

Judge Cascos recommended that this item be tabled in order for this item to be bid out.

Commissioner Garza asked to TABLE this item.

The motion was seconded by Commissioner Wood and carried unanimously.

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**ACTION ITEMS**

**(4) ACTION ITEMS.**

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

**NOTE: Commissioner Benavides joined the meeting at 8:11 AM.**

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

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

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**(B) APPROVAL OF CLAIMS.**

Commissioner Tamayo moved to approve the Claims.

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

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

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00198448, made payable to Harlingen Waterworks System, in the amount of \$552.55 and Warrant No. 00198507, made payable to Public Utilities Board, in the amount of \$22,770.03.

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

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**(C) APPROVAL OF MINUTES FOR:**

**MARCH 18, 2008 – REGULAR MEETING**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Minutes for the March 18, 2008- Regular Meeting, was approved.

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**(D) CONSIDERATION AND AUTHORIZATION TO ALLOW THE COUNTY JUDGE TO SIGN LETTER ADDRESSED TO THE U.S. DEPARTMENT OF ARMY, CORP OF ENGINEERS DIVISION ALLOWING CONTRACTOR TO PERFORM WORK ON COUNTY LAND ACCORDANCE WITH INTERLOCAL AGREEMENT NO. 2006C11079 IN ANDY BOWIE PARK FOR THE SOUTH PADRE ISLAND BIRDING AND NATURE CENTER. (JM-PARKS) (TABLED)**

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(E) CONSIDERATION AND APPROVAL TO USE CLEAN AIR SOLUTIONS TO CUT AND INSTALL NINE (9) WINDOWS TO THE ADMINISTRATION BUILDING FOR THE REMODELING OF THE 3<sup>RD</sup> AND 4<sup>TH</sup> FLOORS. (RL-BUILDING MAINTENANCE)**

Commissioner Garza motioned to approve to use Clean Air Solutions to Cut and Install Nine (9) Windows to the Administration Building for the Remodeling of the 3<sup>rd</sup> and 4<sup>th</sup> Floors subject to receiving confirmation from the architect that installing windows will not compromise the structure of the building.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(F) DISCUSSION AND POSSIBLE ACTION REGARDING THE BORDER WALL/LEVEE PROGRAM. (PSJ-ADMINISTRATOR)**

Commissioner Garza motioned to proceed as discussed for procurement.

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

AYE: Commissioner Garza, Commissioner Benavides and Commissioner Tamayo

NAY: Commissioner Wood

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**(G) DISCUSSION AND POSSIBLE ACTION REGARDING THE COUNTY'S STATE AND FEDERAL LEGISLATIVE AGENDA. (PSJ-ADMINISTRATOR) (NO ACTION TAKEN)**

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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 9:05 A.M.

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**APPROVED** this 29<sup>th</sup> day of April 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**