

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 23rd day of June 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:

8:30 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 8:30 A.M. He asked Father Michael Seifert for the invocation. Father Michael Seifert 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 June 20, 2008 at 8:08 A.M.:

BIDS, RFQ'S, RFP'S

(1) BIDS, RFQ'S, RFP'S:

(A) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S/RFQ'S AND APPROVAL OF RFP DRAFTS: (MF-PURCHASING)

- a. INSURANCE VOLUNTARY (EMPLOYEE PURCHASED):**
- i. DENTAL – ANNUAL RFP #1466-D**
 - ii. VISION – ANNUAL RFP #1466-V**

Commissioner Wood motioned to approve the Authorization to Advertise for the Dental–Annual RFP #1466-D and Vision–Annual RFP #1466-V and to approve the RFP drafts.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

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

a. INSURANCE: OCCUPANCY – COUNTY INTERNATIONAL BRIDGES – ANNUAL RFP #1458.

Commissioner Tamayo motioned to approve the Authorization to Award Bids/RFP's/RFP's for the following Insurance: Occupancy-County International Bridge-Annual RFP #1458.

The motion was seconded by Commissioner Garza and carried unanimously.

The Tabulation is as follows:

**(C) CONSIDERATION AND APPROVAL OF RFP FOR THE FOLLOWING BIDS/RFP'S/RFQ'S:
(MF-PURCHASING)**

**a. THIRD PARTY ADMINISTRATION FOR SECTION IRC 125 AND FLEXIBLE
SPENDING ACCOUNT SPECIFICATIONS – RFP #1460**

Commissioner Garza motioned to approve the RFP for the following: Third Party Administration for Section IRC 125 and Flexible Spending Account Specifications – RFP#1460.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

**(D) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ'S:
(MF-PURCHASING)**

a. PROPERTY AND CASUALTY INSURANCE – RFP #1464.

Commissioner Wood motioned to approve the Authorization to Open the following RFP's:

Property And Casualty Insurance-RFP #1464.

The motion was seconded by Commissioner Benavides and carried unanimously.

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.

Commissioner Tamayo moved to approve the "Consent and Travel Items".

The motion was seconded by Commissioner Benavides and carried unanimously.

(A) CONSIDERATION AND AUTHORIZATION TO UTILIZE THE INFORMAL BID PROCESS FOR THE JUDICIAL COURTHOUSE FIVE (5) DISTRICT COURTS – REMOVAL AND INSTALLATION OF NEW COMMERCIAL CARPET AND AWARD CONTRACT TO THE LOWEST BIDDER REVELES CARPET IN THE AMOUNT OF \$20,146.37. (MI-BUILDING MAINTENANCE)

The Documentation is as follows:

(B) CONSIDERATION AND AUTHORIZATION TO SUBMIT AN AMENDED PRESIDENTIAL PERMIT APPLICATION TO THE U.S. DEPARTMENT OF STATE FOR THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES EXPANSION PROJECT. (PSJ-ADMINISTRATOR)

(C) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 28, 2008 TO MAY 28, 2009 FOR PROVIDING WATER, WASTEWATER, ROADS AND DRAINAGE AT BENT TREE SUBDIVISION, SECTION II, PCT. 4. (EH-CCDoT)

The Documentation is as follows:

(D) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR MESQUITE WOOD SUBDIVISION, PCT. 2, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT)

The Documentation is as follows:

(E) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES (CCDHHS) WIC PROGRAM AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (TDSHS). (YS-HEALTH) (Contract No. 2008C06192)

The Contract is as follows:

(F) CONSIDERATION AND APPROVAL FOR CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES WIC PROGRAM TO PURCHASE CUVETTES FROM HEMOCUE, A SOLE SOURCE SUPPLIER TO CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES WIC PROGRAM CURRENT HEMOGLOBIN PROCEDURE. (YS-HEALTH)

The Documentation is as follows:

(G) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO ACCEPT FUNDS FROM UNITED WAY IN THE AMOUNT OF \$41,340.37. (TR-JUVENILE PROBATION)

The Documentation is as follows:

- (H) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND SCOTT EDWIN KEE, EVENT CHAIRMAN FOR RUFF RIDER REGATTA. (JM-PARKS) (Contract No. 2008C06193)**
The Contract 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) **COMMISSIONER PRECINCT 3, TO TRAVEL TO AUSTIN, TEXAS, ON 6/18/08, TO ATTEND THE I-69 CORRIDOR ADVISORY COMMITTEE MEETING AS AN ADVISORY COMMITTEE MEMBER.**
 - (B) **COMMISSIONER PRECINCT 3, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 6/23 TO 6/26/08, TO ATTEND THE 74TH SOUTH TEXAS COUNTY JUDGES AND COMMISSIONER'S ASSOCIATION CONFERENCE.**
 - (C) **COUNTY CLERKS OFFICE STAFF (5) TO TRAVEL TO NEW BRAUNFELS, TEXAS, ON 6/6 TO 6/8/08, TO ATTEND THE 2008 TEXAS VITAL STATISTICS REGIONAL CONFERENCE.**
 - (D) **ELECTIONS DEPARTMENT STAFF (5) TO TRAVEL TO AUSTIN, TEXAS, ON 7/29 TO 8/1/08, TO ATTEND THE 26TH ANNUAL ELECTION LAW SEMINAR FOR COUNTY CLERKS/ELECTIONS ADMINISTRATORS.**
 - (E) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO COLLEGE STATION, TEXAS, ON 6/10 TO 6/13/08, TO ATTEND THE TEXAS 4-H ROUNDUP.**
 - (F) **HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 6/24 TO 6/27/08, TO ATTEND THE BINATIONAL HEALTH COUNCIL (BHC) PLANNING WORKSHOP.**
 - (G) **SHERIFF'S DEPARTMENT STAFF (1) TO TRAVEL TO HUNTSVILLE, TEXAS, ON 6/22 TO 6/27/08, TO ATTEND THE LEADERSHIP DEVELOPMENT PROGRAM.**
 - (H) **SHERIFF'S DEPARTMENT STAFF (3) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 7/17 TO 7/23/08, TO ATTEND THE SHERIFF'S ASSOCIATION OF TEXAS 130TH ANNUAL TRAINING CONFERENCE.**
 - (I) **SHERIFF'S DEPARTMENT STAFF (2) TO TRAVEL TO INDIANAPOLIS, INDIANA ON 6/27 TO 7/3/08, TO ATTEND THE NATIONAL SHERIFF'S ASSOCIATION ANNUAL CONFERENCE.**

- (A) CONSIDERATION AND AUTHORIZATION TO UTILIZE THE INFORMAL BID PROCESS FOR THE JUDICIAL COURTHOUSE FIVE (5) DISTRICT COURTS – REMOVAL AND INSTALLATION OF NEW COMMERCIAL CARPET AND AWARD CONTRACT TO THE LOWEST BIDDER REVELES CARPET IN THE AMOUNT OF \$20,146.37. (MI-BUILDING MAINTENANCE)**
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The Documentation is as follows:

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The Documentation is as follows:

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The Documentation is as follows:

- (G) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO ACCEPT FUNDS FROM UNITED WAY IN THE AMOUNT OF \$41,340.37. (TR-JUVENILE PROBATION)**
The Documentation is as follows:

- (H) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND SCOTT EDWIN KEE, EVENT CHAIRMAN FOR RUFF RIDER REGATTA. (JM-PARKS) (Contract No. 2008C06193)**
The Contract is as follows:

ACTION ITEMS

(7) ACTION ITEMS.

- (F) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY TAX OFFICE TO IMPLEMENT A BILLING AND COLLECTION SYSTEM FOR THE CAMERON PARK AND LAGUNA HEIGHTS STREET LIGHT PROJECT. (FB-PD&M) (TABLED)**
- (G) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY JUDGE TO REQUEST INSTALLATION OF STREET LIGHTS BY AEP TEXAS IN THE CAMERON PARK AND LAGUNA HEIGHTS COLONIAS. (FB-PD&M) (TABLED)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously,

Action Items No. 7 (F) and (G) were **TABLED**.

EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the

Court met in Executive Session at 9:45 A.M. to discuss the following matters:

(2) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING POSSIBLE BREACH OF SOLID WASTE COLLECTION CONTRACT AND AUTHORITY TO INITIATE LITIGATION AGAINST RED RIVER CORPORATION IF NECESSARY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DARIO DIAZ VS. CAMERON COUNTY AND CAMERON COUNTY PRECINCT 4 CONSTABLE ROBERT LOPEZ, IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES; IN THE FIFTH CIRCUIT COURT; CIRCUIT NO. 08-40494, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**
- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING: THE POSSIBLE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF THE ARMY KNOWN AS:**

TRACK NO.	ESTATES	ACREAGE
A. RGV-BRP-2005 & 2005E	FEE, EXCLUDING MINERAL BANCO TEMPORARY WORK	1.52 ACRES OF LAND IN LOTS 4 & 5 OF THE ROCK AREA SHARE 6 PARTITION, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS
B. RGV-BRP-4002	FEE, EXCLUDING MINERALS	0.51 ACRE OF LAND IN LOS TOMATES BEND, SHARE 19, PAREDES PARTITION, ESPIRITU SANTO GRANT,

		CAMERON COUNTY, TEXAS
C. RGV-HRL-1002	FEE, EXCLUDING MINERALS	0.83 ACRE OF LAND IN RIVER DRIVE COMMUNITY PARK SUBDIVISION, CAMERON COUNTY, TEXAS
D. RGV-HRL-3007	FEE, EXCLUDING MINERALS	2.46 ACRE OF LAND IN BROOKS PLANTATION, SHARE 1 OF THE ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS
E. RGV-HRL-4000	FEE, EXCLUDING MINERALS	2.21 ACRE OF LAND BLOCKS 58-61 AND 71, SAN BENITO LAND AND WATER, RIO GRANDE CONSTRUCTION CO. AND LOS INDIOS IRRIGATED LAND COMPANY, SHARES 9-12, CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS.

(D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING WAIVER OF SERVICE FOR THE FOLLOWING CASES IN WHICH CAMERON COUNTY IS AN UNNAMED DEFENDANT:

- A. 1:08-CV-240, UNITED STATES OF AMERICA V. HERMINIO GARCIA, ET. AL.
- B. 1:08-CV-238, UNITED STATES OF AMERICA V. JOHN ALMEIDA, ET. AL.
- C. 1:08-CV-265, UNITED STATES OF AMERICA V. UNKNOWN OWNERS, ET. AL.
- D. 1:08-CV-208, UNITED STATES OF AMERICA V. OSCAR RODRIGUEZ, ET. AL.
- E. 1:08-CV-211, UNITED STATES OF AMERICA V. JOSE R. GARZA, ET. AL.
- F. 1:08-CV-209, UNITED STATES OF AMERICA V. FRANCISCO A. MONTIEL, ET. AL.
- G. 1:08-CV-220, UNITED STATES OF AMERICA V. MANUEL VILLANUEVA, ET. AL.
- H. 1:08-CV-216, UNITED STATES OF AMERICA V. OSCAR RAMIREZ, SR., ET. AL.
- I. 1:08-CV-246, UNITED STATES OF AMERICA V. JOSEPHINE WEAVER MARTINEZ, ET. AL.
- J. 1:08-CV-221, UNITED STATES OF AMERICA V. JOHN COLEMAN, ET. AL.
- K. 1:08-CV-201, UNITED STATES OF AMERICA V. SUMMER FAMILY PARTNERSHIP, LTD., ET. AL.
- L. 1:08-CV-210, UNITED STATES OF AMERICA V. ELIAS LOPEZ, ET. AL.
- M. 1:08-CV-222, UNITED STATES OF AMERICA V. JUAN CAVAZOS, ET. AL.
- N. 1:08-CV-215, UNITED STATES OF AMERICA V. DAVID G. HERNANDEZ, ET. AL.
- O. 1:08-CV-200, UNITED STATES OF AMERICA V. ESTATE OF H. L. FAULK, THE ESTATE OF T. GILBERT SHARP, AND THE ESTATE OF PAULA Y. CUNNINGHAM, ET. AL.
- P. 1:08-CV-207, UNITED STATES OF AMERICA V. LUIS RODRIGUEZ, ET. AL.
- Q. 1:08-CV-214, UNITED STATES OF AMERICA V. ALAN CURTIS BLOUNT, ET. AL.
- R. 1:08-CV-241, UNITED STATES OF AMERICA V. JUAN A. PENA, ET. AL.

- S. 1:08-CV-233, UNITED STATES OF AMERICA V. ESTATE OF ESTEFANA ALLALA, ET. AL.
- T. 1:08-CV-243, UNITED STATES OF AMERICA V. JOSE LUIS CANALES, ET. AL.
- U. 1:08-CV-249, UNITED STATES OF AMERICA V. JAIME RENE RODRIGUEZ, ET. AL.
- V. 1:08-CV-248, UNITED STATES OF AMERICA V. JUANA Q. BENAVIDES, ET. AL.
- W. 1:08-CV-239, UNITED STATES OF AMERICA V. LLOYD S. FALLIN, JR., ET. AL.
- X. 1:08-CV-250, UNITED STATES OF AMERICA V. ANTONIO CRUZ, JR., ET. AL.
- Y. 1:08-CV-245, UNITED STATES OF AMERICA V. MARIA GUADALUPE RODRIGUEZ, ET. AL.
- Z. 1:08-CV-244, UNITED STATES OF AMERICA V. WILLIAM A. FAULK, SR., ET. AL.
- AA. 1:08-CV-247, UNITED STATES OF AMERICA V. ARNOLDO GEORGE AND SANITITOS G. GEORGE, TRUSTEES, ET. AL.
- BB. 1:08-CV-266, UNITED STATES OF AMERICA V. DELIA PEREZ WEAVER, ET. AL.
- CC. 1:08-CV-253, UNITED STATES OF AMERICA V. ROBERT V. YARBROUGH, ET. AL.
- DD. 1:08-CV-262, UNITED STATES OF AMERICA V. LUIS ANTONIO BEDOLLA, ET. AL.
- EE. 1:08-CV-257, UNITED STATES OF AMERICA V. JOSEFA RODRIGUEZ PEDRAZA, ET. AL.
- FF. 1:08-CV-260, UNITED STATES OF AMERICA V. UNITED STATES OF AMERICA, ET. AL.
- GG. 1:08-CV-264, UNITED STATES OF AMERICA V. ROY ZEPEDA, ET. AL.
- HH. 1:08-CV-259, UNITED STATES OF AMERICA V. ROBERT DE LOS SANTOS, ET. AL.
- II. 1:08-CV-252, UNITED STATES OF AMERICA V. MAXIMO ESPINOZA, ET. AL.
- JJ. 1:08-CV-229, UNITED STATES OF AMERICA V. CARLOS RENE REYES, ET. AL.
- KK. 1:08-CV-226, UNITED STATES OF AMERICA V. RIO GRANDE PALMS WATER DISTRICT, ET. AL.
- LL. 1:08-CV-219, UNITED STATES OF AMERICA V. SHIMOTSU REAL ESTATE PARTNERSHIP, ET. AL.
- MM. 1:08-CV-218, UNITED STATES OF AMERICA V. BARREDA PARK, ET. AL.
- NN. 1:08-CV-217, UNITED STATES OF AMERICA V. DONALD F. PHILLIPP, ET. AL.
- OO. 1:08-CV-232, UNITED STATES OF AMERICA V. THE BROWNSVILLE AND MATAMOROS BRIDGE COMPANY, ET. AL.
- PP. 1:08-CV-198, UNITED STATES OF AMERICA V. SPARKS FAMILY PARTNERSHIP, LTD., ET. AL.
- QQ. 1:08-CV-197, UNITED STATES OF AMERICA V. ESTATE OF PILAR CABRERA, ET. AL.
- RR. 1:08-CV-196, UNITED STATES OF AMERICA V. ESTATE OF LUCIANO ORTIZ, ET. AL.
- SS. 1:08-CV-194, UNITED STATES OF AMERICA V. ESTATE OF PILAR CABRERA, ET. AL.
- TT. 1:08-CV-182, UNITED STATES OF AMERICA V. JOSE MANUEL REYES, ET. AL.
- UU. 1:08-CV-181, UNITED STATES OF AMERICA V. TOMAS R. PEREZ, ET. AL.
- VV. 1:08-CV-172, UNITED STATES OF AMERICA V. GUADALUPE RODRIGUEZ CASTANEDA, ET. AL.
- WW. 1:08-CV-170, UNITED STATES OF AMERICA V. SANTOS MORALES, ET. AL.
- XX. 1:08-CV-178, UNITED STATES OF AMERICA V. MARIA ELIA FUENTES DE MENDOZA, ET. AL.
- YY. 1:08-CV-177, UNITED STATES OF AMERICA V. ROBERT H. PEDRAZA, ET. AL.

PURSUANT TO V.T.CA. GOVERNMENT CODE, SECTION 551.071 (1)(A).

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 10:06 A.M. to discuss the following matters:

(3) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING POSSIBLE BREACH OF SOLID WASTE COLLECTION CONTRACT AND AUTHORITY TO INITIATE LITIGATION AGAINST RED RIVER CORPORATION IF NECESSARY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**

Commissioner Benavides motioned to acknowledge the Report by Legal Counsel and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

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

AYE: Commissioner Benavides, Commissioner Wood and Commissioner Garza

NAY: None

ABSTAIN: Commissioner Tamayo

The Documentation is as follows:

- (B) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DARIO DIAZ VS. CAMERON COUNTY AND CAMERON COUNTY PRECINCT 4 CONSTABLE ROBERT LOPEZ, IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES; IN THE FIFTH CIRCUIT COURT; CIRCUIT NO. 08-40494, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (A) & (2).**

Commissioner Benavides motioned to acknowledge the Report by Legal Counsel and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

The motion was seconded by Commissioner Garza and carried unanimously.

- (C) **DELIBERATION REGARDING REAL PROPERTY CONCERNING: THE POSSIBLE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF THE ARMY KNOWN AS: (TABLED)**

TRACK NO.	ESTATES	ACREAGE
A. RGV-BRP-2005 & 2005E	FEE, EXCLUDING MINERAL BANCO TEMPORARY WORK	1.52 ACRES OF LAND IN LOTS 4 & 5 OF THE ROCK AREA SHARE 6 PARTITION, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS
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E. RGV-HRL-4000	FEE, EXCLUDING MINERALS	2.21 ACRE OF LAND BLOCKS 58-61 AND 71, SAN BENITO LAND AND WATER, RIO GRANDE CONSTRUCTION CO. AND LOS INDIOS IRRIGATED LAND COMPANY, SHARES 9-12, CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS.

Commissioner Garza motioned to **TABLE** this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING WAIVER OF SERVICE FOR THE FOLLOWING CASES IN WHICH CAMERON COUNTY IS AN UNNAMED DEFENDANT:
- A. 1:08-CV-240, UNITED STATES OF AMERICA V. HERMINIO GARCIA, ET. AL.
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RR. 1:08-CV-196, UNITED STATES OF AMERICA V. ESTATE OF LUCIANO ORTIZ, ET. AL.
SS. 1:08-CV-194, UNITED STATES OF AMERICA V. ESTATE OF PILAR CABRERA, ET. AL.
TT. 1:08-CV-182, UNITED STATES OF AMERICA V. JOSE MANUEL REYES, ET. AL.
UU. 1:08-CV-181, UNITED STATES OF AMERICA V. TOMAS R. PEREZ, ET. AL.
VV. 1:08-CV-172, UNITED STATES OF AMERICA V. GUADALUPE RODRIGUEZ CASTANEDA, ET. AL.
WW. 1:08-CV-170, UNITED STATES OF AMERICA V. SANTOS MORALES, ET. AL.
XX. 1:08-CV-178, UNITED STATES OF AMERICA V. MARIA ELIA FUENTES DE MENDOZA, ET. AL.
YY. 1:08-CV-177, UNITED STATES OF AMERICA V. ROBERT H. PEDRAZA, ET. AL.

PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A).

Judge Cascos-“Mr. Burst, would you like to explain that agenda item please?”

Mr. Richard Burst, Legal Counsel-“Yes, Judge. What this is is a Federal Rule 4 Procedure. In federal court, when a suit is filed, they can either name or unname the defendants. We, right now, are unnamed defendant, but the Federal Government has sent to Cameron County a request for waiver of service under Rule 4. The County has the option to either wave the service and then deal with the lawsuit or not wave it; in which case the cost of service would then be shifted to the County at roughly \$200 to \$250 per case.”

Judge Cascos-“Okay. What are the wishes of the Court? And make a motion accordingly.”

Commissioner Garza-“Was that a recommendation from Legal?”

Judge Cascos-“I don’t think he made a recommendation. I think he just told us what the facts were.”

Mr. Burst-“I would recommend that the waivers be signed. It’s out of our control. The government has indicated, at least on these cases, that they are going to service and since all that is an act of having the paperwork issued and served on the County Judge in his office. We can avoid that potential cost of around \$13,000 by simply signing the waivers. I would recommend that the waiver be signed.”

Commissioner Garza-“So moved.”

Judge Cascos-“Okay.”

Commissioner Tamayo-“Second.”

Judge Cascos-“That was moved by Commissioner Garza, seconded by Commissioner Tamayo. Any further discussion? All those in favor please signify by saying ‘aye’.”

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

Judge Cascos-“Any opposed?”

Commissioner Wood-“Nay.”

Judge Cascos-“Item carries.”

(4) **PUBLIC COMMENTS.**

Commissioner Tamayo asked the members of the Court to inform the County Administrator and the County Judge’s Office when they will be out of town and not able to attend the Regular Meetings in order to ensure that a quorum is present.

ACTION ITEMS

(7) **ACTION ITEMS.**

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

Upon motion by Commissioner Benavides, 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 Garza moved to approve the Claims.

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

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

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00202701, made payable to Harlingen Waterworks System, in the amount of \$283.39 and Warrant No. 00202804, made payable to Public Utilities Board, in the amount of \$41,614.43.

The Claims and Affidavits are as follows:

**(C) APPROVAL OF MINUTES FOR:
JUNE 3, 2008-REGULAR**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Minutes for the June 3, 2008-Regular Meeting was approved.

**(D) DISCUSSION REGARDING THE PROCEDURE FOR AN
APPOINTMENT FOR PRECINCT NO. 1 CONSTABLE (PSJ-
ADMINISTRATOR)**

Commissioner Garza motioned to acknowledge the Report by Richard Burst, Legal Counsel, regarding the Procedure for an Appointment for Precinct No. 1 Constable.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**(E) DISCUSSION AND POSSIBLE ACTION REGARDING THE
SUBMITTAL OF THE CONCEPTUAL PLANS TO THE
INTERNATIONAL BOUNDARY AND WATER COMMISSION FOR
THE VETERANS INTERNATIONAL BRIDGE AT LOS TOMATES
EXPANSION PROJECT. (PSJ-ADMINISTRATOR)**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Submittal of the Conceptual Plans to the International Boundary and Water Commission for the Veterans International Bridge at Los Tomates Expansion Project was approved.

**(H) 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 on June 26th, the Texas Department of Transportation will be holding a Commission Meeting to discuss and possibly award a proposee for the master development plan for I-37 from Corpus Christi down to Brownsville

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Report by David Garcia, Deputy County Administrator, 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 Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 10:40 A.M.

APPROVED this 15th day of **July 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