

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 22<sup>nd</sup> day of July 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**

\_\_\_\_\_  
**COMMISSIONER PRECINCT NO. 3**

\_\_\_\_\_  
**COMMISSIONER PRECINCT NO. 4**

**JOE G. RIVERA**  
\_\_\_\_\_  
**COUNTY CLERK**

**Aide A. Trejo** **Deputy Clerk**

**ABSENT:**  
**DAVID A. GARZA**  
\_\_\_\_\_

**EDNA TAMAYO**  
\_\_\_\_\_

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The meeting was called to order by Judge Cascos at 5:32 P.M. He asked for a moment of silence. Commissioner Benavides 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 July 18, 2008 at 9:46 A.M.:

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(1) **PUBLIC COMMENTS.**

None were presented.

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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 (H):**

Ms. Dylbia Jeffries-Vega, Legal Counsel, informed the Court that the Twentieth Century Fox Film Corporation insists that the license agreement be based on California law.

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

Ms. Dylbia Jeffries-Vega, Legal Counsel, asked that this item be approved subject to receiving a clean copy from the State of Texas.

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

The motion was seconded by Commissioner Benavides and carried unanimously.

(A) **CONSIDERATION AND AUTHORIZATION TO PROCESS PAYMENT OF THE 8% GENERAL REVENUE TAX LEVY TO THE UPL IN THE AMOUNT OF \$2,901,496.53. (MG-AUDITOR)**

**The Documentation is as follows:**

(B) **CONSIDERATION AND AUTHORIZATION TO ENTER IN A LEASE AGREEMENT BETWEEN CAMERON COUNTY DEPARTMENT OF TRANSPORTATION – ENGINEERING DIVISION AND CARSON MAP COMPANY EFFECTIVE JANUARY 2009. (EH-CCDoT) (Contract No. 2008C07217)**

**The Contract is as follows:**

(C) **CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR OLIVE GROVE SUBDIVISION, PCT. 4, BEING A 20.0 ACRE TRACT OF LAND BEING 10 ACRES OUT OF BLOCK 213 AND 10 ACRES OUT OF BLOCK 228, ADAMS GARDENS SECTION "C" SUBDIVISION, CAMERON COUNTY, TEXAS AS PER MAP RECORDED IN VOLUME 10, PAGE 3, MAP RECORDS OF CAMERON COUNTY, TEXAS. (EH-CCDoT)**

**The Documentation is as follows:**

(D) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR VALLE DEL CIPRES SUBDIVISION NO. 3-B, PCT. 4, BEING A 55.107 ACRE TRACT OF LAND, MORE OR LESS, BEING 34.377 ACRES OUT OF BLOCK EIGHTEEN (18) AND 20.730 ACRES OUT OF BLOCK NINETEEN (19) OF SUBDIVISION NO. 1 OF THE HICKS RESERVE, CAMERON COUNTY, TEXAS. (EH-CCDoT)**

**The Documentation is as follows:**

(E) **CONSIDERATION AND AUTHORIZATION TO PAY FOR INVOICE(S) FROM VENDOR "ACE COURT REPORTING SERVICE" IN THE FOLLOWING AMOUNT(S) WITHOUT A PURCHASE ORDER: (AV-DISTRICT ATTORNEY)**

- a. #3032 - \$648.50
- b. #3210 - \$250.00
- c. #3302 - \$510.60
- d. #3326 - \$ 30.00
- e. #3365 - \$600.00

**The Documentation is as follows:**

- (F) **CONSIDERATION AND AUTHORIZATION TO PAY FOR INVOICE(S) FROM VENDOR “CLEAN AIR SOLUTIONS” IN THE FOLLOWING AMOUNT(S) WITHOUT A PURCHASE ORDER: (AV-DISTRICT ATTORNEY)**  
a. #0898ST06-1 - \$12,150.00  
**The Documentation is as follows:**
- (G) **CONSIDERATION AND APPROVAL OF CONTRACTS (4) BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND LAMAR ADVERTISING. (YS-HEALTH) (Contract No. 2008C07218-Art Fee)(Contract No. 2008C07219-Creative Rights)(Contract No. 2008C07220-Billboard Rental Costs)(Contract No. 2008C07221-Stands of Paper)**  
**The Contracts are as follows:**
- (H) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND TWENTIETH CENTURY FOX FILM CORPORATION FOR M\*A\*S\*H THEME SONG LICENSED RIGHTS. (YS-HEALTH) (Contract No. 2008C07215)**  
**The Contract is as follows:**
- (I) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND BROWNSVILLE INDEPENDENT SCHOOL DISTRICT FOR THE USAGE OF SCHOOL FACILITIES. (YS-HEALTH) (Contract No. 2008C07222-Aiken Elementary School) (Contract No. 2008C07223-Besteiro Middle School)**  
**The Contracts are as follows:**
- (J) **REQUEST FOR PAYMENT OF INVOICE #1100691 FOR EMPLOYEES SECOND HEALTH SCREENING SERVICES BY HEALTHWAYS WITHOUT A PURCHASE ORDER. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**
- (K) **CONSIDERATION AND POSSIBLE APPROVAL OF MEDICAID HOSPITAL SUPPLEMENTAL PAYMENT PROGRAM CERTIFICATE OF GOVERNMENTAL ENTITY PARTICIPATION. (DJV-LEGAL)**
- (L) **CONSIDERATION AND APPROVAL OF TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CONTRACT NO. 728035 BETWEEN CAMERON COUNTY AND THE OFFICE OF RURAL COMMUNITY AFFAIRS. (FB-PD & M) (Contract No. 2008C07216)**  
**The Contract is as follows:**
- (M) **CONSIDERATION AND AUTHORIZATION OF THE COUNTY’S PROGRAM DEVELOPMENT & MANAGEMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON AUGUST 4, 2008, PURSUANT TO THE 2009-2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM COMMUNITY DEVELOPMENT FUND. (FB-PD & M)**  
**The Documentation is as follows:**
- (N) **CONSIDERATION AND AUTHORIZATION FOR PROJECT ARCHITECT ROBERTO J. RUIZ TO CONTRACT MEJIA AND ROSE, INC. TO PROVIDE TOPOGRAPHIC SURVEY OF THE PROPOSED CEMETERY MEMORIAL PARK AREA ACROSS FROM THE DANCY BUILDING. (FB-PD & M)**  
**The Documentation is as follows:**
- (O) **CONSIDERATION AND AUTHORIZATION TO REFUND TAXES ON CORRECTION OF SUPPLEMENTAL CHANGES AS AUTHORIZED BY THE CAMERON APPRAISAL DISTRICT AS PER SECTION 25.25(C) OF THE TEXAS PROPERTY TAX CODE TO: (MF-PURCHASING)**
- |                               |             |              |
|-------------------------------|-------------|--------------|
| a. JAMES M. KAEICHELE         | \$2,604.97  | CHANGE VALUE |
| b. CAPRICORN PROPERTIES, INC. | \$9,214.10  | CHANGE VALUE |
| c. A ZAMIR PROPERTIES         | \$15,351.96 | CHANGE VALUE |
- The Documentation is as follows:**
- (P) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP’S/RFQ’S FOR THE FOLLOWING: (MF-PURCHASING)**  
a. **LASER PRINTING OF TAX STATEMENTS – ANNUAL BID #1640 (MYRIAD SYSTEMS)**  
**The Tabulation is as follows:**

## 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) **DISTRICT CLERK'S OFFICE STAFF (2) TO TRAVEL TO KERRVILLE, TEXAS, ON 9/15 TO 9/18/08, TO ATTEND THE 8<sup>TH</sup> ANNUAL TEXAS DISTRICT COURT ALLIANCE WORKSHOP AND "CLERK'S COLLEGE".**
  - (B) **EXTENSION OFFICE STAFF (5) TO TRAVEL TO LA PRYOR AND LAREDO, TEXAS, ON 7/10/08, TO ASSIST WITH THE 4-H ELECTION CONVENTION.**
  - (C) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO NAVASOTA, TEXAS, ON 7/25 TO 7/27/08, TO ATTEND THE MASTER BEEF & SWINE VOLUNTEER TRAINING.**
  - (D) **HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 7/22/08, TO ATTEND THE ASSOCIATION OF LOCAL WIC DIRECTORS PLANNING AND ORGANIZING MEETING FOR THE FY 2008 TALWD ANNUAL MEETING.**
  - (E) **HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 9/7 TO 9/8/08, TO ATTEND THE TEXAS ASSOCIATION OF LOCAL WIC DIRECTORS PLANNING AND ORGANIZATION MEETING FOR THE FY 2008 TALWD ANNUAL MEETING.**
  - (F) **JUVENILE PROBATION OFFICE STAFF (1) TO TRAVEL TO HUNTSVILLE, TEXAS, ON 8/11 TO 8/15/08, TO PARTICIPATE IN THE PUBLIC AND MEDIA RELATIONS PROGRAM.**
  - (G) **LEGAL DEPARTMENT STAFF (1) TO TRAVEL TO DALLAS, TEXAS, ON 8/21 TO 8/22/08, TO ATTEND THE 20<sup>TH</sup> ANNUAL SUING AND DEFENDING GOVERNMENTAL ENTITIES COURSE.**
  - (H) **LEGAL DEPARTMENT STAFF (1) TO TRAVEL TO HOUSTON, TEXAS, ON 8/28/08, TO ATTEND THE PLAT AND SUBDIVISION LAW IN TEXAS SEMINAR.**

- (A) **CONSIDERATION AND AUTHORIZATION TO PROCESS PAYMENT OF THE 8% GENERAL REVENUE TAX LEVY TO THE UPL IN THE AMOUNT OF \$2,901,496.53. (MG-AUDITOR)**  
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**The Documentation is as follows:**

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**The Contract is as follows:**

- (M) CONSIDERATION AND AUTHORIZATION OF THE COUNTY'S PROGRAM DEVELOPMENT & MANAGEMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON AUGUST 4, 2008, PURSUANT TO THE 2009-2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM COMMUNITY DEVELOPMENT FUND. (FB-PD & M)**  
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- |           |                                   |                    |                     |
|-----------|-----------------------------------|--------------------|---------------------|
| <b>a.</b> | <b>JAMES M. KAECELE</b>           | <b>\$2,604.97</b>  | <b>CHANGE VALUE</b> |
| <b>b.</b> | <b>CAPRICORN PROPERTIES, INC.</b> | <b>\$9,214.10</b>  | <b>CHANGE VALUE</b> |
| <b>c.</b> | <b>A ZAMIR PROPERTIES</b>         | <b>\$15,351.96</b> | <b>CHANGE VALUE</b> |

**The Documentation is as follows:**

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(MF-PURCHASING)**
- a. LASER PRINTING OF TAX STATEMENTS – ANNUAL BID #1640 (MYRIAD SYSTEMS)**  
**The Tabulation is as follows:**

## **ACTION ITEMS**

**(4) ACTION ITEMS.**

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

Upon motion by Commissioner Benavides, seconded by Commissioner Wood 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 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. 00204173, made payable to Harlingen Waterworks System, in the amount of \$286.76 and Warrant No. 00204240, made payable to Public Utilities Board, in the amount of \$40,416.32.

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

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**(C) APPROVAL OF MINUTES FOR:  
JULY 1, 2008 - REGULAR MEETING**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Minutes for the July 1, 2008-Regular Meeting were approved.

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**(D) DISCUSSION OF AND POSSIBLE ACTION ON PROPOSAL FROM  
THE TAX ASSESSOR – COLLECTOR TO IMPLEMENT A BILLING  
AND COLLECTION SYSTEM FOR THE CAMERON PARK AND  
LAGUNA HEIGHTS STREET LIGHT PROJECT. (TY-TAC)**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Proposal from the Tax Assessor – Collector to Implement a Billing and Collection System for the Cameron Park and Laguna Heights Street Light Project was approved.

**The Documentation is as follows:**

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**(E) CONSIDERATION AND AUTHORIZATION TO RENEW THE CONTRACT BETWEEN TEXAS LOGIC, INC. (HAMER ENTERPRISES) ON BEHALF OF THE JUSTICE OF THE PEACE PCT. 7 AS A SOLE SOURCE PURCHASE FOR CONTINUATION OF SOFTWARE MAINTENANCE CONTRACT. (JR-COMPUTER CENTER) (Contract No. 2008C07211)**

Commissioner Wood motioned to renew the Contract between Texas Logic, Inc. (Hamer Enterprises) on behalf of the Justice of the Peace Pct. 7 as a Sole Source Purchase for Continuation of Software Maintenance Contract.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Contract is as follows:**

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**(F) CONSIDERATION AND AUTHORIZATION TO PAY FOR INVOICE #20575Dee FROM VENDOR "DATA TEK GROUP" IN THE AMOUNT OF \$3,270.00 WITHOUT A PURCHASE ORDER. (YS-HEALTH)**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, authorization to pay for Invoice #20575dee from vendor "Data Tek Group" in the amount of \$3,270.00 without a purchase order was approved.

**The Documentation is as follows:**



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**(G) CONSIDERATION AND AUTHORIZATION TO ACCEPT THE  
SUBSTANTIAL COMPLETION STATUS OF RIO HONDO AND LA  
ESPERANZA PARKS BY W. MURRAY THOMPSON CONSTRUCTION.  
(JM-PARKS)**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, Authorization to Accept the Substantial Completion Status of Rio Hondo and La Esperanza Parks by W. Murray Thompson Construction was approved.

**The Documentation is as follows:**

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

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## **SUPPLEMENTAL AGENDA**

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### **EXECUTIVE SESSION**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 5:53 P.M. to discuss the following matters:

- (1) **EXECUTIVE SESSION:**
- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE TERMINATION OF THE ANNUAL BID #1420 – EQUIPMENT FINANCING (BANK OF AMERICA), PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2).**
- (B) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 24, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 5:59 P.M. to discuss the following matters:

- (2) **ACTION RELATIVE TO EXECUTIVE SESSION:**
- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE TERMINATION OF THE ANNUAL BID #1420 – EQUIPMENT FINANCING (BANK OF AMERICA), PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2).**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Report by Legal Counsel was acknowledged and authorization to proceed along the terms and conditions as discussed in Executive Session was approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (B) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 24, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Wood motioned to accept the counteroffer of \$1,250.

The motion was seconded by Commissioner Benavides and carried unanimously.

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## **ACTION ITEMS**

- (H) CONSIDERATION AND AUTHORIZATION TO TERMINATE ANNUAL BID #1420 – EQUIPMENT FINANCING (BANK OF AMERICA). (MF-PURCHASING) (TABLED)**

Commissioner Wood motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (I) CONSIDERATION AND AUTHORIZATION TO UTILIZE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS HGAC INTERLOCAL COOPERATIVE PURCHASING AGREEMENT FOR FINANCING OF EQUIPMENT (BAYSTONE FINANCIAL). (MF-PURCHASING) (TABLED)**

Commissioner Wood motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 6:01 P.M.

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**APPROVED** this 12<sup>th</sup> day of **August 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**