

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 19th day of August 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

EDNA TAMAYO
COMMISSIONER PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Aide A. Trejo **Deputy Clerk**

ABSENT:
DAVID A. GARZA



The meeting was called to order by Judge Cascos at 5:03 P.M. The Court then led the 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 August 15, 2008 at 1:48 P.M.:

RESOLUTIONS

(4) PRESENTATIONS/RESOLUTIONS.

(A) CONSIDERATION AND APPROVAL OF RESOLUTION SUPPORTING LEGISLATION (SB 1838) BY SENATOR JOHN CORNYN AS AN AMENDMENT TO THE DEFENSE BUDGET. (PSJ-ADMINISTRATOR) (Resolution No. 2008R08067)

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Resolution supporting Legislation (SB 1838) by Senator John Cornyn as an amendment to the Defense Budget was approved.

The Resolution is as follows:

ACTION ITEMS

(7) ACTION ITEMS.

(O) CONSIDERATION AND APPOINTMENT OF A REVIEW COMMITTEE TO EVALUATE PROPOSALS FOR PROVIDER SERVICES FOR THE 2008 CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP CENTER. (FB-PD&M)

Mr. Frank Bejarano recommended Jose Luis Almazan, Manuela Rendon, Mike Forbes, Ray Pena and Raul Garcia as the Review Committee to evaluate proposals for provider services for the 2008 Cameron and Willacy Counties Colonia Self-Help Center.

Commissioner Wood motioned to approve the names as submitted.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 5:25 P.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LINDA MARTINEZ VS. CAMERON COUNTY JUVENILE DEPARTMENT; EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CHARGE NO. 451-2008-01515, FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY AND CAMERON COUNTY JUVENILE BOARD, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. SECRETARY OF STATE, ET. AL., CAUSE NO. D-1-GV-07-002464, TO DISCUSS STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY2009 PUBLIC HEALTH EMERGENCY PREPAREDNESS EARLY WARNING INFECTIOUS DISEASE SURVEILLANCE WORKPLAN FOR LOCAL HEALTH DEPARTMENTS, AS ALLOWED BY TEXAS GOVERNMENT CODE §418.183(F).**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AUTHORITY TO FILE SUIT AGAINST RED RIVER SERVICE CORPORATION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 5:50 P.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LINDA MARTINEZ VS. CAMERON COUNTY JUVENILE DEPARTMENT; EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CHARGE NO. 451-2008-01515, FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY AND CAMERON COUNTY JUVENILE BOARD, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**

Commissioner Tamayo motioned to authorize representation of Tommy Ramirez in the lawsuit.

The motion was seconded by Commissioner Wood and carried unanimously.

- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. SECRETARY OF STATE, ET. AL., CAUSE NO. D-1-GV-07-002464, TO DISCUSS STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A).**

Commissioner Tamayo motioned to acknowledge the Report by Legal Counsel.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (C) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY2009 PUBLIC HEALTH EMERGENCY PREPAREDNESS EARLY WARNING INFECTIOUS DISEASE SURVEILLANCE WORKPLAN FOR LOCAL HEALTH DEPARTMENTS, AS ALLOWED BY TEXAS GOVERNMENT CODE §418.183(F). (Contract No. 2008C08285)**

Commissioner Wood motioned to approve the contract.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

- (D) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AUTHORITY TO FILE SUIT AGAINST RED RIVER SERVICE CORPORATION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**

Commissioner Wood motioned to authorize Legal Counsel to file suit.

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

AYE: Commissioner Wood, Commissioner Benavides and Judge Cascos

NAY: None

ABSTAIN: Commissioner Tamayo

Judge Cascos noted that Commissioner Tamayo was not present during deliberation of this item.

(3) **PUBLIC COMMENTS.**

None were presented.

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF FUNDING AGREEMENT FOR BORDER COLONIA ACCESS PROGRAM BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) AND RESOLUTION ACCEPTING FUNDING FROM TxDOT. (PSJ-ADMINISTRATOR) (Contract No. 2008C08291) (Resolution No. 2008R08066)**

The Documentation is as follows:

- (B) **CONSIDERATION AND AUTHORIZATION TO APPROVE RESTORATION AND BUILD-BACK ESTIMATE(S) PURSUANT TO THE APPROVED CAS COMPANIES/TEXAS INTERLOCAL PURCHASING SYSTEM (TIPS), THE TERMS & CONDITIONS AND RATE SCHEDULE FOR THE DAMAGED COUNTY BUILDING(S). (RL-BUILDING MAINTENANCE)**

The Documentation is as follows:

- (C) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR ISLA BLANCA PARK R.V. PARK ADDITION SUBDIVISION, PCT. 1, BEING 1.237 ACRE TRACT OF LAND, OUT OF CAMERON COUNTY PARK NO. 1, KNOWN AS ISLA BLANCA PARK, CAMERON COUNTY, TEXAS. (EH-CCDoT)**

The Documentation is as follows:

- (D) **CONSIDERATION AND APPROVAL OF RESOLUTION ADOPTING THE TRANSFER OF DUTIES IMPOSED BY LAW UPON A JUSTICE OF PEACE RELATING TO THE MAINTENANCE OF BIRTH AND DEATH RECORDS OF A PRECINCT BE TRANSFERRED TO THE COUNTY CLERK, (SECTION 191.022, TEXAS HEALTH AND SAFETY CODE) EFFECTIVE JANUARY 1, 2009. (JGR-COUNTY CLERK) (Resolution No. 2008R08068)**

The Resolution is as follows:

- (E) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES REGIONAL AND LOCAL SERVICES SECTION TO PROVIDE ESSENTIAL PUBLIC HEALTH SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2008C08292)**

The Contract is as follows:

- (F) CONSIDERATION AND APPROVAL OF PERSONNEL POLICY CHANGES ON SECTION 10.04 REGARDING ON-THE-JOB INJURIES SECTION – MEDICAL ATTENTION. (MV-HUMAN RESOURCES)

The Documentation is as follows:

- (G) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND BOB FRIEDMAN, CHAIRMAN FOR “SAND CASTLE DAYS”. (JM-PARKS) (Contract No. 2008C08281)

The Contract is as follows:

- (H) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND MERI HEGGIE, EVENT ORGANIZER FOR “SURF & TURF ADVENTURE RACE”. (JM-PARKS) (Contract No. 2008C08280)

The Contract is as follows:

- (I) CONSIDERATION AND AUTHORIZATION TO APPLY FOR FUNDING FROM THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION TO UNDERTAKE A DRAINAGE STUDY FOR CAMERON COUNTY. (FB-PD&M)

The Documentation is as follows:

- (J) CONSIDERATION AND AUTHORIZATION TO NOMINATE VALLEY PROUD ENVIRONMENTAL COUNCIL TO APPLY FOR A TEXAS GENERAL LAND OFFICE, COASTAL MANAGEMENT PROGRAM, CYCLE 14 GRANT TO CONTINUE THE CAPTAIN CRAB CLEAN BEACH MEDIA AND EDUCATION CAMPAIGN FOR THE SPRING AND SUMMER OF 2010. (FB-PD&M)

The Documentation is as follows:

- (K) CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)

a. AIR CONDITIONER PARTS, SUPPLIES, REFRIGERANTS – ANNUAL BID #1998 (BAKER DIST. & CARRIER)

The Tabulation is as follows:

- (L) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFPS/RFQ FOR: (MF-PURCHASING)

a. SELF HELP PROVIDER – 2008 CAMERON & WILLACY COUNTIES COLONIA SELF HELP CENTER - ANNUAL RFP #080801

- (M) CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BROWNSVILLE, TEXAS, THE CAMERON COUNTY TAX ASSESSORS-COLLECTOR'S OFFICE, THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE, THE CITY OF McALLEN, TEXAS, THE CITY OF PHARR, TEXAS, AND THE CITY OF EDINBURG, TEXAS REGARDING A MUTUAL AID (BURGLARY AND THEFT OF MOTOR VEHICLE) LAW ENFORCEMENT TASK FORCE TO COOPERATE IN CERTAIN CRIMINAL INVESTIGATIONS. (TY-TAC) (Contract No. 2008C08293)

The Contract is as follows:

- (N) CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT WITH MYRIAD SYSTEMS INC. FOR PRINTING SERVICES. (TY-TAC) (Contract No. 2008C08283)

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) ADMINISTRATIVE SERVICES DIRECTOR TO TRAVEL TO AUSTIN, TEXAS, ON 8/27 TO 8/29/08, TO ATTEND THE 2008 TAC ANNUAL CONFERENCE.

- (B) COUNTY ADMINISTRATOR AND ADMINISTRATIVE SERVICES DIRECTOR TO TRAVEL TO AUSTIN, TEXAS, ON 8/14 TO 8/15/08, TO MEET WITH COUNCIL OF URBAN COUNTIES STAFF REGARDING THE JUDICIAL SOFTWARE PACKAGE INTEGRATION.**
- (C) COUNTY ADMINISTRATOR TO TRAVEL TO LAREDO, TEXAS ON 8/20 TO 8/22/08 TO ATTEND THE 2008 ECONOMIC DEVELOPMENT CONFERENCE.**
- (D) EXTENSION OFFICE STAFF (1) TO TRAVEL TO VICTORIA, TEXAS, ON 8/13/08, TO ATTEND AND ASSIST WITH THE 2008 TEXAS 4-H RECORD BOOK COMPETITION.**
- (E) EXTENSION OFFICE STAFF (1) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 8/14/08, TO ATTEND THE MASTER WELLNESS TRAINING.**
- (F) HEALTH DEPARTMENT STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 8/25 TO 8/29/08, TO ATTEND THE TB NURSING FELLOWSHIP.**
- (G) HEALTH DEPARTMENT STAFF (3) TO TRAVEL TO AUSTIN, TEXAS, ON 8/26 TO 8/27/08, TO ATTEND THE 2008 TEXAS ASSOCIATION OF COUNTIES BEST PRACTICE AWARDS PRESENTATION.**
- (H) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 9/16 TO 9/19/08, TO ATTEND THE CLINICAL LACTATION PRACTICUM.**
- (I) INDIGENT DEFENSE DISTRICT COURT STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 8/27/08, TO ATTEND THE INDIGENT DEFENSE GRANT MEETING.**
- (J) JUVENILE PROBATION DEPARTMENT STAFF (4) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 8/24 TO 8/29/08, TO ATTEND THE PARENT PROJECT FACILITATOR TRAINING.**
- (K) JUVENILE PROBATION DEPARTMENT STAFF (2) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 9/15 TO 9/17/08, TO ATTEND THE DATA COORDINATORS WORKSHOP.**
- (L) SENIOR LEGAL COUNSEL, COUNTY JUDGE, BUDGET OFFICER AND COUNTY ADMINISTRATOR TO TRAVEL TO AUSTIN, TEXAS ON 9/4/08, TO ATTEND A TEMPORARY INJUNCTION HEARING ON COUNTY OF CAMERON VS. TEXAS SECRETARY OF STATE AND TEXAS COMPTROLLER OF PUBLIC ACCOUNTS.**
- (M) SHERIFF'S DEPARTMENT STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 8/19 TO 8/22/08, TO ATTEND THE 2008 SAVE A LIFE SUMMIT.**
- (N) SHERIFF'S DEPARTMENT STAFF (2) TO TRAVEL TO McALLEN, TEXAS, ON 8/21/08, TO ATTEND THE EMERGENCY RESPONDERS GRANTS WORKSHOP.**
- (O) SHERIFF'S DEPARTMENT STAFF (3) TO TRAVEL TO FORT WORTH, TEXAS, ON 8/24 TO 8/26/08 TO VIEW MILITARY SURPLUS EQUIPMENT.**
- (P) SHERIFF'S DEPARTMENT STAFF (3) TO TRAVEL TO McALLEN, TEXAS, ON 9/5/08, TO ATTEND U.S. DEPARTMENT OF JUSTICE CONFERENCE.**
- (Q) TAX OFFICE STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 8/6 TO 8/7/08, TO MEET WITH JIM LEWIS FROM THE TEXAS ASSOCIATION OF COUNTIES TO DISCUSS THE OCCUPATION TAX ENFORCEMENT DIVISION, RECEIVING A 2008 COUNTY BEST PRACTICE AWARD FOR INNOVATION.**
- (R) TAX OFFICE STAFF (2) TO TRAVEL TO DALLAS, TEXAS, ON 8/23 TO 8/27/08, TO ATTEND THE 69TH TAAO & ICTA ANNUAL CONFERENCE & EXPO.**

- (A) CONSIDERATION AND APPROVAL OF FUNDING AGREEMENT FOR BORDER COLONIA ACCESS PROGRAM BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) AND RESOLUTION ACCEPTING FUNDING FROM TxDOT. (PSJ-ADMINISTRATOR) (Contract No. 2008C08291) (Resolution No. 2008R08066)**
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- a. AIR CONDITIONER PARTS, SUPPLIES, REFRIGERANTS – ANNUAL BID #1998 (BAKER DIST. & CARRIER)**
- The Tabulation is as follows:**

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The Contract is as follows:

- (N) **CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT WITH MYRIAD SYSTEMS INC. FOR PRINTING SERVICES. (TY-TAC) (Contract No. 2008C08283)**
The Contract is as follows:

ACTION ITEMS

(7) ACTION ITEMS.

**(A) 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:

(B) APPROVAL OF CLAIMS.

Ms. Martha Galarza, County Auditor, asked that Warrant No. 00205253 and Warrant No. 00205281 be voided.

Commissioner Wood motioned to void the claims as stated by the County Auditor and to approve the remaining Claims.

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

AYE: Commissioner Wood, Commissioner Tamayo and Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00205250, made payable to Brownsville Independent School District, in the amount of \$83.00 and Warrant No. 00205345, made payable to Harlingen Waterworks System, in the amount of \$923.99 and Warrant No. 00205383, made payable to Los Fresnos Consolidated School District, in the amount of \$5.00 and Warrant No. 00205420, made payable to City of Port Isabel, in the amount of \$65.00 and Warrant No. 00205426, made payable to Public Utilities Board, in the amount of \$106,854.61.

The Claims and Affidavits are as follows:

(C) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING FOR THE PURPOSE OF CLOSING AND ABANDONING OF A PORTION OF RABB ROAD. SAID ROAD IS LOCATED IN PCT. #4, IN RABB HEIGHTS SUBDIVISION 1 AND 2, RECORDED IN VOLUME 5, PAGE 71 AND VOLUME 6, PAGE 67 OF THE MAP RECORDS. (PSJ-ADMINISTRATOR)

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Public Hearing was opened.

Mr. Pete Sepulveda, County Administrator, stated that this item was requested by the City of La Feria.

Hearing and sensing no further comments, upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Public Hearing was closed.

The Documentation is as follows:

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- (D) **CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER AUTHORIZING THE CLOSING AND ABANDONMENT OF A PORTION OF RABB ROAD. SAID ROAD IS LOCATED IN PCT. #4, IN RABB HEIGHTS SUBDIVISION 1 AND 2, RECORDED IN VOLUME 5, PAGE 71 AND VOLUME 6, PAGE 67 OF THE MAP RECORDS. (PSJ-ADMINISTRATOR) (Order No. 2008O8033)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Order Authorizing the Closing and Abandonment of a Portion of Rabb Road was adopted.

The Order is as follows:

(E) CONSIDERATION AND POSSIBLE ACTION REGARDING MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND THE BROWNSVILLE URBAN SYSTEM FOR PUBLIC TRANSPORTATION SERVICES IN CAMERON COUNTY. (PSJ-ADMINISTRATOR) (Contract No. 2008C08294)

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Memorandum of Understanding between Cameron County and the Brownsville Urban System for Public Transportation Services in Cameron County was approved.

The Documentation is as follows:

(F) DISCUSSION AND POSSIBLE ACTION REGARDING THE COST ESTIMATE FOR THE VETERANS BRIDGE EXPANSION PROJECT AND AUTHORITY TO BEGIN NEGOTIATING CONSTRUCTION AGREEMENT WITH THE REPUBLIC OF MEXICO. (PSJ-ADMINISTRATOR)

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Cost Estimate for the Veterans Bridge Expansion Project and authority to begin negotiating Construction Agreement with the Republic of Mexico was approved.

The Documentation is as follows:

(G) CONSIDERATION AND ACTION REGARDING ALLOCATION OF FUNDS FOR THE HIRING OF AN EXPERT AND OTHER RELATED COSTS FOR THE CAPITAL MURDER TRIAL OF JOHN ALLEN RUBIO IN WHICH THE DISTRICT ATTORNEY'S OFFICE IS SEEKING THE DEATH PENALTY. (AV-DISTRICT ATTORNEY)

Commissioner Tamayo motioned to authorize the usage of lapsed salaries to the extent of \$19,500.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(H) DISCUSSION AND POSSIBLE ACTION TO CLARIFY THE ESSENTIAL FUNCTIONS OF COURT INTERPRETERS. (AV-DISTRICT ATTORNEY)

Mr. Armando Villalobos, District Attorney, explained how recorded statements in Spanish must be translated and transcribed into English in order to be presented in Court. He brought it to the attention of the Court that his office is experiencing severe resistance from the Court Interpreters regarding this function and added that his office is forced to pay the Court Interpreters for transcribing and translating.

Judge Cascos asked if the Court Interpreters are being asked to work overtime.

Mr. Villalobos replied in the negative and added that he believes that the work is being done during the normal 8-hour work day.

Judge Cascos inquired as to whether the Court Interpreters are contract or full-time County employees and who is their immediate supervisor.

Mr. Villalobos replied that the Court Interpreters are full-time County employees and that the Judges, as a whole, act as their supervisor. He noted that the job description for the Court Interpreters does state that they must "...perform all duties as required...".

Commissioner Tamayo stated that there appears to be no supervision or accountability regarding the Court Interpreters.

Judge Cascos recommended that a representative from the District Attorney's Office, Human Resources, the District Judges, the County Court at Law Judges, and the Court Interpreters meet to discuss the job duties of the Court Interpreters.

Commissioner Wood motioned to acknowledge the Presentation regarding the essential functions of the Court Interpreters and to authorize the aforementioned parties to meet and discuss this issue and that this item be brought back to the Court after said meeting.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(I) DISCUSSION REGARDING THE FISCAL YEAR 2008-2009 BUDGET AND TAX RATE. (XV-BUDGET)

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Report by Mr. Xavier Villarreal, Budget Officer, regarding the Fiscal Year-2009 Budget and Tax Rate was acknowledged.

The Documentation is as follows:

(J) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING REGARDING THE SETTING OF ELECTED OFFICIALS SALARIES FOR 2008-2009 FISCAL YEAR. (XV-BUDGET)

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Public Hearing was opened.

Mr. Xavier Villarreal, Budget Officer, informed the Court that a notice was published in The Brownsville Herald and The Valley Morning Star advertising the maximum compensation that the Court would consider setting for elected officials as well as notifying the public of the public hearing.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Public Hearing was closed.

(K) CONSIDERATION AND ACTION REGARDING THE SETTING OF ELECTED OFFICIALS COMPENSATION. (XV-BUDGET)

Commissioner Tamayo motioned to set the salaries of the elected officials as presented and advertised.

The motion was seconded by Judge Cascos and the vote was as follows:

AYE: Commissioner Tamayo and Judge Cascos

NAY: Commissioner Wood and Commissioner Benavides

The motion died by a tied vote of (2) to (2).

Judge Cascos directed the Budget Officer to place this item on the agenda next week.

Mr. Xavier Villarreal, Budget Officer, informed the Court that they must take action today due to the fact that the notice was advertised and the public hearing has been held.

Commissioner Tamayo motioned to set the salaries of the elected officials as published.

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

AYE: Commissioner Tamayo, Commissioner Benavides and Judge Cascos

NAY: Commissioner Wood

The Documentation is as follows:

(L) CONSIDERATION AND POSSIBLE AUTHORIZATION TO PAY FOR ALL PENDING EQUIPMENT INVOICES FROM THE GENERAL FUND. (DJV-LEGAL)

Commissioner Wood motioned to authorize payment for all pending equipment invoices from the General Fund.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(M) DISCUSSION AND POSSIBLE AUTHORIZATION TO SOLICIT PROPOSALS FOR MARINA RESTAURANT CONCESSION AT ISLA BLANCA PARK (LOCATION #10) AND APPROVAL OF R.F.P. #080601. (JM-PARKS)

Judge Cascos motioned to extend the Concession Agreement with Dirty Al's by (1) year from the date of expiration.

Judge Cascos withdrew his motion.

Commissioner Benavides motioned to extend the Concession Agreement with Dirty Al's by (2) years from the date of expiration.

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

AYE: Commissioner Benavides and Commissioner Tamayo

NAY: Commissioner Wood

(N) DISCUSSION AND POSSIBLE AUTHORIZATION TO SOLICIT PROPOSALS FOR RESTAURANT AND BEVERAGE CONCESSION AT DOLPHIN COVE (LOCATION #11) AND APPROVAL OF R.F.P. #080602. (JM-PARKS)

Commissioner Benavides motioned to extend the Concession Agreement with Dolphin Cove to January 2011.

The motion was seconded by Commissioner Tamayo.

Mr. Jeff Matthews, attorney for Dolphin Cove, asked the Court to consider going out for RFP's in lieu of extending the contract.

Commissioner Benavides and Commissioner Tamayo withdrew their motion and second, respectively.

Commissioner Tamayo motioned to approve the authorization to Solicit Proposals for Restaurant and Beverage Concession at Dolphin Cove (Location #11) with the stipulation that the terms and conditions to be included in the RFP are brought back to the Court for approval

The motion was seconded by Commissioner Benavides and carried unanimously.

(P) DISCUSSION AND POSSIBLE AUTHORIZATION OF CONTINUING FLOOD INSURANCE COVERAGE FROM NATIONAL FLOOD SERVICES PROGRAM COUNTY PROPERTIES. (MG-AUDITOR)

Ms. Martha Galarza, County Auditor, recommended that the Court come back with an item on next week's agenda to declare an emergency to preserve County property in order to continue with the policy through Nation Flood Insurance.

Commissioner Tamayo motioned to approve the recommendation as stated by the County Auditor.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

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

Commissioner Tamayo motioned to pass over this item as there is no new information.

The motion was seconded by Commissioner Benavides and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 7:40 P.M.

APPROVED this 9th day of **September 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