

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 9<sup>th</sup> day of September 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**

**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 5:04 P.M. He asked Brother Albert Phillipp for the invocation. Brother Albert 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 September 5, 2008 at 11:06 A.M.:

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**(3) PUBLIC COMMENTS.**

Ms. Mari Galvan, Administrative Assistant for Commissioner Precinct 3, announced that 2008 marks the 160<sup>th</sup> Anniversary of the creation of Cameron County by the Texas Legislature and presented each Court member with a portrait of the Dancy Building.

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**EXECUTIVE SESSION**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 5:08 P.M. to discuss the following matters:

**(1) EXECUTIVE SESSION:**

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JOE R. JONES CONTRACT AND THE STATUS OF SETTLEMENT OFFER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)(B) & (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).**

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Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 5:27 P.M. to discuss the following matters:

**(2) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JOE R. JONES CONTRACT AND THE STATUS OF SETTLEMENT OFFER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)(B) & (2).**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Report by Legal Counsel and Mr. Pete Sepulveda was acknowledged.

- (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).**

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

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**CONSENT ITEMS**

- (4) 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. 4 (E) and (G):**

Commissioner Tamayo asked to discuss these items separately.

**Consent Item No. 4 (Q):**

Commissioner Wood asked to discuss this item separately.

Commissioner Garza moved to approve the "Consent and Travel Items" excluding Consent Items No. 4 (E), (G) and (Q).

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) **CONSIDERATION AND AUTHORITY TO ESTABLISH A PRETRIAL/INDIGENT DEFENSE OFFICE. (AN-138<sup>th</sup> DISTRICT COURT)**  
The Documentation is as follows:
- (B) **CONSIDERATION AND AUTHORIZATION FOR COUNTY ADMINISTRATOR TO BEGIN PROCESS FOR DEVELOPING AN RFQ FOR PROFESSIONAL AND ARCHITECTURAL SERVICES FOR THE COUNTY AIRPORT HANGAR. (PSJ-ADMINISTRATOR)**
- (C) **CONSIDERATION AND APPROVAL OF WORK AUTHORIZATION NO. 5 WITH S&B INFRASTRUCTURE FOR THE EAST LOOP PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2008C09320)**  
The Contract is as follows:
- (D) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S/RFQ'S: (RL-ADMINISTRATIVE SERVICES) tabled on 9.2.08**  
a. **AUDIT OF SOLID WASTE COLLECTION, RATES & RELATED BILLING ISSUES AT ALL COUNTY BUILDINGS – ANNUAL RFP #1221-4.**  
The Documentation is as follows:
- (E) **CONSIDERATION AND APPROVAL TO ESTABLISH A PETTY CASH FUND IN COUNTY AUDITOR'S OFFICE. (MG-AUDITOR) (ACTION TAKEN SEPARATELY)**
- (F) **CONSIDERATION AND ACTION TO PAY CORRECTED GL INVOICE FOR PERIOD OF 3/19/2008-09 IN THE AMOUNT OF \$54,201 TO TAC RISK MANAGEMENT POOL. (MG-AUDITOR)**  
The Documentation is as follows:
- (G) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR SAN FERNANDO ESTATES, PCT. 4, BEING 17.66 ACRES OF LAND COMPRISED OF ALL OF TRACT I, SAN FERNANDO ESTATES SUBDIVISION, PHASE I, RECORDED IN CABINET 1, SLOT 2906A, 2906B, AND 2907A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (EH-CCDoT) (ACTION TAKEN SEPARATELY)**
- (H) **CONSIDERATION AND ACKNOWLEDGEMENT OF DISTRICT CLERK'S JULY, 2008 MONTHLY FEE, FINES AND CRIMINAL REPORTS. (AdelaG-DISTRICT CLERK)**  
The Documentation is as follows:
- (I) **CONSIDERATION AND AUTHORIZATION TO AWARD INFORMAL BID VIA WRITTEN QUOTATION FOR A SECURITY SYSTEM AND ALL NECESSARY COMPONENTS TO AMERICAN SURVEILLANCE. (AV-DISTRICT ATTORNEY)**  
The Documentation is as follows:
- (J) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TUBERCULOSIS PREVENTION AND CONTROL TO PROVIDE TUBERCULOSIS SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2008C09321)**  
The Contract is as follows:

- (K) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES IMMUNIZATION BRANCH TO PROVIDE IMMUNIZATION SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2008C09322)**  
The Contract is as follows:
- (L) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES CHS-FEE FOR SERVICE-FAMILY PLANNING PROGRAM TO PROVIDE FAMILY PLANNING SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2008C09323)**  
The Contract is as follows:
- (M) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES CASE MANAGEMENT PROGRAM TO PROVIDE CASE MANAGEMENT SERVICES FOR THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS IN CAMERON AND WILLACY COUNTIES. (YS-HEALTH) (Contract No. 2008C09324)**  
The Contract is as follows:
- (N) **CONSIDERATION AND APPROVAL OF A CHANGE ORDER NO. 3 IN THE AMOUNT OF \$4,712.50 TO CONTRACT NO. 2007C05103 TO ZIMMERMAN CONSTRUCTION FOR ISLA BLANCA PARK BOAT RAMP. (JM-PARKS) (Order No. 2008O9038)**  
The Order is as follows:
- (O) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 IN THE AMOUNT OF \$2,680.00 TO CONTRACT NO. 2007C04076 TO ZIWA CORPORATION FOR THE SANTA ROSA BOYS & GIRLS CLUB PROJECT. (JM-PARKS) (Order No. 2008O9039)**  
The Order is as follows:
- (P) **CONSIDERATION AND AUTHORIZATION FOR THE TAX ASSESSOR-COLLECTOR TO START BILLING FOR STREET LIGHTS IN CAMERON PARK AND LAGUNA HEIGHTS ON OCTOBER 1, 2008. (FB-PD&M)**  
The Documentation is as follows:
- (Q) **CONSIDERATION AND AUTHORIZATION FOR TAX ASSESSOR-COLLECTOR TO BEGIN BILLING RESIDENTS IN CAMERON PARK FOR 84 STREET LIGHTS, INSTEAD OF 41. (FB-PD&M) (ACTION TAKEN SEPARATELY)**
- (R) **CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY TO CONTRACT WITH AEP TEXAS CENTRAL COMPANY TO INSTALL 36, 250 WATT, STREET LIGHTS IN LAGUNA HEIGHTS. (FB-PD&M) (Contract No. 2008C09325)**  
The Contract is as follows:
- (S) **CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE SHERIFF'S OFFICE TO FILE A JUSTICE ASSISTANCE GRANT CONTINUATION APPLICATION WITH THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR OPERATION BORDER STAR AND TO ACCEPT THE AWARD. (OL-SHERIFF) (Resolution No. 2008R09070)**  
The Resolution is as follows:

## TRAVEL ITEMS

- (5) **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 ATTORNEY'S OFFICE STAFF (2) TO TRAVEL TO DALLAS, TEXAS, ON 9/4 TO 9/5/08, TO ATTEND THE SUNBELT MINORITY RECRUITMENT PROGRAM.**

- (B) EMERGENCY MANAGEMENT STAFF (2) TO TRAVEL TO ROUND ROCK, TEXAS, ON 9/25 TO 9/26/08, TO ATTEND GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT (GDEM) TEXAS PREPAREDNESS WORKSHOP.**
- (C) ENGINEERING DEPARTMENT STAFF (2) TO TRAVEL TO PHARR, TEXAS, ON 9/4/08, TO ATTEND THE SELECTION, DESIGN, AND CONSTRUCTION OF CONCRETE OVERLAYS WORKSHOP.**
- (D) EXTENSION OFFICE STAFF (1) TO TRAVEL TO PORT ARANSAS, TEXAS, ON 9/10 TO 9/11/08, TO ATTEND THE TEXAS SHRIMP AND MARINE FINFISH CULTURE SHORT COURSE.**
- (E) PROGRAM DEVELOPMENT AND MANAGEMENT STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 9/10/08, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL (PARP).**
- (F) TAX OFFICE STAFF (2) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 10/6 TO 10/10/08, TO ATTEND AND PARTICIPATE IN THE 2008 SOUTH CENTRAL REGIONAL CHAPTER TEXAS ASSOCIATION OF VEHICLE THEFT INVESTIGATORS TRAINING CONFERENCE.**

- (A) **CONSIDERATION AND AUTHORITY TO ESTABLISH A PRETRIAL/INDIGENT DEFENSE OFFICE.  
(AN-138<sup>th</sup> DISTRICT COURT)  
The Documentation is as follows:**

- (C) **CONSIDERATION AND APPROVAL OF WORK AUTHORIZATION NO. 5 WITH S&B INFRASTRUCTURE FOR THE EAST LOOP PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2008C09320)**

**The Contract is as follows:**

- (D) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S/RFQ'S: (RL-ADMINISTRATIVE SERVICES) tabled on 9.2.08**
- a. AUDIT OF SOLID WASTE COLLECTION, RATES & RELATED BILLING ISSUES AT ALL COUNTY BUILDINGS – ANNUAL RFP #1221-4.**
- The Documentation is as follows:**



- (F) CONSIDERATION AND ACTION TO PAY CORRECTED GL INVOICE FOR PERIOD OF 3/19/2008-09  
IN THE AMOUNT OF \$54,201 TO TAC RISK MANAGEMENT POOL. (MG-AUDITOR)  
The Documentation is as follows:**

- (H) CONSIDERATION AND ACKNOWLEDGEMENT OF DISTRICT CLERK'S JULY, 2008 MONTHLY FEE, FINES AND CRIMINAL REPORTS. (AdelaG-DISTRICT CLERK)**  
**The Documentation is as follows:**

- (I) CONSIDERATION AND AUTHORIZATION TO AWARD INFORMAL BID VIA WRITTEN QUOTATION FOR A SECURITY SYSTEM AND ALL NECESSARY COMPONENTS TO AMERICAN SURVEILLANCE. (AV-DISTRICT ATTORNEY)**  
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**The Contract is as follows:**

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**The Order is as follows:**



- (O) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 IN THE AMOUNT OF \$2,680.00 TO CONTRACT NO. 2007C04076 TO ZIWA CORPORATION FOR THE SANTA ROSA BOYS & GIRLS CLUB PROJECT. (JM-PARKS) (Order No. 2008O9039)**  
**The Order is as follows:**

- (P) CONSIDERATION AND AUTHORIZATION FOR THE TAX ASSESSOR-COLLECTOR TO START BILLING FOR STREET LIGHTS IN CAMERON PARK AND LAGUNA HEIGHTS ON OCTOBER 1, 2008. (FB-PD&M)**  
**The Documentation is as follows:**

- (R) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY TO CONTRACT WITH AEP TEXAS CENTRAL COMPANY TO INSTALL 36, 250 WATT, STREET LIGHTS IN LAGUNA HEIGHTS. (FB-PD&M) (Contract No. 2008C09325)**  
**The Contract is as follows:**

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**The Resolution is as follows:**

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**(4) CONSENT ITEMS.**

**(E) CONSIDERATION AND APPROVAL TO ESTABLISH A PETTY CASH FUND IN COUNTY AUDITOR'S OFFICE. (MG-AUDITOR)**

Commissioner Tamayo inquired as to the purpose of the petty cash fund.

Ms. Martha Galarza, County Auditor, replied that the petty cash fund is going to be for the Civil/Legal Department to pay for filing fees at the Federal Courthouse and to have subpoenas served.

Commissioner Tamayo motioned to approve the establishment of a petty cash fund in the County Auditor's Office.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Documentation is as follows:**

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**(G) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY PLAT APPROVAL FOR SAN FERNANDO ESTATES, PCT. 4, BEING 17.66 ACRES OF LAND COMPRISED OF ALL OF TRACT I, SAN FERNANDO ESTATES SUBDIVISION, PHASE I, RECORDED IN CABINET 1, SLOT 2906A, 2906B, AND 2907A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (EH-CCD6T)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, Authorization for Preliminary Plat Approval for San Fernando Estates, Pct. 4, being 17.66 acres of land comprised of all of Tract I, San Fernando Estates Subdivision, Phase I, recorded in Cabinet 1, Slot 2906a, 2906b, and 2907a, Map Records of Cameron County, Texas, was approved.

**The Documentation is as follows:**

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**(Q) CONSIDERATION AND AUTHORIZATION FOR TAX ASSESSOR-COLLECTOR TO BEGIN BILLING RESIDENTS IN CAMERON PARK FOR 84 STREET LIGHTS, INSTEAD OF 41. (FB-PD&M)**

Mr. Tony Yzaguirre, Tax Assessor-Collector, recommended that the light bill be included within the property tax bill to ensure a maximum collection rate.

Mr. Frank Bejarano, PD&M Director, informed the Court that the installation of the street lights must be completed by July 2009 in order to prevent loss of grant funding.

Commissioner Wood motioned to approve authorization for the Tax Assessor-Collector to begin billing residents in Cameron Park for 41 street lights.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

## **ACTION ITEMS**

**(6) ACTION ITEMS.**

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

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza 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.

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

AYE: Commissioner Wood, Commissioner Garza and Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00206412, made payable to Harlingen Waterworks System, in the amount of \$586.57 and Warrant No. 00206463, made payable to Public Utilities Board, in the amount of \$43,857.14 and Commissioner Tamayo as to Warrant No. 00206465, made payable to Red River Service Corp., in the amount of \$320.84.

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

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**(C) APPROVAL OF MINUTES FOR:  
AUGUST 12, 2008 - REGULAR MEETING  
AUGUST 19, 2008 - REGULAR MEETING**

Commissioner Tamayo motioned to approve the Minutes for the August 12, 2008- Regular Meeting and the August 19, 2008-Regular Meeting.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(D) DISCUSSION AND POSSIBLE ACTION REGARDING THE DESIGNATION OF THE DAY OF THE WEEK ON WHICH THE COMMISSIONERS' COURT SHALL CONVENE IN REGULAR TERM EACH MONTH DURING THE NEXT FISCAL YEAR AS PER LOCAL GOVERNMENT CODE, SEC. 81.005 (a). (PSJ-ADMINISTRATOR)**

Commissioner Garza motioned to designate the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday in which the Commissioners' Court shall convene in Regular Term each month during the next Fiscal Year as per Local Government Code, Sec. 81.005 (a), beginning January 1, 2009.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(E) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING FOR THE PURPOSE OF CLOSING AND ABANDONING A PORTION OF KIESTER AVE. SAID ROAD IS LOCATED IN PCT. #2, IN OLMITO TOWNSITE SUBDIVISION RECORDED IN VOLUME 6, PAGE 11 OF THE MAP RECORDS. (PSJ-ADMINISTRATOR)**

Ms. Dylbia Jeffries-Vega, Legal Counsel, asked the Court to TABLE Action Items No. 6 (E) and (F) as the petition submitted did not include a description of the portion of road this is requested to be closed.

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

Mr. Joey De La Garza, Executive Director for Sunshine Haven, Inc., stated that the reason for the road closure is to accommodate parking for visitors to the facility.

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

**The Documentation is as follows:**

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- (F) **CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER AUTHORIZING THE CLOSING AND ABANDONMENT OF A PORTION OF KIESTER AVE. SAID ROAD IS LOCATED IN PCT. #2, IN OLMITO TOWNSITE SUBDIVISION RECORDED IN VOLUME 6, PAGE 11 OF THE MAP RECORDS. (PSJ-ADMINISTRATOR) (TABLED)**

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Wood and carried unanimously.

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- (G) **CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION ADDRESSING CAMERON COUNTY'S CONCERNS TO THE POSSIBLE RULE CHANGES TO THE COUNTY'S BEACH ACCESS AND DUNE PROTECTION PLAN IN RELATION TO HB 2819. (JM-PARKS) (TABLED)**

Commissioner Tamayo motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (H) **DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR 2008-2009 BUDGET AND TAX RATE. (XV-BUDGET)**

Commissioner Tamayo made a motion to authorize the Budget Officer to prepare an order for a \$.01 tax rate increase.

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

AYE: Commissioner Tamayo, Commissioner Garza, Commissioner Benavides and Judge Cascos

NAY: Commissioner Wood

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Commissioner Benavides made a motion to restrict the tobacco reimbursement funds.

The motion died due to lack of a second.

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Commissioner Garza made a motion to approve an annualized salary increase of \$1,000 to all full-time County employees.

Ms. Dylbia Jeffries-Vega, Legal Counsel, inquired as to whether the \$1,000 salary increase will apply to the Court at Law Judges.

Commissioner Garza highlighted the fact that the Court at Law Judges are Elected Officials and stated that he does not consider Elected Officials as employees.

Commissioner Garza made a motion to approve an annualized salary increase of \$1,000 to all full-time County employees.

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

AYE: Commissioner Garza, Commissioner Tamayo, Commissioner Benavides and Judge Cascos

NAY: None

ABSTAIN: Commissioner Wood

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Commissioner Benavides made a motion to approve a \$1,000 salary increase for the County Court at Law Judges.

The motion died due to lack of a second.

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Commissioner Garza made a motion to restrict \$150,000 within the Child Welfare Budget for use if needed for the District Attorney's Office relating to Indigent Defense.

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

AYE: Commissioner Garza, Commissioner Tamayo, Commissioner Benavides and Judge Cascos

NAY: None

ABSTAIN: Commissioner Wood

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**(I) CONSIDERATION AND APPROVAL TO PURCHASE VARIOUS OFFICE FURNITURE THROUGH HERMAN MILLER/WORKPLACE RESOURCE, VIA VENDORS "NATIONAL" – TxMAS CONTRACT NUMBER TXMAS-3-711060 AND "SIT ON IT" – TxMAS CONTRACT NUMBER TXMAS-4-7110240 AND THROUGH PROVOST INTERIORS. (AV-DISTRICT ATTORNEY) tabled on 9.2.08**

Mr. Armando Villalobos, District Attorney, informed the Court that there is \$20,132.60 remaining in the budget for the renovation of the 3<sup>rd</sup> and 4<sup>th</sup> floors of the Administrative Building. He added that the County Administrator and the Budget Officer have recommended that those funds be utilized for modifications to the 3<sup>rd</sup> floor.

Mr. Villalobos proposed that the remaining funds be utilized to purchase furniture for the 4<sup>th</sup> floor and that Fund 90 be used to cover any remaining balance for the furniture as well as the costs for modifications to the 3<sup>rd</sup> floor.

Commissioner Garza motioned to approve the purchase of various office furniture through Herman Miller/Workplace Resource, via vendors "National" – TxMas Contract Number Txmas-3-711060 and "Sit On It" – TxMas Contract Number Txmas-4-7110240 and through Provost Interiors as proposed by the District Attorney.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(J) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND S & B INFRASTRUCTURE FOR THE TRANSLATION OF ENGINEERING PLANS FOR THE WEST RAIL PROJECT TO MEET SECRETARIA DE COMUNICACIONES Y TRANSPORTES STANDARDS. (PSJ-ADMINISTRATOR) (Contract No. 2008C09326)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Contract between Cameron County and S & B Infrastructure for the Translation of Engineering Plans for the West Rail Project to meet Secretaria de Comunicaciones y Transportes standards was approved.

**The Contract is as follows:**

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**(K) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND S & B INFRASTRUCTURE TO UPDATE ENVIRONMENTAL ASSESSMENT FOR THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2008C09327)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Contract between Cameron County and S & B Infrastructure to Update Environmental Assessment for the West Rail Project was approved.

**The Contract is as follows:**

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

Mr. Armando Villalobos, District Attorney, commented on issues with the evidence rooms for the Constables and proposed that the County Attorney or District Attorney conduct an annual audit of the evidence room for County-related law enforcement. He mentioned that the Code is silent regarding any auditing process for evidence rooms and suggested that the Court adopt a policy as to this issue.

Judge Cascos directed Mr. Villalobos to ask for an Attorney General's Opinion.

Commissioner Tamayo motioned to acknowledge Mr. Armando Villalobos' comments.

The motion was seconded by Commissioner Garza and carried unanimously.

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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 8:12 P.M.

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**APPROVED** this 7<sup>th</sup> day of **October 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**