

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8<sup>th</sup> day of January 2009, 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

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:  
JOHN WOOD

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The meeting was called to order by Judge Cascos at 5:16 P.M. He asked Ms. Martha Galarza, County Auditor, for the invocation. Mr. Horacio A. Zamora 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 January 5, 2009 at 1:22 P.M. with the Supplemental Agenda being filed for Record at 2:44 P.M.:

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(1) **PUBLIC COMMENTS.**

Commissioner Garza commented on the University of Texas at Austin's win in the Fiesta Bowl.

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**PRESENTATIONS**

(2) **PRESENTATIONS/RESOLUTIONS.**

(A) **PRESENTATION BY CARLOS LUGO, ACCOUNT EXECUTIVE WITH SALAZAR INSURANCE GROUP. (MV-HUMAN RESOURCES)**

Mr. Robert Moroles stated that Mr. Carlos Lugo is unavailable to make the presentation and he was asked to step in. He requested permission from the Court to approach Cameron County employees in order to inform them of the "Term Life Insurance to Age 100".

Judge Cascos asked Ms. Susie Marfileno, Human Resources Assistant Director, if the County has a specific day during the year when requests for offers to County employees are presented.

Ms. Marfileno replied that vendors are allowed to present their products to County Employees during the Annual County Health Fair in October.

Judge Cascos recommended that Mr. Moroles meet with Human Resources to discuss being added to the Annual County Health Fair.

Commissioner Tamayo motioned to acknowledge the Presentation.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Documentation is as follows:**

## CONSENT ITEMS

- (3) **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 ITEMS:

**Consent Items No. 3 (H) thru 3 (L):**

Commissioner Garza asked to discuss these items separately.

**Supplemental Consent Item No. 1 (B):**

Mr. David Garcia, Deputy County Administrator, asked to TABLE this item.

Commissioner Tamayo motioned to approve the "Consent and Travel Items" with the addition of the Supplemental Consent Items, tabling Supplemental Consent Item No. 1 (B) and excluding Consent Items No. 3 (H), (I), (J), (K) and (L).

The motion was seconded by Commissioner Benavides and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF AIRPORT PROJECT PARTICIPATION AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR DESIGN SERVICES TO CONSTRUCT A NEW GENERAL AVIATION TERMINAL AND AUTO PARKING FOR TERMINAL BUILDING AT THE PORT ISABEL CAMERON COUNTY AIRPORT. (PSJ- ADMINISTRATOR) (Contract No. 2009C01005)**  
The Contract is as follows:
- (B) **CONSIDERATION AND APPROVAL OF AIRPORT PROJECT PARTICIPATION AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE DESIGN AND CONSTRUCTION OF HANGARS AT THE PORT-ISABEL CAMERON COUNTY AIRPORT. (PSJ-ADMINISTRATOR) (Contract No. 2009C01006)**  
The Contract is as follows:
- (C) **CONSIDERATION AND AUTHORIZATION TO APPROVE RIGHT OF ENTRY AND POSSESSION OF PROPERTY FOR THE RE-ALIGNMENT AND CONSTRUCTION OF PARK GROVE ROAD AND APPURTENANCES. (EH-CCDoT) (Contract No. 2009C01007)**  
The Documentation is as follows:
- (D) **CONSIDERATION AND APPROVAL TO UPGRADE CURRENT COPIER AT THE PUBLIC WORKS PCT. 1 & 2 OFFICE. (EH-CCDoT) (Contract No. 2009C01009)**  
The Contract is as follows:
- (E) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM SEPTEMBER 30, 2008 TO SEPTEMBER 30, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT ALYSSA SUBDIVISION, PCT. 4. (EH-CCDoT) (Contract No. 2009C01008)**  
The Documentation is as follows:
- (F) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM DECEMBER 1, 2008 TO DECEMBER 1, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT HACIENDA DEL NORTE SUBDIVISION, PCT. 2. (EH-CCDoT)**  
The Documentation is as follows:
- (G) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF MANUEL FLORES JR., DEPUTY CONSTABLE FOR PCT. #4 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 WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**

**The Documentation is as follows:**

- (H) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH JOE FORTUGNO, BINGO DIRECTOR, AT THE ISLA BLANCA PARK. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (I) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH DORA TAYLOR, ACTIVITY DIRECTOR, AT THE ISLA BLANCA PARK. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (J) CONSIDERATION AND AUTHORIZATION TO APPROVE BEACH FRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR LAGUNA MADRE WATER DISTRICT TO EXTEND WATER AND WASTE WATER ALONG PARK ROAD 100. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (K) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH COMPASS PUBLISHING, INC. FOR PREPARATION OF COLORED R.V. SITE MAPS. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (L) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND WAYNE BOYD, PRESIDENT OF KING FISHER MARINE SERVICE LP TO STAGE EQUIPMENT FOR SOUTH PADRE ISLAND BEACH NOURISHMENT PROJECT AT ISLA BLANCA PARK. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (M) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT WITH CUBCO CONSTRUCTION FOR SANITARY SEWER SERVICES IN THE EL SALADO AREA (TCDP CONTRACT NO. 727035). (FB-PD&M) (Order No. 2009O1001)**

**The Order is as follows:**

- (N) CONSIDERATION AND AUTHORIZATION FOR THE COUNTY'S PROGRAM DEVELOPMENT & MANAGEMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON JANUARY 20, 2009, PURSUANT TO THE 2009-2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA CONSTRUCTION FUND. (FB-PD&M)**

**The Documentation is as follows:**

- (O) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS, RFP'S, RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**
  - a. GRANT CONSULTING SERVICES & RELATED SOFTWARE – RFP #081102 (eCIVIS) SUBJECT TO NEGOTIATIONS, DETERMINATION OF FUNDING SOURCE, AND AWARD OF A FINAL CONTRACT.**

**The Tabulation is as follows:**

## **TRAVEL ITEMS**

- (4) CONSIDERATIONS 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 & ADMINISTRATIVE ASSISTANT TO TRAVEL TO COLLEGE STATION, TEXAS, ON 1/12 TO 1/13/09, TO RECEIVE THE 2009 TEXAS AGRILIFE EXTENSION SERVICE "EXTENSION IN THE CITY" AWARD.**
  - (B) EXTENSION OFFICE STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 1/5 TO 1/8/09, TO ATTEND THE BELTWIDE COTTON CONFERENCE.**

- (C) EXTENSION OFFICE STAFF (1) TO TRAVEL TO KINGSVILLE, TEXAS, ON 1/17/09, TO ATTEND AND ASSIST WITH THE DISTRICT 12 4-H COUNCIL AND ADULT LEADERS ASSOCIATION MEETING.
- (D) HEALTH DEPARTMENT STAFF (4) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 1/14 TO 1/17/09, TO ATTEND THE PRINCIPLES OF LACTATION MANAGEMENT.
- (E) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 1/12 TO 1/14/09, TO ATTEND THE TEXAS ASSOCIATION OF LOCAL WIC DIRECTORS (TALWD) BOARD MEETING.
- (F) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 1/19 TO 1/22/09, TO ATTEND THE TRAINING MOMS TO HELP MOMS: PEER COUNSELOR TRAINING PROGRAM.
- (G) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 1/27 TO 1/30/09, TO ATTEND THE CLINICAL LACTATION PRACTICUM.
- (H) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 2/3 TO 2/6/09, TO ATTEND THE CLINICAL LACTATION PRACTICUM.
- (I) JUVENILE PROBATION OFFICE STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 1/13 TO 1/16/08, TO ATTEND THE TJPC TRAINING COORDINATORS CONFERENCE.
- (J) SHERIFF'S OFFICE STAFF (2) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 12/29 TO 12/30/08, TO ATTEND MEETING WITH YATES CONSTRUCTION.

## SUPPLEMENTAL AGENDA

### CONSENT ITEMS

- (1) 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.
- (A) CONSIDERATION AND AUTHORIZATION TO APPROVE THE SUBDIVISION CONSTRUCTION AGREEMENT FOR VILLA DE JARDIN SUBDIVISION, PCT. 1. (EH-CCDoT) (Contract No. 2009C01004)  
The Documentation is as follows:
- (B) CONSIDERATION AND AUTHORIZATION TO APPROVE THE SUBDIVISION CONSTRUCTION AGREEMENT FOR NORTH RANCH SUBDIVISION, PCT. 2. (EH-CCDoT) (TABLED)

- (A) **CONSIDERATION AND APPROVAL OF AIRPORT PROJECT PARTICIPATION AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR DESIGN SERVICES TO CONSTRUCT A NEW GENERAL AVIATION TERMINAL AND AUTO PARKING FOR TERMINAL BUILDING AT THE PORT ISABEL CAMERON COUNTY AIRPORT. (PSJ- ADMINISTRATOR) (Contract No. 2009C01005)**  
**The Contract is as follows:**

- (B) CONSIDERATION AND APPROVAL OF AIRPORT PROJECT PARTICIPATION AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE DESIGN AND CONSTRUCTION OF HANGARS AT THE PORT-ISABEL CAMERON COUNTY AIRPORT. (PSJ-ADMINISTRATOR) (Contract No. 2009C01006)**  
**The Contract is as follows:**

- (C) CONSIDERATION AND AUTHORIZATION TO APPROVE RIGHT OF ENTRY AND POSSESSION OF PROPERTY FOR THE RE-ALIGNMENT AND CONSTRUCTION OF PARK GROVE ROAD AND APPURTENANCES. (EH-CCDoT) (Contract No. 2009C01007)**  
**The Documentation is as follows:**



- (D) CONSIDERATION AND APPROVAL TO UPGRADE CURRENT COPIER AT THE PUBLIC WORKS PCT. 1 & 2 OFFICE. (EH-CCDoT) (Contract No. 2009C01009)**  
**The Contract is as follows:**

- (E) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM SEPTEMBER 30, 2008 TO SEPTEMBER 30, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT ALYSSA SUBDIVISION, PCT. 4. (EH-CCDoT) (Contract No. 2009C01008)**  
**The Documentation is as follows:**

**(F) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM DECEMBER 1, 2008 TO DECEMBER 1, 2009 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT HACIENDA DEL NORTE SUBDIVISION, PCT. 2. (EH-CCDoT)**

**The Documentation is as follows:**

- (G) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF MANUEL FLORES JR., DEPUTY CONSTABLE FOR PCT. #4 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 WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**

**(M) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT WITH CUBCO CONSTRUCTION FOR SANITARY SEWER SERVICES IN THE EL SALADO AREA (TCDP CONTRACT NO. 727035). (FB-PD&M) (Order No. 2009O1001)**

**The Order is as follows:**

- (N) **CONSIDERATION AND AUTHORIZATION FOR THE COUNTY'S PROGRAM DEVELOPMENT & MANAGEMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON JANUARY 20, 2009, PURSUANT TO THE 2009-2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA CONSTRUCTION FUND. (FB-PD&M)**  
**The Documentation is as follows:**

**(O) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS, RFP'S, RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**

- a. **GRANT CONSULTING SERVICES & RELATED SOFTWARE – RFP #081102 (eCIVIS) SUBJECT TO NEGOTIATIONS, DETERMINATION OF FUNDING SOURCE, AND AWARD OF A FINAL CONTRACT.**

**The Tabulation is as follows:**

## **SUPPLEMENTAL AGENDA**

### **CONSENT ITEMS**

- (A) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE SUBDIVISION CONSTRUCTION AGREEMENT FOR VILLA DE JARDIN SUBDIVISION, PCT. 1. (EH-CCDoT) (Contract No. 2009C01004)**  
**The Documentation is as follows:**



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**(3) CONSENT ITEMS.**

- (H) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH JOE FORTUGNO, BINGO DIRECTOR, AT THE ISLA BLANCA PARK. (JM-PARKS) (Contract No. 2009C01002)**
- (I) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH DORA TAYLOR, ACTIVITY DIRECTOR, AT THE ISLA BLANCA PARK. (JM-PARKS) (Contract No. 2009C01001)**
- (J) CONSIDERATION AND AUTHORIZATION TO APPROVE BEACH FRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR LAGUNA MADRE WATER DISTRICT TO EXTEND WATER AND WASTE WATER ALONG PARK ROAD 100. (JM-PARKS)**
- (K) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH COMPASS PUBLISHING, INC. FOR PREPARATION OF COLORED R.V. SITE MAPS. (JM-PARKS) (Contract No. 2009C01010)**
- (L) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND WAYNE BOYD, PRESIDENT OF KING FISHER MARINE SERVICE LP TO STAGE EQUIPMENT FOR SOUTH PADRE ISLAND BEACH NOURISHMENT PROJECT AT ISLA BLANCA PARK. (JM-PARKS) (Contract No. 2009C01003)**

Commissioner Garza asked if Consent Items No. 3 (H) thru (L) have been reviewed by Legal Counsel.

Ms. Dylbia Jeffries-Vega, Legal Counsel, acknowledged that she has reviewed each item and noted that there was an issue in regards to dates of the contract that have since been resolved.

Commissioner Tamayo motioned to approve Consent Items No. 3 (H), (I), (J), (K) and (L).

The motion was seconded by Commissioner Garza and carried unanimously.

**The Documentation is as follows:**

## **ACTION ITEMS**

**(5) ACTION ITEMS**

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

Ms. Martha Galarza, County Auditor, stated that the Budget Amendment on page 1 for the DA Drug Forfeiture Fund is erroneously labeled as “900-5600” and should read “900-4750”.

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 motioned to approve the Claims.

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

AYE: Commissioner Tamayo, Commissioner Benavides and Commissioner Garza

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00212781, made payable to Harlingen Waterworks System, in the amount of \$72.51 and Warrant No. 00212844, made payable to Public Utilities Board, in the amount of \$5,859.97.

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

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**(C) APPROVAL OF MINUTES FOR:  
DECEMBER 9, 2008-REGULAR MEETING  
DECEMBER 16, 2008- REGULAR MEETING**

Commissioner Garza motioned to approve the Minutes for the December 9, 2008-Regular Meeting and December 16, 2008- Regular Meeting.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(D) CONSIDERATION AND AUTHORIZATION TO REJECT ALL BIDS RECEIVED FOR BID #081003, LAURELES OUTDOOR RECREATIONAL COMMUNITY PARK AND REQUEST RECOMMENDATION TO CONTINUE WITH CONSTRUCTION METHOD. (JM-PARKS)**

Commissioner Garza motioned to approve the authorization to reject all Bids received for Bid #081003, Laureles Outdoor Recreational Community Park, and to proceed thru the Buyboard process.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(E) CONSIDERATION AND POSSIBLE ACTION REGARDING REIMBURSEMENTS FROM FEMA. (PSJ-ADMINISTRATOR)**

Mr. Robert L. Lopez, Director of Administrative Services, informed the Court that \$395,989.62 in reimbursements have been received.

Commissioner Tamayo commented that the rate in which the reimbursements are being received is unacceptable.

Judge Cascos directed Mr. Lopez to keep the Court informed via email when a reimbursement is received.

Commissioner Garza motioned to acknowledge the Report regarding the Reimbursements from FEMA.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 5:46 P.M.

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**APPROVED** this 5<sup>th</sup> day of **February 2009**

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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**