

NOTE: Commissioner Benavides was not present at the beginning of the Meeting.

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 8:36 A.M. to discuss the following matters:

- (1) **EXECUTIVE SESSION:**
- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JOE R. JONES INTERIOR RENOVATION CONTRACT FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (B).**
 - (B) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
 - (C) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 21, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
 - (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 26, PARTS 1 AND 2, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
 - (E) **EVALUATION OF THE CAMERON COUNTY CHIEF PARK RANGER FOR REASSIGNMENT, DETERMINE DUTIES, DISCIPLINE OR DISMISSAL, PURSUANT TO V.T.C.A. LOCAL GOVERNMENT CODE SECTION 351.082 & GOVERNMENT CODE, SECTION 551.074 (A)(1).**
 - (F) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE LICENSE AGREEMENT BETWEEN CHARLIE BROMMER AND CAMERON COUNTY, FOR AUTHORITY TO REPRESENT CAMERON COUNTY IN THE LEGAL PROCEEDINGS TO REGAIN POSSESSION OF THE PREMISES LICENSED ON SOUTH PADRE ISLAND, TX FOR NON-PAYMENT OF RENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2).**

NOTE: Commissioner Benavides joined the Meeting when the Court reconvened into Regular Session.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 9:41 A.M. to discuss the following matters:

- (2) **ACTION RELATIVE TO EXECUTIVE SESSION:**
- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JOE R. JONES INTERIOR RENOVATION CONTRACT FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (B). (TABLED)**
 - (B) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 6, FOR RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (TABLED)**
 - (C) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 21, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (TABLED)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, Executive Session Items No. 2 (A), (B) and (C) were TABLED.

- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 26, PARTS 1 AND 2, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, payment in the amount of \$4,000 was acknowledged.

- (E) EVALUATION OF THE CAMERON COUNTY CHIEF PARK RANGER FOR REASSIGNMENT, DETERMINE DUTIES, DISCIPLINE OR DISMISSAL, PURSUANT TO V.T.C.A. LOCAL GOVERNMENT CODE SECTION 351.082 & GOVERNMENT CODE, SECTION 551.074 (A)(1).**

Commissioner Tamayo motioned to acknowledge the evaluation of the Chief Park Ranger.

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

AYE: Commissioner Tamayo, Commissioner Garza and Judge Cascos

NAY: Commissioner Benavides and Commissioner Wood

- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE LICENSE AGREEMENT BETWEEN CHARLIE BROMMER AND CAMERON COUNTY, FOR AUTHORITY TO REPRESENT CAMERON COUNTY IN THE LEGAL PROCEEDINGS TO REGAIN POSSESSION OF THE PREMISES LICENSED ON SOUTH PADRE ISLAND, TX FOR NON-PAYMENT OF RENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2).**

Commissioner Wood motioned to authorize Legal Counsel to begin legal action.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (3) PUBLIC COMMENTS.**

None were presented.

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 (A):

Commissioner Garza asked to discuss this item separately.

Consent Item No. 4 (H-a):

Mr. Robert L. Lopez, Director of Administrative Services, asked to discuss this item separately.

Consent Items No. 4 (B) and (C):

Commissioner Garza asked to discuss these items separately.

Commissioner Wood motioned to approve the "Consent and Travel Items", excluding Consent Items No.

4 (A), (B), (C) and (H-a).

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF DUES FOR THE U.S. MEXICO BORDER COALITION. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (B) **CONSIDERATION AND AUTHORIZATION TO PAY THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES AND CHEMICAL RESPONSE & REMEDIATION CONTRACTORS (CRRC) FOR ASBESTOS CONSULTING WITHOUT A PURCHASE ORDER. (RL-ADMINISTRATIVE SERVICES) (ACTION TAKEN SEPARATELY)**
- (C) **CONSIDERATION AND APPROVAL OF PERSONAL SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND CONTRACTOR OPERATING UNDER SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA). (MG-AUDITOR) (ACTION TAKEN SEPARATELY)**
- (D) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE ESTIMATE AND PURCHASE THE COMPUTER EQUIPMENT (SWITCHES) NEEDED FOR THE TWO NEW COURTROOMS (444TH & 445TH) VIA TCPN/CGW-G. (RL-COMPUTER CENTER)**
The Documentation is as follows:
- (E) **CONSIDERATION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN IMMIGRATION AND CUSTOMS ENFORCEMENT AND LOCAL, COUNTY AND STATE LAW ENFORCEMENT AGENCIES FOR THE REIMBURSEMENT OF EXPENSES IN JOINT OPERATIONS/TASK FORCES. (HZ-CONSTABLE PRECINCT 1) (Contract No. 2009C02049)**
The Documentation is as follows:
- (F) **CONSIDERATION AND APPROVAL FOR AMENDMENT TO CONTRACT #2008C06159 TO EXTEND BIENESTAR COUNSELING CENTER TO AUGUST 31, 2009. (RMG-JUVENILE PROBATION) (Contract No. 2009C02050)**
The Contract is as follows:
- (G) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S/RFQ'S FOR ONE ADDITIONAL YEAR: (MF-PURCHASING)**
 - a. **ROAD FLEX BASE MATERIALS – ANNUAL BID #2560 (MARTIN MARIETTA & VULCAN MATERIALS)**
 - b. **ROAD SURFACING MATERIALS – ANNUAL BID #2580 (FRONTERA & VULCAN MATERIALS)**
 - c. **DRAINAGE MATERIALS – ANNUAL BID #2520 (CONTECH, VARMICON & HANSON PIPE)****The Tabulation is as follows:**
- (H) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS, RFP'S, RFQ'S FOR THE FOLLOWING: (MF-PURCHASING) (ACTION TAKEN SEPARATELY)**
 - a. **AUDIT OF SOLID WASTE COLLECTION, RATES & RELATED BILLING - ANNUAL RFP #1221-4 SUBJECT TO NEGOTIATIONS AND FINAL CONTRACT APPROVAL BY COMMISSIONERS' COURT.**

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) **CONSTABLE PRECINCT 5 STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 2/24 TO 2/27/09, TO ATTEND THE CIVIL PROCESS SEMINAR 20 HR. MANDATED COURSE.**

- (B) CONSTABLE PRECINCT 5 STAFF (4) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 3/29 TO 4/1/09, TO ATTEND THE CIVIL PROCESS SEMINAR 20 HR. MANDATED COURSE.**
- (C) COUNTY ADMINISTRATOR TO TRAVEL TO EL PASO, TEXAS, ON 2/11 TO 2/12/09, TO MEET WITH IBWC OFFICIALS REGARDING WEST RAIL PROJECT AND VETERANS BRIDGE EXPANSION.**
- (D) EXTENSION OFFICE STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/9 TO 2/11/09, TO ACCOMPANY AND SUPPORT THE 4-HER'S AT THE SAN ANTONIO STOCK SHOW.**
- (E) EXTENSION OFFICE STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 2/21 TO 2/22/09, TO ACCOMPANY AND SUPPORT THE 4-HER'S AT THE SAN ANTONIO STOCK SHOW.**
- (F) LEGAL DIVISION STAFF (1) TO TRAVEL TO HOUSTON, TEXAS, ON 3/11 TO 3/13/09, TO ATTEND THE 17TH ANNUAL ADVANCED EMPLOYMENT LAW COURSE.**

- (D) CONSIDERATION AND AUTHORIZATION TO APPROVE THE ESTIMATE AND PURCHASE THE COMPUTER EQUIPMENT (SWITCHES) NEEDED FOR THE TWO NEW COURTROOMS (444TH & 445TH) VIA TCPN/CGW-G. (RL-COMPUTER CENTER)**
The Documentation is as follows:

- (E) CONSIDERATION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN IMMIGRATION AND CUSTOMS ENFORCEMENT AND LOCAL, COUNTY AND STATE LAW ENFORCEMENT AGENCIES FOR THE REIMBURSEMENT OF EXPENSES IN JOINT OPERATIONS/TASK FORCES. (HZ-CONSTABLE PRECINCT 1) (Contract No. 2009C02049)**
The Documentation is as follows:

- (F) CONSIDERATION AND APPROVAL FOR AMENDMENT TO CONTRACT #2008C06159 TO EXTEND BIENESTAR COUNSELING CENTER TO AUGUST 31, 2009. (RMG-JUVENILE PROBATION)
(Contract No. 2009C02050)
The Contract is as follows:**

- (G) CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP'S/RFQ'S FOR ONE ADDITIONAL YEAR: (MF-PURCHASING)**
- a. ROAD FLEX BASE MATERIALS – ANNUAL BID #2560 (MARTIN MARIETTA & VULCAN MATERIALS)**
 - b. ROAD SURFACING MATERIALS – ANNUAL BID #2580 (FRONTERA & VULCAN MATERIALS)**
 - c. DRAINAGE MATERIALS – ANNUAL BID #2520 (CONTECH, VARMICON & HANSON PIPE)**
- The Tabulation is as follows:**

(4) **CONSENT ITEMS.**

(A) **CONSIDERATION AND APPROVAL OF DUES FOR THE U.S. MEXICO BORDER COALITION. (PSJ-ADMINISTRATOR)**

Commissioner Tamayo motioned to approve the Dues for the U.S. Mexico Border Coalition.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(B) CONSIDERATION AND AUTHORIZATION TO PAY THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES AND CHEMICAL RESPONSE & REMEDIATION CONTRACTORS (CRRC) FOR ASBESTOS CONSULTING WITHOUT A PURCHASE ORDER. (RL-ADMINISTRATIVE SERVICES)

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, Authorization to pay the Texas Department of State Health Services and Chemical Response & Remediation Contractors (CRRC) for Asbestos Consulting without a Purchase Order was approved.

The Documentation is as follows:

(C) CONSIDERATION AND APPROVAL OF PERSONAL SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND CONTRACTOR OPERATING UNDER SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA). (MG-AUDITOR) (Contract No. 2009C02048)

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Personal Service Agreement between Cameron County and Contractor Operating under South Texas Partnership, Southwest Border High Intensity Drug Trafficking Area (HIDTA) was approved.

The Contract is as follows:

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- (H) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS, RFP'S, RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**
- a. **AUDIT OF SOLID WASTE COLLECTION, RATES & RELATED BILLING - ANNUAL RFP #1221-4 SUBJECT TO NEGOTIATIONS AND FINAL CONTRACT APPROVAL BY COMMISSIONERS' COURT.**

Mr. Robert L. Lopez, Director of Administrative Services, asked that the RFP be awarded to the local company based on Staff's recommendation.

Commissioner Tamayo motioned to approve awarding the Audit of Solid Waste Collection, Rates & Related Billing-Annual RFP #1221-4, subject to negotiations and final Contract approval by Commissioners' Court.

The motion was seconded by Commissioner Garza and carried unanimously.

The Tabulation is as follows:

ACTION ITEMS

(6) ACTION ITEMS.

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

Upon motion by Commissioner Garza, 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. 00214760 be voided.

Commissioner Benavides motioned to approve the Claims.

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

AYE: Commissioner Benavides, Commissioner Garza and Commissioner Wood

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00214581, made payable to Harlingen Waterworks System, in the amount of \$751.21 and Warrant No. 00214611, made payable to Laguna Madre Water District, in the amount of \$347.01 and Warrant No. 00214661, made payable to Public Utilities Board, in the amount of \$42,078.14 and Commissioner Tamayo as to Warrant No. 00214662, made payable to Red River Service Corp., in the amount of \$96.37.

The Claims and Affidavits are as follows:

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- (C) **CONSIDER APPOINTMENT OF “OTHER QUALIFIED PERSON” (SHERIFF OR CONSTABLE) AS CHIEF OF THE PARK RANGERS PURSUANT TO LOCAL GOVERNMENT CODE, CHAPTER 351, SUB-CHAPTER E. (CHC-JUDGE) tabled 2/5/09 (TABLED)**

Commissioner Wood motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (D) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND W.G. YATES & SONS CONSTRUCTION COMPANY FOR THE ADDITION TO THE CARRIZALEZ RUCKER FACILITY. (PSJ-ADMINISTRATOR) tabled 2/5/09 (Contract No. 2009C03130)**

Commissioner Garza motioned to approve the Contract between Cameron County and W.G. Yates & Sons Construction Company for the Addition to the Carrizalez Rucker Facility, subject to Legal Counsel.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

(E) CONSIDERATION AND ACTION ON BUDGETING/ACCOUNTING ISSUES REGARDING DISTRICT ATTORNEY'S OFFICE FUND 900-475, FUND 600-475, AND THE DISTRICT ATTORNEY'S FORFEITURE ACCOUNT. (AV-DISTRICT ATTORNEY) tabled 2/5/09 (TABLED)

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(F) CONSIDERATION AND POSSIBLE ACTION REGARDING REIMBURSEMENTS FROM FEMA. (PSJ-ADMINISTRATOR) tabled 2/5/09

Mr. Robert L. Lopez, Director of Administrative Services, reported that there has been no change since the prior Report was presented to the Court.

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

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

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 10:05 A.M.

APPROVED this 5th day of **March 2009**

CARLOS H. CASCOS, CPA
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS