

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 28th day of May 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

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:



The meeting was called to order by Judge Cascos at 5:00 P.M. He asked Pastor Thomas Carubba for the invocation. Mr. Michael Freeman, CBP Port Director, 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 May 22, 2009 at 2:39 P.M.:

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.**

DISCUSSION CONCERNING CONSENT ITEMS:

Consent Item No. 5 (OO):

Commissioner Tamayo asked to discuss this item separately.

Consent Item No. 5 (BB):

Mr. Pete Sepulveda, County Administrator, asked to TABLE this item.

Travel Items No. 6 (P) and (R):

Commissioner Garza asked to discuss these items separately.

Consent Item No. 5 (L):

Commissioner Wood asked to discuss this item separately.

Commissioner Garza motioned to approve the “Consent and Travel Items”, excluding Consent Items No. 5 (L) and (OO), Travel Items No. 6 (P) and (R) and tabling Consent Item No. 5 (BB).

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF RESOLUTION OPPOSING THE CREATION OF AN ADDITIONAL COUNTY COURT AT LAW COURT IN CAMERON COUNTY, TEXAS. (PSJ-ADMINISTRATOR) (Resolution No. 2009R06091)**
The Resolution is as follows:
- (B) **CONSIDERATION AND ADOPTION OF ORDER DECLARING CERTAIN PROPERTY SURPLUS AND APPROVING OF DONATION TO THE ARROYO CITY VOLUNTEER FIRE DEPARTMENT. (PSJ-ADMINISTRATOR) (Order No. 2009O5016)**
The Order is as follows:
- (C) **CONSIDERATION AND APPROVAL OF RESOLUTION DESCRIBING THE WEST RAIL RELOCATION PROJECT AND THE CONSTRUCTION OF RAILROAD STREET AS PART OF THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (Resolution No. 2009R05087)**
The Resolution is as follows:
- (D) **CONSIDERATION AND AUTHORIZATION TO ALLOW STAFF TO REQUEST RFQ’s FOR LEGAL SERVICES FOR REDISTRICTING. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:
- (E) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE ESTIMATE FOR THE ROOF REPAIR TO THE ADULT PROBATION BUILDING IN SAN BENITO VIA TIPS (TEXAS INTERLOCAL PURCHASING SYSTEM)/MICO INDUSTRIAL CORPORATION. (RL-ADMIN. SERVICES)**
The Documentation is as follows:
- (F) **CONSIDERATION AND APPROVAL OF COPIER LEASE AGREEMENT #072304100 FROM XEROX. (ET-COMM. PCT. 4) (Contract No. 2009C05203)**
The Contract is as follows:
- (G) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR RFP’s FOR VITALS AND COURT RECORDS CONVERSION AND APPROVAL OF RFP DRAFT. (JGR-COUNTY CLERK)**
The Documentation is as follows:

- (H) **CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR JESSE R. GOMEZ SUBDIVISION, PCT. 2, BEING A 6.37 ACRE TRACT OUT OF LOT 29, BLOCK 11, BARRERA GARDENS SUBDIVISION, MAP NO. 2, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 8, PAGE 20, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. (EH-CCDoT ENG) (Contract No. 2009C05204)**
The Documentation is as follows:
- (I) **CONSIDERATION AND AUTHORIZATION TO APPROVE CHANGE ORDER NO. 1, FOR LAGUNA ESCONDIDA HEIGHTS COLONIA OF THE 3RD CALL BORDER COLONIA ACCESS PROGRAM. (EH-CCDoT ENG) (Order No. 2009O5017)**
The Documentation is as follows:
- (J) **CONSIDERATION AND AUTHORIZATION FOR THE RELEASE OF THE PERFORMANCE BOND AT VILLA DE JARDIN SUBDIVISION AS RECORDED IN CABINET 1, PAGES 2965-A, 2965-B AND 2966-A; AND COMMENCE THE MAINTENANCE PERIOD. (EH-CCDoT ENG) (Contract No. 2009C05206)**
The Documentation is as follows:
- (K) **CONSIDERATION AND AUTHORIZATION TO ACCEPT MANUEL TREVINO ROAD LOCATED IN DEL RIO SUBDIVISION, UNIT 4, PCT. 1, AS RECORDED IN CABINET 1, PAGE 2951-B AND 2952-A, OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (EH-CCDoT ENG)**
The Documentation is as follows:
- (L) **CONSIDERATION AND AUTHORIZATION TO ACCEPT OLIVE DRIVE, BIRCH STREET, BENT TREE AVENUE, PINE OAK STREET AND POST OAK STREET LOCATED IN BENT TREE SUBDIVISION, PHASE II, PCT. 2, AS RECORDED IN CABINET 1, PAGE 2857-A AND 2857-B, OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (EH-CCDoT ENG) (ACTION TAKEN SEPARATELY)**
- (M) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM APRIL 30, 2009 TO APRIL 30, 2012, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA PALOMA SUBDIVISION, NO. 2, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:
- (N) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 9, 2009 TO MAY 20, 2010, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT BASS ACRES SUBDIVISION, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:
- (O) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 10, 2009 TO MAY 10, 2010, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT LAS YESCAS SUBDIVISION, PHASE II, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:
- (P) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 10, 2009 TO MAY 4, 2010, FOR PROVIDING WATER AND WASTEWATER FACILITIES (WATER AND WASTE WATER FEES) AT PELICAN'S LANDING SUBDIVISION, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:
- (Q) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 19, 2009 TO MAY 19, 2010, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RENMAR SUBDIVISION, PCT. 2. (EH-CCDoT ENG)**
The Documentation is as follows:
- (R) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VISTA DEL MONTE SUBDIVISION, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT ENG)**
The Documentation is as follows:

- (S) **CONSIDERATION AND APPROVAL TO PAY PROFESSIONAL ENGINEER LICENSE RENEWAL FEE FOR ERNESTO E. HINOJOSA, P.E., STAFF ENGINEER. (EH-CCDoT ENG)**
The Documentation is as follows:
- (T) **CONSIDERATION AND AUTHORIZATION OF THE RENEWAL CONTRACT FOR JOHN SHERGOLD, A LICENSED ATTORNEY IN THE STATE OF TEXAS, TO ACT AS A TEMPORARY PROSECUTOR ON BEHALF OF THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE. (AV-DISTRICT ATTORNEY) (Contract No. 2009C05207)**
The Contract is as follows:
- (U) **CONSIDERATION AND AUTHORIZATION TO RENEW CONTRACT WITH TEXAS WORKFORCE COMMISSION (TWC) FOR ONE (1) ADDITIONAL YEAR. (AV-DISTRICT ATTORNEY)**
The Documentation is as follows:
- (V) **CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER-HOUSTON SCHOOL OF PUBLIC HEALTH-BROWNSVILLE REGIONAL CAMPUS. (YS-HEALTH) tabled 5.14.09 (Contract No. 2009C05208)**
The Memorandum of Understanding is as follows:
- (W) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF DAVID L. GARCIA, DEPUTY CONSTABLE FOR PCT. NO. 1, IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERTY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT. (MV-HUMAN RESOURCES)**
The Documentation is as follows:
- (X) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF CAMERON COUNTY, TEXAS APPROVING HOUSING ASSISTANCE GUIDELINES, PURSUANT TO THE 2008-2010 CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP PROJECT. (FB-PD&M) (Resolution No. 2009R05084)**
The Resolution is as follows:
- (Y) **CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION (CJD) FOR AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FORMULA GRANT UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. (FB-PD&M) (Resolution No. 2009R05085)**
The Resolution is as follows:
- (Z) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF CAMERON COUNTY, TEXAS APPROVING A METHOD OF DISTRIBUTION FOR DISASTER RECOVERY FUNDS ADMINISTERED BY THE OFFICE OF RURAL COMMUNITY AFFAIRS AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR RECOVERY EFFORTS ASSOCIATED WITH HURRICANE DOLLY. (FB-PD&M) (Resolution No. 2009R05086)**
The Resolution is as follows:
- (AA) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND CAMERON AND WILLACY COUNTIES COMMUNITY PROJECTS, INC., TO CONDUCT THE KIDS COLLEGE PROGRAM AT THE BROWNE ROAD SOCIAL SERVICE CENTER. (JM-PARKS) (Contract No. 2009C05201)**
The Agreement is as follows:
- (BB) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND HISPANIC ACTIVE RELATIONSHIPS PROJECT TO PROVIDE MARRIAGE EDUCATION PROGRAMS AT CAMERON PARK CENTRO CULTURAL. (JM-PARKS) (TABLED)**

- (CC) CONSIDERATION AND AUTHORIZATION TO EXECUTE SUB-RECIPIENT GRANT AGREEMENT CONTRACT NO. 2009C05202 WITH THE TEXAS GENERAL LAND OFFICE FOR ADOLPH THOMAE, JR., SHORELINE RESTORATION PROJECT. (JM-PARKS) (Contract No. 2009C05202)
The Agreement is as follows:
- (DD) CONSIDERATION AND AUTHORIZATION TO SUBMIT STANDARD WATER SERVICE AGREEMENT, AND RIGHT OF WAY EASEMENT TO EAST RIO HONDO WATER SUPPLY CORPORATION AND APPROVE WORK ORDER COST FOR WATER SERVICE TO LAURELES COMMUNITY PARK. (JM-PARKS) (Contract No. 2009C05209)
The Agreement is as follows:
- (EE) CONSIDERATION AND AUTHORIZATION TO UTILIZE TASB BUYBOARD COOPERATIVE PURCHASING AGREEMENT FOR THE PURCHASE OF SPORTS LIGHTING VIA TECHLINE SPORTS LIGHTING, LLC, FOR THE LAURELES COMMUNITY PARK. (JM-PARKS.) (Contract No. 2009C05210)
The Agreement is as follows:
- (FF) CONSIDERATION AND AUTHORIZATION TO AWARD BID TO LOWEST BIDDER, TERRY RAY CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE HIGHWAY 48 BOAT RAMP. (JM-PARKS)
The Tabulation is as follows:
- (GG) CONSIDERATION AND AUTHORIZATION TO HOLD CAMERON COUNTY ANNUAL AUCTION ON AUGUST 15, 2009. (MF-PURCHASING)
- (HH) CONSIDERATION AND ACKNOWLEDGMENT OF NO RESPONSE RECEIVED FOR: (MF-PURCHASING)
a. FINANCING FOR EQUIPMENT – BID #1420
- (II) CONSIDERATION AND ACKNOWLEDGMENT OF NO RESPONSE RECEIVED FOR: (MF-PURCHASING)
a. ATM SERVICES – RFP #1190
- (JJ) CONSIDERATION AND ACKNOWLEDGMENT OF NO RESPONSE RECEIVED FOR: (MF-PURCHASING)
a. HEALTH AUTHORITY – RFQ #1450
- (KK) CONSIDERATION AND ACKNOWLEDGEMENT OF NO RESPONSE RECEIVED FOR: (MF-PURCHASING)
a. MASTER GRAPHIC CONTROL PANEL SYSTEM – RFP #090404
- (LL) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP's/RFQ's FOR THE FOLLOWING: (MF-PURCHASING)
a. ROLLER (QTY. 1) p2 – BID #090405 (NUECES POWER EQUIPMENT)
The Tabulation is as follows:
- (MM) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP's/RFQ's FOR: (MF-PURCHASING)
a. SAFETY GLASSES (PRESCRIPTION) – ANNUAL BID #2610
b. TRACTORS (QTY. 2) W/MOWERS – BID #090501
c. CONCRETE INLET BOXES & MANHOLES (CAMERON PARK) – BID #090402
- (NN) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON AND WILLACY COUNTY SHERIFF'S DEPARTMENTS. (OL-SHERIFF)
The Documentation is as follows:
- (OO) CONSIDERATION AND APPROVAL TO INCREASE PETTY CASH FUNDS AT VARIOUS COUNTY TAX BRANCH OFFICES. (TY-TAX OFFICE) (ACTION TAKEN SEPARATELY)

- (PP) **CONSIDERATION AND AUTHORIZATION TO ALLOW COMPASS BANK TO RELEASE SECURITIES HELD BY THE FEDERAL RESERVE BANK ON THE COUNTY'S BEHALF. (DAB-TREASURER)**

The Documentation is as follows:

TRAVEL ITEMS

- (6) **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) **CIVIL LEGAL DIVISION SENIOR LEGAL COUNSEL TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 6/24 TO 6/26/09, TO ATTEND A GOVERNMENTAL PURCHASING SEMINAR.**
 - (B) **COUNTY JUDGE, COMMISSIONER PCT. 1, COMMISSIONER PCT. 2, COMMISSIONER PCT. 3, AND COMMISSIONER PCT. 4 TO TRAVEL TO SOUTH PADRE ISLAND, ON 6/8 TO 6/11/09, TO ATTEND SOUTH TEXAS COUNTY JUDGES' AND COMMISSIONERS' ASSOCIATION 75TH ANNUAL CONFERENCE.**
 - (C) **CCD&T BRIDGE DIVISION STAFF (3) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 6/24 TO 6/26/09, TO ATTEND THE NAPM-TPPA MOMENTUM PURCHASING SEMINAR.**
 - (D) **DISTRICT ATTORNEY'S STAFF (2) TO TRAVEL TO IRVING, TEXAS, ON 6/14 TO 6/19/09, TO ATTEND THE 12 ANALYST'S NOTEBOOK LEVEL 1 TRAINING.**
 - (E) **CAMERON COUNTY DIVERT COURT STAFF (3) TO TRAVEL TO ANAHEIM, CALIFORNIA, ON 6/10 TO 6/13/09, TO ATTEND THE NEW CAMERON COUNTY DIVERT COURT TRAINING.**
 - (F) **EMERGENCY MANAGEMENT STAFF (1) TO TRAVEL TO McALLEN, TEXAS, ON 6/11 TO 6/16/09, TO ATTEND THE STATE FIREMEN'S AND FIRE MARSHAL'S ASSOCIATION OF TEXAS TRAINING CONFERENCE.**
 - (G) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO COLLEGE STATION, TEXAS, ON 6/9 TO 6/12/09, TO ATTEND AND ASSIST WITH THE 4-H MEMBERS ATTENDING STATE 4-H ROUNDUP.**
 - (H) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO ROBSTOWN, TEXAS, ON 6/19 TO 6/20/09, TO ATTEND AND ASSIST WITH THE 4-H MEMBERS ATTENDING DISTRICT 12 4-H HORSESHOW.**
 - (I) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 6/22 TO 6/25/09, TO ATTEND AND ASSIST WITH THE 4-H MEMBERS ATTENDING LEADERSHIP LAB.**
 - (J) **HEALTH DEPARTMENT STAFF (4) TO TRAVEL TO BROWNSVILLE, TEXAS, ON 5/30/09, TO ATTEND THE 2009 PEDIATRIC POTPOURRI SPRING 2009.**
 - (K) **HEALTH DEPARTMENT STAFF (2) TO TRAVEL TO TYLER, TEXAS, ON 6/1 TO 6/3/09, TO ATTEND THE HEARTLAND NATIONAL TB INTENSIVE WORKSHOP.**
 - (L) **JUSTICE OF THE PEACE 5-1 JUDGE TO TRAVEL TO KERRVILLE, TEXAS, ON 6/3 TO 6/7/09, TO ATTEND THE ANNUAL JUSTICE OF THE PEACE AND CONSTABLES ASSOCIATION CONFERENCE.**
 - (M) **JUVENILE PROBATION STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 6/28 TO 6/30/09, TO ATTEND THE POST-LEGISLATIVE CONFERENCE.**

- (N) JUVENILE PROBATION STAFF (1) TO TRAVEL TO SAN ANTONIO, TEXAS, ON 7/12 TO 7/13/09, TO ATTEND THE 2009 EEOC TECHNICAL ASSISTANCE SEMINAR.**
- (O) JUVENILE PROBATION STAFF (2) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 8/3 TO 8/5/09, TO ATTEND THE 2ND ANNUAL JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM CONFERENCE.**
- (P) MAGISTRATE COURT JUDGE TO TRAVEL TO SAN ANTONIO, TEXAS, ON 6/3 TO 6/6/09, TO ATTEND A MANDATORY CONTINUED EDUCATION COURSE. (ACTION TAKEN SEPARATELY)**
- (Q) PURCHASING OFFICE STAFF (4) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 6/24 TO 6/26/09, TO ATTEND A GOVERNMENTAL PURCHASING SEMINAR.**
- (R) SHERIFF'S OFFICE STAFF (1) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 5/11 TO 5/13/09, TO ATTEND THE TEXAS BORDER SHERIFF'S COALITION MEETING. (ACTION TAKEN SEPARATELY)**
- (S) SHERIFF'S OFFICE STAFF (2) TO TRAVEL TO COLUMBUS, OHIO, ON 5/20 TO 5/21/09, TO VIEW MOBILE CRIME SCENE UNIT.**
- (T) SHERIFF'S OFFICE STAFF (2) TO TRAVEL TO HUNTSVILLE, TEXAS, ON 5/20 TO 5/23/09, TO ATTEND A HURRICANE PREPAREDNESS PLANNING SEMINAR.**
- (U) SHERIFF'S OFFICE STAFF (2) TO TRAVEL TO CORPUS CHRISTI, TEXAS, ON 5/30 TO 6/5/09, TO ATTEND A 60 HOUR BASIC SWAT COURSE.**
- (V) TAX OFFICE STAFF (3) TO TRAVEL TO HOUSTON, TEXAS, ON 6/15 TO 6/19/09, TO ATTEND THE TEXAS AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY ANNUAL CONFERENCE.**
- (W) TAX OFFICE STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 6/21 TO 6/25/09, TO ATTEND COURSE 9: ADVANCED ASSESSMENT & COLLECTIONS COURSE.**
- (X) TREASURER TO TRAVEL TO KERRVILLE, TEXAS, ON 6/8 TO 6/10/09, TO ATTEND THE 2009 COUNTY INVESTMENT OFFICER LEVEL II CONTINUING EDUCATION SEMINAR.**

- (A) CONSIDERATION AND APPROVAL OF RESOLUTION OPPOSING THE CREATION OF AN ADDITIONAL COUNTY COURT AT LAW COURT IN CAMERON COUNTY, TEXAS. (PSJ-ADMINISTRATOR) (Resolution No. 2009R06091)**
The Resolution is as follows:

- (B) CONSIDERATION AND ADOPTION OF ORDER DECLARING CERTAIN PROPERTY SURPLUS AND APPROVING OF DONATION TO THE ARROYO CITY VOLUNTEER FIRE DEPARTMENT. (PSJ-ADMINISTRATOR) (Order No. 2009O5016)**
The Order is as follows:

- (C) CONSIDERATION AND APPROVAL OF RESOLUTION DESCRIBING THE WEST RAIL RELOCATION PROJECT AND THE CONSTRUCTION OF RAILROAD STREET AS PART OF THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (Resolution No. 2009R05087)**
The Resolution is as follows:

(D) CONSIDERATION AND AUTHORIZATION TO ALLOW STAFF TO REQUEST RFQ's FOR LEGAL SERVICES FOR REDISTRICTING. (PSJ-ADMINISTRATOR)

The Documentation is as follows:

- (E) CONSIDERATION AND AUTHORIZATION TO APPROVE THE ESTIMATE FOR THE ROOF REPAIR TO THE ADULT PROBATION BUILDING IN SAN BENITO VIA TIPS (TEXAS INTERLOCAL PURCHASING SYSTEM)/MICO INDUSTRIAL CORPORATION. (RL-ADMIN. SERVICES)
The Documentation is as follows:**

- (F) CONSIDERATION AND APPROVAL OF COPIER LEASE AGREEMENT #072304100 FROM XEROX.
(ET-COMM. PCT. 4) (Contract No. 2009C05203)
The Contract is as follows:**

(G) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR RFP's FOR VITALS AND COURT RECORDS CONVERSION AND APPROVAL OF RFP DRAFT. (JGR-COUNTY CLERK)

The Documentation is as follows:

- (H) CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR JESSE R. GOMEZ SUBDIVISION, PCT. 2, BEING A 6.37 ACRE TRACT OUT OF LOT 29, BLOCK 11, BARRERA GARDENS SUBDIVISION, MAP NO. 2, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 8, PAGE 20, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. (EH-CCDoT ENG) (Contract No. 2009C05204)**
The Documentation is as follows:

- (I) CONSIDERATION AND AUTHORIZATION TO APPROVE CHANGE ORDER NO. 1, FOR LAGUNA ESCONDIDA HEIGHTS COLONIA OF THE 3RD CALL BORDER COLONIA ACCESS PROGRAM. (EH-CCDoT ENG) (Order No. 2009O5017)**
The Documentation is as follows:

- (J) CONSIDERATION AND AUTHORIZATION FOR THE RELEASE OF THE PERFORMANCE BOND AT VILLA DE JARDIN SUBDIVISION AS RECORDED IN CABINET 1, PAGES 2965-A, 2965-B AND 2966-A; AND COMMENCE THE MAINTENANCE PERIOD. (EH-CCDoT ENG) (Contract No. 2009C05206)**
The Documentation is as follows:

- (K) CONSIDERATION AND AUTHORIZATION TO ACCEPT MANUEL TREVINO ROAD LOCATED IN DEL RIO SUBDIVISION, UNIT 4, PCT. 1, AS RECORDED IN CABINET 1, PAGE 2951-B AND 2952-A, OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (EH-CCDoT ENG)**
The Documentation is as follows:

- (M) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM APRIL 30, 2009 TO APRIL 30, 2012, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RESACA PALOMA SUBDIVISION, NO. 2, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:

- (N) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 9, 2009 TO MAY 20, 2010, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT BASS ACRES SUBDIVISION, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:

- (O) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 10, 2009 TO MAY 10, 2010, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT LAS YESCAS SUBDIVISION, PHASE II, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:

- (P) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 10, 2009 TO MAY 4, 2010, FOR PROVIDING WATER AND WASTEWATER FACILITIES (WATER AND WASTE WATER FEES) AT PELICAN'S LANDING SUBDIVISION, PCT. 4. (EH-CCD&T ENG)**
The Documentation is as follows:

- (Q) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MAY 19, 2009 TO MAY 19, 2010, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RENMAR SUBDIVISION, PCT. 2. (EH-CCDoT ENG)**
The Documentation is as follows:

- (R) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR VISTA DEL MONTE SUBDIVISION, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT ENG)**
The Documentation is as follows:

- (S) CONSIDERATION AND APPROVAL TO PAY PROFESSIONAL ENGINEER LICENSE RENEWAL FEE FOR ERNESTO E. HINOJOSA, P.E., STAFF ENGINEER. (EH-CCDoT ENG)**
The Documentation is as follows:

- (T) CONSIDERATION AND AUTHORIZATION OF THE RENEWAL CONTRACT FOR JOHN SHERGOLD, A LICENSED ATTORNEY IN THE STATE OF TEXAS, TO ACT AS A TEMPORARY PROSECUTOR ON BEHALF OF THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE. (AV-DISTRICT ATTORNEY) (Contract No. 2009C05207)
The Contract is as follows:**

- (U) CONSIDERATION AND AUTHORIZATION TO RENEW CONTRACT WITH TEXAS WORKFORCE COMMISSION (TWC) FOR ONE (1) ADDITIONAL YEAR. (AV-DISTRICT ATTORNEY)
The Documentation is as follows:**

- (V) **CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER-HOUSTON SCHOOL OF PUBLIC HEALTH-BROWNSVILLE REGIONAL CAMPUS. (YS-HEALTH) tabled 5.14.09 (Contract No. 2009C05208)**
The Memorandum of Understanding is as follows:

(W) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF DAVID L. GARCIA, DEPUTY CONSTABLE FOR PCT. NO. 1, 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. (MV-HUMAN RESOURCES)

The Documentation is as follows:

- (X) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF CAMERON COUNTY, TEXAS APPROVING HOUSING ASSISTANCE GUIDELINES, PURSUANT TO THE 2008-2010 CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP PROJECT. (FB-PD&M) (Resolution No. 2009R05084)**
The Resolution is as follows:

- (Y) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION (CJD) FOR AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FORMULA GRANT UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. (FB-PD&M) (Resolution No. 2009R05085)**

The Resolution is as follows:

- (Z) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF CAMERON COUNTY, TEXAS APPROVING A METHOD OF DISTRIBUTION FOR DISASTER RECOVERY FUNDS ADMINISTERED BY THE OFFICE OF RURAL COMMUNITY AFFAIRS AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR RECOVERY EFFORTS ASSOCIATED WITH HURRICANE DOLLY. (FB-PD&M) (Resolution No. 2009R05086)**
The Resolution is as follows:

(AA) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND CAMERON AND WILLACY COUNTIES COMMUNITY PROJECTS, INC., TO CONDUCT THE KIDS COLLEGE PROGRAM AT THE BROWNE ROAD SOCIAL SERVICE CENTER. (JM-PARKS) (Contract No. 2009C05201)
The Agreement is as follows:

**(CC) CONSIDERATION AND AUTHORIZATION TO EXECUTE SUB-RECIPIENT GRANT AGREEMENT
CONTRACT NO. 2009C05202 WITH THE TEXAS GENERAL LAND OFFICE FOR ADOLPH THOMAE,
JR., SHORELINE RESTORATION PROJECT. (JM-PARKS) (Contract No. 2009C05202)
The Agreement is as follows:**

(DD) CONSIDERATION AND AUTHORIZATION TO SUBMIT STANDARD WATER SERVICE AGREEMENT, AND RIGHT OF WAY EASEMENT TO EAST RIO HONDO WATER SUPPLY CORPORATION AND APPROVE WORK ORDER COST FOR WATER SERVICE TO LAURELES COMMUNITY PARK. (JM-PARKS) (Contract No. 2009C05209)
The Agreement is as follows:

(EE) CONSIDERATION AND AUTHORIZATION TO UTILIZE TASB BUYBOARD COOPERATIVE PURCHASING AGREEMENT FOR THE PURCHASE OF SPORTS LIGHTING VIA TECHLINE SPORTS LIGHTING, LLC, FOR THE LAURELES COMMUNITY PARK. (JM-PARKS.) (Contract No. 2009C05210)

The Agreement is as follows:

- (FF) CONSIDERATION AND AUTHORIZATION TO AWARD BID TO LOWEST BIDDER, TERRY RAY CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE HIGHWAY 48 BOAT RAMP. (JM-PARKS)**
The Tabulation is as follows:

- (LL) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP's/RFQ's FOR THE FOLLOWING:
(MF-PURCHASING)**
- a. ROLLER (QTY. 1) p2 – BID #090405 (NUECES POWER EQUIPMENT)**
The Tabulation is as follows:

(NN) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON AND WILLACY COUNTY SHERIFF'S DEPARTMENTS. (OL-SHERIFF)

The Documentation is as follows:

(PP) CONSIDERATION AND AUTHORIZATION TO ALLOW COMPASS BANK TO RELEASE SECURITIES HELD BY THE FEDERAL RESERVE BANK ON THE COUNTY'S BEHALF. (DAB-TREASURER)

The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 5:05 P.M. to discuss the following matters:

- (1) **EXECUTIVE SESSION:**
- (A) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 4(E) PARTS 1 AND 2, RIGHT OF WAY FOR FM 511 DRAINAGE OUTFALLS PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
 - (B) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCELS 8, 10, 11, 15, 19, 21, 22, 23, AND 40, FOR RIGHT OF WAY FOR FM 732, 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 CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE USE OF COUNTY OFFICES REGARDING ALL OF LOTS 1 AND 12, THE EAST ½ OF LOT 11, BLOCK 144, ORIGINAL TOWNSITE OF THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
 - (E) **DELIBERATION REGARDING REAL PROPERTY CONCERNING: THE POSSIBLE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF THE ARMY KNOWN AS: TRACK NO. RGV-HRL-3014, LOCATED IN THE CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS; SAID 0.13010 ACRE TRACT.**
 - (F) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DAVID WINSTEAD VS. CAMERON COUNTY CONSTABLE OFFICE, LOS FRESNOS POLICE DEPARTMENT, AND LEO GOMEZ, LOS FRESNOS POLICE DEPARTMENT; CIVIL ACTION NO. B-09-CV-040, FOR AUTHORITY TO REPRESENT CAMERON COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).**
 - (G) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JAVIER ALEJANDRO GARZA VS. THE UNITED STATES MARSHAL'S SERVICE, THE CAMERON COUNTY SHERIFF'S DEPARTMENT, COSME MARTINEZ, MICHAEL DAVID SAAVEDRA, SGT. JOSE ALEJANDRO GARCIA, JOHN ROY HARRIS, JOSE YBARRA, AND LETICIA ANDRADE, INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES; CASE NO. 07-CV-52, FOR AUTHORITY TO MEDIATE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(B)&(2).**
 - (H) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT ISSUES WITH SEA RANCH ENTERPRISES, LLP, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
 - (I) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT ISSUES WITH SPI SEASCAPE, INC., PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
 - (J) **DELIBERATION CONCERNING ISSUES RELATING TO POSSIBLE LEASE WITH OPTION TO BUY AND/OR ACQUISITION OF REAL PROPERTY FOR THE USE OF COUNTY OFFICES REGARDING THE WEST 1/2 OF LOT 6, ALL OF LOTS 7 AND 8, BLOCK 9, RIO HONDO TOWNSITE, CAMERON COUNTY, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 5:31 P.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

(A) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 4(E) PARTS 1 AND 2, RIGHT OF WAY FOR FM 511 DRAINAGE OUTFALLS PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

Commissioner Wood motioned to acknowledge the payment of \$45,000 for the property.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(B) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCELS 8, 10, 11, 15, 19, 21, 22, 23, AND 40, FOR RIGHT OF WAY FOR FM 732, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

Commissioner Garza motioned to authorize the payment of \$45,176.92.

The motion was seconded by Commissioner Wood and carried unanimously.

(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)

(D) DELIBERATION CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE USE OF COUNTY OFFICES REGARDING ALL OF LOTS 1 AND 12, THE EAST ½ OF LOT 11, BLOCK 144, ORIGINAL TOWNSITE OF THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (TABLED)

Commissioner Wood motioned to TABLE Executive Session Items No. 2 (C) and (D).

The motion was seconded by Commissioner Tamayo and carried unanimously.

(E) DELIBERATION REGARDING REAL PROPERTY CONCERNING: THE POSSIBLE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF THE ARMY KNOWN AS: TRACK NO. RGV-HRL-3014, LOCATED IN THE CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS; SAID 0.13010 ACRE TRACT. (Contract No. 2009C06228)

Commissioner Tamayo motioned to acknowledge the Report by Legal Counsel and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

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

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

NAY: Commissioner Wood

The Documentation is as follows:

- (F) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DAVID WINSTEAD VS. CAMERON COUNTY CONSTABLE OFFICE, LOS FRESNOS POLICE DEPARTMENT, AND LEO GOMEZ, LOS FRESNOS POLICE DEPARTMENT; CIVIL ACTION NO. B-09-CV-040, FOR AUTHORITY TO REPRESENT CAMERON COUNTY, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (2).**

Commissioner Tamayo motioned to authorize Legal Counsel to represent the Cameron County Constable's Office.

The motion was seconded by Commissioner Garza and carried unanimously.

- (G) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JAVIER ALEJANDRO GARZA VS. THE UNITED STATES MARSHAL'S SERVICE, THE CAMERON COUNTY SHERIFF'S DEPARTMENT, COSME MARTINEZ, MICHAEL DAVID SAAVEDRA, SGT. JOSE ALEJANDRO GARCIA, JOHN ROY HARRIS, JOSE YBARRA, AND LETICIA ANDRADE, INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES; CASE NO. 07-CV-52, FOR AUTHORITY TO MEDIATE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (B) & (2).**

Commissioner Tamayo motioned to acknowledge the Report by Legal Counsel and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

The motion was seconded by Commissioner Garza and carried unanimously.

- (H) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT ISSUES WITH SEA RANCH ENTERPRISES, LLP, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Commissioner Benavides motioned to acknowledge the Report by Legal Counsel and Mr. Javier Mendez, Parks Director, and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (I) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT ISSUES WITH SPI SEASCAPE, INC., PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Commissioner Garza motioned to acknowledge the Report by Legal Counsel and Mr. Javier Mendez, Parks Director.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (J) **DELIBERATION CONCERNING ISSUES RELATING TO POSSIBLE LEASE WITH OPTION TO BUY AND/OR ACQUISITION OF REAL PROPERTY FOR THE USE OF COUNTY OFFICES REGARDING THE WEST 1/2 OF LOT 6, ALL OF LOTS 7 AND 8, BLOCK 9, RIO HONDO TOWNSITE, CAMERON COUNTY, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Tamayo motioned to acknowledge the Report by Legal Counsel and Mr. Pete Sepulveda, County Administrator, and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

The motion was seconded by Commissioner Benavides and carried unanimously.

(3) PUBLIC COMMENTS.

None were presented.

PRESENTATIONS

(4) PRESENTATIONS/RESOLUTIONS.

(A) PRESENTATION OF PROCLAMATION BY COUNTY JUDGE DECLARING THE MONTH OF MAY 2009, AS “ELDER ABUSE PREVENTION MONTH” IN CAMERON COUNTY, TEXAS. (CHC-COUNTY JUDGE) (NO ACTION TAKEN)

Judge Cascos read and presented the Proclamation declaring the Month of May 2009, as “Elder Abuse Prevention Month” in Cameron County, Texas.

Ms. Ana Perez, Adult Protective Services, thanked the Court for recognizing Elder Abuse Prevention Month.

(B) PRESENTATION BY U.S. CUSTOMS AND BORDER PROTECTION REGARDING THE IMPLEMENTATION OF THE WESTERN HEMISPHERE TRAVEL INITIATIVE PROGRAM. (PSJ-ADMINISTRATOR) (NO ACTION TAKEN)

Mr. Michael Freeman, U.S. Customs and Border Protection Port Director-Brownsville Port of Entry, gave a brief overview regarding the Western Hemisphere Travel Initiative Program.

(C) PRESENTATION OF COMPREHENSIVE ANNUAL FINANCIAL REPORT, CAMERON COUNTY FOR FISCAL YEAR ENDED SEPTEMBER 30, 2008. (MG-AUDITOR)

Mr. Juan Mendoza, Long Chilton, LLP, presented the Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2008 and highlighted the decrease in the General Fund balance by \$1.5 million and the decrease in the transfer from the Bridge System.

Commissioner Garza requested a copy of the Independent Auditor’s Report on control deficiencies and questioned whether the Independent Auditor performed any test on internal controls.

Mr. Mendoza replied that there were no tests performed this year.

Ms. Martha Galarza, County Auditor, added that field audits are scheduled to be done in the coming weeks.

Judge Cascos recommended that future audit reports include internal control testing for the Parks System and the Justice of the Peace and that testing be done on concession agreements.

Mr. Carlos Barrera, Long Chilton, LLP, explained the Government Accounting Standards Board (GASB) 45 and noted that the County will need to recognize and account for the financial impact for post-employment benefits, which translates to approximately \$1.8 million.

Mr. Mendoza presented the Report on control deficiencies and stated that there were (2) findings with the first finding involving the bank reconciliation process. He explained that the bank reconciliations were not being prepared in a timely manner and were not being balanced to the general ledger. He recommended that management evaluate and revise the County's cash reconciliation process to account for inter-fund receivable and payables appropriately and in a timely manner.

Judge Cascos asked for a recommendation as to when the bank reconciliations should be done.

Mr. Mendoza recommended that bank reconciliations be done within 30 to 45 days. He stated that the second finding involves (3) instances where electronic payroll tax deposits were not transferred properly and were rejected by the IRS resulting in the County incurring penalties and interest.

Commissioner Garza questioned whether the improper transfers were a fault of the County or that of the bank.

Ms. Galarza replied that the transfers were electronic payments that were rejected by the IRS due to a formatting error and added that she is not clear as to whether the error was a bank issue or an IRS electronic page issue.

Mr. David Betancourt, County Treasurer, stated that the electronic transfers were done on time and correctly.

Ms. Galarza noted that when this issue was being reviewed, she went to the Treasurer's Office to verify that the electronic transfer sheets existed and that a confirmation notification was received.

Commissioner Tamayo recommended that this issue be reviewed further to determine if the bank is responsible for the transfers not being completed.

Judge Cascos inquired as to how current the bank reconciliations are.

Ms. Galarza replied that 80 to 85 percent of the November and December 2008 bank accounts are reconciled and added that she is working with the County Treasurer's Office to ensure that the information is being assimilated and accounted for correctly.

Judge Cascos requested that a monthly update on the status of all bank reconciliations be made to the Court and asked for a follow-up on the finding in the Independent Auditor's Report as to who is responsible for the electronic transfers not being completed properly.

Commissioner Garza motioned to acknowledge the Presentation regarding the Comprehensive Annual Financial Report, Cameron County for Fiscal Year ended September 30, 2008 and to approve a follow-up report regarding the finding by the Independent Auditor concerning the late payroll tax deposits and a monthly report on the status of all bank reconciliations.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(E) PRESENTATION FROM TONY YZAGUIRRE, JR., TAX ASSESSOR-COLLECTOR IN REGARDS TO CURRENT AD VALOREM TAX COLLECTIONS. (TY-TAX OFFICE)

NOTE: Judge Cascos exited the Meeting at 7:26 p.m.

Mr. Tony Yzaguirre, Tax Assessor-Collector, presented the 2008-2009 Current Tax Collections Report and highlighted the fact that 45% of the entire tax roll was collected in October 2008.

NOTE: Commissioner Tamayo exited the Meeting at 7:27 p.m.

Mr. Yzaguirre also presented a month-by-month comparison of the ad valorem collections for the previous three years for all taxing entities combined and for Cameron County and noted that \$5.1 million more has been collected for Cameron County as compared to the same time last year.

Commissioner Wood motioned to acknowledge the Presentation by Tony Yzaguirre Jr., Tax Assessor-Collector in regards to the Current Ad Valorem Tax Collections.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(D) PRESENTATION BY MR. JOHN GUEVARA, ATTORNEY PARTNER, WITH LINEBARGER GOGGAN BLAIR & SAMPSON LAW FIRM REGARDING DELINQUENT PROPERTY TAX REPORT. (TY-TAX OFFICE)

NOTE: Commissioner Tamayo returned to the Meeting at 7:30 p.m.

Ms. Lydia Ledezma, with Linebarger, Goggan, Blair, & Sampson, presented the Delinquent Property Tax Report for October 2008 thru April 2009.

NOTE: Judge Cascos returned to the Meeting at 7:31 p.m.

Commissioner Benavides motioned to acknowledge the Presentation by the Linebarger Goggan Blair & Sampson Law Firm regarding the Delinquent Property Tax Report.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(5) CONSENT ITEMS.

- (L) **CONSIDERATION AND AUTHORIZATION TO ACCEPT OLIVE DRIVE, BIRCH STREET, BENT TREE AVENUE, PINE OAK STREET AND POST OAK STREET LOCATED IN BENT TREE SUBDIVISION, PHASE II, PCT. 2, AS RECORDED IN CABINET 1, PAGE 2857-A AND 2857-B, OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (EH-CCDoT ENG)**

Commissioner Wood inquired as to whether this item can be approved as Olive Drive, Birch Street, Bent Tree Avenue, Pine Oak Street and Post Oak Street are all located in Precinct 4 and the agenda lists the streets located in "Pct. 2".

Mr. Richard Burst, Legal Counsel, replied that there is no conflict as the subject is clearly identified to the public.

Commissioner Wood motioned to approve the authorization to accept Olive Drive, Birch Street, Bent Tree Avenue, Pine Oak Street and Post Oak Street located in Bent Tree Subdivision, Phase II, as recorded in Cabinet 1, Page 2857-A and 2857-B, of the Cameron County Map Records, Cameron County, Texas into the County Road System with the correction of the Precinct Number from Pct. 2 to Pct. 4

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(OO) CONSIDERATION AND APPROVAL TO INCREASE PETTY CASH FUNDS AT VARIOUS COUNTY TAX BRANCH OFFICES. (TY-TAX OFFICE)

Commissioner Tamayo motioned to increase the petty cash funds at various County Tax Branch Offices.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(6) TRAVEL ITEMS.

(P) MAGISTRATE COURT JUDGE TO TRAVEL TO SAN ANTONIO, TEXAS, ON 6/3 TO 6/6/09, TO ATTEND A MANDATORY CONTINUED EDUCATION COURSE.

Commissioner Garza motioned to approve the Travel of the Magistrate Court Judge to Travel to San Antonio, Texas, on 6/3 to 6/6/09, to attend a Mandatory Continued Education Course.

The motion was seconded by Commissioner Wood and carried unanimously.

(R) SHERIFF'S OFFICE STAFF (1) TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 5/11 TO 5/13/09, TO ATTEND THE TEXAS BORDER SHERIFF'S COALITION MEETING.

Commissioner Garza motioned to approve the Travel of the Sheriff's Office Staff (1) to Travel to South Padre Island, Texas, on 5/11 to 5/13/09, to attend the Texas Border Sheriff's Coalition Meeting.

The motion was seconded by Commissioner Benavides and carried unanimously.

ACTION ITEMS

(7) ACTION ITEMS.

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

Upon motion by Commissioner Benavides, 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:

(B) APPROVAL OF CLAIMS.

Commissioner Benavides motioned to approve the Claims.

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

AYE: Commissioner Benavides, Commissioner Wood and Commissioner Garza

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00219947, made payable to Harlingen Waterworks System, in the amount of \$201.38, Warrant No. 00219967, made payable to Laguna Madre Water District, in the amount of \$65.33 and Warrant No. 00220001, made payable to Public Utilities Board, in the amount of \$6,311.42 and Commissioner Tamayo as to Warrant No. 00220005, made payable to Red River Service Corp., in the amount of \$140.10.

The Claims and Affidavits are as follows:

**(C) APPROVAL OF MINUTES FOR:
APRIL 30, 2009-REGULAR MEETING**

Commissioner Tamayo motioned to approve the Minutes for the April 30, 2009-Regular Meeting.

The motion was seconded by Commissioner Garza and carried unanimously.

**(D) CONSIDERATION AND AUTHORIZATION TO INCREASE THE
OVERTIME LINE ITEM (100-450-6004) BY \$30,000.00 AND THE
EXTRA-HELP LINE ITEM (100-450-6005) BY \$20,000.00 FROM THE
EXCESS REVENUES IN PASSPORT FEES COLLECTED BY THE
CAMERON COUNTY DISTRICT CLERK'S OFFICE. (AdelaG-
DISTRICT CLERK)**

Commissioner Tamayo motioned to authorize the increase of the Overtime Line Item (100-450-6004) by \$30,000.00 and the Extra-Help Line Item (100-450-6005) by \$20,000.00 from the Excess Revenues in Passport Fees collected by the Cameron County District Clerk's Office.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

(E) DISCUSSION AND POSSIBLE ACTION TO ADOPT A FINANCIAL DISCLOSURE REPORTING SYSTEM UNDER CHAPTER 159, SUB-CHAPTER B, TEXAS LOCAL GOVERNMENT CODE FOR COUNTY OFFICERS. (ROB-LEGAL) (Order No. 2009O5018)

Commissioner Tamayo motioned to approve an Order adopting a Financial Disclosure Reporting System under Chapter 159, Sub-Chapter B, Texas Local Government Code for County Officers.

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

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

NAY: Commissioner Garza

The Order is as follows:

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

Mr. Robert L. Lopez, Director of Administrative Services, reported that there has been no change to the status of the reimbursements from FEMA and added that he has met with Mr. Riley Kyle, Senior Public Assistance Officer for the Governor's Division of Emergency Management, who will be reviewing the County's file.

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

The motion was seconded by Commissioner Wood and carried unanimously.

(G) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 WITH YATES CONSTRUCTION FOR THE CARRIZALEZ RUCKER EXPANSION PROJECT. (PSJ-ADMINISTRATOR) (TABLED)

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

(H) CONSIDERATION AND POSSIBLE APPROVAL TO GRANT THE U.S. DEPARTMENT OF ARMY A RIGHT OF ENTRY FOR CONSTRUCTION ON TRACK NO. RGV-HRL-3014, LOCATED IN THE CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS; 0.13010 ACRE TRACT. (ROB-LEGAL) (Contract No. 2009C06229)

Commissioner Garza motioned to grant the U.S. Department of Army a Right of Entry for Construction on Track No. RGV-HRL-3014, located in the Concepcion de Carricitos Grant, Cameron County, Texas; 0.13010 Acre Tract.

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

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

NAY: Commissioner Wood

The Documentation is as follows:

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 8:05 P.M.

APPROVED this 24th day of **June 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