

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 6th day of August 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:

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The meeting was called to order by Judge Cascos at 5:17 P.M. He asked Pastor Thomas Carubba for the invocation. Ms. Catalina Presas-Garcia 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 August 3, 2009 at 2:08 P.M.:

EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 5:18 P.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF ARMY KNOWN AS: TRACK NO. RGV-HRL-4000, LOCATED IN THE CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS SAID 0.0181 ACRE TRACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (B) DELIBERATION CONCERNING POSSIBLE SALE OF COUNTY OWNED PROPERTY ON EAST HARRISON AND EAST TYLER STREETS IN HARLINGEN, TEXAS AND BEING LOTS 3,4,5, & 6 BLOCK 76, ORIGINAL TOWNSITE OF HARLINGEN, CAMERON COUNTY, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE OFFICE OF BORDER HEALTH CONTRACT, AS ALLOWED BY TEXAS GOVERNMENT CODE §418.183 (F).**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE COMMUNITY PREPAREDNESS SECTION – BIOTERRORISM PREPAREDNESS CONTRACT, AS ALLOWED BY TEXAS GOVERNMENT CODE §418.183 (F).**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 5:30 P.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF ARMY KNOWN AS: TRACK NO. RGV-HRL-4000, LOCATED IN THE CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS SAID 0.0181 ACRE TRACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

(B) DELIBERATION CONCERNING POSSIBLE SALE OF COUNTY OWNED PROPERTY ON EAST HARRISON AND EAST TYLER STREETS IN HARLINGEN, TEXAS AND BEING LOTS 3,4,5, & 6 BLOCK 76, ORIGINAL TOWNSITE OF HARLINGEN, CAMERON COUNTY, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072. (TABLED)

Commissioner Benavides motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE OFFICE OF BORDER HEALTH CONTRACT, AS ALLOWED BY TEXAS GOVERNMENT CODE §418.183 (F).

Commissioner Tamayo motioned to approve the contract as discussed in Executive Session.

The motion was seconded by Commissioner Benavides and carried unanimously.

(D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE COMMUNITY PREPAREDNESS SECTION – BIOTERRORISM PREPAREDNESS CONTRACT, AS ALLOWED BY TEXAS GOVERNMENT CODE §418.183 (F).

Commissioner Garza motioned to approve the contract as discussed in Executive Session.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(3) PUBLIC COMMENTS.

Mr. Fernando Ruiz commented on the commissary contract between Cameron County Sheriff Omar Lucio and Snakre Vending LLC and requested that the contract be reviewed. He also recommended that a committee be formed to audit the Cameron County Appraisal District to make certain that tax payers are paying their fair share.

Judge Cascos informed Mr. Ruiz that the Cameron County Appraisal District is audited annually and stated that he will speak with Mr. Frutoso Gomez, Chief Appraiser, in the coming week to inquire as to what is being done to ensure that appraised values are accurate.

Commissioner Garza noted that the State issues a "report card" to each individual taxing entity in regards to the accuracy of appraised values.

Mr. Richard Burst, Legal Counsel, advised the Court that by State statute the commissary contract is exclusively within the jurisdiction of the County Sheriff.

PRESENTATIONS

(4) PRESENTATIONS/RESOLUTIONS.

(C) PRESENTATION BY U.S. CUSTOMS AND BORDER PROTECTION ON WAITING TIMES AT INTERNATIONAL BRIDGES. (PSJ-ADMINISTRATOR)

Mr. Michael Freeman, Port Director for U.S. Customs & Border Protection for the Brownsville Ports of Entry, presented the wait times for the Veteran's International Bridge, presented a comparison of the wait times for May and June 2009 for the Veteran's Bridge, Gateway Bridge, the B & M Bridge and the Los Indios Bridge.

Commissioner Tamayo motioned to approve the Presentation by the U.S. Customs and Border Protection on waiting times at International Bridges.

The motion was seconded by Commissioner Benavides and carried unanimously.

(A) PRESENTATION ON THE CAMERON COUNTY STORM WATER MANAGEMENT PLAN – PUBLIC EDUCATION AND OUTREACH ON STORM WATER IMPACTS. (EH-CCDoT)

Commissioner Wood motioned to acknowledge the Presentation on the Cameron County Storm Water Management Plan – Public Education and Outreach on Storm Water Impacts.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(B) PRESENTATION OF THE PARKS SYSTEM 2009 THIRD QUARTER REVENUE AND EXPENSE REPORTS. (JM-PARKS)

Mr. Javier Mendez, Parks Director, reported that the Parks System saw an overall increase in revenue of 6.6% or \$85,520.00.

Commissioner Tamayo motioned to acknowledge the Presentation regarding the Parks System 2009 Third Quarter Revenue and Expense Reports.

The motion was seconded by Commissioner Garza and carried unanimously.

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 (A):

Commissioner Tamayo asked to discuss this item separately.

Consent Item No. 5 (P):

Ms. Dylbia Jeffries-Vega, Legal Counsel, informed the Court that language needs to be added to the Contract.

Judge Cascos asked to discuss this item separately.

Consent Items No. 5 (Q) and (U):

Commissioner Garza asked to discuss these items separately.

Consent Item No. 5 (Y):

Mr. Pete Sepulveda, County Administrator, informed the Court that the 404th District Judge has asked that this item be tabled.

Commissioner Garza inquired as to the reason for the request to table.

Commissioner Garza motioned to approve the "Consent Items", excluding Consent Items No. 5 (A), (P), (Q), (U) and (Y).

The motion was seconded by Commissioner Tamayo and carried unanimously.

(A) CONSIDERATION AND APPROVAL OF SUPPLEMENTAL WORK AUTHORIZATION NO. 2 TO WORK AUTHORIZATION NO. 2 BETWEEN CAMERON COUNTY AND S&B INFRASTRUCTURE FOR THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)

**(B) CONSIDERATION AND APPROVAL OF MONTHLY FINANCIAL INFORMATION IN COMPLIANCE WITH LGC 114.023 AND 114.024. (MG-AUDITOR)
The Documentation is as follows:**

**(C) CONSIDERATION AND APPROVAL OF MASTER LEASE AGREEMENT WITH CAPITAL ONE PUBLIC FUNDING L.L.C.; AS PER RFP 1420 AWARDED BY COMMISSIONERS' COURT ON 6/24/2009. (MG-AUDITOR) (Contract No. 2009C08279) (Resolution No. 2009R08095)
The Contract is as follows:**

- (D) **CONSIDERATION AND APPROVAL OF ADDENDUM TO SERVICE AGREEMENT CONTRACT NO. 2006C11090 BY CAMERON COUNTY TEXAS AND ACS STATE & LOCAL SOLUTIONS, INC. (JGR-COUNTY CLERK) (Contract No. 2009C08288)**
The Agreement is as follows:
- (E) **CONSIDERATION AND APPROVAL OF PROFESSIONAL ENGINEERING SERVICES FROM PROFESSIONAL SERVICE INDUSTRIES, INC. FOR CONSTRUCTION MATERIALS TESTING REQUIREMENTS FOR THE BORDER COLONIA ACCESS PROGRAM – 3RD CALL, ROAD & DRAINAGE IMPROVEMENT PROJECTS. (EH-CCDoT) (Contract No. 2009C08280-\$502.80) (Contract No. 2009C08281-\$11,281.00)**
The Documentation is as follows:
- (F) **CONSIDERATION AND AUTHORIZATION TO RELEASE THE FINANCIAL GUARANTEE FOR INSTALLATION OF SEPTIC SYSTEM FOR COLONY ESTATES SUBDIVISION, IN PCT. 4. (EH-CCDoT)**
The Documentation is as follows:
- (G) **CONSIDERATION AND ACCEPTANCE OF FINAL COMPLETION OF ABD ROAD, BRIDGE RECONSTRUCTION PROJECT. (EH-CCDoT)**
The Documentation is as follows:
- (H) **CONSIDERATION AND APPROVAL OF CONTRACT AGREEMENT BETWEEN CAMERON COUNTY AND J.M. CONSTRUCTION FOR THE CAMERON COUNTY BORDER COLONIA ACCESS PROGRAM – 3RD CALL, LAS PALMAS SUBDIVISION ROAD & DRAINAGE IMPROVEMENTS, BID NO. 090505. (EH-CCDoT) (Contract No. 2009C08282)**
The Contract is as follows:
- (I) **CONSIDERATION AND AUTHORIZATION TO INSTALL SECURITY CAMERAS IN THE OFFICES’ FOR JP DAVID GARZA AND JP JULIAN SANCHEZ (COURTROOM AND LOBBY). (DG-JP 3-2) (Contract No. 2009C08283)**
The Documentation is as follows:
- (J) **CONSIDERATION OF APPROVAL AND AUTHORIZATION TO PURCHASE AND INSTALL A BULLET RESISTANT CASHIER WINDOW IN THE OFFICES’ FOR JP DAVID GARZA AND JP JULIAN SANCHEZ. (UTILIZING THE JP TECHNOLOGY FUNDS). (DG-JP 3-2)**
The Documentation is as follows:
- (K) **CONSIDERATION AND POSSIBLE APPROVAL OF AFFILIATION AGREEMENT WITH VALLEY BAPTIST FOR PARTICIPATION IN THE UPPER PAYMENT LIMIT PROGRAM. (DJV-LEGAL) (Contract No. 2009C08277)**
The Agreement is as follows:
- (L) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND JULIAN YBARRA, JR. WIGGLES CHILDREN REHAB, ADMINISTRATOR FOR “1ST ANNUAL WIGGLES OLYMPIC EVENT”. (JM-PARKS) (Contract No. 2009C08273)**
The Agreement is as follows:
- (M) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR SANITARY SEWER CONNECTIONS FOR EL SALADO AREA (TCDP CONTRACT NO. 728035). (FB-PD&M)**
The Documentation is as follows:
- (N) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF CAMERON, TEXAS, AUTHORIZING THE SUBMISSION OF A CONTRACT AMENDMENT REQUEST FOR CAMERON AND WILLACY COUNTIES COLONIA SELF-HELP CENTER CONTRACT NUMBER 728013 BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. (FB-PD&M) (Resolution No. 2009R08096)**
The Resolution is as follows:

- (O) **CONSIDERATION AND ACTION TO AWARD LOW BID, WITH A REDUCED SCOPE OF WORK, TO THE ZIWA CORPORATION, IN THE AMOUNT OF \$163,000, FOR CONSTRUCTION OF CEMETERY MEMORIAL PARK IMPROVEMENTS, ACROSS FROM THE COUNTY COURTHOUSE. (FB-PD&M)**
The Documentation is as follows:
- (P) **CONSIDERATION AND APPROVAL OF THE FY 2010-2011 OTHER VICTIM ASSISTANCE GRANT (OVAG) CONTRACT FOR THE DISTRICT ATTORNEY'S VICTIM ASSISTANCE PROGRAM. (PD&M) (ACTION TAKEN SEPARATELY)**
- (Q) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING) (ACTION TAKEN SEPARATELY)**
a. **LASER PRINTING OF 2009 TAX STATEMENTS AND ENVELOPES – ANNUAL BID #1640**
- (R) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ'S FOR: (MF-PURCHASING)**
a. **VENDING MACHINE SERVICES - ANNUAL RFP #1955**
- (S) **CONSIDERATION AND ACKNOWLEDGMENT NO PROPOSALS RECEIVED FOR THE FOLLOWING BIDS/RFP'S/RFQ'S FOR : (MF-PURCHASING)**
a. **PHARMACIST CONSULTANT SERVICES – ANNUAL RFQ #1605**
- (T) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**
a. **ELEVATOR MAINTENANCE – ANNUAL BID #1380**
The Tabulation is as follows:
- (U) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING) (ACTION TAKEN SEPARATELY)**
a. **AGENDA MANAGEMENT SOFTWARE – RFP #081002**
- (V) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ' FOR: (MF-PURCHASING)**
a. **INSURANCE: FLOOD – ANNUAL RFP #1461.**
- (W) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S/RFQ'S: (MF-PURCHASING)**
a. **CONSULTING SERVICES FOR THE DESIGN AND EVALUATION OF REQUESTS FOR PROPOSALS FOR THE CAMERON COUNTY VEHICLES, PROPERTY, GENERAL LIABILITY, WINDSTORM, FLOOD, INTERNATIONAL BRIDGES INSURANCES, AND DISTRICT & COUNTY CLERK'S BONDS AND APPROVAL OF RFQ DRAFT – RFQ #090801**
The Documentation is as follows:
- (X) **CONSIDERATION AND AUTHORIZATION TO PURCHASE (1) CRIME LAB UNIT UTILIZING STONE GARDEN FUNDING (AS PER BUY BOARD PRICING) #300-08. (OL-SHERIFF)**
The Documentation is as follows:
- (Y) **404TH DISTRICT COURT JUDGE TO TRAVEL TO AUSTIN, TEXAS, ON 8/5 TO 8/7/09, TO ATTEND THE TEXAS CENTER FOR THE JUDICIARY CONFERENCE. (ACTION TAKEN SEPARATELY)**
- (Z) **DEPARTMENT OF TRANSPORTATION STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 8/11/09, TO ATTEND THE “DEVELOPING AND IMPLEMENTING A SOIL EROSION MANAGEMENT PLAN AT CONSTRUCTION SITES” SEMINAR.**
The Documentation is as follows:
- (AA) **EXTENSION OFFICE STAFF (1) TRAVELED TO CORPUS CHRISTI, TEXAS, ON 7/20/09, TO ATTEND THE ORGAN WISE CURRICULUM TRAINING.**
The Documentation is as follows:
- (BB) **EXTENSION OFFICE STAFF (1) TO TRAVEL TO VICTORIA, TEXAS, ON 8/12/09, TO JUDGE AND PARTICIPATE AT THE TEXAS 4-H RECORDBOOK COMPETITION.**
The Documentation is as follows:

- (CC) HEALTH DEPARTMENT STAFF (4) TO TRAVEL TO AUSTIN, TEXAS, ON 8/9 TO 8/10/09, TO ATTEND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES PANDEMIC INFLUENZA SUMMIT.
The Documentation is as follows:
- (DD) HEALTH ADMINISTRATOR TO TRAVEL TO AUSTIN, TEXAS, ON 8/10 TO 8/11/09, TO ATTEND MEET WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES COMMISSIONER DAVID LAKEY, OTHER DESIGNATED DSHS OFFICIALS AND LOCAL HEALTH DIRECTORS ALONG THE TEXAS MEXICO BORDER.
The Documentation is as follows:
- (EE) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 8/18 TO 8/21/09, TO ATTEND THE CLINICAL LACTATION PRACTICUM.
The Documentation is as follows:
- (FF) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 8/19 TO 8/20/09, TO ATTEND THE TEXAS IMMUNIZATION STAKEHOLDER WORKING GROUP MEETING.
The Documentation is as follows:
- (GG) HEALTH DEPARTMENT STAFF (3) TO TRAVEL TO AUSTIN, TEXAS, ON 8/20 TO 8/22/09, TO ATTEND THE NATIONAL ELECTRONIC DISEASE SURVEILLANCE SYSTEM (NEDSS).
The Documentation is as follows:
- (HH) HEALTH DEPARTMENT STAFF (3) TO TRAVEL TO LOS ANGELES, CALIFORNIA, ON 9/20 TO 9/23/09, TO ATTEND THE NATIONAL AFTER ACTION WORKSHOP ON A FEDERAL PUBLIC HEALTH EMERGENCY: THE NOVEL INFLUENZA "A" H1N1 EPIDEMIC SPRING 2009.
The Documentation is as follows:
- (II) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO GIDDINGS, TEXAS, ON 9/28 TO 9/30/09, TO ATTEND THE CHEMICAL CAPTURE AND RESTRAINT (CCR) COURSE.
The Documentation is as follows:
- (JJ) JUSTICE OF THE PEACE PRECINCT 4 JUDGE TO TRAVEL TO SAN ANTONIO, TEXAS, ON 8/10 TO 8/11/09, TO ATTEND THE 2009 LEGISLATURE UPDATE WORKSHOP.
The Documentation is as follows:
- (KK) JUSTICE OF THE PEACE PRECINCT 7 PLACE 1 JUDGE TO TRAVEL TO SAN ANTONIO, TEXAS, ON 8/10 TO 8/11/09, TO ATTEND THE 2009 LEGISLATURE UPDATE WORKSHOP.
The Documentation is as follows:
- (LL) TAX ASSESSOR-COLLECTOR TO TRAVEL TO THE WOODLANDS, TEXAS, ON 8/9 TO 8/11/09, TO ATTEND THE TEXAS ASSOCIATION OF APPRAISAL DISTRICTS LEGISLATIVE SESSION UPDATES.
The Documentation is as follows:
- (MM) TAX ASSESSOR-COLLECTOR AND STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 8/23 TO 8/26/09, TO ATTEND THE 2009 TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE & TRADE SHOW.
The Documentation is as follows:
- (NN) TAX OFFICE STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 8/25 TO 8/26/09, TO ATTEND THE TEXAS ASSOCIATION OF VEHICLE THEFT INVESTIGATORS/SOUTH CENTRAL REGIONAL CHAPTER – IAATI BOARD MEETING (TAVTI/SCRC).
The Documentation is as follows:
- (OO) TAX ASSESSOR COLLECTOR AND STAFF (1) TO TRAVEL TO HOUSTON, TEXAS, ON 8/29 TO 9/2/09, TO ATTEND THE 70TH ANNUAL TAAO & ICTA CONFERENCE.
The Documentation is as follows:
- (PP) ACCEPTANCE OF SUBROGATION REIMBURSEMENT TO THE COUNTY OF \$4,229.39 FOR INDIGENT HEALTH CARE PAYMENTS MADE ON BEHALF OF AN INDIGENT, FROM PROCEEDS OF LAWSUIT SETTLEMENT. (MG-AUDITOR)

- (B) CONSIDERATION AND APPROVAL OF MONTHLY FINANCIAL INFORMATION IN COMPLIANCE WITH LGC 114.023 AND 114.024. (MG-AUDITOR)**
The Documentation is as follows:

- (C) **CONSIDERATION AND APPROVAL OF MASTER LEASE AGREEMENT WITH CAPITAL ONE PUBLIC FUNDING L.L.C.; AS PER RFP 1420 AWARDED BY COMMISSIONERS' COURT ON 6/24/2009. (MG-AUDITOR) (Contract No. 2009C08279) (Resolution No. 2009R08095)**
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The Contract is as follows:

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The Documentation is as follows:

- (J) CONSIDERATION OF APPROVAL AND AUTHORIZATION TO PURCHASE AND INSTALL A BULLET RESISTANT CASHIER WINDOW IN THE OFFICES' FOR JP DAVID GARZA AND JP JULIAN SANCHEZ. (UTILIZING THE JP TECHNOLOGY FUNDS). (DG-JP 3-2)**
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(Contract No. 2009C08277)
The Agreement is as follows:**

- (L) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND JULIAN YBARRA, JR. WIGGLES CHILDREN REHAB, ADMINISTRATOR FOR "1ST ANNUAL WIGGLES OLYMPIC EVENT". (JM-PARKS) (Contract No. 2009C08273)**
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- (T) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING:
(MF-PURCHASING)**
- a. **ELEVATOR MAINTENANCE – ANNUAL BID #1380**
The Tabulation is as follows:

- (W) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S/RFQ'S: (MF-PURCHASING)**
- a. **CONSULTING SERVICES FOR THE DESIGN AND EVALUATION OF REQUESTS FOR PROPOSALS FOR THE CAMERON COUNTY VEHICLES, PROPERTY, GENERAL LIABILITY, WINDSTORM, FLOOD, INTERNATIONAL BRIDGES INSURANCES, AND DISTRICT & COUNTY CLERK'S BONDS AND APPROVAL OF RFQ DRAFT – RFQ #090801**

The Documentation is as follows:

- (X) **CONSIDERATION AND AUTHORIZATION TO PURCHASE (1) CRIME LAB UNIT UTILIZING STONE GARDEN FUNDING (AS PER BUY BOARD PRICING) #300-08. (OL-SHERIFF)**
The Documentation is as follows:

- (Z) DEPARTMENT OF TRANSPORTATION STAFF (1) TO TRAVEL TO WESLACO, TEXAS, ON 8/11/09, TO ATTEND THE “DEVELOPING AND IMPLEMENTING A SOIL EROSION MANAGEMENT PLAN AT CONSTRUCTION SITES” SEMINAR.
The Documentation is as follows:**

- (AA) EXTENSION OFFICE STAFF (1) TRAVELED TO CORPUS CHRISTI, TEXAS, ON 7/20/09, TO ATTEND THE ORGAN WISE CURRICULUM TRAINING.
The Documentation is as follows:**

**(BB) EXTENSION OFFICE STAFF (1) TO TRAVEL TO VICTORIA, TEXAS, ON 8/12/09, TO JUDGE AND PARTICIPATE AT THE TEXAS 4-H RECORDBOOK COMPETITION.
The Documentation is as follows:**

- (CC) HEALTH DEPARTMENT STAFF (4) TO TRAVEL TO AUSTIN, TEXAS, ON 8/9 TO 8/10/09, TO ATTEND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES PANDEMIC INFLUENZA SUMMIT.
The Documentation is as follows:**

- (DD) HEALTH ADMINISTRATOR TO TRAVEL TO AUSTIN, TEXAS, ON 8/10 TO 8/11/09, TO ATTEND MEET WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES COMMISSIONER DAVID LAKEY, OTHER DESIGNATED DSHS OFFICIALS AND LOCAL HEALTH DIRECTORS ALONG THE TEXAS MEXICO BORDER.**

The Documentation is as follows:

- (EE) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 8/18 TO 8/21/09, TO ATTEND THE CLINICAL LACTATION PRACTICUM.
The Documentation is as follows:**

**(FF) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 8/19 TO 8/20/09, TO ATTEND THE TEXAS IMMUNIZATION STAKEHOLDER WORKING GROUP MEETING.
The Documentation is as follows:**

- (GG) HEALTH DEPARTMENT STAFF (3) TO TRAVEL TO AUSTIN, TEXAS, ON 8/20 TO 8/22/09, TO ATTEND THE NATIONAL ELECTRONIC DISEASE SURVEILLANCE SYSTEM (NEDSS).
The Documentation is as follows:**

**(HH) HEALTH DEPARTMENT STAFF (3) TO TRAVEL TO LOS ANGELES, CALIFORNIA, ON 9/20 TO 9/23/09, TO ATTEND THE NATIONAL AFTER ACTION WORKSHOP ON A FEDERAL PUBLIC HEALTH EMERGENCY: THE NOVEL INFLUENZA “A” H1N1 EPIDEMIC SPRING 2009.
The Documentation is as follows:**

- (II) HEALTH DEPARTMENT STAFF (1) TO TRAVEL TO GIDDINGS, TEXAS, ON 9/28 TO 9/30/09, TO ATTEND THE CHEMICAL CAPTURE AND RESTRAINT (CCR) COURSE.
The Documentation is as follows:**

- (JJ) JUSTICE OF THE PEACE PRECINCT 4 JUDGE TO TRAVEL TO SAN ANTONIO, TEXAS, ON 8/10 TO 8/11/09, TO ATTEND THE 2009 LEGISLATURE UPDATE WORKSHOP.
The Documentation is as follows:**

**(KK) JUSTICE OF THE PEACE PRECINCT 7 PLACE 1 JUDGE TO TRAVEL TO SAN ANTONIO, TEXAS, ON 8/10 TO 8/11/09, TO ATTEND THE 2009 LEGISLATURE UPDATE WORKSHOP.
The Documentation is as follows:**

(LL) TAX ASSESSOR-COLLECTOR TO TRAVEL TO THE WOODLANDS, TEXAS, ON 8/9 TO 8/11/09, TO ATTEND THE TEXAS ASSOCIATION OF APPRAISAL DISTRICTS LEGISLATIVE SESSION UPDATES.

The Documentation is as follows:

(MM) TAX ASSESSOR-COLLECTOR AND STAFF (1) TO TRAVEL TO AUSTIN, TEXAS, ON 8/23 TO 8/26/09, TO ATTEND THE 2009 TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE & TRADE SHOW.

The Documentation is as follows:

**(NN) TAX OFFICE STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 8/25 TO 8/26/09, TO ATTEND THE TEXAS ASSOCIATION OF VEHICLE THEFT INVESTIGATORS/SOUTH CENTRAL REGIONAL CHAPTER – IAATI BOARD MEETING (TAVTI/SCRC).
The Documentation is as follows:**

**(OO) TAX ASSESSOR COLLECTOR AND STAFF (1) TO TRAVEL TO HOUSTON, TEXAS, ON 8/29 TO 9/2/09, TO ATTEND THE 70TH ANNUAL TAAO & ICTA CONFERENCE.
The Documentation is as follows:**

CONSENT ITEMS

(5) CONSENT ITEMS.

- (A) CONSIDERATION AND APPROVAL OF SUPPLEMENTAL WORK AUTHORIZATION NO. 2 TO WORK AUTHORIZATION NO. 2 BETWEEN CAMERON COUNTY AND S&B INFRASTRUCTURE FOR THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2009C08278)**

Commissioner Tamayo motioned to approve Supplemental Work Authorization No. 2 to Work Authorization No. 2 between Cameron County and S&B Infrastructure for the West Rail Project.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(P) CONSIDERATION AND APPROVAL OF THE FY 2010-2011 OTHER VICTIM ASSISTANCE GRANT (OVAG) CONTRACT FOR THE DISTRICT ATTORNEY'S VICTIM ASSISTANCE PROGRAM. (PD&M) (Contract No. 2009C08284)

Commissioner Garza motioned to approve the FY 2010-2011 Other Victim Assistance Grant (OVAG) Contract for the District Attorney's Victim Assistance Program subject to review by Legal Counsel.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

(Q) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)

a. LASER PRINTING OF 2009 TAX STATEMENTS AND ENVELOPES – ANNUAL BID #1640

Commissioner Garza motioned to award the following Bids/RFP's/RFQ's: Laser printing of 2009 Tax Statements and Envelopes – Annual Bid #1640.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Tabulation is as follows:

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- (U) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**
a. **AGENDA MANAGEMENT SOFTWARE – RFP #081002**

Commissioner Garza motioned to award the following Bids/RFP's/RFQ's: Agenda Management Software – RFP #081002 (Manatron, Inc.).

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (Y) **404TH DISTRICT COURT JUDGE TO TRAVEL TO AUSTIN, TEXAS, ON 8/5 TO 8/7/09, TO ATTEND THE TEXAS CENTER FOR THE JUDICIARY CONFERENCE. (TABLED)**

Commissioner Benavides motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

ACTION ITEMS

(6) **ACTION ITEMS.**

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

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Budget Amendments, Line Item Transfers and/or Salary Schedules were approved.

The Budget Amendments, Line Item Transfers and/or Salary Schedules are as follows:

(B) APPROVAL OF CLAIMS.

Ms. Martha Galarza, County Auditor, asked the Court to void Warrant No. 00223557 and to approve two additional claims: Warrant No. 00223765, made payable to Jackie Church, in the amount of \$1,200.00 and Warrant No. 00223764, made payable to Morrison Electric, in the amount of \$3,681.14.

Commissioner Benavides motioned to approve the Claims.

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

AYE: Commissioner Benavides, Commissioner Wood, Commissioner Garza and Commissioner Tamayo

NAY: none

ABSTAIN: Judge Cascos as to Warrant No. 00223463, made payable to Laguna Madre Water District, in the amount of \$335.07 and Warrant No. 00223517, made payable to Public Utilities Board, in the amount of \$841.19.

The Claims and Affidavits are as follows:

**(C) APPROVAL OF MINUTES FOR:
JULY 9, 2009 – REGULAR MEETING
JULY 20, 2009 – SPECIAL MEETING**

Commissioner Tamayo motioned to approve the Minutes for the July 9, 2009-Regular Meeting and the July 20, 2009-Special Meeting.

The motion was seconded by Commissioner Garza and carried unanimously.

**(D) CONSIDERATION AND POSSIBLE ACTION REGARDING THE
PUBLISHING OF ELECTED OFFICIALS MAXIMUM
COMPENSATION FOR THE 2009-2010 FISCAL YEAR. (MG-
AUDITOR)**

Commissioner Wood motioned to approve publishing of Elected Officials Maximum Compensation for the 2009-2010 Fiscal Year.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(E) SHERIFF'S DEPARTMENT STAFF (2) TO TRAVEL TO AUSTIN, TEXAS, ON 8/23 TO 8/26/09, TO ATTEND THE TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE. (DENIED)

Ms. Martha Galarza, County Auditor, informed the Court that she had no information as to whether the travel is TCLEOSE-related or continuing education hours.

Commissioner Garza motioned to DENY the Travel for the Sheriff's Department Staff (2) to Travel to Austin, Texas, on 8/23 to 8/26/09, to attend the Texas Association of Counties Annual Conference.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(F) TREASURER TO TRAVEL TO GRAPEVINE, TEXAS, ON 9/14 TO 9/18/09, TO ATTEND THE 2009 CTAT ANNUAL CONFERENCE.

Commissioner Garza motioned to approve the Travel for the Treasurer to Grapevine, Texas, on 9/14 to 9/18/09, to attend the 2009 CTAT Annual Conference.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

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- (G) **CONSIDERATION AND POSSIBLE APPROVAL TO GRANT THE U.S. DEPARTMENT OF ARMY A RIGHT OF ENTRY FOR CONSTRUCTION ON TRACK NO. RGV-HRL-4000, LOCATED IN THE CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS; 0.0181 ACRE TRACT. (PSJ-ADMINISTRATOR) (TABLED)**

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (H) **CONSIDERATION FOR APPROVAL AND AUTHORIZATION TO HIRE A WARRANT OFFICER. (DG-JP 3-2) (TABLED)**

Commissioner Tamayo motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (I) **DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL OF AN ORDER APPOINTING THE MEMBERS OF THE PADRE ISLAND ZONING COMMISSION. (ROB-LEGAL) (TABLED)**

Commissioner Tamayo motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (J) **CONSIDERATION AND POSSIBLE APPROVAL OF ORDER ESTABLISHING CONTRACT APPROVAL PROCEDURE. (ROB-LEGAL) (Order No. 2009O4013)**

Commissioner Garza motioned to approve the Order establishing Contract Approval Procedure.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Order is as follows:

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- (K) CONSIDERATION AND AUTHORIZATION TO APPROVE REQUEST FROM THE TOWN OF SOUTH PADRE ISLAND FOR THE PLACEMENT AND LOCATION OF SHELTER ALONG PARK ROAD 100 IN FRONT OF SCHLITTERBAHN WATER PARK. (JM-PARKS) (TABLED)**

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (L) CONSIDERATION AND APPROVAL OF CHANGE ORDER NUMBER 1 WITH YATES CONSTRUCTION IN THE AMOUNT OF \$103,468.67 FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O7028)**

Commissioner Wood motioned to approve Change Order Number 1 with Yates Construction in the amount of \$103,468.67 for the Carrizalez-Rucker Addition Project.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Change Order is as follows:

(M) CONSIDERATION AND APPROVAL OF CHANGE ORDER NUMBER 2 WITH YATES CONSTRUCTION IN THE AMOUNT OF (\$27,582.00) FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O7029)

Commissioner Wood motioned to approve Change Order Number 2 with Yates Construction in the amount of (\$27,582.00) for the Carrizalez-Rucker Addition Project.

The motion was seconded by Commissioner Garza and carried unanimously.

The Change Order is as follows:

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- (N) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NUMBER 3 WITH YATES CONSTRUCTION IN THE AMOUNT OF \$57,060.98 FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O7030)**

NOTE: Commissioner Tamayo stepped out of the Meeting at 7:18 p.m.

Commissioner Garza motioned to approve Change Order Number 3 with Yates Construction in the amount of \$57,060.98 for the Carrizalez-Rucker Addition Project.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Change Order is as follows:

(O) CONSIDERATION AND APPROVAL OF CHANGE ORDER NUMBER 4 WITH YATES CONSTRUCTION IN THE AMOUNT OF (\$6,300.00) FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O7031)

Commissioner Wood motioned to approve Change Order Number 4 with Yates Construction in the amount of (\$6,300.00) for the Carrizalez-Rucker Addition Project.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Change Order is as follows:

(P) CONSIDERATION AND APPROVAL OF CHANGE ORDER NUMBER 5 WITH YATES CONSTRUCTION IN THE AMOUNT OF (\$881.85) FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O7032)

Commissioner Benavides motioned to approve Change Order Number 5 with Yates Construction in the amount of (\$881.85) for the Carrizalez-Rucker Addition Project.

The motion was seconded by Commissioner Garza and carried unanimously.

The Change Order is as follows:

(Q) CONSIDERATION AND APPROVAL OF CHANGE ORDER NUMBER 6 WITH YATES CONSTRUCTION IN THE AMOUNT OF \$8,358.00 FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O7033)

NOTE: Commissioner Tamayo returned to the Meeting at 7:22 p.m.

Commissioner Wood motioned to approve Change Order Number 6 with Yates Construction in the amount of \$8,358.00 for the Carrizalez-Rucker Addition Project.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Change Order is as follows:

(R) 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 in the reimbursements received.

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

The motion was seconded by Commissioner Benavides and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 7:26 P.M.

APPROVED this 3rd day of **September 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**