

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 20<sup>th</sup> 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 5:01 P.M. He asked Pastor Thomas Carubba for the invocation. Mr. David Barrera 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 17, 2009 at 3:05 P.M. with a Supplemental Agenda filed at 4:12 P.M. and a Second Supplemental Agenda filed at 4:54 P.M.:

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## **EXECUTIVE SESSION**

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Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 5:03 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) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AUTHORITY TO FILE SUIT AGAINST FIRST NATIONAL BANK GROUP, INC., FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY IN SAID LAWSUIT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) &(2).**

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Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 5:16 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.

The motion was seconded by Commissioner Wood and carried unanimously.

- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING AUTHORITY TO FILE SUIT AGAINST FIRST NATIONAL BANK GROUP, INC., FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY IN SAID LAWSUIT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) &(2).**

Commissioner Garza motioned to acknowledge the Report by Legal Counsel.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(3) PUBLIC COMMENTS.**

Commissioner Benavides informed the public that Schlitterbahn Beach Waterpark will be hosting a Beach Clean-up this coming Sunday and encouraged those persons that wish to participate to sign-up online.

## **PRESENTATIONS**

**(4) PRESENTATIONS/RESOLUTIONS.**

**(A) CONSIDERATION AND APPROVAL OF PROCLAMATION HONORING PAUL COWEN ON THE OCCASION OF HIS RETIREMENT AS CHIEF OF STAFF OF SENATOR EDDIE LUCIO, JR. (COMM. COURT) (Resolution No. 2009R08099)**

Commissioner Wood motioned to approve the Proclamation honoring Paul Cowen on the occasion of his retirement as Chief of Staff of Senator Eddie Lucio, Jr.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Resolution is as follows:**

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**(B) CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING MR. JAMES “BRADY” PARKER FOR HIS MANY YEARS OF SERVICE IN LAW ENFORCEMENT. (JC-EMERGENCY MANAGEMENT) (Resolution No. 2009R08098)**

Commissioner Wood motioned to adopt the Resolution honoring Mr. James “Brady” Parker for his many years of service in Law Enforcement.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Resolution is as follows:**

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**(C) PRESENTATION ON THE ONE CAMPAIGN BROWNSVILLE. (PSJ-ADMINISTRATOR)**

Ms. Paulina Sosa gave a presentation as to the objectives and issues of the ONE Campaign which include ending extreme poverty, starvation and preventable diseases worldwide.

Commissioner Tamayo motioned to acknowledge the Presentation on the ONE Campaign Brownsville.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Documentation is as follows:**

## 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 (Y):**

Commissioner Garza asked to discuss this item separately.

**Consent Items No. 5 (V) and (KK):**

Commissioner Benavides asked to discuss these items separately.

**Consent Item No. 5 (MM):**

Commissioner Garza asked to discuss this item separately.

**Consent Items No. 5 (B), (R) and (EE):**

Judge Cascos asked to discuss these items separately.

**Consent Item No. 5 (T):**

Mr. Pete Sepulveda, County Administrator, asked to discuss this item separately.

Commissioner Tamayo moved to approve the "Consent" Items, excluding Consent Item No. 5 (B), (R), (T), (V), (Y), (EE), (KK) and (MM).

The motion was seconded by Commissioner Garza and carried unanimously.

- (A) **CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES WITH ALEJANDRO SOLIS TO SERVE AS AN INTERPRETER FOR THE EIGHT DISTRICT COURTS. (BE-107<sup>TH</sup> DISTRICT COURT) (Contract No. 2009C08290)**  
**The Contract is as follows:**
- (B) **CONSIDERATION AND APPROVAL OF THE TOLL RATE SCHEDULE FOR THE CAMERON COUNTY INTERNATIONAL TOLL BRIDGE SYSTEM EFFECTIVE SEPTEMBER 1, 2009. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (C) **CONSIDERATION AND APPROVAL OF AMENDMENT OF SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY COMMUNICATION (911) DISTRICT. (PSJ-ADMINISTRATOR) (Contract No. 2009C08291)**  
**The Agreement is as follows:**
- (D) **CONSIDERATION AND APPROVAL OF AN ORDER IMPOSING VEHICLE REGISTRATION FEES FOR FY 2009 IN ACCORDANCE WITH TRANSPORTATION CODE SECTION 502.172, SECTION 502.173 AND SECTION 502.1725. (PSJ-ADMINISTRATOR) (Order No. 2009O8036)**  
**The Order is as follows:**
- (E) **CONSIDERATION AND APPROVAL OF CHANGE OF RATES FOR SOLID WASTE COLLECTION AS PER SOLID WASTE AGREEMENT BETWEEN CAMERON COUNTY AND ALLIED WASTE SERVICES. (PSJ-ADMINISTRATOR)**  
**The Documentation is as follows:**
- (F) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE RENOVATION AND BUILD-BACK ESTIMATE(S) TO THE SOCIAL SERVICES BUILDING, DETENTION CENTER #2 AND JUDICIAL BUILDING VIA TIPS (TEXAS INTERLOCAL PURCHASING SYSTEM)/MICO INDUSTRIAL CORPORATION. (RL-ADMINISTRATIVE SERVICES)**  
**The Documentation is as follows:**

- (G) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 TO THE FIRE ALARMS FOR THE DESIGN OF THE NEW COURTROOMS. (RL-ADMINISTRATIVE SERVICES) (Order No. 2009O8037)**  
The Documentation is as follows:
- (H) **CONSENT TO PURCHASE IBM SUPPORT SERVICES UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTERLOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RL-COMPUTER CENTER) (Contract No. 2009C08292)**  
The Agreement is as follows:
- (I) **CONSIDERATION AND POSSIBLE APPROVAL OF INTERLOCAL AGREEMENT BETWEEN BROWNSVILLE NAVIGATION DISTRICT AND CAMERON COUNTY FOR A CRUISESHIP FEASIBILITY STUDY. (DAG-DEPUTY ADMINISTRATOR) (Contract No. 2009C08293)**  
The Agreement is as follows:
- (J) **CONSIDERATION AND AUTHORIZATION FOR PROFESSIONAL SERVICES FROM BENIGNO (TREY) MARTINEZ, P.L.L.C., A FIRM OF LICENSED ATTORNEYS IN THE STATE OF TEXAS, TO ACT AS A SPECIAL PROSECUTOR(S) ON BEHALF OF THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE AS AUTHORIZED BY COMMISSIONERS' COURT ORDER 2006O08001 EXEMPTING PROFESSIONAL SERVICES FROM THE COUNTY PURCHASING ACT. (AV-DISTRICT ATTORNEY) (Contract No. 2009C08294)**  
The Contract is as follows:
- (K) **CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE CASE MANAGEMENT SERVICES FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS IN CAMERON AND WILLACY COUNTIES. (YS-HEALTH) (Contract No. 2009C08295)**  
The Contract is as follows:
- (L) **CONSIDERATION AND APPROVAL OF A CONTRACT AMENDMENT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TUBERCULOSIS PREVENTION AND CONTROL. (YS-HEALTH) (Contract No. 2009C08296)**  
The Contract is as follows:
- (M) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES CHS-FEE FOR SERVICE FAMILY PLANNING PROGRAM TO PROVIDE FAMILY PLANNING SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2009C08297)**  
The Contract is as follows:
- (N) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES IMMUNIZATION BRANCH. (YS-HEALTH) (Contract No. 2009C08298)**  
The Contract is as follows:
- (O) **CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES REGIONAL AND LOCAL HEALTH SERVICES TO IMPROVE AND STRENGTHEN THE LOCAL PUBLIC HEALTH INFRASTRUCTURE. (YS-HEALTH) (Contract No. 2009C08299)**  
The Contract is as follows:
- (P) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TUBERCULOSIS DIVISION TO PROVIDE BASIC SERVICES AND ASSOCIATED ACTIVITIES FOR TB PREVENTION AND CONTROL WITHIN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2009C08300)**  
The Contract is as follows:

- (Q) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF RICHARD S. FUENTES DEPUTY CONSTABLE FOR PCT. #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:**
- (R) **CONSIDERATION AND APPROVAL TO UPGRADE COPIER LEASE WITH THE STATE CONTRACT DIR-SDD-515. (LS-JP 2-1) (ACTION TAKEN SEPARATELY)**
- (S) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A STANDARD FORM OF AGREEMENT WITH THE JOHN WYATT COMPANY FOR THE RECONSTRUCTION OF THE DOLPHIN COVE PICNIC SHADE SHELTERS, LOCATED AT ISLA BLANCA PARK. (JM-PARKS) (Contract No. 2009C08272)**  
**The Agreement is as follows:**
- (T) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND ROBERT PATTERSON, VICE-CHAIRMAN FOR "SAND CASTLE DAYS". (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (U) **CONSIDERATION AND AUTHORIZATION TO CONTRACT AND EXECUTE A STANDARD FORM OF AGREEMENT WITH THE JOHN WYATT COMPANY THROUGH TIPS (THE INTERLOCAL PURCHASING SYSTEM) FOR THE CONSTRUCTION OF A UNISEX RESTROOM AT THE LOS INDIOS COMMUNITY PARK. (JM-PARKS) (Contract No. 2009C08285)**  
**The Contract is as follows:**
- (V) **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH VALLEY PROUD ENVIRONMENTAL COUNCIL TO CONTINUE AS SPONSORED MEMBERS. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (W) **CONSIDERATION AND AUTHORIZATION TO EXECUTE STANDARD SERVICE AGREEMENT WITH AEP OF TEXAS AND APPROVAL OF ELECTRICAL EASEMENT AND RIGHT OF WAY FOR THE HILTON GARDEN INN AT ANDY BOWIE PARK. (JM-PARKS) (Contract No. 2009C08289)**  
**The Agreement is as follows:**
- (X) **CONSIDERATION AND AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 1 (2009O8035) TO CONTRACT NUMBER 2009CO5188 AWARDED TO CAS COMPANIES LP, FOR THE CONSTRUCTION OF LAURELES COMMUNITY PARK. (JM-PARKS) (Order No. 2009O8035)**  
**The Change Order is as follows:**
- (Y) **CONSIDERATION AND AUTHORIZATION TO UTILIZE TASB BUYBOARD COOPERATIVE PURCHASING AGREEMENT FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT VIA MIRACLE RECREATION EQUIPMENT COMPANY FOR THE LAURELES COMMUNITY PARK PROJECT. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (Z) **CONSIDERATION AND AUTHORIZATION TO APPROVE DUNE PROTECTION PERMIT AND BEACH FRONT CONSTRUCTION CERTIFICATE FOR EDWARDS COASTAL LAND DEVELOPMENT TO DEVELOP A SUBDIVISION ON TRACT 3 OF THE SOUTH PADRE ISLAND INVESTMENT COMPANY SUBDIVISION, SECTION I. (JM-PARKS)**  
**The Documentation is as follows:**
- (AA) **CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH XEROX CORPORATION FOR CAMERON COUNTY PRE-TRIAL SERVICES DEPARTMENT COPIER. THE CONTRACT IS FOR 60 MONTHS AT \$200.47 PER MONTH IN ACCORDANCE WITH STATE CONTRACT TPASS 985-L2 BETWEEN THE STATE OF TEXAS AND THE XEROX CORPORATION. (KS-PRE-TRIAL SERVICES) (Contract No. 2009C08302)**  
**The Contract is as follows:**



- (BB) CONSIDERATION AND APPROVAL OF AMENDMENT TO EDA CONTRACT NO. 08-79-04314 EXTENDING THE PROJECT COMPLETION DATE FROM SEPTEMBER 30, 2009 TO MAY 31, 2010. (FB-PD&M) (Contract No. 2009C08303)**  
The Contract is as follows:
- (CC) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 1 TO TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 727051. (FB-PD&M) (Contract No. 2009C08304)**  
The Contract is as follows:
- (DD) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING EDUCATION AND TRAINING PROJECT WITH PART-TIME INDEPENDENT CONTRACTOR POSITION, AND CONTINUING CAMERON COUNTY'S PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL. (FB-PD&M) (Resolution No. 2009R08097)**  
The Resolution is as follows:
- (EE) CONSIDERATION AND APPROVAL TO PAY FRONTERA MATERIALS THE SUM OF \$8,407.71 WITHOUT A PURCHASE ORDER. (LHA-PUBLIC WORKS) (ACTION TAKEN SEPARATELY)**
- (FF) CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP/RFQ FOR ONE ADDITIONAL YEAR: (MF-PURCHASING)**  
a. VOTING SUPPLIES – ANNUAL BID #2680 (CAPITAL GRAPHICS & ELECTIONS SYSTEMS & SOFTWARE)  
The Tabulation is as follows:
- (GG) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**  
a. FLOOD INSURANCE – ANNUAL RFP #1461 (CAVAZOS INSURANCE)  
The Documentation is as follows:
- (HH) CONSIDERATION AND AUTHORIZATION TO ADD JOE RIVERA AND ROBERT LOPEZ OR JOE REYES TO EVALUATION COMMITTEE – VITALS & COURT RECORDS CONVERSION IMAGING – RFP #090504 – COUNTY CLERK'S DEPARTMENT. (MF-PURCHASING)**
- (II) CONSIDERATION AND AUTHORIZATION TO ADD ROBERT LOPEZ TO EVALUATION COMMITTEE FOR THE FOLLOWING RFP'S: (MF-PURCHASING)**  
a. VENDING MACHINE SERVICES – ANNUAL RFP #1955
- (JJ) CONSIDERATION AND AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO APPLY FOR A FY 2009 OPERATION STONEGARDEN SUPPLEMENTAL GRANT FROM U.S. DEPARTMENT OF HOMELAND SECURITY. (OL-SHERIFF) (Contract No. 2009C08306)**  
The Documentation is as follows:
- (KK) CONSIDERATION AND AUTHORIZATION FOR COUNTY JUDGE TO COMPLETE FORM FOR UNCLAIMED FUNDS BELONGING TO THE COUNTY. (DAB-TREASURER) (ACTION TAKEN SEPARATELY)**
- (LL) CONSIDERATION AND ACTION AUTHORIZING THE TAX ASSESSOR COLLECTOR'S OFFICE TO IMPLEMENT SENATE BILL 1356 ASSOCIATED WITH THE TEXAS TRANSPORTATION CODE SECTION 501.033 (E), A FEE ASSOCIATED WITH THE INSPECTION OF MOTOR VEHICLES AND TO UTILIZE SAID FUNDS TO DEFRAY THE DEPARTMENT'S COST ASSOCIATED WITH THE IMPLEMENTATION OF SAID ACT. (TY-TAX ASSESSOR COLLECTOR)**  
The Documentation is as follows:
- (MM) 444<sup>TH</sup> DISTRICT COURT JUDGE TRAVELED TO AUSTIN, TEXAS, ON 4/15/09, TO ATTEND MEETING WITH STATE REPRESENTATIVES IN REFERENCE TO BAILIFFS. (ACTION TAKEN SEPARATELY)**

- (NN) DISTRICT ATTORNEY'S OFFICE STAFF (1) TO TRAVEL TO LAREDO, TEXAS, ON 8/19/09, TO ATTEND THE SOUTH TEXAS HIDTA INTELLIGENCE NODE SUPERVISORS MEETING.  
The Documentation is as follows:**
- (OO) JUSTICE OF THE PEACE 7-1 JUDGE TO TRAVEL TO AUSTIN, TEXAS, ON 8/17 TO 8/18/09, TO ATTEND THE FY 09 LEGISLATIVE UPDATE SEMINAR.  
The Documentation is as follows:**
- (PP) JUVENILE PROBATION DEPARTMENT STAFF (6) TO TRAVEL TO AUSTIN, TEXAS, ON 11/3 TO 11/6/09, TO ATTEND THE STRENGTHENING YOUTH AND FAMILIES CONFERENCE.  
The Documentation is as follows:**
- (QQ) PARKS SYSTEM DIRECTOR AND STAFF (2) TO TRAVEL TO EDINBURG, TEXAS, ON 8/27/09, TO ATTEND ½ DAY SWIMMING POOL CONFERENCE.  
The Documentation is as follows:**

- (A) CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES WITH ALEJANDRO SOLIS TO SERVE AS AN INTERPRETER FOR THE EIGHT DISTRICT COURTS. (BE-107<sup>TH</sup> DISTRICT COURT) (Contract No. 2009C08290)**  
**The Contract is as follows:**

- (C) **CONSIDERATION AND APPROVAL OF AMENDMENT OF SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY EMERGENCY COMMUNICATION (911) DISTRICT. (PSJ-ADMINISTRATOR) (Contract No. 2009C08291)**  
**The Agreement is as follows:**

- (D) CONSIDERATION AND APPROVAL OF AN ORDER IMPOSING VEHICLE REGISTRATION FEES FOR FY 2009 IN ACCORDANCE WITH TRANSPORTATION CODE SECTION 502.172, SECTION 502.173 AND SECTION 502.1725. (PSJ-ADMINISTRATOR) (Order No. 2009O8036)**  
**The Order is as follows:**

- (E) **CONSIDERATION AND APPROVAL OF CHANGE OF RATES FOR SOLID WASTE COLLECTION AS PER SOLID WASTE AGREEMENT BETWEEN CAMERON COUNTY AND ALLIED WASTE SERVICES. (PSJ-ADMINISTRATOR)**  
**The Documentation is as follows:**

- (F) CONSIDERATION AND AUTHORIZATION TO APPROVE THE RENOVATION AND BUILD-BACK ESTIMATE(S) TO THE SOCIAL SERVICES BUILDING, DETENTION CENTER #2 AND JUDICIAL BUILDING VIA TIPS (TEXAS INTERLOCAL PURCHASING SYSTEM)/MICO INDUSTRIAL CORPORATION. (RL-ADMINISTRATIVE SERVICES)**  
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The Documentation is as follows:**



- (H) CONSENT TO PURCHASE IBM SUPPORT SERVICES UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTERLOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RL-COMPUTER CENTER) (Contract No. 2009C08292)  
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(Contract No. 2009C08295)  
The Contract is as follows:**

- (L) CONSIDERATION AND APPROVAL OF A CONTRACT AMENDMENT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TUBERCULOSIS PREVENTION AND CONTROL. (YS-HEALTH)  
(Contract No. 2009C08296)  
The Contract is as follows:**

- (M) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES CHS-FEE FOR SERVICE FAMILY PLANNING PROGRAM TO PROVIDE FAMILY PLANNING SERVICES IN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2009C08297)  
The Contract is as follows:**

- (N) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES IMMUNIZATION BRANCH. (YS-HEALTH) (Contract No. 2009C08298)  
The Contract is as follows:**

- (O) CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES REGIONAL AND LOCAL HEALTH SERVICES TO IMPROVE AND STRENGTHEN THE LOCAL PUBLIC HEALTH INFRASTRUCTURE. (YS-HEALTH) (Contract No. 2009C08299)**  
**The Contract is as follows:**



- (P) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TUBERCULOSIS DIVISION TO PROVIDE BASIC SERVICES AND ASSOCIATED ACTIVITIES FOR TB PREVENTION AND CONTROL WITHIN CAMERON COUNTY. (YS-HEALTH) (Contract No. 2009C08300)  
The Contract is as follows:**

**(Q) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF RICHARD S. FUENTES DEPUTY CONSTABLE FOR PCT. #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:**

- (S) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A STANDARD FORM OF AGREEMENT WITH THE JOHN WYATT COMPANY FOR THE RECONSTRUCTION OF THE DOLPHIN COVE PICNIC SHADE SHELTERS, LOCATED AT ISLA BLANCA PARK. (JM-PARKS) (Contract No. 2009C08272)**  
**The Agreement is as follows:**

- (U) CONSIDERATION AND AUTHORIZATION TO CONTRACT AND EXECUTE A STANDARD FORM OF AGREEMENT WITH THE JOHN WYATT COMPANY THROUGH TIPS (THE INTERLOCAL PURCHASING SYSTEM) FOR THE CONSTRUCTION OF A UNISEX RESTROOM AT THE LOS INDIOS COMMUNITY PARK. (JM-PARKS) (Contract No. 2009C08285)**  
**The Contract is as follows:**

- (W) CONSIDERATION AND AUTHORIZATION TO EXECUTE STANDARD SERVICE AGREEMENT WITH AEP OF TEXAS AND APPROVAL OF ELECTRICAL EASEMENT AND RIGHT OF WAY FOR THE HILTON GARDEN INN AT ANDY BOWIE PARK. (JM-PARKS) (Contract No. 2009C08289)**  
**The Agreement is as follows:**

- (X) CONSIDERATION AND AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 1 (2009O8035) TO CONTRACT NUMBER 2009CO5188 AWARDED TO CAS COMPANIES LP, FOR THE CONSTRUCTION OF LAURELES COMMUNITY PARK. (JM-PARKS) (Order No. 2009O8035)  
The Change Order is as follows:**

- (Z) CONSIDERATION AND AUTHORIZATION TO APPROVE DUNE PROTECTION PERMIT AND BEACH FRONT CONSTRUCTION CERTIFICATE FOR EDWARDS COASTAL LAND DEVELOPMENT TO DEVELOP A SUBDIVISION ON TRACT 3 OF THE SOUTH PADRE ISLAND INVESTMENT COMPANY SUBDIVISION, SECTION I. (JM-PARKS)**  
**The Documentation is as follows:**

- (AA) CONSIDERATION AND AUTHORIZATION TO EXECUTE CONTRACT WITH XEROX CORPORATION FOR CAMERON COUNTY PRE-TRIAL SERVICES DEPARTMENT COPIER. THE CONTRACT IS FOR 60 MONTHS AT \$200.47 PER MONTH IN ACCORDANCE WITH STATE CONTRACT TPASS 985-L2 BETWEEN THE STATE OF TEXAS AND THE XEROX CORPORATION. (KS-PRE-TRIAL SERVICES) (Contract No. 2009C08302)**  
**The Contract is as follows:**



**(BB) CONSIDERATION AND APPROVAL OF AMENDMENT TO EDA CONTRACT NO. 08-79-04314  
EXTENDING THE PROJECT COMPLETION DATE FROM SEPTEMBER 30, 2009 TO MAY 31, 2010.  
(FB-PD&M) (Contract No. 2009C08303)  
The Contract is as follows:**

**(CC) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 1 TO TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 727051. (FB-PD&M) (Contract No. 2009C08304)**  
**The Contract is as follows:**

- (DD) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING EDUCATION AND TRAINING PROJECT WITH PART-TIME INDEPENDENT CONTRACTOR POSITION, AND CONTINUING CAMERON COUNTY'S PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL. (FB-PD&M) (Resolution No. 2009R08097)**  
**The Resolution is as follows:**

- (FF) CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS/RFP/RFQ FOR ONE ADDITIONAL YEAR: (MF-PURCHASING)**
- a. **VOTING SUPPLIES – ANNUAL BID #2680 (CAPITAL GRAPHICS & ELECTIONS SYSTEMS & SOFTWARE)**
- The Tabulation is as follows:**

- (GG) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING:  
(MF-PURCHASING)**
- a. **FLOOD INSURANCE – ANNUAL RFP #1461 (CAVAZOS INSURANCE)**  
**The Documentation is as follows:**

- (JJ) CONSIDERATION AND AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO APPLY FOR A FY 2009 OPERATION STONEGARDEN SUPPLEMENTAL GRANT FROM U.S. DEPARTMENT OF HOMELAND SECURITY. (OL-SHERIFF) (Contract No. 2009C08306)**  
**The Documentation is as follows:**

- (LL) CONSIDERATION AND ACTION AUTHORIZING THE TAX ASSESSOR COLLECTOR'S OFFICE TO IMPLEMENT SENATE BILL 1356 ASSOCIATED WITH THE TEXAS TRANSPORTATION CODE SECTION 501.033 (E), A FEE ASSOCIATED WITH THE INSPECTION OF MOTOR VEHICLES AND TO UTILIZE SAID FUNDS TO DEFRAY THE DEPARTMENT'S COST ASSOCIATED WITH THE IMPLEMENTATION OF SAID ACT. (TY-TAX ASSESSOR COLLECTOR)**  
**The Documentation is as follows:**

**(NN) DISTRICT ATTORNEY'S OFFICE STAFF (1) TO TRAVEL TO LAREDO, TEXAS, ON 8/19/09, TO ATTEND THE SOUTH TEXAS HIDTA INTELLIGENCE NODE SUPERVISORS MEETING.  
The Documentation is as follows:**



**(OO) JUSTICE OF THE PEACE 7-1 JUDGE TO TRAVEL TO AUSTIN, TEXAS, ON 8/17 TO 8/18/09, TO ATTEND THE FY 09 LEGISLATIVE UPDATE SEMINAR.  
The Documentation is as follows:**

**(PP) JUVENILE PROBATION DEPARTMENT STAFF (6) TO TRAVEL TO AUSTIN, TEXAS, ON 11/3 TO 11/6/09, TO ATTEND THE STRENGTHENING YOUTH AND FAMILIES CONFERENCE.  
The Documentation is as follows:**

**(QQ) PARKS SYSTEM DIRECTOR AND STAFF (2) TO TRAVEL TO EDINBURG, TEXAS, ON 8/27/09, TO ATTEND ½ DAY SWIMMING POOL CONFERENCE.  
The Documentation is as follows:**

## **CONSENT ITEMS**

**(5) CONSENT ITEMS.**

**(B) CONSIDERATION AND APPROVAL OF THE TOLL RATE SCHEDULE FOR THE CAMERON COUNTY INTERNATIONAL TOLL BRIDGE SYSTEM EFFECTIVE SEPTEMBER 1, 2009. (PSJ-ADMINISTRATOR)**

Mr. Pete Sepulveda, County Administrator, presented the changes to the Toll Bridge System.

Commissioner Garza motioned to approve the Toll Rate Schedule for the Cameron County International Toll Bridge System effective September 1, 2009.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Documentation is as follows:**

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**(R) CONSIDERATION AND APPROVAL TO UPGRADE COPIER LEASE WITH THE STATE CONTRACT DIR-SDD-515. (LS-JP 2-1) (Contract No. 2009C08301)**

Commissioner Tamayo moved to approve the upgrade Copier Lease with the State Contract DIR-SDD-515.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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(T) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND ROBERT PATTERSON, VICE-CHAIRMAN FOR “SAND CASTLE DAYS”. (JM-PARKS) (Contract No. 2009C08286)**

Mr. Javier Mendez, Parks Director, informed the Court that SandCastle Days Inc. has requested to utilize the cabanas and 3 R.V. sites for a lump sum amount in lieu of paying the standard rental rates for the R.V. sites and the cabanas.

Judge Cascos inquired as to the difference in price of the “lump sum” payment versus the standard rental rates.

Mr. Joe Vega, Deputy Parks Director, replied that the difference is \$1,400.00 and noted that the request to use the cabanas and R.V. sites is for (7) days.

Commissioner Tamayo motioned to approve the License Agreement between Cameron County (Parks and Recreation) and Robert Patterson, Vice-Chairman for “Sand Castle Days”.

Ms. Dylbia Jeffries-Vega, Legal Counsel, advised the Court that approving the discounted rates is considered a “gift” and cannot be authorized as there is currently no policy allowing for such a discount.

Mr. Richard Burst, Legal Counsel, further explained that the Attorney General has ruled that discounts can be given as long as a set policy is in place; otherwise the discount is considered an “unconstitutional gift”.

Commissioner Tamayo rescinded here motion to approve the License Agreement.

Judge Cascos asked that a policy be developed within the next year to possibly allow for such discounts.

Commissioner Tamayo motioned to approve the License Agreement between Cameron County (Parks and Recreation) and Robert Patterson, Vice-Chairman for “Sand Castle Days” without the discount.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Agreement is as follows:**

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(V) **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH VALLEY PROUD ENVIRONMENTAL COUNCIL TO CONTINUE AS SPONSORED MEMBERS. (JM-PARKS) (Contract No. 2009C08287)**

Commissioner Tamayo recommended that a letter be sent to Valley Proud Environmental Council requesting that Cameron County have a representative on the Board.

Commissioner Tamayo motioned to approve the Agreement with Valley Proud Environmental Council to continue as Sponsored Members with the condition that Cameron County is allowed a representative on the Valley Proud Environmental Council Board.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Agreement is as follows:**

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(Y) **CONSIDERATION AND AUTHORIZATION TO UTILIZE TASB BUYBOARD COOPERATIVE PURCHASING AGREEMENT FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT VIA MIRACLE RECREATION EQUIPMENT COMPANY FOR THE LAURELES COMMUNITY PARK PROJECT. (JM-PARKS)**

Commissioner Garza asked if the playground equipment will be handicap-accessible.

Mr. Javier Mendez, Parks Director, replied in the affirmative.

Commissioner Garza motioned to approve the authorization to utilize TASB Buyboard Cooperative Purchasing Agreement for the Purchase and Installation of Playground Equipment via Miracle Recreation Equipment Company for the Laureles Community Park Project.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**



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**(EE) CONSIDERATION AND APPROVAL TO PAY FRONTERA MATERIALS THE SUM OF \$8,407.71 WITHOUT A PURCHASE ORDER. (LHA-PUBLIC WORKS)**

Judge Cascos asked for explanation as to why materials were ordered without a purchase order.

Mr. Pete Sepulveda, County Administrator, replied that the amount of materials that was needed was underestimated.

Commissioner Tamayo motioned to approve to pay Frontera Materials the sum of \$8,407.71 without a purchase order.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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**(KK) CONSIDERATION AND AUTHORIZATION FOR COUNTY JUDGE TO COMPLETE FORM FOR UNCLAIMED FUNDS BELONGING TO THE COUNTY. (DAB-TREASURER)**

Commissioner Tamayo motioned to authorize the County Judge to complete forms for Unclaimed Funds belonging to the County.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Documentation is as follows:**

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**(MM) 444<sup>TH</sup> DISTRICT COURT JUDGE TRAVELED TO AUSTIN, TEXAS, ON 4/15/09, TO ATTEND MEETING WITH STATE REPRESENTATIVES IN REFERENCE TO BAILIFFS.**

Commissioner Garza asked if the travel will be paid by grant funding.

Ms. Martha Galarza, County Auditor, replied that the travel will be charged to the District Courts' Travel Budget within the General Fund.

Commissioner Garza expressed concern for the fact that the reimbursement is being submitted four months subsequent to the travel.

Commissioner Garza motioned to approve the Travel for the 444<sup>th</sup> District Court Judge who traveled to Austin, Texas, on 4/15/09, to attend a Meeting with State Representatives in reference to Bailiffs.

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

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

NAY: Judge Cascos

**The Documentation is as follows:**

## **ACTION ITEMS**

**(6) ACTION ITEMS.**

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

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

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

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**(B) APPROVAL OF CLAIMS.**

Commissioner Garza 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. 00224264, made payable to Public Utilities Board, in the amount of \$2,870.91 and Warrant No. 00224272, made payable to Rio Hondo ISD, in the amount of \$600.00 and Commissioner Tamayo as to Warrant No. 00224267, made payable to Red River Service Corp., in the amount of \$140.10.

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

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**(H) DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR 2009-2010 BUDGET. (MG-AUDITOR)**

Mr. Xavier Villarreal, Auditor's Office-"Judge and Commissioners I placed before you a..."

At this time, Mr. Rene Garza, District Attorney's Office, handed each member of the Court a letter.

Commissioner Garza-"Is this about Budget or is this about-should I read it now?"

Commissioner Tamayo-"Can we make it public?"

Commissioner Garza-"Xavier, is this public or is this..."

Mr. Villarreal-"I haven't seen it, so..."

Judge Cascos-"Go for it."

Mr. Villarreal-"I placed before you a worksheet of the status of where we're at. A lot of the items from last week where the Court gave us direction to prepare the Budget have been incorporated so this is where we're at. The total revenues and expenditures listed there with the shortfall which is coming from last week of just over \$241,000. Since last week Mr. (Michael) Forbes has received some information from various vendors in some of the cost saving methods that they were going to propose or which we were trying to see if they could come back with re-pricing or some suggestions as saving costs. Some of them have come back and some of them are not finalized yet. What you have here is some of the recommendations or the potential savings from the recommendations that the vendors are making. The vendor that provides our cleaning products or household products, based on just of the items that are being purchased currently versus an alternate list, the cost savings to the M&O Budgets for various buildings is \$29,000, which is included there. The Sprint was evaluating our current plan and comparing it to a, I guess, a new plan that was recently entered into with HGAC; which we can participate in. There's savings in the plan rates and so by us participating in that, to the General Fund, we're looking at a savings of \$20,000; which will be factored into the individual departmental budgets. Last week we spoke or we mentioned about the copiers and trying to standardize the machines that the County is currently leasing and going with a State contract price. The Purchasing Department has been reviewing those individual contracts and based on the terms of those, the ones that are up for renewal where there is a possible buyout for those machines, to switch to the standardized machines the total savings is approximately \$10,000; to the General Fund it's \$4,320, but that's only for this Fiscal Year. Each year as these agreements come up for renewal, they'll be savings at those times that will be realized when they get renewed. These are the only ones that we can actually change at this particular time but what we would ask the Court also is for any new agreements that are coming before the Court, that the Court set a standard that we actually-

that they approve that these are the machines which the Court or the Departments are authorized to enter into a lease agreement. Any deviation from that would have to be justified before the Commissioners' Court and approved by the Court. The IT Department along with the Purchasing Department has been in conversations with AT&T in relation to both our frame relay and our actual phone contracts that we have for services. In relation to the frame relay, AT&T has done some analysis and currently, based on the contract that we're under and then modifying it, there's an approximate \$34,000 annual savings that are projected. The final numbers, I think, will probably be for- I'm not sure if Joe (Reyes) is still here-next week, but at this point and there's possibility for additional savings for some other items within the contract that they're still working on. The office supplies, which is pretty significant, currently the County budgets over \$700,000 within office supplies. The office supply budget for all departments, other than the Jail because that one is segregated, some of the cleaning products are within the office supply line item so they kind of overlap a little bit in some of the Departments, but based on, say an estimated 5% savings, we actually anticipate it's going to be greater than that. Hopefully by the end of the week, they'll have those numbers. We're looking at \$25,000 in potential savings which will be allocated to individual Department budgets. They'll actually be reduced by a particular amount. Assuming we're able to realize all of those savings, we're still at a shortfall of just under \$130,000."

Judge Cascos-"You know, when we started the Budget process, if you all recall, we were \$5.6 million and just kind of playing with these numbers, based on what you're telling us right now that of that \$5.6 million, \$3.4 million has come from within through budget cuts, through these types of savings and as we talked about early on, it's going to take a lot of different initiatives to balance the Budget. Of the new revenues, assuming that we go to a penny of \$1.3 million, plus \$708,000 in new tolls, what we've managed-what you all have done with the help of all the Departments is to reduce our expenditure budget by \$3.4 million. That's significant, I mean it's over 50% of what we needed to do and we need to be doing that all the time. Now if we go back-as you continue with the savings the goal, I believe, once we get to this \$129,426, okay, wherever we find it, we need to keep going and not stop because we've balanced it. You know, let's keep going and whatever extra we start to save, then we start reducing the tax rate from the penny to-I know, and don't start sweating on me Xavier, but we start reducing that to, I mean the penny should be where we go to next. I mean if we all of a sudden find, you know, we're able to raise, you know, let's say our toll projections; you utilized the lowest month, which was June, and even to that number you discounted it by was it 15% or 25%? It was 15%?"

Mr. Pete Sepulveda, County Administrator-"10%."

Judge Cascos-"It was 10% and that was on the lousiest month we had which was June. So that's a very conservative number. If you go back to the Auditor and start-really what is a little bit more realistic? Maybe it's not \$708,000; maybe it's \$808,000, don't know. Once we get past that red number and we get into the black then that number should be taken off the tax rate. That way we don't have to do adopt-this number has got to be zero. You know we cannot, well I guess we shouldn't, unless we're going to start saying, 'Okay, well you know what one of these line items should be the fund balance'. You know we're going to, you know if we have leftover that's going to be targeted to the fund balance but I, you know-get your thoughts on it, but I don't want to stop when it gets to zero. You need to keep trying and find for budgets."

Commissioner Garza-"We need to consider, you know-I mean, okay, funds were found, but we found one penny tax increase to bring in revenues, we shifted one penny from a badly needed area into the General Fund to do that and I really believe, I very strongly believe that we are going to suffer the consequences of that one penny shift..."

Judge Cascos-"From Road & Bridge."

Commissioner Garza-"...because those of us that have large Public Works areas, that have a lot of roads, you know, we're always out of operational dollars six months, five months into the year and, you know, it's going..."

Commissioner Tamayo-"We're going to feel it."

Commissioner Garza-"...to be something that is going to come up and it's going to hurt and there's projects that we won't be able to do because we won't have dollars in those accounts."

Judge Cascos-"Let me ask you Commissioner this. If you all support that concept in terms of, you know, having them continue to look even after this reaches zero (dollars), then we can discuss whether we do the full penny shift from the Road & Bridge; maybe it could be nine-tenths of a penny. You know, I mean to the taxpayer it's going to be one penny or do a combination. We can discuss that, but what I don't want to do is once we find the \$129,000 everything stops; 'Hey, were balanced. Let's move forward'. I think we need to continue trying to cut from the expenditure side and then continue trying to ask you all to continue finding additional revenue sources and then we can talk. I mean let's be in the position when you say, 'Okay, now we don't need to shift the whole penny or maybe we can reduce the tax rate to nine-tenths or eights-tenths of a penny instead of one (penny)'. I mean, I want to get to that level to discuss."

Commissioner Garza-"Well, you know, I mean we see what the 3.5%, you know, discussion brought to the table from that division, okay? You know, I mean that particular Road & Bridge is-I think it equates to about, what 15% reduction? The one penny transfer?"

Commissioner Tamayo-"I think it equates to more than that."



Commissioner Garza-"What's the total budget \$12 million? I mean so, you know, I mean everybody's taking hits and we are hitting that Department pretty strongly."

Commissioner Tamayo-"And the thing is, and you've already said it, it's of no fault of our own. We're trying to do the best here and balance the Budget and we have to work together on it, but those of us that have more miles are the ones that are going to feel it the most."

Commissioner Garza-"And, you know, I hope ORCA comes through..."

Commissioner Tamayo-"What is that reduction?"

Commissioner Garza-"...because if they don't come through we're going to be in real bad shape."

Judge Cascos-"Well if we can at least for now, you know, encourage staff to continue..."

Commissioner Garza-"What's the total budget?"

Mr. Villarreal-"It was-currently it's at \$12.6 million; for next year it's going to be \$10.1 million."

Commissioner Garza-"Okay, which is, you know, like what? \$2.5 million less?"

Judge Cascos-"Well it should only be \$1.3 million."

Mr. Villarreal-"Well, part of that is also to pay-there's also a reduction because to pay for the bonds that were issued; the debt comes off the top of the Road & Bridge side..."

Judge Cascos-"Okay."

Mr. Villarreal-"...for Project Roadmap."

Judge Cascos-"Well let's-I just want to encourage staff to, you know, like I said once you balance that, keep going, keep looking for more. If we get to the point where we can discuss the penny transfer or the penny increase, we can talk about that but at least let's get to that point; so after the \$129,000 keep going. You know try to find maybe-Mike, I know Mike Forbes is here. You know it's amazing, I mean he gave me some numbers the other day and it's amazing how much we're going to save just in copier leases by not buying the Cadillacs. I mean you don't have to have 60 pages a minute, you know, and all these bells and whistles and by coming up with a standard for a copier, you know, that's going to save us a lot of money."

Commissioner Tamayo-"Well, Mike was in my office yesterday and was it Dalia? Yeah, Dalia was with you and she looked at our copier and she smiled as she said, 'If everybody did this we'd be saving money', and you know I think some of us have been doing that all along, but it hasn't been across the board; that's the problem."

Mr. Mike Forbes, Purchasing Agent-"Well what we'd like to do is come to the Court with standards, not just for copiers but there's many areas we can adopt standards for and I think it will drive the cost down."

Judge Cascos-"And we just have to stand firm."

Commissioner Wood-"We've talked many times Mike about standardizing computer systems, but to the point of what you need and not necessarily what is available because, you know, a lot of people don't need the full-blown, everything high-powered computers. They can get their work done, you know, very well with something that's less powerful and a lot less expensive."

Judge Cascos-"That's right."

Commissioner Garza-"Yeah."

Commissioner Wood-"So that's really not standardization; in that case it's more of a 'needs' as opposed to a 'wants'. We need to be looking at needs."

Commissioner Benavides-"I think that Mike found that in working with the copiers, even at the lower rate, they were able to get features on these machines that were not going to be available on the machines that we were paying much higher for."

Mr. Forbes-"Exactly and the State contract is very aggressive and the pricing is much lower than it was years ago."

Judge Cascos-"There's a huge markup on these computer leases. I mean it's amazing how much you can negotiate out-yeah, on the copier leases. There's a huge, huge margin. I mean there's a lot of wiggle room in those; so Mike I thank you for doing that."

Commissioner Garza-"I think five-year contracts may be a thing of the past. Maybe we need to start looking at shorter term contracts."

Mr. Forbes-"And the buyouts, like you mentioned."

Commissioner Garza-"Yeah."

Judge Cascos-"Alright, so if there's no issue with the Court than it's okay just to have them continue looking so we can try to reduce either the penny transfer or the penny increase; one of the two. Okay?"

Commissioner Tamayo-"That will be a nice discussion to have."

Judge Cascos-"Yeah that would be great. Okay, let's get that point. Just keep looking and I really want to sit down and go over these tolls again, okay? Because I think the \$708,000 that you're looking at is probably a fairly conservative number; which is fine, but if there's any room-Martha and you've got to be comfortable with it because you're the one that's names got to- you have to sign, alright?"

Mr. Sepulveda-"I think we will have another..."

Judge Cascos-"You'll have July."

Commissioner Garza-"Another month."

Mr. Sepulveda -"That'll be 90 days of new passport limitations."

Judge Cascos-"Okay; anything else on the Budget, Xavier, that you want to bring forward?"

Mr. Sepulveda -"Can we go to the Supplemental Agenda Item?"

Mr. Villarreal-"Not at the present time."

Judge Cascos-"Any questions on this presentation on the Budget? If not, do I hear a motion to acknowledge?"

Commissioner Tamayo-"So moved."

Commissioner Benavides-"Second."

Judge Cascos-"Moved by Commissioner Tamayo. Do I have a second?"

Commissioner Benavides-"Second."

Judge Cascos-"By Commissioner Benavides. All in favor signify by saying 'aye'."

Commissioner Benavides, Commissioner Wood, Commissioner Garza, Commissioner Tamayo and Judge Cascos-"Aye."

Judge Cascos-"Any opposed? Item carries."

**The Documentation is as follows:**

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**(I) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING REGARDING THE SETTING OF ELECTED OFFICIALS SALARIES FOR 2009-2010 FISCAL YEAR. (MG-AUDITOR)**

Commissioner Garza motioned to open the Public Hearing regarding the Setting of Elected Officials Salaries for the 2009-2010 Fiscal Year.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Upon sensing no comments, Judge Cascos asked to close the Public Hearing.

Commissioner Garza motioned to close the Public Hearing regarding the Setting of Elected Officials Salaries for the 2009-2010 Fiscal Year.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Documentation is as follows:**

## **SUPPLEMENTAL AGENDA**

**(1) ACTION ITEMS.**

**(A) CONSIDERATION AND ACTION REGARDING THE SETTING OF ELECTED OFFICIALS' COMPENSATION. (MG-AUDITOR)**

Mr. Xavier Villarreal, Auditor's Office, stated that the notice was published informing the public that the Commissioners' Court is considering setting the Elected Officials at a maximum of their current total compensation.

Commissioner Garza motioned to approve setting the Elected Officials' Compensation at the current amount.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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## **ACTION ITEMS**

**(6) ACTION ITEMS.**

**(C) APPROVAL OF MINUTES FOR:  
JULY 23, 2009 – REGULAR MEETING  
JULY 28, 2009 – SPECIAL MEETING**

Commissioner Tamayo motioned to approve the Minutes for the July 23, 2009-Regular Meeting and the July 28, 2009-Special Meeting.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(E) DISCUSSION AND POSSIBLE ACTION REGARDING THE  
APPROVAL OF AN ORDER APPOINTING THE MEMBERS OF THE  
PADRE ISLAND ZONING COMMISSION. (ROB-LEGAL) (Order No.  
200908034)**

Judge Cascos announced the following appointees to the Padre Island Zoning Commission:

Mr. Horacio Barrera, one-year term

Mr. Doyle Wells, one-year term

Mr. Robert Fudge, one-year term

Mr. Stanford Knowles, two-year term

Mr. Roman Esparza, two-year term

Mr. Luis Hernandez, two-year term

Mr. Herb Houston, two-year term

Commissioner Garza motioned to approve the Order appointing the Members of the Padre Island Zoning Commission.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Order is as follows:**

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- (D) **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 Wood motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

- 
- (F) **CONSIDERATION AND ACTION REQUESTING APPROVAL OF THE EARLY VOTING AND ELECTION DAY POLLING LOCATIONS FOR THE NOVEMBER 3, 2009 GENERAL ELECTION AND FOR THE HOURLY RATE OF PAY FOR POLL WORKERS. (RO-ELECTIONS)**

Commissioner Garza motioned to approve the Early Voting and Election Day Polling Locations for the November 3, 2009 General Election and the hourly rate of pay for poll workers.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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**(G) CONSIDERATION AND APPROVAL OF CAMERON COUNTY  
ACCIDENT PREVENTION PLAN UPDATE. (MV-HUMAN  
RESOURCES)**

Commissioner Garza motioned to approve the Cameron County Accident Prevention Plan Update.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**



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**(J) 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.**

Commissioner Wood motioned to approve 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.

**The Documentation is as follows:**

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**(K) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 7 WITH YATES CONSTRUCTION IN THE AMOUNT OF \$3,249.00 FOR THE CARRIZALEZ –RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O8038)**

Commissioner Wood motioned to approve Change Order No. 7 with Yates Construction in the amount of \$3,249.00 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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**(L) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 8 WITH YATES CONSTRUCTION IN THE AMOUNT OF \$2,762.00 FOR THE CARRIZALEZ –RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O8039)**

Commissioner Garza motioned to approve Change Order No. 8 with Yates Construction in the amount of \$2,762.00 for the Carrizalez –Rucker Addition Project.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Change Order is as follows:**

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**(M) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 9 WITH YATES CONSTRUCTION IN THE AMOUNT OF \$4,888.00 FOR THE CARRIZALEZ –RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O8040)**

Commissioner Benavides motioned to approve Change Order No. 9 with Yates Construction in the amount of \$4,888.00 for the Carrizalez –Rucker Addition Project.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Change Order is as follows:**

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**(N) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 10 WITH YATES CONSTRUCTION IN THE AMOUNT OF (\$212,000.00) FOR THE CARRIZALEZ –RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2009O8041)**

Commissioner Tamayo motioned to approve Change Order No. 10 with Yates Construction in the amount of (\$212,000.00) for the Carrizalez –Rucker Addition Project.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Change Order is as follows:**

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

Mr. Robert L. Lopez, Director of Administrative Services, reported that as of August 17, 2009, (14) deposits have been received totaling \$437,147.53.

Commissioner Tamayo motioned to acknowledge the Presentation regarding the reimbursements from FEMA.

The motion was seconded by Commissioner Benavides and carried unanimously.

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**SUPPLEMENTAL AGENDA**

**(I) ACTION ITEMS.**

**(A) CONSIDERATION AND ACTION REGARDING THE COMPOSITION OF THE CAMERON COUNTY SALARY GRIEVANCE COMMITTEE, PURSUANT TO V.T.C.A. LOCAL GOVERNMENT CODE, SECTION 152.014 (CHC-JUDGE)**

Commissioner Wood motioned that the Salary Grievance Committee be composed of public members randomly selected from the Grand Jury Rolls, pursuant to V.T.C.A. Local Government Code, Section 152.014.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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**(B) CONSIDERATION AND SELECTION OF PUBLIC MEMBERS FOR THE CAMERON COUNTY SALARY GRIEVANCE COMMITTEE, IN COMPLIANCE WITH THE TEXAS LOCAL GOVERNMENT CODE, SECTION 152.014 (A) AND SECTION 152.015. (CHC-JUDGE)**

Judge Cascos randomly selected the following Public Members for the Cameron County Grievance Committee:

- |                                  |                               |
|----------------------------------|-------------------------------|
| (1) Jose Luis Gonzales           | (22) James Eric Cuellar       |
| (2) Sandra Alvarez Partida       | (23) Roman Dean Esparza       |
| (3) Cecilia Kathleen Doria       | (24) Suzanna Perez            |
| (4) Silvia M. Gonzalez           | (25) Sharen L. Cowart         |
| (5) Nardys Kay Ruiz              | (26) Reynaldo M. Cortinas     |
| (6) Michael De La Rosa           | (27) Edwin Dornbush           |
| (7) Marina Alegria               | (28) Jennifer Monique Wareham |
| (8) Rosalva Hernandez            | (29) Lucinda Torres           |
| (9) Diana Galvan                 | (30) Daniel Santos            |
| (10) Lisa M. Coronado            | (31) Ivan Rodriguez           |
| (11) Julio Isabel Pacheco        | (32) Ageda C. Garza           |
| (12) Eudelia Sanchez             | (33) Griselda Del Torro       |
| (13) Victor Daniel Rodriguez Jr. | (34) Ruben Garzoria           |
| (14) Dawn M. Rogers              | (35) Mary H. Leal             |
| (15) Norma R. Gutierrez          | (36) Juan G. Barrera          |
| (16) Erika E. Menchaca           | (37) Oscar Abraham Sosa       |
| (17) Beverly Estrada             | (38) Dinorah Stinson          |
| (18) Kathy Cantu                 | (39) David Ingersoll          |
| (19) Hector Quintanilla          | (40) Monica Allmon            |
| (20) Jaime Enrique Galindo       | (41) Maria Isabel Jimenez     |
| (21) Kenneth Jenks               | (42) Virginia Nallely Pulido  |

Commissioner Garza motioned to approve the selection of the Public Members for the Cameron County Salary Grievance Committee in compliance with the Texas Local Government Code, Section 152.014 (A) and Section 152.015.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 6:58 P.M.

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**APPROVED** this 3<sup>rd</sup> day of **September 2009**

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**CARLOS H. CASCOS, CPA**  
**COUNTY JUDGE**

**ATTEST:**

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