

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 12<sup>th</sup> day of November 2009, there was conducted a **SPECIAL 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:**

**3:00 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 3:02 P.M. He asked for a moment of silence for the Fort Hood victims and their families. Mr. Joe Vega, Deputy Parks 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 November 9, 2009 at 11:27 A.M. with a Supplemental Agenda being filed at 2:06 P.M.:

## **PRESENTATIONS**

**(4) PRESENTATIONS/RESOLUTIONS.**

**(B) PRESENTATION OF A RESOLUTION HONORING MR. JAMES “BRADY” PARKER FOR HIS MANY YEARS OF SERVICE IN LAW ENFORCEMENT. (JC-EMERGENCY MANAGEMENT)**

Commissioner Garza motioned to acknowledge the presentation of the Resolution honoring Mr. James

“Brady” Parker for his many years of service in Law Enforcement.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Mr. James “Brady” Parker thanked the Court for recognizing his years in law enforcement.

Judge Cascos read and presented the Resolution honoring Mr. James “Brady” Parker.

## **EXECUTIVE SESSION**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 3:11 P.M. to discuss the following matters:

**(1) EXECUTIVE SESSION:**

- (A) DELIBERATION CONCERNING POSSIBLE LEASE 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.**
- (B) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF DRAINAGE ACCESS EASEMENTS IN EL RANCHITO PCT. 4 AREA, PURSUANT TO GOVERNMENT CODE, SECTION 551.072.**
- (C) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL REGARDING CONTRACT ISSUES WITH COSTA RICA FOOD & SPIRITS, INC. AND AUGICO PROPERTIES LLC FOR COSTA RICA FOOD AND SPIRITS CONCESSION IN ANDY BOWIE PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (2).**
- (D) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING LINDA MARTINEZ VS. CAMERON COUNTY, CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND TEXAS JUVENILE PROBATION COMMISSION; IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS; CIVIL ACTION NO. 09-CV-205, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (B).**
- (E) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL FOR LEGAL ADVISE ON NEGOTIATIONS AND CONTRACT ISSUES WITH SPI WATERPARK, LTD FOR A 6.730 ACRE IN ISLA BLANCA PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (2).**

## **SUPPLEMENTAL AGENDA**

### **EXECUTIVE SESSION**

**(1) EXECUTIVE SESSION:**

- (A) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING CIVIL SERVICE APPEAL NO. 09-036-10-560, YOCHABEL MORENO VS. CAMERON COUNTY, FOR**

**POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) (B) & (2).**

- (B) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING CIVIL SERVICE APPEAL NO. 09-034-15-621, ROSENDO RODRIGUEZ VS. CAMERON COUNTY, FOR POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) (B) & (2).**

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Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 3:57 P.M. to discuss the following matters:

**(2) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (A) DELIBERATION CONCERNING POSSIBLE LEASE 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.**

Commissioner Tamayo motioned to acknowledge the Report by 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 Garza and carried unanimously.

- (B) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF DRAINAGE ACCESS EASEMENTS IN EL RANCHITO PCT. 4 AREA, PURSUANT TO GOVERNMENT CODE, SECTION 551.072.**

Commissioner Wood motioned to acknowledge the Report by 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.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING CONTRACT ISSUES WITH COSTA RICA FOOD & SPIRITS, INC. AND AUGICO PROPERTIES LLC FOR COSTA RICA FOOD AND SPIRITS CONCESSION IN ANDY BOWIE PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (2).**

Commissioner Wood 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.

- (D) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING LINDA MARTINEZ VS. CAMERON COUNTY, CAMERON COUNTY JUVENILE PROBATION DEPARTMENT AND TEXAS JUVENILE PROBATION COMMISSION; IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS; CIVIL ACTION NO. 09-CV-205, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (B). (TABLED)**

Commissioner Tamayo motioned to TABLE this item.

The motion was seconded by Commissioner Wood and carried unanimously.

- (E) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL FOR LEGAL ADVISE ON NEGOTIATIONS AND CONTRACT ISSUES WITH SPI WATERPARK, LTD FOR A 6.730 ACRE IN ISLA BLANCA PARK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (2). (TABLED)**

Commissioner Wood motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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## **SUPPLEMENTAL AGENDA**

(2) **ACTION RELATIVE TO EXECUTIVE SESSION:**

- (A) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING CIVIL SERVICE APPEAL NO. 09-036-10-560, YOCHABEL MORENO VS. CAMERON COUNTY, FOR POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) (B) & (2).**

Commissioner Benavides motioned to proceed along the terms of the settle agreement as recommended by Civil Counsel.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (B) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING CIVIL SERVICE APPEAL NO. 09-034-15-621, ROSENDO RODRIGUEZ VS. CAMERON COUNTY, FOR POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) (B) & (2).**

Commissioner Benavides motioned to proceed along the terms of the settle agreement as recommended by Civil Counsel.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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(3) **PUBLIC COMMENTS.**

Mr. David Alvarez, Costa Rica Food & Spirits Inc., commented on several factors that have delayed the construction project at Andy Bowie Park.

Mr. Kent Martin, Costa Rica Food & Spirits Inc., added that the investor for the project is still interested and noted that there has been an agreement as to the business points of the project.

Mr. Alvarez added that he is continually working with the Texas General Land Office (GLO), the architects and the investors on this project.

Commissioner Garza inquired as to the timeline for the completed project.

Mr. Alvarez replied that the project will include 150-165 rooms and once construction has begun it should be completed in approximately twelve months. He noted that there are still issues to be worked out with the GLO.

# **PRESENTATIONS**

**(4) PRESENTATIONS/RESOLUTIONS.**

**(A) PRESENTATION BY COASTAL SOLUTIONS ON THE COASTAL EROSION MITIGATION SOLUTION BEACH STABILIZATION PROJECT ON SOUTH PADRE ISLAND AND CAMERON COUNTY BEACHES. (JM-PARKS)**

Ms. Marie Garrett, Coastal Solutions, presented the following regarding the Coastal Erosion Mitigation Solution (CEMS) Beach Stabilization Project.

Commissioner Garza motioned to acknowledge the Presentation by Coastal Solutions on the Coastal Erosion Mitigation Solution Beach Stabilization Project on South Padre Island and Cameron County Beaches.

The motion was seconded by Commissioner Wood 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 (A):**

Commissioner Tamayo asked to discuss this item separately.

**Consent Items No. 5 (E), (O), (P), (R), (T), (Y), (Z) and (AA):**

Commissioner Garza asked to discuss these items separately.

Commissioner Garza moved to approve the "Consent Items", excluding Consent Items No. 5 (A), (E), (O), (P), (R), (T), (Y), (Z) and (AA).

The motion was seconded by Commissioner Wood and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF HARLINGEN. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (B) **CONSIDERATION AND APPROVAL OF SUPPLEMENTAL NO. 2 TO WORK AUTHORIZATION NO. 4 BETWEEN CAMERON COUNTY AND S&B INFRASTRUCTURE FOR THE VETERANS BRIDGE EXPANSION PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2009C11391)**  
**The Documentation is as follows:**
- (C) **CONSIDERATION AND APPROVAL TO CLOSE GATEWAY BRIDGE TO SOUTHBOUND TRAFFIC ON DECEMBER 7, 2009 FROM 6:00 P.M. – 9:00 P.M. FOR THE CHRISTMAS PARADE. (PSJ-ADMINISTRATOR)**
- (D) **CONSIDERATION AND APPROVAL FOR CONTRACT RENEWAL FOR CONTRACT 23380877 & 23380881, TYPE OF SERVICE: TITLE IV-E LEGAL & CHILD WELFARE. (MG-AUDITOR) (Contract No. 2009C11392)**  
**The Documentation is as follows:**
- (E) **CONSIDERATION AND APPROVAL OF A MONTHLY FINANCIAL INFORMATION IN COMPLIANCE WITH LGC 114.023 AND 114.024. (MG-AUDITOR) (ACTION TAKEN SEPARATELY)**
- (F) **CONSIDERATION AND AUTHORIZATION TO APPROVE PROCLAMATION RECOGNIZING PETER W. LANGAN FOR THE YEARS OF SERVICE IN THE SCOUTING PROGRAMS. (JW-COMM. PCT. 2) (Resolution No. 2009R11111)**  
**The Resolution is as follows:**
- (G) **CONSIDERATION AND AUTHORIZATION TO UTILIZE TDIR-TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR TEX-AN 2000) FOR THE FRAME RELAY SERVICES FROM AT&T. (JR-COMPUTER CENTER)**  
**The Documentation is as follows:**
- (H) **CONSIDERATION AND APPROVAL OF SERVICE TO PROVIDE YEARLY PURCHASE AGREEMENT WITH EAGLE POINT ENGINEERING AND SURVEYING SOFTWARE SERVICES. (EH-CCDoT) (Contract No. 2009C11393)**  
**The Contract is as follows:**
- (I) **CONSIDERATION AND APPROVAL OF CONTRACT AGREEMENT BETWEEN CAMERON COUNTY AND PEDERSON CONSTRUCTION CO., INC. FOR THE CAMERON COUNTY BORDER COLONIA**

**ACCESS PROGRAM – 3<sup>RD</sup> CALL, LA PALOMA TOWNSITE ROAD & DRAINAGE IMPROVEMENTS, BID NO. 090803. (EH-CCDoT) (Contract No. 2009C11394)**

**The Contract is as follows:**

**(J) CONSIDERATION AND AUTHORIZATION TO EXEMPT ADDENDUM (CONTRACT NO. 2009C11389) TO COMMERCIAL SERVICES AGREEMENT FROM TIME WARNER CABLE CONTRACT NO. 2009C2040 FROM THE ORDER NO. 2009O4013 ESTABLISHING CONTRACT APPROVAL PROCEDURES. (AV-DISTRICT ATTORNEY)**

**(K) CONSIDERATION AND POSSIBLE APPROVAL OF ADDENDUM (CONTRACT NO. 2009C11389) TO COMMERCIAL SERVICES AGREEMENT FROM TIME WARNER CABLE CONTRACT NO. 2009C2040. (AV-DISTRICT ATTORNEY) (Contract No. 2009C11389)**

**The Documentation is as follows:**

**(L) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR ANNUAL BIDS FOR STORAGE AND TOWING SERVICES FOR THE DISTRICT ATTORNEY'S OFFICE. (AV-DISTRICT ATTORNEY)**

**(M) CONSIDERATION AND APPROVAL OF A RESOLUTION PROCLAIMING DECEMBER 2, 2009 AS TREE OF ANGELS DAY IN CAMERON COUNTY. (AV-DISTRICT ATTORNEY) (Resolution No. 2009R11114)**

**The Resolution is as follows:**

**(N) CONSIDERATION AND AUTHORIZATION TO DISPLAY TREE OF ANGELS ON THE FIRST FLOOR OF THE COURTHOUSE FOR THE MONTH OF DECEMBER TO HONOR SURVIVING VICTIMS OF VIOLENT CRIME AND VICTIMS' FAMILIES DURING THE HOLIDAY SEASON. (AV-DISTRICT ATTORNEY)**

**(O) CONSIDERATION AND APPROVAL TO PROVIDE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE SPACE FOR THE U.S. CENSUS BUREAU. (YS-HEALTH) (ACTION TAKEN SEPARATELY)**

**(P) CONSIDERATION AND APPROVAL FOR CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES – PUBLIC HEALTH RESPONSE PROGRAM TO PURCHASE FOUR (4) FRIDGEFREEZE PORTABLE VACCINE REFRIGERATOR/FREEZER UNITS FROM GRAINGER, INC. THROUGH TXMAS PRICING UTILIZING THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS FOR THE AMOUNT OF \$16,652.96. (YS-HEALTH) (ACTION TAKEN SEPARATELY)**

**(Q) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES (CCDHHS) AND LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL-METROPOLITAN MEDICAL RESPONSE SYSTEM (LRGVDC-MMRS). (YS-HEALTH) (Contract No. 2009C11395)**

**The Documentation is as follows:**

**(R) CONSIDERATION AND APPROVAL FOR CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES-PUBLIC HEALTH RESPONSE PROGRAM TO PURCHASE SEVEN (7) COMMERCIAL REFRIGERATORS UTILIZING THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS FOR THE AMOUNT OF \$23,135.00. (YS-HEALTH) (ACTION TAKEN SEPARATELY)**

**(S) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF IDA TREVINO RESERVE DEPUTY CONSTABLE FOR PCT. #3 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:**

**(T) CONSIDERATION AND POSSIBLE APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE BROWNSVILLE HISTORICAL ASSOCIATION FOR KIOSK AT CAMERON COUNTY COURTHOUSE. (DJV-LEGAL) (ACTION TAKEN SEPARATELY)**

- (U) **CONSIDERATION AND AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 2, TO CONTRACT NUMBER 2009C05188, AWARDED TO CAS COMPANIES FOR THE CONSTRUCTION OF LAURELES RECREATIONAL COMMUNITY PARK. (JM-PARKS) (Order No. 2009O11058)**  
**The Documentation is as follows:**
- (V) **CONSIDERATION AND AUTHORIZATION TO EXEMPT CONTRACT NO. 2009C11388 WITH WORKFORCE SOLUTIONS CAMERON, FOR A WORK EXPERIENCE TRAINING PROGRAM AT EL CENTRO CULTURAL AND BROWNE ROAD SOCIAL SERVICE CENTER FROM THE ORDER NO. 2009O4013 ESTABLISHING CONTRACT APPROVAL PROCEDURES. (JM-PARKS)**
- (W) **CONSIDERATION AND APPROVAL OF CONTRACT 2009C11388 WITH WORKFORCE SOLUTIONS CAMERON, FOR A WORK EXPERIENCE TRAINING PROGRAM AT EL CENTRO CULTURAL AND BROWNE ROAD SOCIAL SERVICE CENTER. (JM-PARKS) (Contract No. 2009C11388)**  
**The Documentation is as follows:**
- (X) **CONSIDERATION AND APPROVAL OF RESOLUTION NO. 2009R11112 SUPPORTING CHANGES TO THE ADMINISTRATION OF THE COASTAL IMPACT ASSISTANCE PROGRAM. (JM-PARKS) (Resolution No. 2009R11112)**  
**The Documentation is as follows:**
- (Y) **CONSIDERATION AND POSSIBLE APPROVAL TO ALLOW CONCESSIONAIRE TO PROVIDE CONTRACTOR A TEMPORARY STORAGE SITE FOR DEMOLISHED CONSTRUCTION MATERIAL FROM OCEAN TOWERS AND TO DEMOLISH A BUILDING AT BEACH ACCESS #3 FORMALLY KNOWN AS COSTA RICA FOOD & SPIRITS RESTAURANT. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (Z) **CONSIDERATION AND AUTHORIZATION TO APPROVE TOLLING AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS (CORPS). (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (AA) **CONSIDERATION AND AUTHORIZATION TO APPROVE A BEACH FRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR COSTA RICA FOOD & SPIRITS TO ALL FOR A DUNE ENHANCEMENT PROJECT ON 4.87 ACRES OUT OF ANDY BOWIE PARK. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (BB) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 3 TO CONSTRUCTION CONTRACT WITH CORNETT CONSTRUCTION FOR THE BREEDLOVE ROAD AREA WATER IMPROVEMENT PROJECT (TCDP CONTRACT NO. 724055). (FB-PD&M) (Order No. 2009O11059)**  
**The Documentation is as follows:**
- (CC) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**  
a. **TIRES DISPOSAL (WASTE) – ANNUAL BID #1975 (UTW TIRE COLLECTION SERVICES)**  
**The Documentation is as follows:**
- (DD) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**  
a. **CONSULTING SERVICES FOR THE DESIGN AND EVALUATION OF RFP'S FOR THE CAMERON COUNTY AUTO, PROPERTY, GENERAL LIABILITY, WINDSTORM, FLOOD, INTERNATIONAL BRIDGES INSURANCES, AND DISTRICT & COUNTY CLERK'S BONDS – ANNUAL RFQ #090801 SUBJECT TO NEGOTIATIONS OF CONTRACT FOR COMMISSIONERS' COURT APPROVAL. (R.W.L. GROUP)**  
**The Documentation is as follows:**
- (EE) **CONSIDERATION AND AUTHORIZATION TO CONDUCT PROPOSER ORAL PRESENTATIONS FOR THE FOLLOWING: (MF-PURCHASING)**  
a. **VITALS & COURT RECORDS CONVERSION – RFP #090504**  
**The Documentation is as follows:**



- (FF) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**  
a. **INDIRECT COST RATE STUDY (JAILS) – ANNUAL RFP #090806 SUBJECT TO NEGOTIATIONS OF CONTRACT FOR COMMISSIONERS COURT APPROVAL. (M.G.T. OF AMERICA)**  
**The Documentation is as follows:**
- (GG) **CONSIDERATION AND AUTHORIZATION TO RENEW PARTICIPATION IN THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS (HGAC) COOPERATIVE PURCHASING AGREEMENT FOR CELLULAR PHONE SERVICES (SPRINT). (MF-PURCHASING) (Contract No. 2009C11398)**  
**The Documentation is as follows:**
- (HH) **CONSIDERATION AND APPROVAL OF MAINTENANCE AGREEMENT BETWEEN CAMERON COUNTY AND RED HAWK FOR THE THREE DRIVE THRU LANES AT THE BROWNSVILLE MAIN TAX OFFICE LOCATED AT 964 E. HARRISON ST., BROWNSVILLE, TEXAS. (TY-TAX OFFICE) (Contract No. 2009C11399)**  
**The Documentation is as follows:**
- (II) **COMPUTER DEPARTMENT STAFF (2): IT SUPERVISOR JOE REYES AND NETWORK ADMINISTRATOR ANDY ZAMARRIPA, TO TRAVEL TO AUSTIN, TEXAS, ON 11/17 TO 11/18/09, TO ATTEND THE DELL TECHNOLOGY CONFERENCE.**  
**The Documentation is as follows:**
- (JJ) **CONSTABLE PRECINCT 1 STAFF (3): CONSTABLE HORACIO ZAMORA, LIEUTENANT SILVERIO CISNEROS AND CORPORAL OVIDIO CISNEROS, TO TRAVEL TO HUMBLE, TEXAS, ON 12/8 TO 12/12/09, TO ATTEND THE COURSE ON CORRECT PROCEDURES IN RECOGNIZING CHILD ABUSE AND THE LAW REGARDING THE RESPONSIBILITY IN THE CHILD ABUSE CASES CONFERENCE.**  
**The Documentation is as follows:**
- (KK) **DISTRICT ATTORNEY'S OFFICE STAFF (2): INTELLIGENCE ANALYSTS FOSTER J. WATKINS AND JUAN R. MIJARES, TRAVELED TO AUSTIN, TEXAS, ON 11/10/09, TO ATTEND THE TEXAS DEPARTMENT OF PUBLIC SAFETY SAFETY POST SEIZURE ANALYST MEETING.**  
**The Documentation is as follows:**
- (LL) **DISTRICT ATTORNEY'S OFFICE STAFF (2): HIDTA COMMANDER LUIS CARLOS DE LEON AND INTELLIGENCE ANALYST JUAN R. MIJARES, TO TRAVEL TO McALLEN, TEXAS, ON 11/17 TO 11/18/09, TO ATTEND THE SOUTH TEXAS HIDTA GATEWAY/DESTINATION INFORMATION SHARING CONFERENCE.**  
**The Documentation is as follows:**
- (MM) **ENGINEERING DEPARTMENT STAFF (1): STAFF ENGINEER ERNESTO HINOJOSA, TO TRAVEL TO AUSTIN, TEXAS, ON 11/18/09, TO SERVE AS A MEMBER ON THE NEWLY – CREATED TASK FORCE ON UNIFORM COUNTY SUBDIVISION REGULATIONS (TASK FORCE).**  
**The Documentation is as follows:**
- (NN) **EXTENSION OFFICE STAFF (1): CEA-COASTAL & MARINE RESOURCES AGENT, TONY REISINGER, TRAVELED TO CORPUS CHRISTI, TEXAS, ON 11/10 TO 11/12/09, TO ATTEND REPRESENT SEA GRANT AND CAMERON COUNTY AT THE TEXAS WILDLIFE PLAN HARMFUL ALGAL BLOOMS WORKSHOP.**  
**The Documentation is as follows:**
- (OO) **EXTENSION OFFICE STAFF (1): CEA-COASTAL & MARINE RESOURCES AGENT, TONY REISINGER, TO TRAVEL TO ST. PETERSBURG, FLORIDA, ON 1/19 TO 1/21/10, TO REPRESENT SEA GRANT AND CAMERON COUNTY AT THE COOPERATIVE RESEARCH PANEL REVIEW AND SERVE AS A PANEL MEMBER TO REVIEW GRANT PROPOSALS.**  
**The Documentation is as follows:**

- (PP) PROGRAM DEVELOPMENT AND MANAGEMENT STAFF (1): CD COORDINATOR RAUL GARCIA, TRAVELED TO WESLACO, TEXAS, ON 11/10/09, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL.  
The Documentation is as follows:**
- (QQ) CONSIDERATION AND ADOPTION OF A RESOLUTION OF APPRECIATION FOR THE EFFORTS AND CONTRIBUTIONS OF DR. WILLIAM H. CUNNINGHAM TO CAMERON COUNTY. (CHC-JUDGE)**
- (RR) CONSIDERATION AND ADOPTION OF A PROCLAMATION DECLARING THE MONTH OF NOVEMBER 2009 AS “HOME CARE AND HOSPICE MONTH” IN CAMERON COUNTY, TEXAS. (CHC-JUDGE)**
- (SS) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE REGARDING PUBLIC TRANSPORTATION SERVICE TO LOW INCOME AREAS IN CAMERON COUNTY. (PSJ-ADMINISTRATOR) (Contract No. 2009C11400)  
The Documentation is as follows:**

- (B) CONSIDERATION AND APPROVAL OF SUPPLEMENTAL NO. 2 TO WORK AUTHORIZATION NO. 4 BETWEEN CAMERON COUNTY AND S&B INFRASTRUCTURE FOR THE VETERANS BRIDGE EXPANSION PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2009C11391)**  
**The Documentation is as follows:**

- (D) CONSIDERATION AND APPROVAL FOR CONTRACT RENEWAL FOR CONTRACT 23380877 & 23380881, TYPE OF SERVICE: TITLE IV-E LEGAL & CHILD WELFARE. (MG-AUDITOR) (Contract No. 2009C11392)**  
**The Documentation is as follows:**

- (F) **CONSIDERATION AND AUTHORIZATION TO APPROVE PROCLAMATION RECOGNIZING PETER W. LANGAN FOR THE YEARS OF SERVICE IN THE SCOUTING PROGRAMS. (JW-COMM. PCT. 2)  
(Resolution No. 2009R11111)  
The Resolution is as follows:**

- (G) CONSIDERATION AND AUTHORIZATION TO UTILIZE TDIR-TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR TEX-AN 2000) FOR THE FRAME RELAY SERVICES FROM AT&T. (JR-COMPUTER CENTER)**  
**The Documentation is as follows:**

- (H) CONSIDERATION AND APPROVAL OF SERVICE TO PROVIDE YEARLY PURCHASE AGREEMENT WITH EAGLE POINT ENGINEERING AND SURVEYING SOFTWARE SERVICES. (EH-CCDoT)  
(Contract No. 2009C11393)  
The Contract is as follows:**

- (I) CONSIDERATION AND APPROVAL OF CONTRACT AGREEMENT BETWEEN CAMERON COUNTY AND PEDERSON CONSTRUCTION CO., INC. FOR THE CAMERON COUNTY BORDER COLONIA ACCESS PROGRAM – 3<sup>RD</sup> CALL, LA PALOMA TOWNSITE ROAD & DRAINAGE IMPROVEMENTS, BID NO. 090803. (EH-CCDoT) (Contract No. 2009C11394)**  
**The Contract is as follows:**



- (K) CONSIDERATION AND POSSIBLE APPROVAL OF ADDENDUM (CONTRACT NO. 2009C11389) TO COMMERCIAL SERVICES AGREEMENT FROM TIME WARNER CABLE CONTRACT NO. 2009C2040. (AV-DISTRICT ATTORNEY) (Contract No. 2009C11389)**  
**The Documentation is as follows:**

- (M) **CONSIDERATION AND APPROVAL OF A RESOLUTION PROCLAIMING DECEMBER 2, 2009 AS TREE OF ANGELS DAY IN CAMERON COUNTY. (AV-DISTRICT ATTORNEY) (Resolution No. 2009R11114)**  
**The Resolution is as follows:**

- (Q) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES (CCDHHS) AND LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL-METROPOLITAN MEDICAL RESPONSE SYSTEM (LRGVDC-MMRS). (YS-HEALTH) (Contract No. 2009C11395)  
The Documentation is as follows:**

- (S) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF IDA TREVINO RESERVE DEPUTY CONSTABLE FOR PCT. #3 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:**

- (U) CONSIDERATION AND AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 2, TO CONTRACT NUMBER 2009C05188, AWARDED TO CAS COMPANIES FOR THE CONSTRUCTION OF LAURELES RECREATIONAL COMMUNITY PARK. (JM-PARKS) (Order No. 2009O11058)**  
**The Documentation is as follows:**

- (W) CONSIDERATION AND APPROVAL OF CONTRACT 2009C11388 WITH WORKFORCE SOLUTIONS CAMERON, FOR A WORK EXPERIENCE TRAINING PROGRAM AT EL CENTRO CULTURAL AND BROWNE ROAD SOCIAL SERVICE CENTER. (JM-PARKS) (Contract No. 2009C11388)**  
**The Documentation is as follows:**

- (X) CONSIDERATION AND APPROVAL OF RESOLUTION NO. 2009R11112 SUPPORTING CHANGES TO THE ADMINISTRATION OF THE COASTAL IMPACT ASSISTANCE PROGRAM. (JM-PARKS)  
(Resolution No. 2009R11112)  
The Documentation is as follows:**

**(BB) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 3 TO CONSTRUCTION CONTRACT WITH CORNETT CONSTRUCTION FOR THE BREEDLOVE ROAD AREA WATER IMPROVEMENT PROJECT (TCDP CONTRACT NO. 724055). (FB-PD&M) (Order No. 2009O11059)**  
**The Documentation is as follows:**



- (CC) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING:  
(MF-PURCHASING)**
- a. TIRES DISPOSAL (WASTE) – ANNUAL BID #1975 (UTW TIRE COLLECTION SERVICES)**  
**The Documentation is as follows:**

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

- a. CONSULTING SERVICES FOR THE DESIGN AND EVALUATION OF RFP'S FOR THE CAMERON COUNTY AUTO, PROPERTY, GENERAL LIABILITY, WINDSTORM, FLOOD, INTERNATIONAL BRIDGES INSURANCES, AND DISTRICT & COUNTY CLERK'S BONDS – ANNUAL RFQ #090801 SUBJECT TO NEGOTIATIONS OF CONTRACT FOR COMMISSIONERS' COURT APPROVAL. (R.W.L. GROUP)**

**The Documentation is as follows:**

- (EE) CONSIDERATION AND AUTHORIZATION TO CONDUCT PROPOSER ORAL PRESENTATIONS FOR THE FOLLOWING: (MF-PURCHASING)**
- a. VITALS & COURT RECORDS CONVERSION – RFP #090504**
- The Documentation is as follows:**

- (FF) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP'S/RFQ'S FOR THE FOLLOWING:  
(MF-PURCHASING)**
- a. INDIRECT COST RATE STUDY (JAILS) – ANNUAL RFP #090806 SUBJECT TO  
NEGOTIATIONS OF CONTRACT FOR COMMISSIONERS COURT APPROVAL. (M.G.T. OF  
AMERICA)**

**The Documentation is as follows:**

**(GG) CONSIDERATION AND AUTHORIZATION TO RENEW PARTICIPATION IN THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS (HGAC) COOPERATIVE PURCHASING AGREEMENT FOR CELLULAR PHONE SERVICES (SPRINT). (MF-PURCHASING) (Contract No. 2009C11398)**

**The Documentation is as follows:**

**(HH) CONSIDERATION AND APPROVAL OF MAINTENANCE AGREEMENT BETWEEN CAMERON COUNTY AND RED HAWK FOR THE THREE DRIVE THRU LANES AT THE BROWNSVILLE MAIN TAX OFFICE LOCATED AT 964 E. HARRISON ST., BROWNSVILLE, TEXAS. (TY-TAX OFFICE) (Contract No. 2009C11399)**

**The Documentation is as follows:**

- (II) COMPUTER DEPARTMENT STAFF (2): IT SUPERVISOR JOE REYES AND NETWORK ADMINISTRATOR ANDY ZAMARRIPA, TO TRAVEL TO AUSTIN, TEXAS, ON 11/17 TO 11/18/09, TO ATTEND THE DELL TECHNOLOGY CONFERENCE.  
The Documentation is as follows:**

**(JJ) CONSTABLE PRECINCT 1 STAFF (3): CONSTABLE HORACIO ZAMORA, LIEUTENANT SILVERIO CISNEROS AND CORPORAL OVIDIO CISNEROS, TO TRAVEL TO HUMBLE, TEXAS, ON 12/8 TO 12/12/09, TO ATTEND THE COURSE ON CORRECT PROCEDURES IN RECOGNIZING CHILD ABUSE AND THE LAW REGARDING THE RESPONSIBILITY IN THE CHILD ABUSE CASES CONFERENCE.**

**The Documentation is as follows:**



**(KK) DISTRICT ATTORNEY'S OFFICE STAFF (2): INTELLIGENCE ANALYSTS FOSTER J. WATKINS AND JUAN R. MIJARES, TRAVELED TO AUSTIN, TEXAS, ON 11/10/09, TO ATTEND THE TEXAS DEPARTMENT OF PUBLIC SAFETY SAFETY POST SEIZURE ANALYST MEETING.  
The Documentation is as follows:**

**(LL) DISTRICT ATTORNEY'S OFFICE STAFF (2): HIDTA COMMANDER LUIS CARLOS DE LEON AND INTELLIGENCE ANALYST JUAN R. MIJARES, TO TRAVEL TO McALLEN, TEXAS, ON 11/17 TO 11/18/09, TO ATTEND THE SOUTH TEXAS HIDTA GATEWAY/DESTINATION INFORMATION SHARING CONFERENCE.**

**The Documentation is as follows:**

**(MM) ENGINEERING DEPARTMENT STAFF (1): STAFF ENGINEER ERNESTO HINOJOSA, TO TRAVEL TO AUSTIN, TEXAS, ON 11/18/09, TO SERVE AS A MEMBER ON THE NEWLY – CREATED TASK FORCE ON UNIFORM COUNTY SUBDIVISION REGULATIONS (TASK FORCE).  
The Documentation is as follows:**

**(NN) EXTENSION OFFICE STAFF (1): CEA-COASTAL & MARINE RESOURCES AGENT, TONY REISINGER, TRAVELED TO CORPUS CHRISTI, TEXAS, ON 11/10 TO 11/12/09, TO ATTEND REPRESENT SEA GRANT AND CAMERON COUNTY AT THE TEXAS WILDLIFE PLAN HARMFUL ALGAL BLOOMS WORKSHOP.**

**The Documentation is as follows:**

- (OO) EXTENSION OFFICE STAFF (1): CEA-COASTAL & MARINE RESOURCES AGENT, TONY REISINGER, TO TRAVEL TO ST. PETERSBURG, FLORIDA, ON 1/19 TO 1/21/10, TO REPRESENT SEA GRANT AND CAMERON COUNTY AT THE COOPERATIVE RESEARCH PANEL REVIEW AND SERVE AS A PANEL MEMBER TO REVIEW GRANT PROPOSALS.  
The Documentation is as follows:**

**(PP) PROGRAM DEVELOPMENT AND MANAGEMENT STAFF (1): CD COORDINATOR RAUL GARCIA, TRAVELED TO WESLACO, TEXAS, ON 11/10/09, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL.  
The Documentation is as follows:**

**(SS) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE REGARDING PUBLIC TRANSPORTATION SERVICE TO LOW INCOME AREAS IN CAMERON COUNTY. (PSJ-ADMINISTRATOR) (Contract No. 2009C11400)**  
**The Documentation is as follows:**

## **CONSENT ITEMS**

**(5) CONSENT ITEMS.**

**(A) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF HARLINGEN. (PSJ-ADMINISTRATOR) (Contract No. 2009C11390)**

Commissioner Tamayo motioned to approve the Interlocal Agreement between Cameron County and the City of Harlingen.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Contract is as follows:**



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**(E) CONSIDERATION AND APPROVAL OF A MONTHLY FINANCIAL INFORMATION IN COMPLIANCE WITH LGC 114.023 AND 114.024. (MG-AUDITOR)**

Commissioner Wood motioned to approve the Monthly Financial Information in compliance with LGC 114.023 and 114.024.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(O) CONSIDERATION AND APPROVAL TO PROVIDE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE SPACE FOR THE U.S. CENSUS BUREAU. (YS-HEALTH)**

Commissioner Tamayo motioned to approve providing Cameron County Department of Health and Human Services Office Space for the U.S. Census Bureau.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(P) CONSIDERATION AND APPROVAL FOR CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES – PUBLIC HEALTH RESPONSE PROGRAM TO PURCHASE FOUR (4) FRIDGEFREEZE PORTABLE VACCINE REFRIGERATOR/FREEZER UNITS FROM GRAINGER, INC. THROUGH TXMAS PRICING UTILIZING THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS FOR THE AMOUNT OF \$16,652.96. (YS-HEALTH)**

**(R) CONSIDERATION AND APPROVAL FOR CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES-PUBLIC HEALTH RESPONSE PROGRAM TO PURCHASE SEVEN (7) COMMERCIAL REFRIGERATORS UTILIZING THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS FOR THE AMOUNT OF \$23,135.00. (YS-HEALTH)**

Commissioner Garza motioned to approve for the Cameron County Department of Health and Human Services – Public Health Response Program to purchase four (4) Fridgefreeze Portable Vaccine Refrigerator/Freezer Units from Grainger, Inc. through TXMAS pricing utilizing the Public Health Emergency Preparedness Grant Funds for the amount of \$16,652.96 and to approve for the Cameron County Department of Health and Human Services-Public Health Response Program to purchase seven (7) Commercial Refrigerators utilizing the Public Health Emergency Preparedness Grant Funds for the amount of \$23,135.00.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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**(T) CONSIDERATION AND POSSIBLE APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE BROWNSVILLE HISTORICAL ASSOCIATION FOR KIOSK AT CAMERON COUNTY COURTHOUSE. (DJV-LEGAL) (Contract No. 2009C11396)**

Commissioner Benavides motioned to approve the Memorandum of Understanding with the Brownsville Historical Association for a Kiosk at Cameron County Courthouse subject to approval by Legal Counsel.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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- (Y) **CONSIDERATION AND POSSIBLE APPROVAL TO ALLOW CONCESSIONAIRE TO PROVIDE CONTRACTOR A TEMPORARY STORAGE SITE FOR DEMOLISHED CONSTRUCTION MATERIAL FROM OCEAN TOWERS AND TO DEMOLISH A BUILDING AT BEACH ACCESS #3 FORMALLY KNOWN AS COSTA RICA FOOD & SPIRITS RESTAURANT. (JM-PARKS) (TABLED)**

Commissioner Benavides motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (Z) **CONSIDERATION AND AUTHORIZATION TO APPROVE TOLLING AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS (CORPS). (JM-PARKS) (Contract No. 2009C11397)**

**Note: Judge Cascos stepped out of the Meeting at 5:04 p.m.**

Commissioner Benavides motioned to approve the Tolling Agreement with the United States Army Corps of Engineers (Corps).

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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- (AA) **CONSIDERATION AND AUTHORIZATION TO APPROVE A BEACH FRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR COSTA RICA FOOD & SPIRITS TO ALL FOR A DUNE ENHANCEMENT PROJECT ON 4.87 ACRES OUT OF ANDY BOWIE PARK. (JM-PARKS) (TABLED)**

Commissioner Benavides motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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## **ACTION ITEMS**

(6) **ACTION ITEMS.**

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

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood 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.**

**Note: Judge Cascos returned to the Meeting at 5:10 p.m.**

Commissioner Garza motioned to approve the Claims.

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

AYE: Commissioner Benavides, Commissioner Wood and Commissioner Garza

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00228582, made payable to Phillip T. Cowen, in the amount of \$720.00, Warrant No. 00228583, made payable to Phillip T. Cowen, in the amount of \$440.00, Warrant No. 00228616, made payable to Laguna Madre Water District, in the amount of \$186.92, Warrant No. 00228633, made payable to Public Utilities Board, in the amount of \$601.52, Warrant No. 00228783, made payable to Harlingen Waterworks System, in the amount of \$590.11, Warrant No. 00228808, made payable to Laguna Madre Water District, in the amount of \$201.68 and Warrant No. 00228870, made payable to Public Utilities Board, in the amount of \$110,515.38 and Commissioner Tamayo as to Warrant No. 00228873, made payable to Red River Service Corp., in the amount of \$130.10.

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

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**(C) APPROVAL OF MINUTES FOR:  
OCTOBER 5, 2009 – SPECIAL MEETING  
OCTOBER 15, 2009 – REGULAR MEETING**

Commissioner Garza motioned to approve the Minutes for the October 5, 2009-Special Meeting and the October 15, 2009-Regular Meeting.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(D) CONSIDERATION AND AUTHORIZATION FOR A 60 MONTH  
COPIER LEASE WITH STATE OF TEXAS/XEROX, CONTRACT DIR-  
SDD-515. (DAS-444<sup>TH</sup> DISTRICT COURT) (Contract No. 2009C11401)**

**(E) CONSIDERATION AND AUTHORIZATION FOR A 60 MONTH  
COPIER LEASE WITH STATE OF TEXAS/XEROX, CONTRACT DIR-  
SDD-515. (RO-445<sup>TH</sup> DISTRICT COURT) (Contract No. 2009C11402)**

Judge Cascos-“It’s within budget, Michael (Forbes)? They have a budget for it? Somebody? It’s within their budget?”

Commissioner Garza-“It’s signed off.”

Ms. Martha Galarza, County Auditor-“This is budgeted in their regular operating budget. I believe the reason this is being brought on an individual discussion item is because it exceeds the direction that Commissioners’ Court wanted to follow with copiers.”

Judge Cascos-“Okay, what do you mean ‘it exceeds the direction’?”

Mr. Mike Forbes, Purchasing Agent-“The forms that I just handed out on the first page-the Court adopted to try and save on copier costs a benchmark machine, which is on the top of page number one. It’s a \$200.00 copier. The number of copies per month would be 25,000 copies allowance and a 45 page-per-minute machine. The Department’s requesting, the two Courts, a machine at \$448.00 a month. The number of copies per month would be 10,000 per month.”

Commissioner Tamayo-“Which would be less.”

Mr. Forbes-“It would be a lot less.”

Commissioner Tamayo-“A lot less.”

Mr. Forbes-“10,000 vs. 25,000. The speed is a little faster. It would be a 55 (page-per-minute) copy machine and what they’re looking to do, I believe, is to try and get some color into their copying needs. So this machine that they’re requesting at \$448.00 would actually give them approximately 1,800 copies per month. So we’re looking at a little close to \$250.00 more per month per machine.”

Judge Cascos-“Per machine. You know we adopted these-and I think Commissioner Wood brought it up- you know, try to standardize not only copiers, but standardize laptops and equipment and stuff like that. So why are we, I’m not saying you, but why are we wanting to deviate from what we already adopted? We adopted a Budget that was tough to adopt and now 30, 45 days into the Budget we’re being asked to spend more than what we adopted; other than somebody wants color.”

Mr. Forbes-“Yeah. This is a Departmental request. We do have four Departments so far that got the \$200.00 machine. One was Planning, Human Resources, the Sheriff’s Office and just recently at your last Commissioners’ Court (Meeting), the 357<sup>th</sup> District Court got the \$200.00 machine as well.”

Judge Cascos-“Okay.”

Commissioner Tamayo-“That was Judge Alejandro?”

Mr. Forbes-“Judge Alejandro, correct.”

Commissioner Tamayo-“He didn’t have a problem with it.”

Judge Cascos-“You know-yeah. I just think that if we treat them all the same, they all should have the same type of copy machine and if this were less it’d be different but it’s not. It’s more.”

Commissioner Tamayo-“Judge, I think it’s going back to the fact that the environment had been as such that the Court would vote on something, but then they’d come up and we’d make an exception and I think that’s the environment it had in the past and it’s hard for people to change.”

Judge Cascos-“Well, let’s hope that they change.”

Commissioner Tamayo-“If we make an exception for them, than we should make an exception for anybody else that comes and stands up here. I do recall in talking about trying to save money, that’s when Commissioner Wood brought this up.”

Judge Cascos-“We’re just trying to standardize the equipment purchases.”

Commissioner Tamayo-“Yeah, standardizing it. So I can’t see us making an exception.”

Judge Cascos-“Okay. Well on (Action) Item ‘D’ and ‘E’, do I hear a motion to approve?”

Commissioner Garza-“I move to approve our standard machine that we normally approve.”

Judge Cascos-“Well, but that’s not what this is.”

Commissioner Wood-“It’s not the Agenda Item.”

Judge Cascos-“So the standard one is just standard. You don’t even need to bring it to Commissioners’ Court. So if no one makes a motion on these two items, then it dies.”

Commissioner Tamayo-“And they go by what we have voted on.”

Commissioner Garza-“Well, shouldn’t we move to not?”

Judge Cascos-“No, just don’t do it.”

Commissioner Garza-“Because they need to know whether-what we did.”

Judge Cascos-“They’re going to know what we did.”

Commissioner Tamayo-“Well, when they don’t get approval, they’ll know what we did. We table it.”

Commissioner Garza-“I move that we don’t approve them.”

Judge Cascos-“Okay. Commissioner Garza moves that we do not approve them. Do I have a second? Do I have a second? Well, I’ll second it just to flush everybody out. I second Commissioner Garza’s approval to not approve. All in favor to not approve 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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**(F) CONSIDERATION AND APPROVAL TO REDUCE THE PROBE INSPECTION (\$120.00) AND SEPTIC TANK PERMIT (\$120.00) FEES FOR THE SANTA ROSA SELF-HELP PROJECT. (ET-COMM. PCT. 4)**

**NOTE: Judge Cascos left the Meeting at 5:20 p.m.**

Commissioner Tamayo motioned to approve reducing the Probe Inspection (\$120.00) and Septic Tank Permit (\$120.00) Fees for the Santa Rosa Self-Help Project.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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**(L) CONSIDERATION AND POSSIBLE ACTION ON A BEACH FRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR LARRY MARK POLSKY, FOR THE DEVELOPMENT OF SEA BREEZE ESTATES. (JM-PARKS)**

Commissioner Wood motioned to approve the Beach Front Construction Certificate and Dune Protection Permit for Larry Mark Polsky, for the Development of Sea Breeze Estates as recommended.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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**(G) CONSIDERATION AND APPROVAL OF ADVANCE FUNDING AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE HARLINGEN SWITCHYARD RELOCATION PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2009C11403) (Resolution No. 2009R11117)**

Mr. Pete Sepulveda, County Administrator, informed the Court that there are (2) pages within the Advance Funding Agreement that need to be replaced and provided the Court with the correct documentation. He explained that the total cost estimate is \$17,231, 282.00 with the local government participation being \$5,006,657.00.

Commissioner Tamayo motioned to approve the Advance Funding Agreement between Cameron County and the Texas Department of Transportation for the Harlingen Switchyard Relocation Project.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**

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**(H) CANVASSING OF PRECINCT ELECTION RETURNS FOR THE NOVEMBER 3, 2009 CONSTITUTIONAL AMENDMENT ELECTION CONDUCTED ON NOVEMBER 3, 2009 AND IN ACCORDANCE WITH CHAPTER 67, CANVASSING ELECTIONS, SEC. 67.002, CANVASS OF PRECINCT RETURNS OF THE TEXAS ELECTION CODE. (RE-ELECTIONS)**

Commissioner Wood motioned to approve the Canvassing of Precinct Election Returns for the November 3, 2009 Constitutional Amendment Election conducted on November 3, 2009 in accordance with Chapter 67, Canvassing Elections, Sec. 67.002, Canvass of Precinct Returns of the Texas Election Code.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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**(I) CONSIDERATION AND APPROVAL OF RESOLUTION APPROVING THE ISSUANCE OF THE CITY OF PHARR, TEXAS HIGHER EDUCATION FINANCE AUTHORITY EDUCATION REVENUE BONDS (IDEA PUBLIC SCHOOLS) SERIES 2009A TO FINANCE AND REFINANCE THE COST OF EDUCATION FACILITIES FOR IDEA PUBLIC SCHOOLS LOCATED AND TO BE LOCATED IN CAMERON COUNTY AND WITH RESPECT TO A PUBLIC HEARING. (PSJ-ADMINISTRATOR) (Resolution No. 2009R11113)**

Commissioner Tamayo motioned to approve the Resolution approving the Issuance of the City of Pharr, Texas Higher Education Finance Authority Education Revenue Bonds (Idea Public Schools) Series 2009A to Finance and Refinance the Cost of Education Facilities for Idea Public Schools located and to be located in Cameron County and with respect to a public hearing.

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

AYE: Commissioner Benavides, Commissioner Wood, Commissioner Tamayo and Judge Pro-Tem Garza

NAY: None

ABSENT: Judge Cascos

**The Documentation is as follows:**

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**(J) DISCUSSION AND POSSIBLE ACTION REGARDING THE IMPLEMENTATION OF MANDATORY DIRECT PAYROLL DEPOSIT FOR ALL COUNTY EMPLOYEES. (MG-AUDITOR)**

Ms. Martha Galarza, County Auditor, informed the Court that direct deposit was first offered to County employees in 2006 and noted that presently approximately 40% of employees are not enrolled in direct deposit. She presented the cost associated with printing payroll checks and explained the proposed implementation procedure for mandatory direct deposit.

Ms. Galarza advised the Court that those employees who do not have a checking account can obtain a debit/pay source card from the bank of their choice and explained that the employees' pay would be immediately available on the card so that the employee would go to the bank to do a one-time free-of-charge withdrawal. She cautioned that any additional use of the debit/pay source card could result in additional fees.

Commissioner Tamayo expressed concern for those employees who do not make enough money to even open a checking account and inquired as to why 40% of employees are not enrolled in direct deposit.

Commissioner Benavides recommended that a survey be done to determine why such a large number of employees do not participate in direct deposit.

Ms. Galarza proposed that direct deposit be made mandatory for all new hires.

Commissioner Tamayo stated that she is reluctant to implement mandatory direct deposit for all new hires and added that she does not want to put a burden on County employees.

Judge Pro-Tem Garza instructed Ms. Galarza to meet with all elected officials and/or department heads to discuss mandatory direct payroll deposit in order to receive their feedback on this issue.

Ms. Galarza acknowledged that the reason 40% of employees are not enrolled in direct deposit may be due to the fact that they are not aware the program is available.

Commissioner Tamayo motioned to acknowledge the Report regarding the Implementation of mandatory Direct Payroll Deposit for all County Employees.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Documentation is as follows:**

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**(K) DISCUSSION AND POSSIBLE ACTION ON ISSUES RELATED TO THE “DOLPHIN COVE OYSTER BAR” REQUEST FOR PROPOSAL OR THE POSSIBLE DEVELOPMENT OF THE SITE IN ISLA BLANCA PARK. (JM-PARKS)**

Mr. Javier Mendez, Parks Director, advised the Court that the Parks Advisory Board met and unanimously voted such that the site known as the “Dolphin Cove Oyster Bar” be left as is and not be developed. He stated his recommendation to build new R.V. sites and asked for direction from the Court.

Commissioner Benavides expressed support for constructing new R.V. sites.

Mr. Mendez noted that the construction costs for the R.V. sites will be recouped within a year.

Commissioner Benavides motioned to designate the site known as the “Dolphin Cove Oyster Bar” for the construction of new R.V. sites.

Ms. Regina Zeuner, public resident, informed the Court that she is interested in reopening the “Dolphin Cove Oyster Bar” as a restaurant and asked the Court to consider going out for RFPs.

Commissioner Benavides inquired as to the cost of repairing the structure so that any prospective concessionaire would be able utilize the building.

Mr. Mendez replied that the cost of repairs depends on what type of business would be operated at the structure and stressed that the any prospective concessionaire would need to make a major financial investment especially if the concession is to be a restaurant.

Ms. Zeuner informed the Court that she has looked into the cost of repairing the structure and is financially able and willing to repair the site to reopen the restaurant.

Judge Pro-Tem Garza inquired as to the annual income from the “Dolphin Cove Oyster Bar” when it was in operation.

Mr. Mendez replied that the annual revenue generated from the “Dolphin Cove Oyster Bar” was approximately \$22,000.00 and added that the potential revenue of the new R.V. sites is estimated to be four times as much.

Commissioner Benavides motioned to designate the site known as the “Dolphin Cove Oyster Bar” for the construction of new R.V. sites as recommended by Mr. Javier Mendez, Parks Director.

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

AYE: Commissioner Benavides, Commissioner Tamayo and Judge Pro-Tem Garza

NAY: Commissioner Wood

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**(M) CONSIDERATION AND POSSIBLE ACTION REGARDING REIMBURSEMENTS FROM FEMA. (PSJ-ADMINISTRATOR) (NO ACTION TAKEN)**

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**(3) PUBLIC COMMENTS.**

Ms. Leticia Perez Garzoria commented on a recent visit she made to the Carrizales-Rucker Detention Center where she spoke with officers about the conditions at the Jail. She expressed concern over the inmate-to-jailer ratio, the lack of firearms for each jailer, the disproportion in salaries of the jailers, the large amount of overtime and the air quality at the Jail.

Judge Pro-Tem Garza advised Ms. Garzoria that the Jail and its' operations are under the control of the County Sheriff and the conditions at the Jail are monitored by the Texas Commission on Jail Standards.

Ms. Garzoria asked that the responsible parties be held accountable for the conditions at the Jail.



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There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 6:27 P.M.

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**APPROVED** this 8<sup>th</sup> day of **December 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**