

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 20th 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:

10:00 A.M.

CARLOS H. CASCOS, CPA
COUNTY JUDGE

SOFIA C. BENAVIDES
COMMISSIONER PRECINCT NO. 1

COMMISSIONER PRECINCT NO. 2

COMMISSIONER PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Aide A. Trejo Deputy Clerk

ABSENT:
JOHN WOOD

DAVID A. GARZA

=====
The meeting was called to order by Judge Cascos at 10:04 A.M. He asked for a moment of silence. Mr. David Garcia, Deputy County Administrator, 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 17, 2009 at 9:22 A.M.:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:05 A.M. to discuss the following matters:

(1) **EXECUTIVE SESSION:**

- (A) **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).**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 10:09 A.M. to discuss the following matters:

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

- (A) **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).**

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 Benavides and carried unanimously.

(3) **PUBLIC COMMENTS.**

None were presented.

CONSENT ITEMS

- (4) **ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY.**

Commissioner Tamayo motioned to approve the "Consent Items".

The motion was seconded by Commissioner Benavides and carried unanimously.

- (A) **CONSIDERATION AND AUTHORIZATION TO CONTINUE UTILIZATION OF SUNGARD BITECH FOR ANNUAL SUPPORT OF COUNTY FINANCIAL SOFTWARE PACKAGE AS A SOLE SOURCE PROVIDER. (MG-AUDITOR)**

The Documentation is as follows:

- (B) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF HUMBERTO BARRERA RESERVE DEPUTY CONSTABLE FOR PRECINCT 4 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:
- (C) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF DAVID SALINAS DEPUTY CONSTABLE FOR PRECINCT 7 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:
- (D) **CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TPASS/XEROX STATE CONTRACT TPASS 985-L2. (MG-LAW LIBRARY) (Contract No. 2009C11406)**
The Documentation is as follows:
- (E) **CONSIDERATION AND AUTHORIZATION TO ALLOW COMPASS BANK TO RELEASE SECURITIES HELD BY THE FEDERAL RESERVE BANK ON THE COUNTY'S BEHALF. (DAB-TREASURER)**
The Documentation is as follows:
- (F) **JUSTICE OF THE PEACE PRECINCT 5 PLACE 1 JUDGE SALLIE GONZALEZ TO TRAVEL TO AUSTIN, TEXAS, ON 1/10 TO 1/13/10, TO ATTEND THE 20 HOUR JUSTICE OF THE PEACE CONTINUING EDUCATION SEMINAR.**
The Documentation is as follows:
- (G) **JUSTICE OF THE PEACE PRECINCT 5 PLACE 1 STAFF (3): COURT ADMINISTRATOR PAT GARCIA, CLERK SANDRA DIAZ AND DATA ENTRY CLERK GABRIEL FLORES, TO TRAVEL TO SAN ANTONIO, TEXAS ON 3/24 TO 3/26/10, TO ATTEND THE EXPERIENCED COURT PERSONNEL SEMINAR.**
The Documentation is as follows:
- (H) **JUVENILE PROBATION DEPARTMENT STAFF (4): JJAEP ADMINISTRATOR KARLO RUIZ, TRAINING COORDINATOR LAURA TORRES, SHIFT SUPERVISOR IRAN GARZA AND LIEUTENANT JOSE ROSALES, TO TRAVEL TO FORT BENT, TEXAS ON 12/6 TO 12/7/09, TO ATTEND THE HANDLE WITH CARE INSTRUCTOR VERBAL TRAINING.**
The Documentation is as follows:

- (A) CONSIDERATION AND AUTHORIZATION TO CONTINUE UTILIZATION OF SUNGARD BITECH FOR ANNUAL SUPPORT OF COUNTY FINANCIAL SOFTWARE PACKAGE AS A SOLE SOURCE PROVIDER. (MG-AUDITOR)**
The Documentation is as follows:

(B) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF HUMBERTO BARRERA RESERVE DEPUTY CONSTABLE FOR PRECINCT 4 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:

(C) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF DAVID SALINAS DEPUTY CONSTABLE FOR PRECINCT 7 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:

- (D) CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TPASS/XEROX STATE CONTRACT TPASS 985-L2. (MG-LAW LIBRARY) (Contract No. 2009C11406)**
The Documentation is as follows:

- (E) CONSIDERATION AND AUTHORIZATION TO ALLOW COMPASS BANK TO RELEASE SECURITIES HELD BY THE FEDERAL RESERVE BANK ON THE COUNTY'S BEHALF. (DAB-TREASURER)**
The Documentation is as follows:

- (F) JUSTICE OF THE PEACE PRECINCT 5 PLACE 1 JUDGE SALLIE GONZALEZ TO TRAVEL TO AUSTIN, TEXAS, ON 1/10 TO 1/13/10, TO ATTEND THE 20 HOUR JUSTICE OF THE PEACE CONTINUING EDUCATION SEMINAR.
The Documentation is as follows:**

(G) JUSTICE OF THE PEACE PRECINCT 5 PLACE 1 STAFF (3): COURT ADMINISTRATOR PAT GARCIA, CLERK SANDRA DIAZ AND DATA ENTRY CLERK GABRIEL FLORES, TO TRAVEL TO SAN ANTONIO, TEXAS ON 3/24 TO 3/26/10, TO ATTEND THE EXPERIENCED COURT PERSONNEL SEMINAR.

The Documentation is as follows:

- (H) JUVENILE PROBATION DEPARTMENT STAFF (4): JJAEP ADMINISTRATOR KARLO RUIZ, TRAINING COORDINATOR LAURA TORRES, SHIFT SUPERVISOR IRAN GARZA AND LIEUTENANT JOSE ROSALES, TO TRAVEL TO FORT BENT, TEXAS ON 12/6 TO 12/7/09, TO ATTEND THE HANDLE WITH CARE INSTRUCTOR VERBAL TRAINING.
The Documentation is as follows:**

ACTION ITEMS

(5) ACTION ITEMS.

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

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

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

(B) APPROVAL OF CLAIMS.

Commissioner Benavides motioned to approve the Claims.

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

AYE: Commissioner Benavides and Commissioner Tamayo

NAY: None

ABSTAIN: Judge Cascos

The Claims are as follows:

(C) CONSIDERATION AND AUTHORIZATION TO EXEMPT FROM THE COUNTY PURCHASING ACT, SPECIFICALLY THE REQUIREMENTS OF V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.023, THE PURCHASE OF AND CONTRACT TO HOUSE COUNTY INMATES AT THE LCS CORRECTIONS SERVICES FACILITY IN HIDALGO COUNTY, PURSUANT TO AUTHORITY GRANTED IN SECTION 262.024 (a) (2). (DYV-LEGAL) (Order No. 2009O11060)

Commissioner Benavides motioned to approve authorization to exempt from the County Purchasing Act, specifically the requirements of V.T.C.A., Local Government Code, Section 262.023, the Purchase of and Contract to House County Inmates at the LCS Corrections Services Facility in Hidalgo County, pursuant to authority granted in Section 262.024 (a) (2).

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Order is as follows:

(D) CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH LCS CORRECTION SERVICES, INC. TO HOUSE COUNTY INMATES IN THEIR FACILITY IN HIDALGO COUNTY. (DYV-LEGAL) (Contract No. 2009C11407)

Commissioner Tamayo motioned to approve the Agreement with LCS Correction Services, Inc to house County Inmates in their facility in Hidalgo County.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Contract is as follows:

**(E) CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT
WITH RUBEN HERRERA TO REPRESENT DEFENDANTS IN THE
DIVERT COURT. (DJV-LEGAL) (Contract No. 2009C11408)**

Commissioner Benavides motioned to approve the Agreement with Ruben Herrera to Represent Defendants in the Divert Court.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Contract is as follows:

(F) CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN ROVAN CONSTRUCTION, COSTA RICA FOOD & SPIRITS AND CAMERON COUNTY TO ALLOW CONTRACTOR TEMPORARY USE OF A PORTION OF A 4.5 ACRE TRACT IN ANDY BOWIE PARK. (JM-PARKS) (Contract No. 2009C11410)

Commissioner Benavides motioned to approve the Agreement between Rován Construction, Costa Rica Food & Spirits and Cameron County to allow Contractor Temporary use of a portion of a 4.5 Acre Tract in Andy Bowie Park.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Contract is as follows:

(G) CONSIDERATION AND APPROVAL OF BEACH FRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR COSTA RICA FOOD AND SPIRIT'S AND FOR CAMERON COUNTY TO ALLOW THE CONSTRUCTION OF FOUR DUNES ALONG THE LINE OF VEGETATION ON A 5.0 ACRE TRACT IN ANDY BOWIE PARK. (JM-PARKS)

Commissioner Tamayo motioned to approve the Beach Front Construction Certificate and Dune Protection Permit for Costa Rica Food and Spirit's and for Cameron County to allow the Construction of Four Dunes along the Line of Vegetation on a 5.0 Acre Tract in Andy Bowie Park.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

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

Mr. Robert L. Lopez, Director of Administrative Services, reported that he met with John Buri, Consultant for Beck Disaster Recovery, and it was agreed to place a Beck Disaster Recovery staff member in Austin in order to further along the reimbursement process at no-cost to the County.

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

The motion was seconded by Commissioner Benavides and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 10:30 A.M.

APPROVED this 8th day of **December 2009**

CARLOS H. CASCOS, CPA
COUNTY JUDGE

ATTEST:

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