

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 28th day of December 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

JOHN WOOD
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:
DAVID A. GARZA



The meeting was called to order by Judge Cascos at 10:00 A.M. Mr. Jim Allison 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 December 23, 2009 at 1:18 P.M.:

ACTION ITEMS

(5) ACTION ITEMS.

(C) DISCUSSION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT BETWEEN CAMERON COUNTY AND ALLISON, BASS AND ASSOCIATES, LLP FOR REPRESENTATION IN CAMERON COUNTY ATTORNEY V. RICHARD BURST, ET AL; CAUSE NO. 2009-12-6895-H IN THE 444TH DISTRICT COURT OF CAMERON COUNTY, TEXAS AND OTHER MATTERS AS ASSIGNED BY COMMISSIONERS COURT AS PER ORDER 2006O08001. (PSJ-ADMINISTRATOR) (Contract No. 2009C12468)

Judge Cascos-“Mr. (Jim) Allison was contacted mainly for the reason that he has extensive knowledge and experience in dealing with County governments. I see Jim at, like most of you all, at many of our TAC (Texas Association of Counties) Conferences not only as a participant, but as a speaker on a regular basis. So with that I will entertain a motion to hire the law firm of Allison, Bass and Associates to represent us in this legal matter.”

Commissioner Wood-“So moved.”

Commissioner Tamayo-“Second.”

Judge Cascos-“Moved by Commissioner Wood, seconded by Commissioner Tamayo. Any discussion?
All those in favor please signify by saying ‘aye’.”

Commissioner Benavides, Commissioner Wood, Commissioner Tamayo and Judge Cascos-“Aye.”

Judge Cascos-“Any opposed? Item carries.”

The Agreement is as follows:

(D) DISCUSSION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT BETWEEN CAMERON COUNTY AND THE LAW OFFICES OF ERNESTO GAMEZ, JR., P.C. FOR LOCAL COUNSEL REPRESENTATION IN CAMERON COUNTY ATTORNEY V. RICHARD BURST, ET AL; CAUSE NO. 2009-12-6895-H IN THE 444TH DISTRICT COURT OF CAMERON COUNTY, TEXAS AND OTHER MATTERS AS ASSIGNED BY COMMISSIONERS COURT AS PER ORDER 2006O08001. (PSJ-ADMINISTRATOR) (Contract No. 2009C12469)

Judge Cascos-"The reason that I contacted Mr. (Ernesto) Gamez's Office would be to have somebody local to take care of any type of local representation in conjunction with Mr. Allison to avoid having Mr. Allison to drive down or fly down for routine matters. With that, I entertain a motion for approval."

Commissioner Tamayo-"So moved."

Commissioner Benavides-"So moved."

Judge Cascos-"Moved by Commissioner Tamayo, seconded by Commissioner Benavides. Any further discussion? All those in favor please signify by saying 'aye'."

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

Judge Cascos-"Any opposed? Item carries."

The Agreement is as follows:

(E) DISCUSSION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT BETWEEN CAMERON COUNTY AND BRIAN G. JANIS, P.C., ATTORNEY AT LAW FOR REPRESENTATION ON MATTERS AS ASSIGNED BY COMMISSIONERS COURT AS PER ORDER 2006O08001. (PSJ-ADMINISTRATOR) (Contract No. 2009C12470)

Judge Cascos-“The reason for Mr. Brian Janis would be to-if it should come about that we need any type of daily consultation regarding contracts or any other issues that may come before us, we have somebody that not only has been with the DA’s Office and has represented this Commissioners’ Court in its’ civil matters way, way long time ago when Brian was just a youngster, but nonetheless I believe that we need someone to be here on the day-to-day activities. So with that, I entertain a motion for approval.”

Commissioner Benavides-“So moved.”

Commissioner Tamayo-“Second.”

Judge Cascos-“Moved by Commissioner Benavides, seconded by Commissioner Tamayo. Any discussion? All those in favor please signify by saying ‘aye’.”

Commissioner Benavides, Commissioner Wood, Commissioner Tamayo and Judge Cascos-“Aye.”

Judge Cascos-“Any opposed? Item carries.”

The Agreement is as follows:

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) CONSULTATION WITH ATTORNEY CONCERNING PENDING LITIGATION IN CAMERON COUNTY ATTORNEY V. RICHARD BURST, ET AL; CAUSE NO. 2009-12-6895-H IN THE 444TH DISTRICT COURT OF CAMERON COUNTY, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 AND SECTION 551.129 (CONSULTATION WITH ATTORNEY).**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 11:00 A.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONSULTATION WITH ATTORNEY CONCERNING PENDING LITIGATION IN CAMERON COUNTY ATTORNEY V. RICHARD BURST, ET AL; CAUSE NO. 2009-12-6895-H IN THE 444TH DISTRICT COURT OF CAMERON COUNTY, TEXAS, PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 AND SECTION 551.129 (CONSULTATION WITH ATTORNEY).**

Commissioner Tamayo motioned to acknowledge the Report of Counsels 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.

Ms. Rebecca Gomez commented on the lawsuit filed by the District Attorney and expressed her opposition for the Civil counsel of the Commissioners' Court to be under the control of the District Attorney.

Ms. Martha Shears agreed with Ms. Rebecca Gomez and expressed her belief that the District Attorney should leave matters as is.

Mr. Ernesto de Leon wished the Court and audience a Happy New Year and commended the Court for the work they have done this past year.

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.**

DISCUSSION CONCERNING CONSENT ITEMS:

Consent Item No. 4 (B):

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

Commissioner Wood motioned to TABLE Consent Item No. 4 (B).

The motion was seconded by Commissioner Tamayo and carried unanimously.

Commissioner Tamayo motioned to approve the remaining "Consent Items".

The motion was seconded by Commissioner Benavides and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF SUPPLEMENTAL WORK AUTHORIZATION NO. 1 TO WORK AUTHORIZATION NO. 7 FOR THE COLONIA PROJECTS CONTRACT NO. 2008C10364. (PSJ-ADMINISTRATOR) (Contract No. 2009C12467)**
The Documentation is as follows:

- (B) **CONSIDERATION AND AUTHORIZATION TO PARTICIPATE IN THE TEXAS PROCUREMENT & SUPPORT SERVICES CO-OPERATIVE PURCHASING PROGRAM TO APPLY FOR A CREDIT CARD TO BE USED SOLELY FOR THE PURCHASE OF AIRLINE TICKETS THROUGH THE COUNTIES APPROVED TRAVEL AGENCY. (MG-AUDITOR) (TABLED)**

- (C) **TAX ASSESSOR AND STAFF (1): ADMINISTRATIVE ASSISTANT RICK CAMARILLO, TO TRAVEL TO DALLAS, TEXAS, ON 1/3 TO 1/5/10, TO MEET WITH DALLAS COUNTY TAX ASSESSOR-COLLECTOR REGARDING THE IMPLEMENTATION OF A SCOFFLAW PROGRAM.**
The Documentation is as follows:

- (A) **CONSIDERATION AND APPROVAL OF SUPPLEMENTAL WORK AUTHORIZATION NO. 1 TO WORK AUTHORIZATION NO. 7 FOR THE COLONIA PROJECTS CONTRACT NO. 2008C10364. (PSJ-ADMINISTRATOR) (Contract No. 2009C12467)**
The Documentation is as follows:

- (C) TAX ASSESSOR AND STAFF (1): ADMINISTRATIVE ASSISTANT RICK CAMARILLO, TO TRAVEL TO DALLAS, TEXAS, ON 1/3 TO 1/5/10, TO MEET WITH DALLAS COUNTY TAX ASSESSOR-COLLECTOR REGARDING THE IMPLEMENTATION OF A SCOFFLAW PROGRAM.
The Documentation is as follows:**

ACTION ITEMS

(5) ACTION ITEMS.

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

Upon motion by Commissioner Wood, 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 Tamayo motioned to approve the Claims.

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

AYE: Commissioner Benavides, Commissioner Wood and Commissioner Tamayo

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00231326, made payable to Laguna Madre Water District, in the amount of \$72.03 and Warrant No. 00231351, made payable to Public Utilities Board, in the amount of \$5,378.33.

The Claims and Affidavits are as follows:

There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 11:14 A.M.

APPROVED this 21st day of **January 2010**

CARLOS H. CASCOS, CPA
COUNTY JUDGE

ATTEST:

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