

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 9th day of March 2010, 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:

8:00 A.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:

NOTE: Commissioner Benavides was not present when the Meeting was called to order.

The meeting was called to order by Judge Cascos at 8:02 A.M. He asked for a moment silence. Mr. Eduardo Campirano, Brownsville Navigation District Port 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 March 5, 2010 at 1:18 P.M.:

CONSENT ITEMS

(4) CONSENT ITEMS.

(CC) RECONSIDERATION AND POSSIBLE APPROVAL OF UTILITY EASEMENT TO THE BROWNSVILLE NAVIGATION DISTRICT (CONTRACT NO. 2010C02045). (JM-PARKS)

Mr. Eduardo Campirano, Brownsville Navigation District Port Director, explained that the Brownsville Navigation District will be installing a security camera on their property and the easement is needed so that camera can be connected to the electricity. He stated that the camera is being acquired through a Homeland Security grant and noted that the Emergency Management Department and the Sheriff's Office will be able to access the video if needed for any law enforcement use.

Ms. Dylbia Jeffries-Vega, Legal Counsel, advised the Court that the easement does allow the County access to the video to the extent allowed by Homeland Security and asked for clarification as to who makes that determination.

Mr. Pete Sepulveda, County Administrator, replied that most likely Homeland Security will be determining who will have access to the video. He noted that the Constable's Office will also require access.

Judge Cascos recommended that the easement be amended to include all law enforcement departments.

Commissioner Garza motioned to approve the Utility Easement to the Brownsville Navigation District (Contract No. 2010C02045) with the amendment that all law enforcement departments have accessibility to the video.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 8:07 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).**
 - (B) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING THE U.S. MARSHALS SERVICE CAP AGREEMENT FOR HOUSING FEDERAL INMATES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
 - (C) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING JAVIER BERMUDEZ VS. REYNALDO GONZALEZ, JR., CAMERON COUNTY, AND OMAR LUCIO, SHERIFF, IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS; CIVIL ACTION NO. B-10-01, FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND SHERIFF OMAR LUCIO, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071 (1)(A) &(2).**
 - (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING THE CONCESSION AGREEMENT WITH SOUTH PADRE ISLAND WATER PARK, LTD, PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 8:15 A.M. to discuss the following matters:

NOTE: Commissioner Benavides joined the Meeting when the Court reconvened into Regular Session.

- (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 Counsel.

The motion was seconded by Commissioner Wood and carried unanimously.

- (B) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING THE U.S. MARSHALS SERVICE CAP AGREEMENT FOR HOUSING FEDERAL INMATES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Commissioner Wood motioned to acknowledge the Report of Counsel.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (C) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING JAVIER BERMUDEZ VS. REYNALDO GONZALEZ, JR., CAMERON COUNTY, AND OMAR LUCIO, SHERIFF, IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS; CIVIL ACTION NO. B-10-01, FOR AUTHORITY TO REPRESENT CAMERON COUNTY AND SHERIFF OMAR LUCIO, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071 (1)(A) &(2).**

Commissioner Garza motioned to authorize the representation of Mr. Omar Lucio in his individual and official capacity by the Civil Division.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING THE CONCESSION AGREEMENT WITH SOUTH PADRE ISLAND WATER PARK, LTD, PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.072.**

Commissioner Wood motioned to acknowledge the Report of Counsel and Mr. Pete Sepulveda, County Administrator.

The motion was seconded by Commissioner Garza 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.**

DISCUSSION CONCERNING CONSENT ITEMS:

Consent Item No. 4 (A):

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

Consent Item No. 4 (P):

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

Consent Item No. 4 (W):

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

Consent Item No. 4 (Z):

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

Commissioner Tamayo motioned to approve the "Consent Items", excluding Consent Items No. 4 (P), (Z) and (CC) and tabling Consent Items No. 4 (A) and (W).

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

AYE: Commissioner Benavides, Commissioner Wood, Commissioner Tamayo and Judge Cascos

NAY: None

ABSTAIN: Commissioner Garza as to Consent Item No. 4 (C)

- (A) **CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY AND THE BROWNSVILLE PUBLIC UTILITIES BOARD. (PSJ-ADMINISTRATOR) (TABLED)**
- (B) **CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY, THE CITY OF BROWNSVILLE AND THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT. (PSJ-ADMINISTRATOR) (Contract No. 2010C03082)**
The Agreement is as follows:
- (C) **CONSIDERATION AND APPROVAL OF COST PROPOSAL FOR CONSTRUCTION MATERIAL TESTING SERVICES WITH L & G ENGINEERING LABORATORY FOR THE CARRIZALEZ-RUCKER DETENTION CENTER EXPANSION. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:
- (D) **CONSIDERATION AND APPROVAL OF A RESOLUTION SUPPORTING THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY'S SUBMITTAL OF A PASS THROUGH FINANCE APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE GENERAL BRANDT ROAD PROJECT. (PSJ-ADMINISTRATOR) (Resolution No. 2010R03018)**
The Resolution is as follows:
- (E) **CONSIDERATION AND APPROVAL OF A RESOLUTION SUPPORTING THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY'S SUBMITTAL OF A PASS THROUGH FINANCE APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE EAST LOOP PROJECT. (PSJ-ADMINISTRATOR) (Resolution No. 2010R03024)**
The Resolution is as follows:
- (F) **CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND VAN WAGNER FOR THE USE OF THE COUNTY AIRPORT. (PSJ-ADMINISTRATOR) (Contract No. 2010C03083)**
The Agreement is as follows:
- (G) **CONSIDERATION AND AUTHORIZATION TO EXEMPT THE COMPTROLLER OF PUBLIC ACCOUNTS GRANT AGREEMENT FOR THE DISTRIBUTED RENEWABLE ENERGY TECHNOLOGY PROGRAM FROM THE ORDER ESTABLISHING CONTRACT APPROVAL PROCEDURES, ORDER NO. 2009O4013. (RL-ADMINISTRATIVE SERVICES)**
- (H) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE COMPTROLLER OF PUBLIC ACCOUNTS GRANT AGREEMENT FOR THE DISTRIBUTED RENEWABLE ENERGY TECHNOLOGY PROGRAM. (RL-ADMINISTRATIVE SERVICES) (Contract No. 2010C03084)**
The Agreement is as follows:
- (I) **CONSIDERATION AND APPROVAL OF PERSONAL SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND CONTRACTOR, ROBERTO ZAMORANO, JR., OPERATING UNDER SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA). (MG-AUDITOR) (Contract No. 2010C03085)**
The Agreement is as follows:
- (J) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF CARLOS L. MARTINEZ JR., RESERVE DEPUTY CONSTABLE FOR PCT. #1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE RESERVE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLES PRECINCT. (MV-HUMAN RESOURCES)**
The Documentation is as follows:
- (K) **CONSIDERATION AND APPOINTMENT OF MR. GABRIEL J. GODINES TO THE CAMERON COUNTY HISTORICAL COMMISSION BOARD OF DIRECTORS. (CHC-JUDGE)**
The Documentation is as follows:
- (L) **CONSIDERATION AND AUTHORIZATION TO PURCHASE A DESKTOP COMPUTER, MONITOR, LAPTOP COMPUTER AND LICENSES FROM THE TECHNOLOGY FUND TO REPLACE THE ONE**

OBSOLETE LAPTOP (TOSHIBA) BEING USED EXCLUSIVELY BY JUDGE SALLIE GONZALEZ IN HER OFFICE. (SG-JP 5-1)

The Documentation is as follows:

- (M) CONSIDERATION AND AUTHORIZATION TO PURCHASE MOTOROLA RADIOS UTILIZING THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENT (HGAC) INTERLOCAL COOPERATIVE PURCHASING AGREEMENT VIA MOTOROLA AUTHORIZED REPRESENTATIVE TRI-COUNTY. (TR-JUVENILE PROBATION)**

The Documentation is as follows:

- (N) CONSIDERATION AND AUTHORIZATION TO PURCHASE UPGRADES FOR MOTOROLA RADIOS UTILIZING THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENT (HGAC) INTERLOCAL COOPERATIVE PURCHASING AGREEMENT VIA MOTOROLA AUTHORIZED REPRESENTATIVE TRI-COUNTY FOR JUVENILE PROBATION DETENTION AND BOOT CAMP. (TR-JUVENILE PROBATION)**

The Documentation is as follows:

- (O) CONSIDERATION AND POSSIBLE APPROVAL OF LICENSE AGREEMENT BETWEEN CAMERON COUNTY AND JUAN ZAPATA FOR THE USE OF COUNTY OWNED PROPERTY BEGINNING MARCH 25, 2010 AND ENDING MARCH 24, 2011. (DJV-LEGAL) (Contract No. 2010C03078)**

The Agreement is as follows:

- (P) CONSIDERATION AND AUTHORIZATION TO EXECUTE A MAINTENANCE AGREEMENT CONTRACT NO. (2010C03080) WITH THE STATE OF TEXAS, TEXAS DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE AND OPERATION OF THE LIGHTING ON THE QUEEN ISABELLA MEMORIAL CAUSEWAY. (JM-PARKS) (ACTION TAKEN SEPARATELY)**

- (Q) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT (CONTRACT NO. 2010C03079) BETWEEN CAMERON COUNTY AND MAGIC VALLEY RIDERS M/C, INC. FOR THE USE OF ANDY BOWIE PARK FOR THE 7TH ANNUAL BEACH N BIKER FEST 2010. (JM-PARKS) (Contract No. 2010C03079)**

The Agreement is as follows:

- (R) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF LOS FRESNOS TO OPERATE AND MAINTAIN A SEWAGE FACILITY SYSTEM AT LAURELES COMMUNITY PARK. (JM-PARKS) (Contract No. 2010C03071)**

The Agreement is as follows:

- (S) CONSIDERATION AND AUTHORIZATION TO ISSUE A BEACH VENDOR PERMIT FOR JOSE A. PAEZ TO SELL SUN GLASSES ON THE PUBLIC BEACH. (JM-PARKS)**

The Documentation is as follows:

- (T) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR THE LAGUNA HEIGHTS WATERLINE IMPROVEMENT PROJECT (TCDP CONTRACT NO. 729101). (FB-PD&M)**

The Documentation is as follows:

- (U) CONSIDERATION AND ISSUANCE OF ORDER APPROVING THE TREASURER'S REPORT FOR THE SEPTEMBER 2009 TERM. (DAB-TREASURER)**

The Documentation is as follows:

- (V) AUDITORS OFFICE STAFF (2): ASSISTANT AUDITORS RAFAEL GARCIA AND SERGIO VILLASANA, TO TRAVEL TO AUSTIN, TEXAS, ON 5/2 TO 5/7/10, TO ATTEND THE COUNTY AUDITORS INSTITUTE AND NEW COUNTY AUDITORS TRAINING.**

The Documentation is as follows:

- (W) AUDITOR MARTHA GALARZA AND ASSISTANT AUDITOR XAVIER VILLARREAL TO TRAVEL TO AUSTIN, TEXAS, ON 5/4 TO 5/7/10, TO ATTEND THE COUNTY AUDITORS INSTITUTE AND NEW COUNTY AUDITORS TRAINING. (TABLED)**

- (X) **BUILDING MAINTENANCE DIRECTOR TO TRAVEL TO AUSTIN, TEXAS, ON 4/7 TO 4/9/10 TO ATTEND AND PARTICIPATE IN THE 2010 TEXAS HISTORIC COMMISSION COURTHOUSE WORKSHOP.**
The Documentation is as follows:
- (Y) **DISTRICT CLERK STAFF (2): DEPUTY CLERKS ERICK GARZA AND ARNULFO VARGAS, TO TRAVEL TO AUSTIN, TEXAS, ON 4/27 TO 4/28/10, TO ATTEND THE ODYSSEY SUPPORT MEETING.**
The Documentation is as follows:
- (Z) **DISTRICT CLERK AURORA DE LA GARZA , TO TRAVEL TO ROUND ROCK, TEXAS, ON 4/27 TO 4/30/10, TO ATTEND THE 2010 COUNTY AND DISTRICT CLERKS' LEGAL EDUCATION CONFERENCE. (ACTION TAKEN SEPARATELY)**
- (AA) **JUSTICE OF THE PEACE PRECINCT 5 PLACE 1 JUDGE AND STAFF (4): COURT ADMINISTRATOR PAT GARCIA, BAILIFF ELOY GARCIA AND COURT CLERKS GABRIEL FLORES AND SANDRA DIAZ, TO TRAVEL TO RICHARDSON, TEXAS, ON 4/5 TO 4/8/10, TO ATTEND THE NETDATA USER'S CONFERENCE.**
The Documentation is as follows:
- (BB) **PUBLIC WORKS DIVISION STAFF (4): CONSTRUCTION FOREMAN SANTANA VALLEJO, VEHICLE MAINTENANCE SUPERVISOR LEE LOZANO AND EQUIPMENT OPERATORS RAMON ANAYA AND EDGAR VALLEJO, TO TRAVEL TO CORPUS CHRISTI, TEXAS ON 3/17 TO 3/18/10, TO ATTEND THE PAVING SEMINAR COVERING TECHNICAL ASPECTS OF PAVING AND COMPACTION EQUIPMENT.**
The Documentation is as follows:
- (CC) **RECONSIDERATION AND POSSIBLE APPROVAL OF UTILITY EASEMENT TO THE BROWNSVILLE NAVIGATION DISTRICT (CONTRACT NO. 2010C02045). (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (DD) **CONSIDERATION AND APPROVAL TO PURCHASE 15 LEGEND LIGHT BARS - VENDOR MIDWAY AUTO SUPPLY THROUGH TCPA, STATE CONTRACT #055-N1 (UTILIZING JAG DIRECT GRANT). (OL-SHERIFF)**
The Documentation is as follows:

- (B) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY, THE CITY OF BROWNSVILLE AND THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT. (PSJ-ADMINISTRATOR) (Contract No. 2010C03082)**
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The Documentation is as follows:

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The Documentation is as follows:

- (V) **AUDITORS OFFICE STAFF (2): ASSISTANT AUDITORS RAFAEL GARCIA AND SERGIO VILLASANA, TO TRAVEL TO AUSTIN, TEXAS, ON 5/2 TO 5/7/10, TO ATTEND THE COUNTY AUDITORS INSTITUTE AND NEW COUNTY AUDITORS TRAINING.
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The Documentation is as follows:

- (Y) **DISTRICT CLERK STAFF (2): DEPUTY CLERKS ERICK GARZA AND ARNULFO VARGAS, TO TRAVEL TO AUSTIN, TEXAS, ON 4/27 TO 4/28/10, TO ATTEND THE ODYSSEY SUPPORT MEETING. The Documentation is as follows:**

(AA) JUSTICE OF THE PEACE PRECINCT 5 PLACE 1 JUDGE AND STAFF (4): COURT ADMINISTRATOR PAT GARCIA, BAILIFF ELOY GARCIA AND COURT CLERKS GABRIEL FLORES AND SANDRA DIAZ, TO TRAVEL TO RICHARDSON, TEXAS, ON 4/5 TO 4/8/10, TO ATTEND THE NETDATA USER'S CONFERENCE.

The Documentation is as follows:

- (BB) PUBLIC WORKS DIVISION STAFF (4): CONSTRUCTION FOREMAN SANTANA VALLEJO, VEHICLE MAINTENANCE SUPERVISOR LEE LOZANO AND EQUIPMENT OPERATORS RAMON ANAYA AND EDGAR VALLEJO, TO TRAVEL TO CORPUS CHRISTI, TEXAS ON 3/17 TO 3/18/10, TO ATTEND THE PAVING SEMINAR COVERING TECHNICAL ASPECTS OF PAVING AND COMPACTION EQUIPMENT.
The Documentation is as follows:**

- (DD) CONSIDERATION AND APPROVAL TO PURCHASE 15 LEGEND LIGHT BARS - VENDOR MIDWAY AUTO SUPPLY THROUGH TCPA, STATE CONTRACT #055-N1 (UTILIZING JAG DIRECT GRANT). (OL-SHERIFF)**
The Documentation is as follows:

CONSENT ITEMS

(4) CONSENT ITEMS.

(P) CONSIDERATION AND AUTHORIZATION TO EXECUTE A MAINTENANCE AGREEMENT CONTRACT NO. (2010C03080) WITH THE STATE OF TEXAS, TEXAS DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE AND OPERATION OF THE LIGHTING ON THE QUEEN ISABELLA MEMORIAL CAUSEWAY. (JM-PARKS) (Contract No. 2010C03080)

Mr. Pete Sepulveda, County Administrator, read Article 3, Letter 'E' of the Agreement: "Should disputes arise as to the parties' obligations under this Agreement, the State's decision shall be final and binding".

Ms. Dylbia Jeffries-Vega, Legal Counsel, recommended that the language under Letter 'E' be removed.

Commissioner Garza motioned to approve the Maintenance Agreement with the State of Texas, Texas Department of Transportation for the Maintenance and Operation of the Lighting on the Queen Isabella Memorial Causeway with the modification of removing Article 3, Letter 'E' from the Agreement.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Agreement is as follows:

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- (Z) **DISTRICT CLERK AURORA DE LA GARZA , TO TRAVEL TO ROUND ROCK, TEXAS, ON 4/27 TO 4/30/10, TO ATTEND THE 2010 COUNTY AND DISTRICT CLERKS' LEGAL EDUCATION CONFERENCE. (TABLED)**

Ms. Martha Galarza, County Auditor, advised the Court that the District Clerk has already exceeded her required number of continuing education hours.

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Tamayo and carried unanimously.

ACTION ITEMS

(5) **ACTION ITEMS.**

- (A) **BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES. (NO ACTION TAKEN)**

Ms. Martha Galarza stated that there are no budget amendments, line item transfers and/or salary schedules.

(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, Commissioner Garza and Commissioner Tamayo

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00234875, made payable to Public Utilities Board, in the amount of \$54,816.95.

The Claims and Affidavit are as follows:

(C) CONSIDERATION AND APPROVAL OF THE EARLY VOTING POLLING LOCATIONS FOR THE DEMOCRATIC PRIMARY RUNOFF AND THE REPUBLICAN PRIMARY RUNOFF ELECTIONS OF APRIL 13, 2010. (RO-ELECTIONS)

Mr. Roger Ortiz, Elections Administrator, advised the Court that he is pending confirmation from the Harlingen School District in regards to changing the Early Voting Location from the Harlingen Cameron County Annex Building to another location yet to be determined. He noted that the locations being discussed are the Old Federal Programs Building, Travis Elementary and Bowie Elementary.

Commissioner Garza recommended using the Old Annex Building.

Mr. Robert L. Lopez, Director of Administrative Services, stated that the utilities at the Old Annex Building have been disconnected and can be reconnected within a few weeks if the Court so wishes.

Commissioner Tamayo motioned to approve the Early Voting Polling Locations for the Democratic Primary Runoff and the Republican Primary Runoff Elections of April 13, 2010 subject to confirmation from the Harlingen School District.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(D) RECONSIDERATION AND POSSIBLE APPROVAL OF THE AMENDED SERVICES AGREEMENT, CONTRACT #2009C02044 FROM TIME WARNER CABLE. (RL-ADMINISTRATIVE SERVICES)

Mr. Robert L. Lopez, Director of Administrative Services, explained that this Agreement has been previously approved by the Court with the exclusion of certain language and Time Warner Cable is requesting that the language be included in the Agreement.

Ms. Dylbia Jeffries-Vega, Legal Counsel, advised the Court that the language removed involves arbitration.

Mr. Lopez noted that the Agreement is to provide cable services to all jury rooms and chambers at the Judicial Building.

Commissioner Wood motioned to approve the Amended Services Agreement, Contract #2009C02044 from Time Warner Cable.

The motion was seconded by Commissioner Benavides.

Commissioner Garza expressed concern for providing cable services to all jury rooms and chambers and recommended that service be provided to only the jury rooms.

Commissioner Wood motioned to approve the Amended Services Agreement, Contract #2009C02044 from Time Warner Cable.

The motion was seconded by Commissioner Benavides and the vote was as follows:

AYE: Commissioner Benavides and Commissioner Wood

NAY: Commissioner Garza, Commissioner Tamayo and Judge Cascos

The motion died by a vote of (2) to (3).

Commissioner Garza motioned to approve the Amended Services Agreement, Contract #2009C02044 from Time Warner Cable as written providing cable services to the jury rooms including the Central Jury Room.

Commissioner Tamayo asked for clarification as to the number of jury rooms.

Commissioner Wood recommended that those elected officials wanting cable be allowed to obtain service under this Agreement and then reimburse the County the cost of their portion for service.

Mr. Lopez responded that he has had discussions with the County Auditor in regards to elected officials reimbursing the County for cable services.

Judge Cascos recommended that any elected official wanting cable services pay for the service themselves.

Commissioner Garza recommended that the elected official wanting cable services under this Agreement pay for the service in full for (4) years.

Commissioner Garza motioned to approve the Amended Services Agreement, Contract #2009C02044 from Time Warner Cable as written providing cable services to the jury rooms including the Central Jury Room.

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

AYE: Commissioner Garza, Commissioner Tamayo and Judge Cascos

NAY: Commissioner Benavides and Commissioner Wood

The Documentation is as follows:

(E) **CONSIDERATION AND APPROVAL OF YATES CONSTRUCTION IOCC NO. 30 IN THE AMOUNT OF \$3,354 FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2010O3010)**

(F) **CONSIDERATION AND APPROVAL OF YATES CONSTRUCTION IOCC NO. 31 IN THE AMOUNT OF \$5,242 FOR THE CARRIZALEZ-RUCKER ADDITION PROJECT. (PSJ-ADMINISTRATOR) (Order No. 2010O3011)**

Mr. Hondo Garcia explained that IOCC No. 30 is concerning electrical conduits and IOCC No. 31 is for reimbursement of utilities costs.

Commissioner Garza asked if the issue with the electrical conduit is a design flaw.

Mr. Garcia replied that there were 4 large conduits that were buried and consequently were not visible during the initial walk-through.

Commissioner Benavides motioned to approve the Yates Construction IOCC No. 30 in the amount of \$3,354 and the Yates Construction IOCC No. 31 in the amount of \$5,242 for the Carrizalez-Rucker Addition Project.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

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

Mr. Robert L. Lopez, Director of Administrative Services, reported that there is no new information.

There being no further business to come before the Court, upon motion by Commissioner Benavides,
seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 8:46 A.M.

APPROVED this 30th day of **March 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**