

THE STATE OF TEXAS §

COUNTY OF CAMERON §

**BE IT REMEMBERED** on the 18<sup>th</sup> day of March 2010, there was conducted a **REGULAR Meeting** of the **Honorable Commissioners' Court of Cameron County, Texas**, at the **Courthouse thereof, in the City of Brownsville, Texas**, for the purpose of transacting any and all business that may lawfully be brought before the same.

**THE COURT MET AT:**

**PRESENT:**

**5:00 P.M.**

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

**SOFIA C. BENAVIDES**  
**COMMISSIONER PRECINCT NO. 1**

**JOHN WOOD**  
**COMMISSIONER PRECINCT NO. 2**

**COMMISSIONER PRECINCT NO. 3**

**EDNA TAMAYO**  
**COMMISSIONER PRECINCT NO. 4**

**JOE G. RIVERA**  
**COUNTY CLERK**

**Aide A. Trejo** **Deputy Clerk**

**ABSENT:**  
**DAVID A. GARZA**

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The meeting was called to order by Judge Cascos at 5:02 P.M. He then asked for a moment of silence. Senator Eddie Lucio Jr. 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 15, 2010 at 1:46 P.M.:

## **PRESENTATIONS**

**(4) PRESENTATIONS/RESOLUTIONS.**

**(A) PRESENTATION BY SENATOR EDDIE LUCIO JR., TO THE COMMISSIONERS' COURT.  
(JW-COMM. PCT. 2) (NO ACTION TAKEN)**

Senator Eddie Lucio Jr. read and presented Senate Proclamation 249 recognizing Cameron County Commissioner Sofia C. Benavides on receiving the Zonta Club 2010 Woman of the Year Award.

## **CONSENT ITEMS**

**(5) CONSENT ITEMS.**

**(FF) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE. (PSJ-ADMINISTRATOR)  
(Contract No. 2010C03094)**

Mr. Pete Sepulveda, County Administrator, explained that the Interlocal Agreement will provide (50) sabal palms to the City of Brownsville for use in landscaping near a newly construction retention pond.

Commissioner Wood motioned to approve the Interlocal Agreement between Cameron County and the City of Brownsville.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Agreement is as follows:**

## **EXECUTIVE SESSION**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 5:16 P.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 444<sup>TH</sup> 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 POSSIBLE LITIGATION REGARDING TOMAC OF FLORIDA, INC. D/B/A GLOBAL RESTORATION GROUP AGAINST CAMERON COUNTY AND CAS COMPANIES, LP IN THE U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT-BROWNSVILLE DIVISION, CIVIL ACTION NO. B-06-169, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (2).**
  - (C) **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.**
  - (D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING SETTLEMENT OFFER, CIVIL ACTION NO. 08-CV-466; U.S. DISTRICT COURT, FOR THE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF ARMY KNOWN AS: TRACK NO. RGV-HRL-1002-1, LOCATED IN LA FERIA GRANT, CAMERON COUNTY, TEXAS AND BEING A PORTION OF BLOCK 21, RIVER DRIVE SUBDIVISION BEING 0.76 ACRE TRACT AND TRACK NO. RGV-HRL-1002-2, LOCATED IN LA FERIA GRANT, CAMERON COUNTY, TEXAS AND BEING A PORTION OF BLOCK 21, RIVER DRIVE SUBDIVISION BEING 0.78 ACRE TRACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 550.071(1)(b).**

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Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 5:32 P.M. to discuss the following matters:

**NOTE: Commissioner Wood did not return to 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 444<sup>TH</sup> 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 Benavides and carried unanimously.

- (B) **CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING POSSIBLE LITIGATION REGARDING TOMAC OF FLORIDA, INC. D/B/A GLOBAL RESTORATION GROUP AGAINST CAMERON COUNTY AND CAS COMPANIES, LP IN THE U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT-BROWNSVILLE DIVISION, CIVIL ACTION NO. B-06-169, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A) & (2).**

Commissioner Benavides motioned to acknowledge the Report of Counsel and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(C) **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 Tamayo motioned to acknowledge the Report of the County Administrator.

The motion was seconded by Commissioner Benavides and carried unanimously.

(D) **DELIBERATION REGARDING REAL PROPERTY CONCERNING SETTLEMENT OFFER, CIVIL ACTION NO. 08-CV-466; U.S. DISTRICT COURT, FOR THE SALE OF CAMERON COUNTY OWNED PROPERTIES TO THE U.S. DEPARTMENT OF ARMY KNOWN AS: TRACK NO. RGV-HRL-1002-1, LOCATED IN LA FERIA GRANT, CAMERON COUNTY, TEXAS AND BEING A PORTION OF BLOCK 21, RIVER DRIVE SUBDIVISION BEING 0.76 ACRE TRACT AND TRACK NO. RGV-HRL-1002-2, LOCATED IN LA FERIA GRANT, CAMERON COUNTY, TEXAS AND BEING A PORTION OF BLOCK 21, RIVER DRIVE SUBDIVISION BEING 0.78 ACRE TRACT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 550.071(1)(b).**

Commissioner Benavides motioned to motioned to acknowledge the Report of the County Administrator and to approve authorization to proceed along the terms and conditions as discussed in Executive Session.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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(3) **PUBLIC COMMENTS.**

None were presented.

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## **PRESENTATIONS**

(4) **PRESENTATIONS/RESOLUTIONS.**

(B) **PRESENTATION OF A PROCLAMATION DECLARING FEBRUARY 19, 2010, AS "NARCONON DAY" IN CAMERON COUNTY, TEXAS. (CHC-JUDGE) (NO ACTION TAKEN)**

Judge Cascos read and presented the proclamation declaring February 19, 2010, as "Narconon Day" in Cameron County, Texas.

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(C) **PRESENTATION BY KEN WETHE, INDEPENDENT INSURANCE CONSULTANT FOR CAMERON COUNTY SELF FUNDED HEALTH BENEFITS PLAN, ON EXPENSES VS. BUDGET FOR OCTOBER 1, 2009 – DECEMBER 31, 2009. (MV-HUMAN RESOURCES)**

Mr. Ken Wethe reported that the per-member per-month "Fixed Costs" and "Paid Claims" decreased slightly from October 1-December 31, 2009. He also noted that the Fund Balance gained \$285,663 during the same time period bringing the total Fund Balance to \$2.6 million.

Commissioner Tamayo motioned to acknowledge the Presentation by Ken Wethe, Independent Insurance Consultant for Cameron County Self Funded Health Benefits Plan, on Expenses vs. Budget for October 1, 2009 – December 31, 2009.

The motion was seconded by Commissioner Benavides 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 (V), (Z) and (AA):**

Mr. Pete Sepulveda, County Administrator, asked to discuss these items separately.

Commissioner Tamayo motioned to approve the "Consent Items", excluding Consent Items No. 5 (V), (Z), (AA) and (FF).

The motion was seconded by Commissioner Benavides and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF RIGHT OF ENTRY FOR THE U.S. CUSTOMS AND BORDER PROTECTION FOR OPERATION AND MAINTENANCE PURPOSES FOR TRACT LEGALLY DESCRIBED AS ABSTRACT 16 – LOS INDIOS RESUBDIVISION TRACT 3, 44.6400 ACRES AND ABSTRACT 16 – LOS INDIOS RESUBDIVISION TRACT 2, 42.8100 ACRES. (PSJ-ADMINISTRATOR) (Contract No. 2010C03089)**  
The Documentation is as follows:
- (B) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE DIXIELAND ROAD PROJECT AS IT RELATES TO THE ADVANCE FUNDING AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION. (PSJ-ADMINISTRATOR) (Order No. 2010O3012)**  
The Change Order is as follows:
- (C) **CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY, CAMERON COUNTY DRAINAGE DISTRICT NO. 1 AND RECL LIMITED PARTNERSHIP FOR PARCEL 21 OF THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2010C03090)**  
The Memorandum of Understanding is as follows:
- (D) **CONSIDERATION AND APPROVAL OF MONTHLY FINANCIAL INFORMATION IN COMPLIANCE WITH LGC 114.023 AND 114.024. (MG-AUDITOR)**
- (E) **CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE CAMERON COUNTY DIVERT COURT TO SUBMIT AN APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION (CJD) FOR A DRUG COURT GRANT. (ACN-138<sup>TH</sup> DISTRICT COURT JUDGE) (Resolution No. 2010R03026)**  
The Resolution is as follows:
- (F) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR CAMERON COUNTY, B.C.A.P. – 3<sup>RD</sup> CALL, LAS PALMAS SUBDIVISION, PCT. 3. (EH-CCDoT ENG.) (Order No. 2010O3013)**  
The Change Order is as follows:
- (G) **CONSIDERATION AND APPOINTMENT OF DAVID LEE GARCIA DEPUTY CONSTABLE FOR PCT. 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:
- (H) **CONSIDERATION AND APPOINTMENT OF CHRISTOPHER SAUCEDA RESERVE DEPUTY CONSTABLE FOR PCT. #7 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 CONSTABLE'S PRECINCT. (MV-HUMAN RESOURCES)**  
The Documentation is as follows:
- (I) **CONSIDERATION AND APPROVAL FOR CONSULTING SERVICES BY KEN WETHE, INDEPENDENT INSURANCE CONSULTANT FOR REQUEST FOR PROPOSAL AND QUARTERLY EVALUATION OF THE HEALTH PLAN. (MV-HUMAN RESOURCES) (Contract No. 2010C03091)**

**The Documentation is as follows:**

- (J) CONSIDERATION AND ADOPTION OF PROCLAMATION DECLARING THE MONTH OF APRIL 2010, AS “CHILD ABUSE PREVENTION MONTH” IN CAMERON COUNTY, TEXAS. (CHC-JUDGE) (Resolution No. 2010R03032)**  
**The Resolution is as follows:**
- (K) CONSIDERATION AND AUTHORIZATION TO PURCHASE ONE (1) BRUSH CHIPPER UTILIZING THE BUY BOARD INTERLOCAL COOPERATIVE PURCHASING AGREEMENT. (JM-PARKS)**  
**The Documentation is as follows:**
- (L) CONSIDERATION AND AUTHORIZATION TO EXECUTE GENERAL RETAIL PURCHASE ORDER AND SECURITY AGREEMENT (CONTRACT NO. 2010C03087) WITH VERMEER EQUIPMENT OF TEXAS, INC., IN THE AMOUNT OF \$11,573.23, FOR THE PURCHASE OF A BRUSH CHIPPER. (JM-PARKS)**  
**The Documentation is as follows:**
- (M) CONSIDERATION AND AUTHORIZATION TO EXECUTE GRANT AGREEMENT M10AF20006 (CONTRACT NO. 2010C03086) WITH THE U.S. DEPARTMENT OF INTERIOR-MINERAL MANAGEMENT SERVICE FOR DERRY WATERFRONT PARK. (JM-PARKS)**  
**The Documentation is as follows:**
- (N) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT (CONTRACT NO. 2010C03088) WITH THE TOWN OF SOUTH PADRE ISLAND TO CONSTRUCT AND MAINTAIN A BUS SHELTER ALONG COUNTY PARK ROAD NO. 100. (JM-PARKS)**  
**The Agreement is as follows:**
- (O) CONSIDERATION AND APPROVAL OF AGREEMENT FOR PROPERTY APPRAISAL SERVICES WITH ROBINSON, DUFFY AND BARNARD, L.L.P., PURSUANT TO THE SANTA ROSA TECHNOLOGY CENTER. (FB-PD&M) (Contract No. 2010C03092)**  
**The Agreement is as follows:**
- (P) CONSIDERATION AND APPROVAL OF GRANT ADJUSTMENT NOTICE FOR THE SHERIFF’S 2009 OPERATION STONEGARDEN GRANT FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY’S DIVISION OF EMERGENCY MANAGEMENT. (FB-PD&M) (Contract No. 2010C03093)**  
**The Documentation is as follows:**
- (Q) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP’s/RFQ’s FOR THE FOLLOWING: (MF-PURCHASING)**  
**a. SAFETY SUPPLIES – ANNUAL BIDS #2600 (VARIOUS)**  
**The Tabulation is as follows:**
- (R) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR RFP’s FOR THE FOLLOWING LINES OF COUNTY INSURANCE: REQUESTS FOR QUALIFICATIONS FOR THE FOLLOWING CAMERON COUNTY INSURANCES: (MF-PURCHASING)**  
**a. AUTO INSURANCE**  
**b. PROPERTY & CASUALTY**  
**c. GENERAL LIABILITY**  
**d. WINDSTORM & HAIL**  
**e. FLOOD**  
**f. INTERNATIONAL BRIDGES**  
**g. DISHONEST EMPLOYEE**  
**h. DISTRICT & COUNTY CLERK ERRORS & OMISSIONS**  
**i. PUBLIC OFFICIALS AND LAW ENFORCEMENT LIABILITY**
- (S) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING RFI’s: (MF-PURCHASING)**  
**a. ENERGY CONSERVATION – PERFORMANCE CONTRACTING – PRELIMINARY AUDIT TO INCLUDE FEASIBILITY ASSESSMENT – RFI #100308**  
**The Documentation is as follows:**

- (T) 404<sup>th</sup> DISTRICT COURT JUDGE ELIA CORNEJO LOPEZ TO TRAVEL TO GALVESTON, TEXAS, ON 3/22 TO 3/24/10, TO ATTEND THE TEXAS CENTER FOR JUDICIARY CONFERENCE “FAMILY VIOLENCE CONFERENCE”.  
The Documentation is as follows:
- (U) AUDITOR MARTHA GALARZA AND STAFF (2): 1<sup>ST</sup> ASSISTANT XAVIER VILLARREAL AND ASSISTANT AUDITOR MARIA ROBLES TO TRAVEL TO AUSTIN, TEXAS, ON 5/4 TO 5/7/10, TO ATTEND THE COUNTY AUDITORS INSTITUTE AND NEW COUNTY AUDITOR’S TRAINING.  
The Documentation is as follows:
- (V) COUNTY CLERK JOE G. RIVERA TO TRAVEL TO MISSION, TEXAS, ON 4/21 TO 4/23/10, TO ATTEND THE REGION 8 COUNTY & DISTRICT CLERK’S SPRING CONFERENCE. (ACTION TAKEN SEPARATELY)
- (W) HEALTH DEPARTMENT STAFF (2): SNS COORDINATOR VICTOR RIVERA AND PHIN ADMINISTRATOR SERGIO AREVALO TO TRAVEL TO COLLEGE STATION, TEXAS, ON 3/29 TO 3/31/10, TO TRANSPORT THE CAMERON COUNTY PUBLIC HEALTH RESPONSE PROGRAM COMMUNICATIONS TRAILER.  
The Documentation is as follows:
- (X) HEALTH DEPARTMENT STAFF (2): COMPUTER SUPPORT SPECIALISTS BALDEMAR GONZALEZ AND MIGUEL MARTINEZ TO TRAVEL TO AUSTIN, TEXAS, ON 4/26 TO 4/28/10, TO ATTEND THE TEXAS ASSOCIATION OF LOCAL WIC DIRECTORS QUARTERLY BOARD MEETING APPLICATIONS/INTERNET WORKSHOP.  
The Documentation is as follows:
- (Y) HEALTH DEPARTMENT STAFF (1): WIC DIRECTOR LETY MONTIEL TO TRAVEL TO AUSTIN, TEXAS, ON 4/26 TO 4/29/10, TO ATTEND THE TEXAS ASSOCIATION OF LOCAL WIC DIRECTORS (TALWD) QUARTERLY BOARD MEETING.  
The Documentation is as follows:
- (Z) JUSTICE OF THE PEACE PRECINCT 4, PLACE 1 JUDGE ROLANDO MUNIZ TO TRAVEL TO KERRVILLE, TEXAS, ON 3/28 TO 3/29/10, TO ATTEND THE “LETS TALK JUVENILES” WORKSHOP. (ACTION TAKEN SEPARATELY)
- (AA) JUSTICE OF THE PEACE PRECINCT 7, PLACE 1 JUDGE ADAM GONZALES TO TRAVEL TO KERRVILLE, TEXAS, ON 3/28 TO 3/29/10, TO ATTEND THE “LET’S TALK JUVENILES” WORKSHOP. (ACTION TAKEN SEPARATELY)
- (BB) JUVENILE PROBATION STAFF (2): TRAINING OFFICER LAURA TORRES AND FACILITY ADMINISTRATOR DAVID TUMLINSON TO TRAVEL TO AUSTIN, TEXAS, ON 3/28 TO 4/1/10, TO ATTEND THE 2010 TJDA MANAGEMENT CONFERENCE.  
The Documentation is as follows:
- (CC) JUVENILE PROBATION STAFF (4): FACILITY ADMINISTRATOR DAVID SANCHEZ, LIEUTENANT JOSE ROSALES, SHIFT SUPERVISOR LINDA MARTINEZ, AND ASSISTANT SHIFT SUPERVISOR ERIC MANZANO TO TRAVEL TO AUSTIN, TEXAS, ON 3/29 TO 4/1/10, TO ATTEND THE 2010 TJDA MANAGEMENT CONFERENCE.  
The Documentation is as follows:
- (DD) JUVENILE PROBATION STAFF (2): JUVENILE PROBATION OFFICER MELISSA MEDRANO AND STAFF PSYCHOLOGIST SABRINA CHAVEZ, TO TRAVEL TO GEORGETOWN, TEXAS, ON 4/18 TO 4/23/10, TO ATTEND THE JPO BASIC TRAINING.  
The Documentation is as follows:
- (EE) TREASURER DAVID A. BETANCOURT TO TRAVEL TO COLLEGE STATION, TEXAS, ON 4/12 TO 4/15/10, TO ATTEND THE 38<sup>TH</sup> ANNUAL SEMINAR FOR COUNTY TREASURER’S CONTINUING EDUCATION.  
The Documentation is as follows:
- (FF) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF BROWNSVILLE. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)

- (A) **CONSIDERATION AND APPROVAL OF RIGHT OF ENTRY FOR THE U.S. CUSTOMS AND BORDER PROTECTION FOR OPERATION AND MAINTENANCE PURPOSES FOR TRACT LEGALLY DESCRIBED AS ABSTRACT 16 – LOS INDIOS RESUBDIVISION TRACT 3, 44.6400 ACRES AND ABSTRACT 16 – LOS INDIOS RESUBDIVISION TRACT 2, 42.8100 ACRES. (PSJ-ADMINISTRATOR) (Contract No. 2010C03089)**  
**The Documentation is as follows:**



- (B) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE DIXIELAND ROAD PROJECT AS IT RELATES TO THE ADVANCE FUNDING AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION. (PSJ-ADMINISTRATOR) (Order No. 201003012)**  
**The Change Order is as follows:**

- (C) CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CAMERON COUNTY, CAMERON COUNTY DRAINAGE DISTRICT NO. 1 AND RECL LIMITED PARTNERSHIP FOR PARCEL 21 OF THE WEST RAIL PROJECT. (PSJ-ADMINISTRATOR) (Contract No. 2010C03090)**

**The Memorandum of Understanding is as follows:**

- (E) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE CAMERON COUNTY DIVERT COURT TO SUBMIT AN APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION (CJD) FOR A DRUG COURT GRANT. (ACN-138<sup>TH</sup> DISTRICT COURT JUDGE) (Resolution No. 2010R03026)**  
**The Resolution is as follows:**

- (F) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR CAMERON COUNTY, B.C.A.P.  
– 3<sup>RD</sup> CALL, LAS PALMAS SUBDIVISION, PCT. 3. (EH-CCDoT ENG.) (Order No. 2010O3013)  
The Change Order is as follows:**

- (G) **CONSIDERATION AND APPOINTMENT OF DAVID LEE GARCIA DEPUTY CONSTABLE FOR PCT. 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:**

- (H) **CONSIDERATION AND APPOINTMENT OF CHRISTOPHER SAUCEDA RESERVE DEPUTY CONSTABLE FOR PCT. #7 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 CONSTABLE'S PRECINCT. (MV-HUMAN RESOURCES)**  
**The Documentation is as follows:**

- (I) **CONSIDERATION AND APPROVAL FOR CONSULTING SERVICES BY KEN WETHE, INDEPENDENT INSURANCE CONSULTANT FOR REQUEST FOR PROPOSAL AND QUARTERLY EVALUATION OF THE HEALTH PLAN. (MV-HUMAN RESOURCES) (Contract No. 2010C03091)**  
**The Documentation is as follows:**

- (J) CONSIDERATION AND ADOPTION OF PROCLAMATION DECLARING THE MONTH OF APRIL 2010, AS “CHILD ABUSE PREVENTION MONTH” IN CAMERON COUNTY, TEXAS. (CHC-JUDGE)  
(Resolution No. 2010R03032)  
The Resolution is as follows:**



- (K) CONSIDERATION AND AUTHORIZATION TO PURCHASE ONE (1) BRUSH CHIPPER UTILIZING THE BUY BOARD INTERLOCAL COOPERATIVE PURCHASING AGREEMENT. (JM-PARKS)  
The Documentation is as follows:**

- (L) **CONSIDERATION AND AUTHORIZATION TO EXECUTE GENERAL RETAIL PURCHASE ORDER AND SECURITY AGREEMENT (CONTRACT NO. 2010C03087) WITH VERMEER EQUIPMENT OF TEXAS, INC., IN THE AMOUNT OF \$11,573.23, FOR THE PURCHASE OF A BRUSH CHIPPER. (JM-PARKS)**

**The Documentation is as follows:**

- (M) **CONSIDERATION AND AUTHORIZATION TO EXECUTE GRANT AGREEMENT M10AF20006 (CONTRACT NO. 2010C03086) WITH THE U.S. DEPARTMENT OF INTERIOR-MINERAL MANAGEMENT SERVICE FOR DERRY WATERFRONT PARK. (JM-PARKS) (Contract No. 2010C03095-Grant Award) (Contract No. 2010C03086-Grant Agreement)**  
**The Documentation is as follows:**

- (N) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT (CONTRACT NO. 2010C03088) WITH THE TOWN OF SOUTH PADRE ISLAND TO CONSTRUCT AND MAINTAIN A BUS SHELTER ALONG COUNTY PARK ROAD NO. 100. (JM-PARKS)**  
**The Agreement is as follows:**

- (O) CONSIDERATION AND APPROVAL OF AGREEMENT FOR PROPERTY APPRAISAL SERVICES WITH ROBINSON, DUFFY AND BARNARD, L.L.P., PURSUANT TO THE SANTA ROSA TECHNOLOGY CENTER. (FB-PD&M) (Contract No. 2010C03092)**  
**The Agreement is as follows:**

- (P) **CONSIDERATION AND APPROVAL OF GRANT ADJUSTMENT NOTICE FOR THE SHERIFF'S 2009 OPERATION STONEGARDEN GRANT FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY'S DIVISION OF EMERGENCY MANAGEMENT. (FB-PD&M) (Contract No. 2010C03093)**  
**The Documentation is as follows:**

- (Q) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS/RFP's/RFQ's FOR THE FOLLOWING:  
(MF-PURCHASING)**
- a. SAFETY SUPPLIES – ANNUAL BIDS #2600 (VARIOUS)**
- The Tabulation is as follows:**

- (S) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING RFI's: (MF-PURCHASING)**
- a. **ENERGY CONSERVATION – PERFORMANCE CONTRACTING – PRELIMINARY AUDIT TO INCLUDE FEASIBILITY ASSESSMENT – RFI #100308**
- The Documentation is as follows:**



- (T) **404<sup>th</sup> DISTRICT COURT JUDGE ELIA CORNEJO LOPEZ TO TRAVEL TO GALVESTON, TEXAS, ON 3/22 TO 3/24/10, TO ATTEND THE TEXAS CENTER FOR JUDICIARY CONFERENCE “FAMILY VIOLENCE CONFERENCE”.**  
**The Documentation is as follows:**

- (U) **AUDITOR MARTHA GALARZA AND STAFF (2): 1<sup>ST</sup> ASSISTANT XAVIER VILLARREAL AND ASSISTANT AUDITOR MARIA ROBLES TO TRAVEL TO AUSTIN, TEXAS, ON 5/4 TO 5/7/10, TO ATTEND THE COUNTY AUDITORS INSTITUTE AND NEW COUNTY AUDITOR'S TRAINING.  
The Documentation is as follows:**

- (W) **HEALTH DEPARTMENT STAFF (2): SNS COORDINATOR VICTOR RIVERA AND PHIN ADMINISTRATOR SERGIO AREVALO TO TRAVEL TO COLLEGE STATION, TEXAS, ON 3/29 TO 3/31/10, TO TRANSPORT THE CAMERON COUNTY PUBLIC HEALTH RESPONSE PROGRAM COMMUNICATIONS TRAILER.**  
**The Documentation is as follows:**

- (X) **HEALTH DEPARTMENT STAFF (2): COMPUTER SUPPORT SPECIALISTS BALDEMAR GONZALEZ AND MIGUEL MARTINEZ TO TRAVEL TO AUSTIN, TEXAS, ON 4/26 TO 4/28/10, TO ATTEND THE TEXAS ASSOCIATION OF LOCAL WIC DIRECTORS QUARTERLY BOARD MEETING APPLICATIONS/INTERNET WORKSHOP.**  
**The Documentation is as follows:**

- (Y) **HEALTH DEPARTMENT STAFF (1): WIC DIRECTOR LETY MONTIEL TO TRAVEL TO AUSTIN, TEXAS, ON 4/26 TO 4/29/10, TO ATTEND THE TEXAS ASSOCIATION OF LOCAL WIC DIRECTORS (TALWD) QUARTERLY BOARD MEETING.  
The Documentation is as follows:**

- (BB) JUVENILE PROBATION STAFF (2): TRAINING OFFICER LAURA TORRES AND FACILITY ADMINISTRATOR DAVID TUMLINSON TO TRAVEL TO AUSTIN, TEXAS, ON 3/28 TO 4/1/10, TO ATTEND THE 2010 TJDA MANAGEMENT CONFERENCE.  
The Documentation is as follows:**

- (CC) JUVENILE PROBATION STAFF (4): FACILITY ADMINISTRATOR DAVID SANCHEZ, LIEUTENANT JOSE ROSALES, SHIFT SUPERVISOR LINDA MARTINEZ, AND ASSISTANT SHIFT SUPERVISOR ERIC MANZANO TO TRAVEL TO AUSTIN, TEXAS, ON 3/29 TO 4/1/10, TO ATTEND THE 2010 TJDA MANAGEMENT CONFERENCE.**  
**The Documentation is as follows:**

- (DD) JUVENILE PROBATION STAFF (2): JUVENILE PROBATION OFFICER MELISSA MEDRANO AND STAFF PSYCHOLOGIST SABRINA CHAVEZ, TO TRAVEL TO GEORGETOWN, TEXAS, ON 4/18 TO 4/23/10, TO ATTEND THE JPO BASIC TRAINING.  
The Documentation is as follows:**



- (EE) TREASURER DAVID A. BETANCOURT TO TRAVEL TO COLLEGE STATION, TEXAS, ON 4/12 TO 4/15/10, TO ATTEND THE 38<sup>TH</sup> ANNUAL SEMINAR FOR COUNTY TREASURER'S CONTINUING EDUCATION.  
The Documentation is as follows:**

## **CONSENT ITEMS**

**(5) CONSENT ITEMS.**

**(V) COUNTY CLERK JOE G. RIVERA TO TRAVEL TO MISSION, TEXAS, ON 4/21 TO 4/23/10, TO ATTEND THE REGION 8 COUNTY & DISTRICT CLERK'S SPRING CONFERENCE.**

Ms. Martha Galarza, County Auditor, stated that the travel request includes reimbursement for lodging and advised the Court that lodging is not a reimbursable cost when the conference is held within a neighboring County.

Commissioner Benavides motioned to approve the Travel for County Clerk Joe G. Rivera to Mission, Texas, on 4/21 to 4/23/10, to attend the Region 8 County & District Clerk's Spring Conference excluding the reimbursement of the lodging costs.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

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**(Z) JUSTICE OF THE PEACE PRECINCT 4, PLACE 1 JUDGE ROLANDO MUNIZ TO TRAVEL TO KERRVILLE, TEXAS, ON 3/28 TO 3/29/10, TO ATTEND THE “LETS TALK JUVENILES” WORKSHOP.**

**(AA) JUSTICE OF THE PEACE PRECINCT 7, PLACE 1 JUDGE ADAM GONZALES TO TRAVEL TO KERRVILLE, TEXAS, ON 3/28 TO 3/29/10, TO ATTEND THE “LET’S TALK JUVENILES” WORKSHOP.**

Commissioner Benavides motioned to approve the Travel for the Justice of the Peace Precinct 4, Place 1 Judge Rolando Muniz and Justice of the Peace Precinct 7, Place 1 Judge Adam Gonzales to Travel to Kerrville, Texas, on 3/28 to 3/29/10, to attend the “Lets Talk Juveniles” Workshop.

The motion was seconded by Commissioner Tamayo and carried unanimously.

**The Documentation is as follows:**

## **ACTION ITEMS**

**(6) ACTION ITEMS.**

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

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

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

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**(B) APPROVAL OF CLAIMS.**

Commissioner Tamayo motioned to approve the Claims.

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

AYE: Commissioner Benavides

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00234994, made payable to Brownsville Independent School District, in the amount of \$20.00, Warrant No. 00235036, made payable to Phillip T. Cowen, in the amount of \$1,060.00, Warrant No. 00235263, made payable to Point Isabel ISD, in the amount of \$5.00, Warrant No. 00235264, made payable to City of Port Isabel, in the amount of \$80.00, Warrant No. 00235267, made payable to Public Utilities Board, in the amount of \$3,122.15 and Warrant No. 00235282, made payable to Rio Hondo ISD, in the amount of \$817.09 and Commissioner Tamayo as to Warrant No. 00235273, made payable to Red River Service Corp., in the amount of \$346.13.

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

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**(C) APPROVAL OF MINUTES FOR:  
FEBRUARY 18, 2010 – SPECIAL MEETING  
FEBRUARY 23, 2010 – SPECIAL MEETING  
MARCH 4, 2010 – REGULAR MEETING**

Commissioner Tamayo motioned to approve the Minutes for the February 18, 2010-Special, February 23, 2010-Special Meeting and the March 4, 2010-Regular Meeting.

The motion was seconded by Commissioner Benavides and carried unanimously.

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**(D) CONSIDERATION AND APPROVAL TO ALLOW SANTA MARIA  
INDEPENDENT SCHOOL DISTRICT TO PAINT YELLOW COUGAR  
PAWS ON MILITARY ROAD. (ET-COMM. PCT. 4)**

Commissioner Tamayo motioned to allow the Santa Maria Independent School District to paint yellow Cougar Paws on Military Road.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Documentation is as follows:**

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**(E) CONSIDERATION AND APPROVAL OF THE AMENDED 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 the Early Voting Location in Harlingen will be located at the Harlingen ISD Gordon Nix Building.

Commissioner Tamayo motioned to approve the Amended Early Voting Polling Locations for the Democratic Primary Runoff and the Republican Primary Runoff Elections of April 13, 2010.

The motion was seconded by Commissioner Benavides and carried unanimously.

**The Documentation is as follows:**

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

Commissioner Tamayo motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 6:00 P.M.

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**APPROVED** this 15<sup>th</sup> day of April 2010

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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**