

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 12TH of August 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:

3:30 P.M.

PRESENT:

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 and Commissioner Wood were not present when the Meeting was called to order.

The meeting was called to order by Judge Cascos at 3:30 P.M. He then asked for a moment of silence. Mr. Roger Ortiz, Elections 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 August 9, 2010 at 1:34 P.M.:

EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 3:32 P.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 5(E), FOR GAS LINE EASEMENTS FOR THE FM 106 (GENERAL BRANDT ROAD) PROJECT IN THE PCT. 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (B) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 10(E) FOR RIGHT OF WAY FOR FM 511 DRAINAGE OUTFALLS PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 11(E) PARTS 1 & 2, FOR RIGHT OF WAY FOR FM 511 DRAINAGE OUTFALLS PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (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.**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DORA TORRES, ET. AL. VS. OMAR LUCIO, ET. AL.; IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS CIVIL ACTION NO. 09-cv-83, FOR DISCUSSION OF STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(B).**
- (F) CONFER WITH LEGAL COUNSEL CONCERNING FRANK A. TOMPKINS, INDIVIDUALLY AND AS TRUSTEE, AND CAROLYN TOMPKINS YOUNG VS. COUNTY OF CAMERON, TEXAS, BHARAT R. PATEL, AFFILIATED MANAGEMENT SYSTEMS, LTD., AND AFFILIATED HOSPITALITY, LLC; CAUSE NO. 2009-10-5624-A, FOR DISCUSSION OF STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**

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

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 3:58 P.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 5(E), FOR GAS LINE EASEMENTS FOR THE FM 106 (GENERAL BRANDT ROAD) PROJECT IN THE PCT. 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Tamayo motioned to accept the counteroffer of \$6,547.00.

The motion was seconded by Commissioner Garza and carried unanimously.

- (B) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 10(E) FOR RIGHT OF WAY FOR FM 511 DRAINAGE OUTFALLS PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

NOTE: Commissioner Benavides joined the Meeting at 3:59 P.M.

- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 11(E) PARTS 1 & 2, FOR RIGHT OF WAY FOR FM 511 DRAINAGE OUTFALLS PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Tamayo motioned to acknowledge the Report of Mr. Pete Sepulveda, County Administrator.

The motion was seconded by Commissioner Garza 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 Legal Counsel.

The motion was seconded by Commissioner Garza and carried unanimously.

- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DORA TORRES, ET. AL. VS. OMAR LUCIO, ET. AL.; IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS CIVIL ACTION NO. 09-cv-83, FOR DISCUSSION OF STATUS OF CASE AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A)&(B).**

Commissioner Tamayo motioned to acknowledge the Report of Legal Counsel.

The motion was seconded by Commissioner Garza and carried unanimously.

- (F) CONFER WITH LEGAL COUNSEL CONCERNING FRANK A. TOMPKINS, INDIVIDUALLY AND AS TRUSTEE, AND CAROLYN TOMPKINS YOUNG VS. COUNTY OF CAMERON, TEXAS, BHARAT R. PATEL, AFFILIATED MANAGEMENT SYSTEMS, LTD., AND AFFILIATED HOSPITALITY, LLC; CAUSE NO. 2009-10-5624-A, FOR DISCUSSION OF STATUS OF CASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(A) & (2).**

Commissioner Wood motioned to acknowledge the Report of Legal Counsel.

The motion was seconded by Commissioner Garza and carried unanimously.

(3) PUBLIC COMMENTS.

Mr. David Trevino, Wildlife Damage Management Specialist for Wildlife Services, introduced the new technician to the Court.

Mr. Manuel Gonzalez stated that he has been working for Wildlife Services since August 2nd and welcomed the Court to contact him if needed.

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 (D):

Mr. Robert L. Lopez, Director of Administrative Services, informed the Court that the locations recommended by Staff are Cameron Park Centro Cultural, the Harlingen Annex and the Port Isabel Annex.

Commissioner Benavides motioned to approve the "Consent Items".

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF RESOLUTION AUTHORIZING THE INITIATION OF CONDEMNATION PROCEEDING FOR PARCEL 10(E) FOR FM 511 DRAINAGE OUTFALL EASEMENTS BETWEEN FM 1847 AND STATE HIGHWAY 48. (PSJ-ADMINISTRATOR) (Resolution No. 2010R08102)**
The Resolution is as follows:
- (B) **CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR PARCEL 11(E) PARTS 1 AND 2, FOR FM 511 DRAINAGE OUTFALL EASEMENTS BETWEEN FM 1847 AND STATE HIGHWAY 48. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:
- (C) **CONSIDERATION AND APPROVAL TO INCREASE SALARY TO \$28,000.00 ON FUND 150.623, SLOT NO. 5 AND TO INCREASE SALARY ON FUND 150.6211, COLONIA ACCESS, SLOT NO. 2 TO \$28,000.00. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:
- (D) **CONSIDERATION AND AUTHORIZATION TO ALLOW FEMA AND TDEM TO UTILIZE DESIGNATED COUNTY PROPERTY AS A DISASTER RECOVERY CENTER FOR INDIVIDUAL ASSISTANCE. (RL-ADMINISTRATIVE SERVICES) (Contract No. 2010C08306-Port Isabel Annex) (Contract No. 2010C08307-Harlingen Annex) (Contract No. 2010C08308-Cameron Park)**
The Documentation is as follows:
- (E) **CONSIDERATION AND POSSIBLE APPROVAL OF MEDICAL SERVICES AGREEMENT WITH ALBERTO ALMEIDA, M.D., FOR THE CAMERON COUNTY DETENTION CENTERS. (DJV-LEGAL)**
The Agreement is as follows:
- (F) **CONSIDERATION AND AUTHORIZATION TO SUBMIT AN APPLICATION TO THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON TO BECOME A REGISTERED VENDOR. (JM-PARKS)**
The Documentation is as follows:
- (G) **CONSIDERATION AND POSSIBLE APPROVAL OF A SERVICE AGREEMENT (CONTRACT NO. 2010C08304) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND DR. KIRK L. SMITH OF THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON TO PROVIDE A RESOURCE CENTER AT THE BROWNE ROAD SOCIAL SERVICE CENTER. (JM-PARKS)**
The Agreement is as follows:
- (H) **CONSIDERATION AND APPROVAL OF EXTENSION OF CONTRACT BETWEEN CAMERON COUNTY AND THE VALLEY PROUD ENVIRONMENTAL COUNCIL FOR THE 2010 ANTI-ILLEGAL DUMPING EDUCATION AND TRAINING/PERSONNEL PROJECT. (FB-PD&M) (Contract No. 2010C08305)**
The Documentation is as follows:
- (I) **CONSIDERATION AND ISSUANCE OF ORDER APPROVING THE TREASURER'S REPORT FOR THE APRIL 2010 TERM. (DAB-TREASURER)**
The Documentation is as follows:
- (J) **TAX OFFICE STAFF (2): TAX ASSESSOR-COLLECTOR TONY YZAGUIRRE, JR. AND ADMINISTRATIVE ASSISTANT RICK CAMARILLO TO TRAVEL TO AUSTIN, TEXAS ON 9/1 TO 9/3/10 TO ATTEND THE 2010 TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE & EXPO.**
The Documentation is as follows:

- (A) CONSIDERATION AND APPROVAL OF RESOLUTION AUTHORIZING THE INITIATION OF CONDEMNATION PROCEEDING FOR PARCEL 10(E) FOR FM 511 DRAINAGE OUTFALL EASEMENTS BETWEEN FM 1847 AND STATE HIGHWAY 48. (PSJ-ADMINISTRATOR) (Resolution No. 2010R08102)**

The Resolution is as follows:

- (B) CONSIDERATION AND AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR PARCEL 11(E) PARTS 1 AND 2, FOR FM 511 DRAINAGE OUTFALL EASEMENTS BETWEEN FM 1847 AND STATE HIGHWAY 48. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:

- (C) CONSIDERATION AND APPROVAL TO INCREASE SALARY TO \$28,000.00 ON FUND 150.623, SLOT NO. 5 AND TO INCREASE SALARY ON FUND 150.6211, COLONIA ACCESS, SLOT NO. 2 TO \$28,000.00. (PSJ-ADMINISTRATOR)**
The Documentation is as follows:

- (D) CONSIDERATION AND AUTHORIZATION TO ALLOW FEMA AND TDEM TO UTILIZE DESIGNATED COUNTY PROPERTY AS A DISASTER RECOVERY CENTER FOR INDIVIDUAL ASSISTANCE. (RL-ADMINISTRATIVE SERVICES) (Contract No. 2010C08306-Port Isabel Annex) (Contract No. 2010C08307-Harlingen Annex) (Contract No. 2010C08308-Cameron Park)**
The Documentation is as follows:

- (E) CONSIDERATION AND POSSIBLE APPROVAL OF MEDICAL SERVICES AGREEMENT WITH ALBERTO ALMEIDA, M.D., FOR THE CAMERON COUNTY DETENTION CENTERS. (DJV-LEGAL)**
The Agreement is as follows:

- (F) CONSIDERATION AND AUTHORIZATION TO SUBMIT AN APPLICATION TO THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON TO BECOME A REGISTERED VENDOR. (JM-PARKS)**
The Documentation is as follows:

- (G) CONSIDERATION AND POSSIBLE APPROVAL OF A SERVICE AGREEMENT (CONTRACT NO. 2010C08304) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND DR. KIRK L. SMITH OF THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON TO PROVIDE A RESOURCE CENTER AT THE BROWNE ROAD SOCIAL SERVICE CENTER. (JM-PARKS)**
The Agreement is as follows:

- (H) CONSIDERATION AND APPROVAL OF EXTENSION OF CONTRACT BETWEEN CAMERON COUNTY AND THE VALLEY PROUD ENVIRONMENTAL COUNCIL FOR THE 2010 ANTI-ILLEGAL DUMPING EDUCATION AND TRAINING/PERSONNEL PROJECT. (FB-PD&M) (Contract No. 2010C08305)**
The Documentation is as follows:

- (I) CONSIDERATION AND ISSUANCE OF ORDER APPROVING THE TREASURER'S REPORT FOR THE APRIL 2010 TERM. (DAB-TREASURER)**
The Documentation is as follows:

- (J) TAX OFFICE STAFF (2): TAX ASSESSOR-COLLECTOR TONY YZAGUIRRE, JR. AND ADMINISTRATIVE ASSISTANT RICK CAMARILLO TO TRAVEL TO AUSTIN, TEXAS ON 9/1 TO 9/3/10 TO ATTEND THE 2010 TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE & EXPO. The Documentation is as follows:**

ACTION ITEMS

(5) ACTION ITEMS.

(F) DISCUSSION AND POSSIBLE ACTION REGARDING JAIL OVERCROWDING ISSUES TO INCLUDE THE DISTRICT JUDGES, COUNTY COURT AT LAW JUDGES, DISTRICT ATTORNEY, SHERIFF, MAGISTRATES, DISTRICT CLERK AND COUNTY CLERK. (PSJ-ADMINISTRATOR)

Commissioner Benavides commented on the amount of funds being spent for housing inmates outside of Cameron County due to jail overcrowding. She stated that she asked for Jail records and those records indicated that there are inmates that have been sentenced, judgments have not been prepared and consequently the District Clerk's Office is unable to arrange the penitentiary packet in order to have the inmate picked up by the Texas Department of Corrections. She mentioned the lack of communication between departments and questioned why there are delays in signing judgments. She made it clear that she will not vote to raise taxes or cut employee salaries.

Commissioner Tamayo stated that the system needs to be improved and whoever is slowing down the process needs to be identified. She noted that when the Magistrates were implemented, the thought was that they were going to greatly assist with jail overcrowding and that hasn't happened.

Commissioner Garza stated that since he has been a member of the Court there have been various measures put into practice to alleviate jail overcrowding which includes a Management Study, approving the Magistrates, funding the Pre-Trial Services Office, creating two new District Courts, increasing the District Attorney's Budget by 50%, adding more beds to the Jail and allocating more than \$1 million for Indigent Defense. He noted that approximately \$5 million has been invested in the County's Judicial System over the past five years in an attempt to process inmates quicker through the Jail System.

138th District Court Judge Arturo C. Nelson stated that there are various circumstances that can occur with each inmate which can delay their being processed and added that there is an issue with how long someone is waiting in jail and noted that there is no control over when other law enforcement agencies submit their paperwork.

Judge Nelson advised the Court that he is expecting to receive a proposal from Odyssey for a direct filing system and recommended that the County's Jail System be modeled after Tarrant County. He stated that he will not blame other elected officials for jail overcrowding.

Commissioner Tamayo stated that the issue with jail overcrowding needs to be identified and analyzed and has nothing to do with placing blame on others.

Judge Nelson explained that a direct filing system will allow the Court to see who is being late on the judgments, what law enforcement agency is late in submitting paperwork, when the charge is being done, when the Court date is set and will make the entire process transparent and easier to analyze.

Commissioner Tamayo stated that her constituents have questioned whether there is a mandate that all Judges

have the month of July off.

Judge Nelson replied that there are Judges that do take their vacation during July and other Judges are in and out during that month. He added that he was in the office every week in July.

Commissioner Tamayo stated that another question of her constituents is whether the Judge's staff takes their vacation at the same time as the Judge.

Judge Nelson responded that the issue of vacation varies from each Court as some Courts remain open and others take vacation at the same time as the Judge.

Commissioner Garza asked for an explanation as to the current system for processing inmates.

Judge Nelson replied that each Monday his Court receives a docket from the Jail and then the Court Administrator checks and sets a court date. He emphasized the fact that the entire process is done manually.

Commissioner Wood questioned whether the Odyssey Program will be able to coordinate whether an inmate has multiple charges in several Courts.

Judge Nelson responded that the Program should be able to reduce duplicate charges.

Mr. Armando Villalobos, District Attorney, advised the Court that when a defendant has multiple charges in different Courts, each charge must be adjudicated separately in each Court. He then commented on how the current manual system is a fractured system as not all pieces are working together.

Commissioner Benavides stated that until a direct filing system is implemented each player needs to set up to the plate and better monitor the process. She then questioned how the appointed indigent defense attorneys are paid and how their rates are determined.

Judge Nelson explained that an inmate in the Indigent Defense Program is appointed one indigent defense attorney who handles all their charges and that attorney gets paid based on the work he does for the highest degree offense unless the case is complex and then the attorney can charge by the hour. He noted that Cameron County has one of the lowest attorney-per-hour payments on Indigent Defense.

Commissioner Benavides urged all parties to be cognizant of the projected Budget deficit.

Mr. Villalobos advised the Court that without a direct filing system the process will still be manual and there will still be delays.

Commissioner Benavides inquired as to how long a person waits before an attorney is appointed under the Indigent Defense Program.

Judge Nelson replied that the attorney is appointed no later than 48 hours as per statute and noted that once the attorney is appointed, they must make contact with their client within 24 hours and must see their client in person within 72 hours.

Mr. Villalobos added that direct filing will eliminate having to call various law enforcement agencies demanding the necessary paperwork for persons in jail.

Commissioner Garza questioned why paperwork cannot be faxed or received via email to the District Attorney's Office.

Mr. Villalobos responded that the current system is not set up to receive any information in an electronic format.

Commissioner Tamayo thanked Commissioner Benavides for her work in bringing this issue to light.

Sheriff Omar Lucio commented on the issues his Office faces regarding processing inmates. He thanked the Court for their assistance concerning the Carrizales-Rucker Jail addition.

Commissioner Garza stated that he is in favor of opening the Jail once construction is complete and asked the Sheriff to review the staffing and operations needs for opening the Jail addition.

Sheriff Lucio pointed out that the Texas Commission on Jail Standards determines the staffing of the Jail.

Judge Cascos stated that the County Auditor cannot book an actual number based on this discussion. He commented on how the decrease in Bridge revenues over the past two years has been equivalent to \$.03 off the tax rate. He noted that any budget recommendations presented to the Auditor need to be sustainable.

Mr. Luis Esquivel, representing the Bail Bond companies in Cameron County, stated that a letter has been submitted to the Court asking that an item be placed on the Agenda to discuss jail overcrowding specific to the Indigent Defense Program.

Judge Cascos instructed the County Administrator to place this item on the next available Agenda.

Commissioner Tamayo motioned to acknowledge the discussion regarding Jail overcrowding issues.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

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

Upon motion by Commissioner Garza, 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:

(B) APPROVAL OF CLAIMS.

Commissioner Garza motioned to approve the Claims.

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

AYE: Commissioner Benavides, Commissioner Wood, Commissioner Garza and Commissioner Tamayo

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00242965 made payable to Phillip T. Cowen, Warrant No. 00243034 made payable to Laguna Madre Water District and Warrant No. 00243100 made payable to Public Utilities Board.

The Claims and Affidavits are as follows:

(C) DISCUSSION AND POSSIBLE ACTION REGARDING THE 2ND AND 3RD CALL OF THE BORDER COLONIA ACCESS PROGRAM. (PSJ-ADMINISTRATOR)

Mr. Pete Sepulveda, County Administrator, reported that all 2nd Call Border Colonia Access Projects are now complete with the 3rd Call having projects pending. He advised the Court that there have been several over-runs and under-runs in the Budget on various projects with approximately \$800,000 remaining. He noted that the \$800,000 figure is an estimate as there are projects in the 3rd Call that are still under construction. He requested authorization to proceed and get approval from the Texas Department of Transportation to allow the County to use the remaining funds for other projects and to get approval to proceed and develop engineering plans for the new projects.

Commissioner Tamayo motioned to approve the request as stated by the County Administrator regarding the 2nd and 3rd Call of the Border Colonia Access Program.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

(D) CONSIDERATION AND ACTION REQUESTING APPROVAL OF THE EARLY VOTING AND ELECTION DAY POLLING LOCATIONS SCHEDULED FOR THE NOVEMBER, 2, 2010 GENERAL ELECTION. (RO-ELECTIONS)

Commissioner Garza motioned to approve the Early Voting and Election Day Polling Locations scheduled for the November, 2, 2010 General Election.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(E) CONSIDERATION AND APPROVAL OF THE DEMOCRATIC AND REPUBLICAN PARTIES' RECOMMENDATIONS FOR APPOINTMENT OF THE PRESIDING JUDGE AND THE ALTERNATE JUDGE FOR EACH COUNTY ELECTION PRECINCT AND CENTRAL COUNTING STATION AS REQUIRED BY THE TEXAS ELECTION CODE FOR A TERM BEGINNING SEPTEMBER 1, 2010 AND ENDING AUGUST 31, 2011. (RO-ELECTIONS) (Order No. 201008039)

Commissioner Garza motioned to approve the Democratic and Republican Parties' recommendations for Appointment of the Presiding Judge and the Alternate Judge for each County Election Precinct and Central Counting Station as required by the Texas Election Code for a term beginning September 1, 2010 and ending August 31, 2011.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

**(G) DISCUSSION AND POSSIBLE ACTION REGARDING THE FY 2010-2011 BUDGET.
(PSJ-ADMINISTRATOR)**

Mr. Xavier Villarreal, Auditor's Office, advised the Court that based on the budget calendar, the Auditor's Office must file the "Recommended Budget" with the County Clerk's Office on August 13, 2010. He explained that the "Recommended Budget" must be balanced when filed and will include reduction in salaries, cutting back on Jail Operations and eliminating the clerk positions for Justice of the Peace 7-2.

Judge Cascos instructed the Auditor's Office to meet with each Commissioner to discuss their individual Budget recommendations. He urged the Court members to come up with viable and sustainable options to balance the Budget.

Commissioner Garza motioned to acknowledge the discussion regarding the FY 2010-2011 Budget.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(H) CONSIDERATION AND ACTION REGARDING THE COMPOSITION OF THE CAMERON COUNTY SALARY GRIEVANCE COMMITTEE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 152.014. (CHC-JUDGE)

Commissioner Tamayo motioned that the Salary Grievance Committee be composed of public members randomly selected from the Grand Jury Rolls, pursuant to V.T.C.A. Local Government Code, Section 152.014.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

NOTE: Commissioner Garza left the Meeting at 5:43 P.M.

(I) CONSIDERATION AND SELECTION OF PUBLIC MEMBERS FOR THE CAMERON COUNTY SALARY GRIEVANCE COMMITTEE, IN COMPLIANCE WITH THE TEXAS LOCAL GOVERNMENT CODE, SECTION 152.014 (A) AND SECTION 152.015. (CHC-JUDGE)

Judge Cascos randomly selected the following Public Members for the Salary Grievance Committee:

- | | |
|----------------------------------|--------------------------------|
| (1) David McDonald Winters | (12) Ivan Rodriguez |
| (2) Abigail M. Gonzalez | (13) Edwin Dornbush |
| (3) Sandra Alvarez Partida | (14) Cecilia Cortinas Garcia |
| (4) Jennifer Monique Wareham | (15) Juan G. Barrera |
| (5) Elizabeth Christina Carrillo | (16) Jose Luis Gonzales |
| (6) Philip J. Taylor | (17) Sandra Guevara |
| (7) Sabrina L. Haecke | (18) Guadalupe Hollond Salazar |
| (8) John A. Abbott | (19) Gracie Lopez |
| (9) Elsa Saldivar | (20) Hector Quintanilla |
| (10) Leofredo Villarreal | (21) Erika E. Menchaca |
| (11) Janette E. Dudley | |

Commissioner Wood motioned to acknowledge the selection of the Public Members for the Cameron County Salary Grievance Committee in compliance with the Texas Local Government Code, Section 152.014 (A) and Section 152.015.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

(J) DISCUSSION AND POSSIBLE ACTION REGARDING THE SCHEDULING OF PUBLIC HEARING DATES TO SET COUNTY TAX RATES FOR THE 2010-2011 FISCAL YEAR. (MG-AUDITOR)

Mr. Xavier Villarreal, Auditor's Office, explained that public hearings will not be necessary if the maximum tax rate the Court is willing to consider is to be the effective rate. He asked the Court for their recommendation as to the maximum tax rate.

Commissioner Benavides inquired as to the amount of the effective rate.

Mr. Villarreal responded that the effective rate is \$0.364291 per \$100 valuation with the current tax rate being \$0.363191 per \$100 valuation. He informed the Court that the effective rate will generate an additional \$149,000 in property tax revenue. He recommended that the Court approve publishing a maximum tax rate above the effective rate.

Commissioner Tamayo motioned that the maximum tax rate to be considered is the effective rate.

The motion was seconded by Judge Cascos and carried unanimously.

The Documentation is as follows:

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

Mr. Robert L. Lopez, Director of Administrative Services, reported that he has met with several FEMA representatives who are currently in town to discuss the pending reimbursements.

Commissioner Tamayo commented that the reimbursement process may be helped if one of the members of the Court meets with FEMA.

Mr. Lopez added that he will soon begin the reimbursement process for Hurricane Alex.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Report regarding the reimbursements from FEMA was acknowledged and authorization to allow Commissioner Tamayo to meet with FEMA officials was approved.

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 6:02 P.M.

APPROVED this 1st day of **September 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**