

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 1ST of September 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:

8:00 A.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

COMMISSIONER PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Aide A. Trejo Deputy Clerk

ABSENT:
EDNA TAMAYO

The meeting was called to order by Judge Cascos at 8:00 A.M. He then asked for a moment of silence. Mr. Xavier Villarreal, Auditor's Office, 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 27, 2010 at 2:28 P.M.:

EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 8:02 A.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING DONALD R. CRABTREE, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(B).**
- (B) 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).**
- (C) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING LAGUNA MADRE ENHANCEMENT GROUP, L.P. VS. CAMERON COUNTY, TEXAS; IN THE 357TH DISTRICT COURT, CAUSE NO. 2010-DCL-04230, FOR DISCUSSION OF STATUS OF CASE AND APPROVAL OF STIPULATION TO BE FILED, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A).**

NOTE: Commissioner Wood did not immediately return to the Meeting after Executive Session.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 8:08 A.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING DONALD R. CRABTREE, FOR DISCUSSION AND POSSIBLE SETTLEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1)(B).**

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

The motion was seconded by Commissioner Garza and carried unanimously.

- (B) 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 Garza motioned to acknowledge the Report of Counsel.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (C) CONFER WITH COMMISSIONERS COURT LEGAL COUNSEL CONCERNING LAGUNA MADRE ENHANCEMENT GROUP, L.P. VS. CAMERON COUNTY, TEXAS; IN THE 357TH DISTRICT COURT, CAUSE NO. 2010-DCL-04230, FOR DISCUSSION OF STATUS OF CASE AND APPROVAL OF STIPULATION TO BE FILED, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A).**

Commissioner Benavides motioned to acknowledge the Report of Counsel.

The motion was seconded by Commissioner Garza and carried unanimously.

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 Items No. 5 (E) and (K):

Judge Cascos stated that he has been asked to TABLE these items.

Consent Item No. 5 (AA):

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

Consent Item No. 5 (A):

Commissioner Garza asked to discuss this item separately.

Consent Item No. 5 (B):

Commissioner Benavides asked to discuss this item separately.

Consent Item No. 5 (HH):

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

NOTE: Commissioner Wood returned to the Meeting at 8:10 A.M.

Commissioner Garza motioned to approve the "Consent Items", excluding Consent Items No. 5 (A), (B), (AA) and (HH) and tabling Consent Items No. 5 (E) and (K).

The motion was seconded by Commissioner Wood and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF THE TOLL RATE SCHEDULE FOR THE CAMERON COUNTY INTERNATIONAL TOLL BRIDGE SYSTEM EFFECTIVE SEPTEMBER 2, 2010. (PSJ-ADMINISTRATOR) (ACTION TAKEN SEPARATELY)**
- (B) **CONSIDERATION AND APPROVAL OF DIRECT DEPOSIT POLICY FOR ALL COUNTY EMPLOYEES. (MG-AUDITOR) (ACTION TAKEN SEPARATELY)**
- (C) **CONSIDERATION AND ACCEPTANCE OF 10 COMPUTERS (USED) FROM FIFTH JUDICIAL REGION FOR USAGE BY TRAIL COURTS. (MG-AUDITOR)**
The Documentation is as follows:
- (D) **CONSIDERTATION AND APPROVAL OF CONTRACT 2011-036103-001 BETWEEN DEPARTMENT OF STATE HEALTH SERVICES (VITAL STATISTICS UNIT) AND CAMERON COUNTY CLERK, BEGINNING 9/1/2010 THRU 8/31/2012. (JGR-COUNTY CLERK) (Contract No. 2010C09325)**
The Contract is as follows:
- (E) **CONSIDERATION AND AUTHORIZATION FOR AMENDMENT TO CONTRACT NO. 2009CO5207 CONCERNING PROFESSIONAL SERVICES FROM JOHN SHERGOLD, ATTORNEY AT LAW. THE DISTRICT AND COUNTY ATTORNEY IS REQUESTING TO EXTEND THE TERM OF THE CONTRACT TO END ON DECEMBER 31, 2010 BY WRITTEN AGREEMENT BETWEEN ALL PARTIES. (ARV-DISTRICT AND COUNTY ATTORNEY) (TABLED)**
- (F) **CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM MARCH 5, 2011 TO AUGUST 6, 2013 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT WHITE RANCH MANOR SUBDIVISION, IN PCT. 4 AND CONSIDERATION AND APPROVAL TO RELEASE THE CURRENT LETTER OF CREDIT. (EH-CCDoT ENG)**
The Documentation is as follows:
- (G) **CONSIDERATION AND APPROVAL TO LEASE A COPIER WITH XEROX STATE CONTRACT TPASS 985-L2 FOR COPIER SERVICES. (YS-HEALTH) (Contract No. 2010C09326)**
The Contract is as follows:

- (H) CONSIDERATION AND ACKNOWLEDGEMENT OF NO RESPONSE RECEIVED FOR THE FOLLOWING RFQS: (YS-HEALTH)**
- a. RFQ# 100604 MEDICAL PROVIDER (VOLUNTEER) BROWNE COMMUNITY CLINIC
 - b. RFQ# 100605 MEDICAL PROVIDER (VOLUNTEER) FATHER O'BRIEN CLINIC
 - c. RFQ# 100606 MEDICAL PROVIDER (VOLUNTEER) FAMILY LEARNING CENTERS
 - d. RFQ# 100607 DENTAL PROVIDER (VOLUNTEER) BROWNE COMMUNITY CLINIC
 - e. RFQ# 100608 DENTAL PROVIDER (VOLUNTEER) FATHER O'BRIEN CLINIC
 - f. RFQ# 100609 DENTAL PROVIDER (VOLUNTEER) FAMILY LEARNING CENTERS
- The Documentation is as follows:
- (I) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY TO ACCEPT THE JUVENILE SURVEILLANCE PROGRAM GRANT AWARDED TO THE CAMERON COUNTY JUVENILE JUSTICE DEPARTMENT. (TR-JUVENILE PROBATION)**
- The Documentation is as follows:
- (J) CONSIDERATION AND POSSIBLE APPROVAL OF CONTRACT WITH TEXAS DEPARTMENT OF CRIMINAL JUSTICE CONTRACT NO. 696-AG-11-12-L049. (DJV-LEGAL) (Contract No. 2010C09327)**
- The Contract is as follows:
- (K) CONSIDERATION AND POSSIBLE APPROVAL OF LICENSE AGREEMENT WITH MEUCHADIM OF TEXAS, LTD. FOR ACCESS TO FM 509. (DJV-LEGAL) (TABLED)**
- (L) CONSIDERATION AND AUTHORIZATION TO EXECUTE MEMORANDUM OF UNDERSTANDING (CONTRACT NO. 2010C09328) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND AARP FOUNDATION FOR SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAMS. (JM-PARKS)**
- The Agreement is as follows:
- (M) CONSIDERATION AND POSSIBLE APPROVAL OF A LICENSE AGREEMENT (CONTRACT NO. 2010C07275) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND LILLIE CHAMPION, EXECUTIVE DIRECTOR, FRIENDSHIP OF WOMEN, INC. TO PROVIDE SERVICES TO VICTIMS OF FAMILY VIOLENCE AND SEXUAL ASSAULTS AT EL CENTRO CULTURAL-CAMERON PARK. (JM-PARKS)**
- The Agreement is as follows:
- (N) CONSIDERATION AND POSSIBLE APPROVAL OF A LICENSE AGREEMENT (CONTRACT NO. 2010C07276) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND LILLIE CHAMPION, EXECUTIVE DIRECTOR, FRIENDSHIP OF WOMEN, INC. TO PROVIDE SERVICES TO VICTIMS OF FAMILY VIOLENCE AND SEXUAL ASSAULTS AT THE BROWNE ROAD SOCIAL SERVICE CENTER. (JM-PARKS)**
- The Agreement is as follows:
- (O) CONSIDERATION AND AUTHORIZATION TO EXECUTE AN INTERLOCAL AGREEMENT (CONTRACT NO. 2010CO9339) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND CITY OF LOS FRESNOS. (JM-PARKS)**
- The Agreement is as follows:
- (P) CONSIDERATION AND APPROVAL OF PURCHASE WITHOUT A PURCHASE ORDER FROM DELTA SPECIALTIES SIGNS AND SUPPLIES FOR \$979.60. (FB-PD&M)**
- The Documentation is as follows:
- (Q) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS ASSIGNING RECOVERY ZONE BOND LIMITATION TO THE104) HOUSING AUTHORITY CITY OF BROWNSVILLE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE PURPOSE OF ISSUING RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS. (FB-PD&M) (Resolution No. 2010R09104)**
- The Resolution is as follows:

- (R) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS ASSIGNING RECOVERY ZONE BOND LIMITATION TO THE HOUSING AUTHORITY CITY OF BROWNSVILLE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE PURPOSE OF ISSUING RECOVERY ZONE FACILITY BONDS. (FB-PD&M) (Resolution No. 2010R09105)**
The Resolution is as follows:
- (S) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR GENERATOR IMPROVEMENTS FOR THE EAST RIO HONDO WATER SUPPLY CORPORATION (TDRA CONTRACT NO. DSR010021). (FB-PD&M)**
The Documentation is as follows:
- (T) **CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE LETTER OF AUTHORIZATION REQUESTING HISTORIC USAGE INFORMATION FROM AMERICAN ELECTRIC POWER. (FB-PD&M) (Contract No. 2010C09330)**
The Documentation is as follows:
- (U) **CONSIDERATION AND AUTHORIZATION TO UTILIZE U.S. COMMUNITIES INTERLOCAL COOPERATIVE PURCHASING AGREEMENT FOR THE FOLLOWING: PAINT, STAINS, VARNISH AND RELATED SUPPLIES (HOME DEPOT, BEHR). (MF-PURCHASING)**
The Documentation is as follows:
- (V) **CONSIDERATION AND AUTHORIZATION TO AWARD RFP #100610 FOR COST REDUCTION CONSULTING SERVICES SUBJECT TO NEGOTIATION OF CONTRACT AND COMMISSIONERS' COURT APPROVAL (MGT). (MF-PURCHASING)**
The Tabulation is as follows:
- (W) **CONSIDERATION AND AUTHORIZATION TO AWARD RFQ #100601 FOR ENGINEERING SERVICES FOR PHASE 1 OF SHORELINE PROTECTION AND RESTORATION AT DERRY WATERFRONT PARK SUBJECT TO APPROVAL OF CONTRACT BY COMMISSIONERS' COURT (HDR). (MF-PURCHASING)**
The Tabulation is as follows:
- (X) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS, RFP'S AND RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**
a. **SOIL & MATERIALS TESTING – RFQ #1724 (ROTATION: PSI ENGINEERING, RABA KISTNER, EARTH CO.) SUBJECT TO APPROVAL OF CONTRACTS BY COMMISSIONERS' COURT.**
The Tabulation is as follows:
- (Y) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S/RFQ'S: (MF-PURCHASING)**
a. **PORT ISABEL – CAMERON COUNTY AIRPORT (FIXED BASED OPERATOR) PROPERTY LEASING & MANAGEMENT SERVICES, BAYVIEW, TX – RFP.**
The Documentation is as follows:
- (Z) **CONSIDERATION AND AUTHORIZATION TO RENEW AWARD OF BIDS, RFP'S, AND RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**
a. **FUEL UNLEADED/DIESEL – ANNUAL BID #2280-1 (STRIPES, OIL PATCH)**
The Tabulation is as follows:
- (AA) **CONSIDERATION AND AUTHORIZATION TO NEGOTIATE WITH TOP 3 SCORED FIRMS FOR INMATE PHONE EQUIPMENT & SERVICES – RFP #100403. (MF-PURCHASING) (ACTION TAKEN SEPARATELY)**
- (BB) **CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TPASS/XEROX STATE CONTRACT TPASS 985-L2 FOR CAMERON COUNTY VETERANS OFFICE – BROWNSVILLE. (SS-VETERANS) (Contract No. 2010C09331)**
The Contract is as follows:
- (CC) **CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TPASS/XEROX STATE CONTRACT TPASS 985-L2 FOR CAMERON COUNTY VETERANS OFFICE – SAN BENITO. (SS-VETERANS) (Contract No. 2010C09332)**
The Contract is as follows:

- (DD) 103RD DISTRICT COURT JUDGE JANET L. LEAL TRAVELED TO SAN ANTONIO, TEXAS ON 8/9/10 TO ATTEND THE ADVANCE FAMILY LAW 2010 COURSE.
The Documentation is as follows:
- (EE) 103RD DISTRICT COURT JUDGE JANET L. LEAL TO TRAVEL TO CORPUS CHRISTI, TEXAS ON 9/21 TO 9/24/10 TO ATTEND THE 2010 ANNUAL JUDICIAL EDUCATION CONFERENCE.
The Documentation is as follows:
- (FF) 103RD DISTRICT COURT STAFF (2): COURT ADMINISTRATOR MARIA G. CORTINA AND COURT COORDINATOR SOCORRO T. HERRERA TO TRAVEL TO SAN ANTONIO, TEXAS ON 10/12 TO 10/15/10 TO ATTEND THE 34TH TACA ANNUAL EDUCATION CONFERENCE.
The Documentation is as follows:
- (GG) 197TH DISTRICT COURT STAFF (2): COURT ADMINISTRATOR NORA N. ANDERSON AND COURT COORDINATOR JESSICA CARRIZALES TO TRAVEL TO SAN ANTONIO, TEXAS ON 10/12 TO 10/15/10 TO ATTEND THE TEXAS ASSOCIATION FOR COURT ADMINISTRATION EDUCATION CONFERENCE.
The Documentation is as follows:
- (HH) DEPARTMENT OF TRANSPORTATION STAFF ENGINEER ERNESTO HINOJOSA, P.E. TO TRAVEL TO AUSTIN, TEXAS ON 9/9/10 TO SERVE AS A MEMBER ON THE NEWLY-CREATED TASK FORCE ON UNIFORM COUNTY SUBDIVISION REGULATIONS. (ACTION TAKEN SEPARATELY)
- (II) EXTENSION OFFICE STAFF (1): EXTENSION EDUCATOR-HORTICULTURE JENNIFER HERRERA TRAVELED TO SAN ANTONIO, TEXAS ON 9/1 TO 9/3/10 TO ATTEND THE MASTER GARDENER SPECIALIST TRAINING IN CITRICULTURE. (EP-EXTENSION OFFICE)
The Documentation is as follows:
- (JJ) HEALTH DEPARTMENT STAFF (11): NE COORDINATOR/CERTIFYING AUTHORITY (CA) CHRISTINE LISTER, CLINIC SUPERVISOR/CA ABEER ZEIN, CLINIC SUPERVISOR/CA TED O'DOWD, CLINIC SUPERVISOR/WIC CERTIFICATION SPECIALIST (WCS) DOLORES GONZALEZ, CLINIC SUPERVISOR/CA KATHY MCBROOM, CA AURORA MADRIGAL, CA CAROLINA CRUZ, WCS DAISY ALVARADO, BREASTFEEDING PEER COUNSELOR (BFPC) LAURA CERVANTES, BFPC CHRISTINA DEL RIO AND BFPC JUDITH ALANIZ TO TRAVEL TO WESLACO, TEXAS ON 9/9 TO 9/10/10 TO ATTEND THE PRINCIPLES OF LACTATION MANAGEMENT (POLM) TRAINING.
The Documentation is as follows:
- (KK) JUVENILE PROBATION STAFF (2): DATA COORDINATORS SANDRA RODRIGUEZ AND M. CARMEN SALDIVAR TO TRAVEL TO AUSTIN, TEXAS ON 9/19 TO 9/22/10 TO ATTEND THE 2010 DATA COORDINATORS CONFERENCE.
The Documentation is as follows:
- (LL) TREASURER DAVID A. BETANCOURT TO TRAVEL TO ABILENE, TEXAS ON 9/13 TO 9/17/10 TO ATTEND THE 62ND ANNUAL COUNTY TREASURERS ASSOCIATION CONFERENCE.
The Documentation is as follows:
- (MM) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 WITH LANSFORD COMPANY, INC. IN THE AMOUNT OF \$7,438.20 FOR THE AIRPORT T-HANGAR PROJECT. (PSJ-ADMINISTRATOR)
The Documentation is as follows:

- (C) CONSIDERATION AND ACCEPTANCE OF 10 COMPUTERS (USED) FROM FIFTH JUDICIAL REGION FOR USAGE BY TRAIL COURTS. (MG-AUDITOR)**
The Documentation is as follows:

- (D) CONSIDERTATION AND APPROVAL OF CONTRACT 2011-036103-001 BETWEEN DEPARTMENT OF STATE HEALTH SERVICES (VITAL STATISTICS UNIT) AND CAMERON COUNTY CLERK, BEGINNING 9/1/2010 THRU 8/31/2012. (JGR-COUNTY CLERK) (Contract No. 2010C09325)**
The Contract is as follows:

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The Contract is as follows:

(H) CONSIDERATION AND ACKNOWLEDGEMENT OF NO RESPONSE RECEIVED FOR THE FOLLOWING RFQS: (YS-HEALTH)

- a. RFQ# 100604 MEDICAL PROVIDER (VOLUNTEER) BROWNE COMMUNITY CLINIC**
- b. RFQ# 100605 MEDICAL PROVIDER (VOLUNTEER) FATHER O'BRIEN CLINIC**
- c. RFQ# 100606 MEDICAL PROVIDER (VOLUNTEER) FAMILY LEARNING CENTERS**
- d. RFQ# 100607 DENTAL PROVIDER (VOLUNTEER) BROWNE COMMUNITY CLINIC**
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- (I) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY TO ACCEPT THE JUVENILE SURVEILLANCE PROGRAM GRANT AWARDED TO THE CAMERON COUNTY JUVENILE JUSTICE DEPARTMENT. (TR-JUVENILE PROBATION)**
The Documentation is as follows:

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The Contract is as follows:

- (L) CONSIDERATION AND AUTHORIZATION TO EXECUTE MEMORANDUM OF UNDERSTANDING (CONTRACT NO. 2010C09328) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND AARP FOUNDATION FOR SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAMS. (JM-PARKS)**

The Agreement is as follows:

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The Resolution is as follows:

- (R) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS ASSIGNING RECOVERY ZONE BOND LIMITATION TO THE HOUSING AUTHORITY CITY OF BROWNSVILLE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE PURPOSE OF ISSUING RECOVERY ZONE FACILITY BONDS. (FB-PD&M) (Resolution No. 2010R09105)**
The Resolution is as follows:

- (S) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR GENERATOR IMPROVEMENTS FOR THE EAST RIO HONDO WATER SUPPLY CORPORATION (TDRA CONTRACT NO. DSR010021). (FB-PD&M)**
The Documentation is as follows:

- (T) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE LETTER OF AUTHORIZATION REQUESTING HISTORIC USAGE INFORMATION FROM AMERICAN ELECTRIC POWER. (FB-PD&M) (Contract No. 2010C09330)**
The Documentation is as follows:

- (U) CONSIDERATION AND AUTHORIZATION TO UTILIZE U.S. COMMUNITIES INTERLOCAL COOPERATIVE PURCHASING AGREEMENT FOR THE FOLLOWING: PAINT, STAINS, VARNISH AND RELATED SUPPLIES (HOME DEPOT, BEHR). (MF-PURCHASING)**
The Documentation is as follows:

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The Tabulation is as follows:

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The Tabulation is as follows:**

(Y) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS/RFP'S/RFQ'S: (MF-PURCHASING)

a. PORT ISABEL – CAMERON COUNTY AIRPORT (FIXED BASED OPERATOR) PROPERTY LEASING & MANAGEMENT SERVICES, BAYVIEW, TX – RFP.

The Documentation is as follows:

(Z) CONSIDERATION AND AUTHORIZATION TO RENEW AWARD OF BIDS, RFP'S, AND RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)

a. FUEL UNLEADED/DIESEL – ANNUAL BID #2280-1 (STRIPES, OIL PATCH)

The Tabulation is as follows:

(BB) CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TPASS/XEROX STATE CONTRACT TPASS 985-L2 FOR CAMERON COUNTY VETERANS OFFICE – BROWNSVILLE. (SS-VETERANS) (Contract No. 2010C09331)
The Contract is as follows:

(CC) CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TPASS/XEROX STATE CONTRACT TPASS 985-L2 FOR CAMERON COUNTY VETERANS OFFICE – SAN BENITO. (SS-VETERANS) (Contract No. 2010C09332)
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(GG) 197TH DISTRICT COURT STAFF (2): COURT ADMINISTRATOR NORA N. ANDERSON AND COURT COORDINATOR JESSICA CARRIZALES TO TRAVEL TO SAN ANTONIO, TEXAS ON 10/12 TO 10/15/10 TO ATTEND THE TEXAS ASSOCIATION FOR COURT ADMINISTRATION EDUCATION CONFERENCE.

The Documentation is as follows:

- (II) EXTENSION OFFICE STAFF (1): EXTENSION EDUCATOR-HORTICULTURE JENNIFER HERRERA TRAVELED TO SAN ANTONIO, TEXAS ON 9/1 TO 9/3/10 TO ATTEND THE MASTER GARDENER SPECIALIST TRAINING IN CITRICULTURE. (EP-EXTENSION OFFICE)**
The Documentation is as follows:

- (JJ) HEALTH DEPARTMENT STAFF (11): NE COORDINATOR/CERTIFYING AUTHORITY (CA) CHRISTINE LISTER, CLINIC SUPERVISOR/CA ABEER ZEIN, CLINIC SUPERVISOR/CA TED O'DOWD, CLINIC SUPERVISOR/WIC CERTIFICATION SPECIALIST (WCS) DOLORES GONZALEZ, CLINIC SUPERVISOR/CA KATHY MCBROOM, CA AURORA MADRIGAL, CA CAROLINA CRUZ, WCS DAISY ALVARADO, BREASTFEEDING PEER COUNSELOR (BFPC) LAURA CERVANTES, BFPC CHRISTINA DEL RIO AND BFPC JUDITH ALANIZ TO TRAVEL TO WESLACO, TEXAS ON 9/9 TO 9/10/10 TO ATTEND THE PRINCIPLES OF LACTATION MANAGEMENT (POLM) TRAINING.**
- The Documentation is as follows:**

- (KK) JUVENILE PROBATION STAFF (2): DATA COORDINATORS SANDRA RODRIGUEZ AND M. CARMEN SALDIVAR TO TRAVEL TO AUSTIN, TEXAS ON 9/19 TO 9/22/10 TO ATTEND THE 2010 DATA COORDINATORS CONFERENCE.
The Documentation is as follows:**

- (LL) TREASURER DAVID A. BETANCOURT TO TRAVEL TO ABILENE, TEXAS ON 9/13 TO 9/17/10 TO ATTEND THE 62ND ANNUAL COUNTY TREASURERS ASSOCIATION CONFERENCE.
The Documentation is as follows:**

**(MM) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 WITH LANSFORD COMPANY, INC. IN THE AMOUNT OF \$7,438.20 FOR THE AIRPORT T-HANGAR PROJECT.
(PSJ-ADMINISTRATOR)
The Documentation is as follows:**

(5) **CONSENT ITEMS.**

(A) **CONSIDERATION AND APPROVAL OF THE TOLL RATE SCHEDULE FOR THE CAMERON COUNTY INTERNATIONAL TOLL BRIDGE SYSTEM EFFECTIVE SEPTEMBER 2, 2010. (PSJ-ADMINISTRATOR)**

Mr. Pete Sepulveda, County Administrator, explained the increases to the existing Toll Rate Schedule such that Class 1 passenger vehicles is increasing from \$2.50 to \$3.00 and the rate for pedestrians is increasing from \$0.65 to \$0.75.

Commissioner Garza motioned to approve the Toll Rate Schedule for the Cameron County International Toll Bridge System effective September 2, 2010.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

(B) CONSIDERATION AND APPROVAL OF DIRECT DEPOSIT POLICY FOR ALL COUNTY EMPLOYEES. (MG-AUDITOR) (FAILED)

Ms. Martha Galarza, County Auditor, stated that the Direct Deposit Policy was drafted between her office and Human Resources. She clarified that the item before the Court for approval is only approving the Policy and not the implementation of mandatory direct deposit.

Commissioner Wood stated his position that mandatory direct deposit should not be enforced if a current employee does not want to enroll.

Mr. Manuel Villarreal, Human Resources Director, advised the Court that open enrollment is soon to begin and recommended that a representative from the Auditor's Office be present to explain direct deposit to those employees who are not enrolled.

Mr. David Betancourt, County Treasurer, recommended that direct deposit enrollment remain voluntary.

Commissioner Wood recommended that those employees who are not enrolled in direct deposit be approached during open enrollment to advise them of the benefits of direct deposit and then observe how many more employees enroll.

Ms. Galarza stated that updates can be provided to the Court as to the number of employees who enroll in direct deposit during open enrollment.

Commissioner Garza recommended that the vendors doing business with the County also be paid via electronic funds transfer.

Commissioner Garza motioned to approve the Direct Deposit Policy for all County Employees with a 90-day phase-in period.

The motion was seconded by Judge Cascos and the vote was as follows:

AYE: Commissioner Garza and Judge Cascos

NAY: Commissioner Wood and Commissioner Benavides

ABSENT: Commissioner Tamayo

The motion failed due to a tied vote of (2) to (2).

Judge Cascos directed the County Auditor to place this item on the next available Agenda.

(AA) CONSIDERATION AND AUTHORIZATION TO NEGOTIATE WITH TOP 3 SCORED FIRMS FOR INMATE PHONE EQUIPMENT & SERVICES – RFP #100403. (MF-PURCHASING)

Commissioner Garza motioned to authorize negotiations with the top 5 scored firms for Inmate Phone Equipment & Services – RFP #100403.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Tabulation is as follows:

(HH) DEPARTMENT OF TRANSPORTATION STAFF ENGINEER ERNESTO HINOJOSA, P.E. TO TRAVEL TO AUSTIN, TEXAS ON 9/9/10 TO SERVE AS A MEMBER ON THE NEWLY-CREATED TASK FORCE ON UNIFORM COUNTY SUBDIVISION REGULATIONS.

Mr. Pete Sepulveda, County Administrator, advised the Court that the Agenda Request Form indicates a request for two nights at a hotel when the travel is for a 9 a.m. Meeting on September 9th.

Commissioner Garza motioned to approve the travel for the Department of Transportation Staff Engineer Ernesto Hinojosa, P.E. to Austin, Texas on 9/9/10 to serve as a member on the newly-created Task Force on Uniform County Subdivision Regulations with the modification that only one hotel night is to be authorized.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(3) **PUBLIC COMMENTS.**

None were presented.

PRESENTATIONS

(4) **PRESENTATIONS/RESOLUTIONS.**

(A) **PRESENTATION AND DISCUSSION OF THE 2011-2012 TEXAS COMMUNITY DEVELOPMENT PROGRAM, INCLUDING AVAILABLE FUNDING, PROGRAM REQUIREMENTS, POTENTIAL PROJECTS, AND RELATED MATTERS. (FB-PD&M)**

Mr. Frank Bejarano, PD&M Director, explained the proposed project list to the Court which includes the following projects: Kings Subdivision Waterline Replacement Project (El Jardin Water Supply Corporation), Laguna Heights Waterline Replacement Project (Laguna Madre Water District), Rancho Grande South Streetlights Project (Valley Interfaith), Rancho Grande South Drainage Improvement Project (Valley Interfaith), Montezuma and Briggs-Coleman Road Waterline Replacement Project (East Rio Hondo Water Supply Corporation), Shelter Completion (Family Crisis Center) and the Drainage Ditch Improvement Project (Drainage District No. 4).

Mr. Gavino Sotelo, General Manager for the Laguna Madre Water District, explained that the funding request submitted is for the second phase of the project with an estimated cost of \$150,000.

Mr. Manuel Flores, General Manager for Cameron County Drainage District No. 4, presented his project request for 20 miles of drainage ditch improvements with an estimated cost of \$265,776.

Judge Cascos expressed concern with utilizing the entire grant funding for one project.

Mr. Bejarano advised the Court that the funds cannot be used for maintenance or operational costs.

Commissioner Benavides motioned to acknowledge the presentation and discussion of the 2011-2012 Texas Community Development Program, including available funding, program requirements, potential projects, and related matters.

The motion was seconded by Commissioner Garza 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 Garza, seconded by Commissioner Wood 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 Wood motioned to approve the Claims.

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

AYE: Commissioner Benavides, Commissioner Wood and Commissioner Garza

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00243990 made payable to Brownsville Independent School District, Warrant No. 00244045 made payable to Laguna Madre Water District and Warrant No. 00244080 made payable to Public Utilities Board.

ABSENT: Commissioner Tamayo

The Claims and Affidavits are as follows:

**(C) APPROVAL OF MINUTES FOR:
AUGUST 12, 2010 - SPECIAL MEETING
AUGUST 19, 2010 - REGULAR MEETING (TABLED)**

Commissioner Garza motioned to approve the Minutes for the August 12, 2010-Special Meeting and to TABLE the Minutes for the August 19, 2010-Regular Meeting.

The motion was seconded by Commissioner Wood and carried unanimously.

**(D) DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR 2010-2011 BUDGET.
(MG-AUDITOR)**

Mr. Xavier Villarreal, Auditor's Office, presented a list of recommendations to the Court concerning reductions to the General Fund Budget. He explained that the "Post Implementation" column represents actual figures being entered into the County's financial systems and noted that the recommendations that have an amount listed in the "Post Implementation" column are not included in the \$296,581 shortfall as they have not been entered into the system.

Judge Cascos asked that revenue projections for the upcoming fiscal year be as conservative as possible.

Commissioner Garza inquired as to the amount of revenue that was generated versus the revenue amount projected in the current fiscal year.

Ms. Martha Galarza, County Auditor, replied that the projected loss in revenue is approximately 2% or \$2 million and stated that revenue projections for Fiscal Year 2010-2011 are more moderate.

Commissioner Benavides expressed concern with eliminating the Law Enforcement Safety Officer position.

Judge Cascos recommended that only the amount associated with the elimination of the HR Director position be included in the budget reduction.

Mr. Xavier Villarreal, Auditor's Office, explained that the HR Director's salary is divided among different funds and the amount allocated within the General Fund is approximately \$40,000 to \$45,000.

Judge Cascos asked the Court members as to which budget reductions listed they are not ready to approve.

Commissioner Garza asked that the Law Enforcement Safety Officer position be discussed further.

Commissioner Benavides asked to exclude the elimination of the JP 7-2 clerks.

Commissioner Wood asked if the \$12,000 projected RMA reimbursement is an adequate figure.

Mr. Pete Sepulveda, County Administrator, advised the Court that he has not met with the RMA to discuss the issue of reimbursement for office use.

Commissioner Garza stated his opposition for charging the RMA for the use of office space and noted that there are many other agencies which use County office space for meetings and are not charged.

Commissioner Garza motioned to approve all the budget recommendations as listed under the "Pre-Implementation" column excluding 1) the elimination of the JP 7-2 clerks (\$72,000), 2) the RMA

reimbursement for office use (\$12,000) and 3) the elimination of the Law Enforcement Safety Officer with the modification to the amount listed for the elimination of the HR Director from \$104,000 to \$45,000.

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

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

NAY: None

ABSENT: Commissioner Tamayo

Judge Cascos asked that the duties of the Law Enforcement Safety Officer be clarified and presented to the Court and recommended that the elimination of the JP 7-2 clerks and the RMA reimbursement for office use be discussed further at the next Commissioners' Court Meeting.

Ms. Galarza presented a budget request from the Tax Office to utilize Scofflaw revenue and explained the start-up and recurring costs associated with the proposed Scofflaw Budget. She noted that the "mass flagging of records" listed under Start-up Costs includes both start-up and recurring costs.

The Documentation is as follows:

(E) CONSIDERATION AND SELECTION OF ONE OR MORE PROJECT(S) PURSUANT TO THE 2011-2012 TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD&M)

Commissioner Garza inquired as to whether there will be any fire hydrants issues addressed concerning the Laguna Heights Waterline Replacement Project.

Mr. Gavino Sotelo, General Manager for the Laguna Madre Water District, responded that his agency does not provide fire hydrants as that is a service of the City and added that he is willing to provide water taps in the event that fire hydrants are added at a later date. He informed the Court that the Board of Directors have discussed the issue of fire hydrants and have concluded that the Laguna Madre Water District should not be in the fire protection business.

Commissioner Garza explained that there are on-going issues regarding fire hydrants in Laguna Heights.

Mr. Sotelo stated that he will comply with the requirements of the grant as set by the Court.

Judge Cascos recommended that an Interlocal Agreement be developed between Cameron County and the City of Port Isabel/Laguna Vista to maintain the fire hydrants after they are installed by the Laguna Madre Water District.

Judge Cascos recommended that the following projects be selected: Kings Subdivision Waterline Replacement (\$139,469), Laguna Heights Waterline Replacement (\$118,807) and Rancho Grande South Streetlights (\$7,500).

Commissioner Garza expressed concern with selecting the Rancho Grande South Streetlights Project as it is considered a lower-tier project.

Judge Cascos pointed out that the amount allocated to the Rancho Grande South Streetlights Project represents 3% of the total funding.

Commissioner Garza insisted that fire hydrants be a requirement of the Laguna Heights Waterline Replacement Project. He then recommended that the funds be divided in consideration to the number of beneficiaries.

Commissioner Wood motioned to select the Kings Subdivision Waterline Replacement Project (\$129,138), the Laguna Heights Waterline Replacement Project (\$129,138) and the Rancho Grande South Streetlights Project (\$7,500) for the 2011-2012 Texas Community Development Program with the caveat that fire hydrants be a requirement of the Laguna Heights Waterline Replacement Project.

The motion was seconded by Commissioner Garza and carried unanimously.

The Documentation is as follows:

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

Mr. Robert L. Lopez, Director of Administrative Services, reported that there are no updates.

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 10:18 A.M.

APPROVED this 16th 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**