

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 21st day of December 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:

8:30 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

EDNA TAMAYO
COMMISSIONER PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Aide A. Trejo Deputy Clerk

ABSENT:

The meeting was called to order by Judge Cascos at 8:32 A.M. He then asked for a moment of silence. The City of South Padre Island Council members then led the Court and audience in reciting the Pledge of Allegiance and the Pledge of Allegiance to the State Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on December 17, 2010 at 8:25 A.M.:

EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 8:34 A.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) 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 AND DISCOVERY REQUESTS FOR DEPOSITIONS OF COUNTY PERSONNEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**
- (B) DISCUSSION AND POSSIBLE ACTION REGARDING PURCHASES OF THE FOLLOWING PROPERTIES STRUCK OFF TO CAMERON COUNTY FOR ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX SALE HELD ON NOVEMBER 2, 2010, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072**
- a. LEGAL DESCRIPTION: TRACT 1: LOT 14, BLOCK 5, SIXTH SECTION, LA POSADA SOUTH SUBDIVISION, SECTION III, A SUBDIVISION IN CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDES 161-B AND 162-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 04-4730-0050-0140-00)**
- TRACT 2: BROWNSVILLE - LA POSADA SOUTH SEC III BLDG ONLY LOT 14, BLK 5 (ACCT. NO. 04-4730-0050-0145-00)**
- b. LEGAL DESCRIPTION: LOT 5, BLOCK 5, SECOND ADDITION, CITY OF BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 5, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-0020-0050-0050-00)**
- c. LEGAL DESCRIPTION: LOT 32, BLOCK 3, MORNINGSIDE ESTATES SUBDIVISION, SECTION 1, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 29, PAGE 10, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 05-0510-0030-0320-00)**
- d. LEGAL DESCRIPTION: LOT 6, BLOCK 3, BOULEVARDE HEIGHTS ADDITION, CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 6, PAGE 72, PLAT RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-2860-0030-0060-00)**
- e. LEGAL DESCRIPTION: LOT 10, BLOCK 7, RESACA HEIGHTS ADDITION NO. 2, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1035, PAGE 493, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-9050-0070-0100-00)**
- f. LEGAL DESCRIPTION: LOT 42, WALLACE SUBDIVISION #2, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 13, PAGE 12, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 25-2530-0000-0420-00)**
- g. LEGAL DESCRIPTION: LOT 11, BLOCK 1, HOLTRY ADDITION, AN ADDITION TO THE CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 4225, PAGE 164, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 18-7710-0010-0110-00)**
- h. LEGAL DESCRIPTION: LOT 34, BLOCK 11, EBONY HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 14, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 02-6700-0110-0340-00)**
- i. LEGAL DESCRIPTION: LOT 18, BLOCK 18, COLONIA LA PALMA SUBDIVISION NO. 1, AN**

ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 7, PAGE 20, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-6160-0180-0180-00)

- j. LEGAL DESCRIPTION: LOT 18, BLOCK 1, PONDEROSA ESTATES SUBDIVISION, UNIT 1, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDE 386-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-6000-0010-0180-00)**
- k. LEGAL DESCRIPTION: LOT 53, LA ESPERANZA SUBDIVISION, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1177, PAGE 154, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 59-4390-0000-0530-00)**
- l. ILEGAL DESCRIPTION: LOT 9, BLOCK 1, COMMERCIAL HEIGHTS ADDITION, CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 303, PAGE 236, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 16-7420-0010-0090-00)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 9:09 A.M. to discuss the following matters:

(2) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) 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 AND DISCOVERY REQUESTS FOR DEPOSITIONS OF COUNTY PERSONNEL, 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.

- (B) DISCUSSION AND POSSIBLE ACTION REGARDING PURCHASES OF THE FOLLOWING PROPERTIES STRUCK OFF TO CAMERON COUNTY FOR ITSELF AND OTHER TAXING JURISDICTIONS FROM A TAX SALE HELD ON NOVEMBER 2, 2010, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
 - a. LEGAL DESCRIPTION: TRACT 1: LOT 14, BLOCK 5, SIXTH SECTION, LA POSADA SOUTH SUBDIVISION, SECTION III, A SUBDIVISION IN CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDES 161-B AND 162-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 04-4730-0050-0140-00)**

TRACT 2: BROWNSVILLE - LA POSADA SOUTH SEC III BLDG ONLY LOT 14, BLK 5 (ACCT. NO. 04-4730-0050-0145-00)
 - b. LEGAL DESCRIPTION: LOT 5, BLOCK 5, SECOND ADDITION, CITY OF BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 5, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-0020-0050-0050-00)**
 - c. LEGAL DESCRIPTION: LOT 32, BLOCK 3, MORNINGSIDE ESTATES SUBDIVISION, SECTION 1, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 29, PAGE 10, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 05-0510-0030-0320-00)**
 - d. LEGAL DESCRIPTION: LOT 6, BLOCK 3, BOULEVARDE HEIGHTS ADDITION, CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 6, PAGE 72, PLAT RECORDS OF CAMERON COUNTY,**

TEXAS.(ACCT. NO. 57-2860-0030-0060-00)

- e. **LEGAL DESCRIPTION: LOT 10, BLOCK 7, RESACA HEIGHTS ADDITION NO. 2, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1035, PAGE 493, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-9050-0070-0100-00)**
- f. **LEGAL DESCRIPTION: LOT 42, WALLACE SUBDIVISION #2, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 13, PAGE 12, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 25-2530-0000-0420-00)**
- g. **LEGAL DESCRIPTION: LOT 11, BLOCK 1, HOLTRY ADDITION, AN ADDITION TO THE CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 4225, PAGE 164, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 18-7710-0010-0110-00)**
- h. **LEGAL DESCRIPTION: LOT 34, BLOCK 11, EBONY HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 14, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 02-6700-0110-0340-00)**
- i. **LEGAL DESCRIPTION: LOT 18, BLOCK 18, COLONIA LA PALMA SUBDIVISION NO. 1, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 7, PAGE 20, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-6160-0180-0180-00)**
- j. **LEGAL DESCRIPTION: LOT 18, BLOCK 1, PONDEROSA ESTATES SUBDIVISION, UNIT 1, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDE 386-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-6000-0010-0180-00)**
- k. **LEGAL DESCRIPTION: LOT 53, LA ESPERANZA SUBDIVISION, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1177, PAGE 154, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 59-4390-0000-0530-00)**
- l. **LEGAL DESCRIPTION: LOT 9, BLOCK 1, COMMERCIAL HEIGHTS ADDITION, CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 303, PAGE 236, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 16-7420-0010-0090-00)**

Commissioner Garza motioned to approve the resale of the properties as discussed in Executive Session.

The motion was seconded by Commissioner Benavides and carried unanimously.

(3) PUBLIC COMMENTS.

None were presented.

PRESENTATIONS

(4) PRESENTATIONS/RESOLUTIONS.

(A) PRESENTATION OF SWEARING IN OF THE APPOINTED CIVIL SERVICE COMMISSIONERS: (RL-ADMINISTRATION)

- 1. MR. JAVIER DE LEON – CHAIR PERSON**
- 2. DR. CHRIS GARCIA – COMMISSIONER**
- 3. MR. KEITH UHLES - COMMISSIONER**

Judge Cascos swore in the members of the Civil Service Commission.

Mr. Javier De Leon, Chair of the Civil Service Commission, thanked the Court for their support.

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 (B) and (P):

Judge Cascos asked to TABLE these items.

Consent Item No. 5 (Z):

Commissioner Garza asked to discuss this item separately.

Consent Item No. 5 (A):

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

Consent Item No. 5 (EE):

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

Consent Item No. 5 (JJ):

Mr. Pete Sepulveda, County Administrator, informed the Court that the travel for this item is from January 5 to January 7, 2011 at South Padre Island.

Commissioner Tamayo motioned to approve the "Consent Items", excluding Consent Items No. 5 (Z) and (EE), tabling Consent Items No. 5 (A), (B) and (P) and with the correction to Consent Item No. 5 (JJ).

The motion was seconded by Commissioner Wood and carried unanimously.

- (A) **CONSIDERATION AND APPROVAL OF GRANTING OF EASEMENT TO THE BROWNSVILLE PUBLIC UTILITIES BOARD FOR THE WEST RAILROAD RELOCATION PROJECT. (PSJ-ADMINISTRATOR) (TABLED)**
- (B) **CONSIDERATION AND AUTHORIZATION TO APPROVE THE PROJECT PRE-APPROVAL APPLICATION FORMS FOR THE UTILITY REBATE PROGRAM FOR THE DISTRIBUTED RENEWABLE ENERGY TECHNOLOGY GRANT PROJECT. (RL-ADMINISTRATIVE) (TABLED)**
- (C) **CONSIDERATION AND APPROVAL OF CHASE DIRECT PAYMENT CARD PROGRAM-CLIENT SERVICE AGREEMENT. (MG-AUDITOR) (Contract No. 2010C12485)**
The Agreement is as follows:
- (D) **CONSIDERATION AND APPROVAL OF PERSONAL SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND CONTRACTOR, MARIA MOLINAR-RUIZ, OPERATING UNDER SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA). (MG-AUDITOR) (Contract No. 2010C12486)**
The Agreement is as follows:
- (E) **CONSIDERATION AND AUTHORIZATION TO REDUCE THE FINANCIAL GUARANTEE FOR INSTALLATION OF SEPTIC SYSTEMS FOR GARZA-CANO SUBDIVISION, IN PCT. 1. (EH-CCDoT ENG)**
The Documentation is as follows:
- (F) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR HERNANDEZ-IBARRA SUBDIVISION, PCT. 2, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT ENG)**
The Documentation is as follows:
- (G) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RANCHO GRANDE SOUTH SUBDIVISION, SECTION V, PCT. 4, FOR UNBUILT**

SEPTIC SYSTEMS. (EH-CCDoT ENG)

The Documentation is as follows:

- (H) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RANCHO GRANDE SOUTH SUBDIVISION, SECTION VI, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT ENG)**
The Documentation is as follows:
- (I) **CONSIDERATION AND AUTHORIZATION OF TIME EXTENSION FROM NOVEMBER 8, 2010 TO NOVEMBER 10, 2013 FOR PROVIDING SEPTIC SYSTEMS TO SERVE CROSSING EIGHT'S SUBDIVISION, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:
- (J) **CONSIDERATION AND APPROVAL OF THE FUNDING AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION "STATE" FOR THE BORDER COLONIA ACCESS PROGRAM (B.C.A.P.) AMENDMENT #5 – 3RD CALL. (EH-CCDoT ENG) (Contract No. 2010C12487)**
The Agreement is as follows:
- (K) **CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TASB BUYBOARD CONTRACT #299-08 FOR CAMERON COUNTY CONSTABLE PCT. 1. (HZ-CONSTABLE PCT. 1) (Contract No. 2010C12494)**
The Agreement is as follows:
- (L) **CONSIDERATION AND APPROVAL FOR "CLOTHING EXPENSE" OF \$500 FOR SERGEANT INVESTIGATOR RUDY DELGADO TO BE PAID OUT OF THE FUND 90 ACCOUNT. (CRD-CONSTABLE PCT. 7)**
The Documentation is as follows:
- (M) **CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TASB BUYBOARD CONTRACT #299-08 FOR 404TH DISTRICT COURT – JUDGE ELIA CORNEJO LOPEZ. (EL-404TH DISTRICT COURT) (Contract No. 2010C12495)**
The Agreement is as follows:
- (N) **CONSIDERATION AND AUTHORIZATION TO PURCHASE WALK IN COOLER FREEZER COMBO FROM JEAN'S RESTAURANT SUPPLY UTILIZING THE BUY BOARD INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT. (TRJ-JUVENILE PROBATION)**
The Documentation is as follows:
- (O) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A CONTRACT (2010C12481) WITH CLEAN AIR SOLUTIONS (CAS) FOR THE CROSSING AND INSTALLATION OF UTILITIES AT BEACH ACCESS #5 (E.K. ATWOOD). (JM-PARKS)**
The Contract is as follows:
- (P) **CONSIDERATION AND AUTHORIZATION TO APPROVE PROFESSIONAL SERVICE AGREEMENT CONTRACT NUMBER 2010C12488 WITH COASTAL SOLUTION, INC. TO HELP PREPARE THE CAMERON COUNTY EROSION RESPONSE PLAN. (JM-PARKS) (TABLED)**
- (Q) **CONSIDERATION AND APPROVAL OF A TEMPORARY RIGHT OF ENTRY EASEMENT FOR CONSTRUCTION OF THE SOUTH PADRE ISLAND BEACH NOURISHMENT PROJECT. (JM-PARKS) (Contract No. 2010C12480)**
The Documentation is as follows:
- (R) **CONSIDERATION AND POSSIBLE APPROVAL OF A LICENSE AGREEMENT (CONTRACT NO. 2010C12483) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND NICK MITCHELL BENNETT, DIRECTOR, COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE TO PROVIDE OUTREACH ACTIVITIES AT THE BROWNE ROAD SOCIAL SERVICE CENTER TO HELP COUNTY RESIDENTES OWN THEIR OWN HOMES. (JM-PARKS)**
The Agreement is as follows:

- (S) **CONSIDERATION AND POSSIBLE APPROVAL OF A LICENSE AGREEMENT (CONTRACT NO. 2010C12482) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND NICK MITCHELL BENNETT, DIRECTOR, COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE TO PROVIDE OUTREACH ACTIVITIES AT THE EL CENTRO CULTURAL AT CAMERON PARK TO HELP COUNTY RESIDENTES OWN THEIR OWN HOMES. (JM-PARKS)**
The Agreement is as follows:
- (T) **CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE ANY AND ALL CONTRACT VERIFICATIONS, PURSUANT TO HOUSEHOLDS ASSISTED THROUGH THE COUNTY'S HURRICANE DOLLY HOUSING RECOVERY PROGRAM FUNDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 70090011). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:
- (U) **CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE ANY AND ALL CONTRACTOR PAYMENT REQUESTS, PURSUANT TO HOUSEHOLDS ASSISTED THROUGH THE COUNTY'S HURRICANE DOLLY HOUSING RECOVERY PROGRAM FUNDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 70090011). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:
- (V) **CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE ANY AND ALL PROJECT CHANGE ORDERS, PURSUANT TO HOUSEHOLDS ASSISTED THROUGH THE COUNTY'S HURRICANE DOLLY HOUSING RECOVERY PROGRAM FUNDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 70090011). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:
- (W) **CONSIDERATION AND AWARD OF LOW BID E-CON GROUP, LLC., FOR STREET IMPROVEMENTS FOR THE CITY OF COMBES (TDRA CONTRACT NO. DSR010021). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:
- (X) **CONSIDERATION AND APPROVAL TO AWARD LOW BID TO G & T PAVING FOR DISASTER RECOVERY STREET AND DRAINAGE RECONSTRUCTION FOR THE CITY OF PRIMERA (TDRA CONTRACT NO. DSR010021). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:
- (Y) **CONSIDERATION AND AWARD OF LOW BID TO METRO ELECTRIC, INC., FOR GENERATOR IMPROVEMENTS FOR THE CITY OF RIO HONDO (TDRA CONTRACT NO. DSR010021). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:
- (Z) **CONSIDERATION AND APPROVAL TO WAIVE THE SIXTY (60) DAY NOTICE REQUIREMENT FOR THE CREATION OF SOUTH PADRE ISLAND TAX INCREMENT REINVESTMENT ZONE NO. ONE. (FB-PLANNING DEVELOPMENT AND MANAGEMENT) (ACTION TAKEN SEPARATELY)**
- (AA) **CONSIDERATION AND APPROVAL OF TEXAS DEPARTMENT OF RURAL AFFAIRS CONTRACT NO. 710165. (FB-PLANNING DEVELOPMENT AND MANAGEMENT) (Contract No. 2010C12489)**
The Contract is as follows:
- (BB) **CONSIDERATION AND AUTHORIZATION TO BEGIN COUNTY ON-LINE AUCTION JANUARY 5, 2011. (MF-PURCHASING)**
The Documentation is as follows:
- (CC) **CONSIDERATION AND AUTHORIZATION TO ADD TO EVALUATION COMMITTEE FOR THE FOLLOWING RFQ: (MF-PURCHASING)**
 a. **MENTAL HEALTH (PSYCHOLOGICAL SERVICES) RFQ #1515 – COUNTY INFIRMARY,**

JAIL, SHERIFF'S DEPARTMENT ADD EVALUATOR – DEAN GARZA (COUNTY JAIL INFIRMARY ADMINISTRATOR).

The Documentation is as follows:

- (DD) CONSIDERATION AND AUTHORIZATION TO AWARD BIDS, RFP'S, RFQ'S FOR THE FOLLOWING: (MF-PURCHASING)**
- a. BUILDING SUPPLIES – ELECTRICAL – ANNUAL BID #2000 – 2 (ELECTRIC FIXTURE SUPPLY)**
The Documentation is as follows:
- (EE) CONSIDERATION AND APPROVAL TO PURCHASE (1) CANINE \$5,400.00 UTILIZING (FUND 900) VENDOR KASSEBURG CANINE TRAINING CENTER. (OL-SHERIFF) (ACTION TAKEN SEPARATELY)**
- (FF) CONSIDERATION AND AUTHORIZATION TO REFUND TAXES ON CORRECTION OF SUPPLEMENTAL CHANGES AS AUTHORIZED BY THE CAMERON APPRAISAL DISTRICT AS PER SECTION 42.41(c) OF THE TEXAS PROPERTY TAX CODE AS PER AGREED JUDGEMENT AND AS PER SECTION 25.25(c) OF THE TEXAS PROPERTY TAX CODE (REMOVE IMPROVEMENTS): (TY-TAX OFFICE)**
- a. LACK'S VALLEY STORES, LTD \$3,011.41 CHANGE VALUE-FINAL JUDGEMENT**
- b. LACK'S VALLEY STORES, LTD \$9,503.57 CHANGE VALUE-FINAL JUDGEMENT**
- c. LFD HOLDING, LLP \$3,548.65 CHANGE VALUE-FINAL JUDGEMENT**
- d. LFD HOLDING, LLP \$5,186.76 CHANGE VALUE-FINAL JUDGEMENT**
- e. POPP GRAY & HUTCHESON \$4,494.25 CHANGE VALUE-FINAL JUDGEMENT**
- f. POPP GRAY & HUTCHESON \$4,433.59 CHANGE VALUE-FINAL JUDGEMENT**
- g. DODSON C M PC \$4,273.35 REMOVE IMPROVEMENTS**
The Documentation is as follows:
- (GG) DISCUSSION AND POSSIBLE ACTION ON THE RESOLUTION APPROVING THE VARIOUS PRIVATE OFFERS RECEIVED FROM THE TAX SALE HELD ON NOVEMBER 2, 1010. (TY-TAX OFFICE)**
- a. LEGAL DESCRIPTION: TRACT 1: LOT 14, BLOCK 5, SIXTH SECTION, LA POSADA SOUTH SUBDIVISION, SECTION III, A SUBDIVISION IN CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDES 161-B AND 162-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 04-4730-0050-0140-00)**
TRACT 2: BROWNSVILLE - LA POSADA SOUTH SEC III BLDG ONLY LOT 14, BLK 5 (ACCT. NO. 04-4730-0050-0145-00)
- b. LEGAL DESCRIPTION: LOT 5, BLOCK 5, SECOND ADDITION, CITY OF BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 5, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-0020-0050-0050-00)**
- c. LEGAL DESCRIPTION: LOT 32, BLOCK 3, MORNINGSIDE ESTATES SUBDIVISION, SECTION 1, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 29, PAGE 10, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 05-0510-0030-0320-00)**
- d. LEGAL DESCRIPTION: LOT 6, BLOCK 3, BOULEVARDE HEIGHTS ADDITION, CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 6, PAGE 72, PLAT RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-2860-0030-0060-00)**
- e. LEGAL DESCRIPTION: LOT 10, BLOCK 7, RESACA HEIGHTS ADDITION NO. 2, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1035, PAGE 493, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-9050-0070-0100-00)**

- f. **LEGAL DESCRIPTION: LOT 42, WALLACE SUBDIVISION #2, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 13, PAGE 12, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 25-2530-0000-0420-00)**
- g. **LEGAL DESCRIPTION: LOT 11, BLOCK 1, HOLTRY ADDITION, AN ADDITION TO THE CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 4225, PAGE 164, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 18-7710-0010-0110-00)**
- h. **LEGAL DESCRIPTION: LOT 34, BLOCK 11, EBONY HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 14, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 02-6700-0110-0340-00)**
- i. **LEGAL DESCRIPTION: LOT 18, BLOCK 18, COLONIA LA PALMA SUBDIVISION NO. 1, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 7, PAGE 20, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-6160-0180-0180-00)**
- j. **LEGAL DESCRIPTION: LOT 18, BLOCK 1, PONDEROSA ESTATES SUBDIVISION, UNIT 1, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDE 386-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-6000-0010-0180-00)**
- k. **LEGAL DESCRIPTION: LOT 53, LA ESPERANZA SUBDIVISION, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1177, PAGE 154, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 59-4390-0000-0530-00)**
- l. **LEGAL DESCRIPTION: LOT 9, BLOCK 1, COMMERCIAL HEIGHTS ADDITION, CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 303, PAGE 236, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 16-7420-0010-0090-00)**

The Documentation is as follows:

- (HH) CCDoT PUBLIC WORKS OFFICE STAFF (2): TO TRAVEL TO AUSTIN, TEXAS THE FIRST WEEK OF JANUARY 2011 TO PICK UP A NEW 3000 GALLON WATER TANK.
The Documentation is as follows:**
- (II) DISTRICT ATTORNEY'S OFFICE STAFF (1): COMMANDER LUIS CARLOS DE LEON TRAVELED TO LAREDO, TEXAS ON 12/15/10 TO ATTEND THE SOUTH TEXAS HIDTA MEETING.
The Documentation is as follows:**
- (JJ) ELECTIONS OFFICE STAFF (5): ELECTIONS ADMINISTRATOR ROGER ORTIZ, GEO/INFO SYSTEMS COORDINATOR FRED GARZA, ELECTION CLERKS AMANDA MARTINEZ, CLAUDIA ROCHA AND LLESICA CRAFTS.
The Documentation is as follows:**
- (KK) HEALTH DEPARTMENT OFFICE STAFF (2): HEALTH ADMINISTRATOR YVETTE SALINAS AND WIC DIRECTOR LETY MONTIEL TO TRAVEL TO DALLAS, TEXAS ON 2/27 TO 3/1/11 TO ATTEND THE 25TH ANNUAL CONFERENCE ON PREVENTION OF CHILD ABUSE.
The Documentation is as follows:**
- (LL) HUMAN RESOURCES OFFICE STAFF (2): ASSISTANT HR DIRECTOR SUSIE MARFILENO AND CIVIL SERVICE COORDINATOR DALIA ROBLES TO TRAVEL TO CORPUS CHRISTI ON 2/21 TO 2/22/11 TO ATTEND THE 2011 LOSS CONTROL WORKSHOP.
The Documentation is as follows:**
- (MM) JUVENILE PROBATION STAFF (2): OFFICE MANAGER MELISSA MEDRANO AND A.R.M.Y. PROGRAM ANGELICA HUERTA TO TRAVEL TO MCALLEN, TEXAS ON 1/24/11 TO ATTEND THE "HOW TO SUPERVISE PEOPLE" SEMINAR.
The Documentation is as follows:**

- (NN) SHERIFF'S OFFICE STAFF (1): DEPUTY TO TRAVEL TO NEW MARKET, ALABAMA ON 1/15 TO 3/13/11 TO ATTEND THE CANINE INSTRUCTOR COURSE.
The Documentation is as follows:**
- (OO) SHERIFF'S OFFICE STAFF (1): DEPUTY TO TRAVEL TO NEW MARKET, ALABAMA ON 1/29 TO 3/13/11 TO ATTEND THE CANINE HANDLER COURSE.
The Documentation is as follows:**

- (C) CONSIDERATION AND APPROVAL OF CHASE DIRECT PAYMENT CARD PROGRAM-CLIENT SERVICE AGREEMENT. (MG-AUDITOR) (Contract No. 2010C12485)**
The Agreement is as follows:

- (D) CONSIDERATION AND APPROVAL OF PERSONAL SERVICE AGREEMENT BETWEEN CAMERON COUNTY AND CONTRACTOR, MARIA MOLINAR-RUIZ, OPERATING UNDER SOUTH TEXAS PARTNERSHIP, SOUTHWEST BORDER HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA). (MG-AUDITOR) (Contract No. 2010C12486)**
The Agreement is as follows:

- (E) CONSIDERATION AND AUTHORIZATION TO REDUCE THE FINANCIAL GUARANTEE FOR INSTALLATION OF SEPTIC SYSTEMS FOR GARZA-CANO SUBDIVISION, IN PCT. 1. (EH-CCDoT ENG)**

The Documentation is as follows:

- (F) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR HERNANDEZ-IBARRA SUBDIVISION, PCT. 2, FOR UNBUILT SEPTIC SYSTEMS.
(EH-CCDoT ENG)**

The Documentation is as follows:

- (G) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RANCHO GRANDE SOUTH SUBDIVISION, SECTION V, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT ENG)**
The Documentation is as follows:

- (H) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RANCHO GRANDE SOUTH SUBDIVISION, SECTION VI, PCT. 4, FOR UNBUILT SEPTIC SYSTEMS. (EH-CCDoT ENG)**
The Documentation is as follows:

- (I) CONSIDERATION AND AUTHORIZATION OF TIME EXTENSION FROM NOVEMBER 8, 2010 TO NOVEMBER 10, 2013 FOR PROVIDING SEPTIC SYSTEMS TO SERVE CROSSING EIGHT'S SUBDIVISION, PCT. 4. (EH-CCDoT ENG)**
The Documentation is as follows:

- (J) CONSIDERATION AND APPROVAL OF THE FUNDING AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION “STATE” FOR THE BORDER COLONIA ACCESS PROGRAM (B.C.A.P.) AMENDMENT #5 – 3RD CALL. (EH-CCDoT ENG) (Contract No. 2010C12487)**

The Agreement is as follows:

- (K) CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH
TASB BUYBOARD CONTRACT #299-08 FOR CAMERON COUNTY CONSTABLE PCT. 1.
(HZ-CONSTABLE PCT. 1) (Contract No. 2010C12494)
The Agreement is as follows:**

- (L) CONSIDERATION AND APPROVAL FOR “CLOTHING EXPENSE” OF \$500 FOR SERGEANT INVESTIGATOR RUDY DELGADO TO BE PAID OUT OF THE FUND 90 ACCOUNT.
(CRD-CONSTABLE PCT. 7)
The Documentation is as follows:**

- (M) CONSIDERATION AND AUTHORIZATION TO APPROVE A 60 MONTH LEASE FOR A COPIER WITH TASB BUYBOARD CONTRACT #299-08 FOR 404TH DISTRICT COURT – JUDGE ELIA CORNEJO LOPEZ. (EL-404TH DISTRICT COURT) (Contract No. 2010C12495)**
The Agreement is as follows:

- (N) CONSIDERATION AND AUTHORIZATION TO PURCHASE WALK IN COOLER FREEZER COMBO FROM JEAN'S RESTAURANT SUPPLY UTILIZING THE BUY BOARD INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT. (TRJ-JUVENILE PROBATION)**
The Documentation is as follows:

- (O) CONSIDERATION AND AUTHORIZATION TO EXECUTE A CONTRACT (2010C12481) WITH CLEAN AIR SOLUTIONS (CAS) FOR THE CROSSING AND INSTALLATION OF UTILITIES AT BEACH ACCESS #5 (E.K. ATWOOD). (JM-PARKS)**
The Contract is as follows:

- (Q) CONSIDERATION AND APPROVAL OF A TEMPORARY RIGHT OF ENTRY EASEMENT FOR CONSTRUCTION OF THE SOUTH PADRE ISLAND BEACH NOURISHMENT PROJECT. (JM-PARKS)
(Contract No. 2010C12480)
The Documentation is as follows:**

- (R) CONSIDERATION AND POSSIBLE APPROVAL OF A LICENSE AGREEMENT (CONTRACT NO. 2010C12483) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND NICK MITCHELL BENNETT, DIRECTOR, COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE TO PROVIDE OUTREACH ACTIVITIES AT THE BROWNE ROAD SOCIAL SERVICE CENTER TO HELP COUNTY RESIDENTES OWN THEIR OWN HOMES. (JM-PARKS)**
The Agreement is as follows:

- (S) CONSIDERATION AND POSSIBLE APPROVAL OF A LICENSE AGREEMENT (CONTRACT NO. 2010C12482) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND NICK MITCHELL BENNETT, DIRECTOR, COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE TO PROVIDE OUTREACH ACTIVITIES AT THE EL CENTRO CULTURAL AT CAMERON PARK TO HELP COUNTY RESIDENTES OWN THEIR OWN HOMES. (JM-PARKS)**
The Agreement is as follows:

- (T) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE ANY AND ALL CONTRACT VERIFICATIONS, PURSUANT TO HOUSEHOLDS ASSISTED THROUGH THE COUNTY'S HURRICANE DOLLY HOUSING RECOVERY PROGRAM FUNDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 70090011). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:

- (U) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE ANY AND ALL CONTRACTOR PAYMENT REQUESTS, PURSUANT TO HOUSEHOLDS ASSISTED THROUGH THE COUNTY'S HURRICANE DOLLY HOUSING RECOVERY PROGRAM FUNDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 70090011). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:

- (V) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE ANY AND ALL PROJECT CHANGE ORDERS, PURSUANT TO HOUSEHOLDS ASSISTED THROUGH THE COUNTY'S HURRICANE DOLLY HOUSING RECOVERY PROGRAM FUNDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA CONTRACT NO. 70090011). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:

- (W) CONSIDERATION AND AWARD OF LOW BID E-CON GROUP, LLC., FOR STREET IMPROVEMENTS FOR THE CITY OF COMBES (TDRA CONTRACT NO. DSR010021). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:

- (X) CONSIDERATION AND APPROVAL TO AWARD LOW BID TO G & T PAVING FOR DISASTER RECOVERY STREET AND DRAINAGE RECONSTRUCTION FOR THE CITY OF PRIMERA (TDRA CONTRACT NO. DSR010021). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:

- (Y) CONSIDERATION AND AWARD OF LOW BID TO METRO ELECTRIC, INC., FOR GENERATOR IMPROVEMENTS FOR THE CITY OF RIO HONDO (TDRA CONTRACT NO. DSR010021). (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**
The Documentation is as follows:

**(AA) CONSIDERATION AND APPROVAL OF TEXAS DEPARTMENT OF RURAL AFFAIRS CONTRACT NO. 710165. (FB-PLANNING DEVELOPMENT AND MANAGEMENT) (Contract No. 2010C12489)
The Contract is as follows:**

(BB) CONSIDERATION AND AUTHORIZATION TO BEGIN COUNTY ON-LINE AUCTION JANUARY 5, 2011. (MF-PURCHASING)
The Documentation is as follows:

(CC) CONSIDERATION AND AUTHORIZATION TO ADD TO EVALUATION COMMITTEE FOR THE FOLLOWING RFQ: (MF-PURCHASING)

- a. MENTAL HEALTH (PSYCHOLOGICAL SERVICES) RFQ #1515 – COUNTY INFIRMARY, JAIL, SHERIFF’S DEPARTMENT ADD EVALUATOR – DEAN GARZA (COUNTY JAIL INFIRMARY ADMINISTRATOR).**

The Documentation is as follows:

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

**a. BUILDING SUPPLIES – ELECTRICAL – ANNUAL BID #2000 – 2 (ELECTRIC FIXTURE SUPPLY)
The Documentation is as follows:**

- (FF) CONSIDERATION AND AUTHORIZATION TO REFUND TAXES ON CORRECTION OF SUPPLEMENTAL CHANGES AS AUTHORIZED BY THE CAMERON APPRAISAL DISTRICT AS PER SECTION 42.41(c) OF THE TEXAS PROPERTY TAX CODE AS PER AGREED JUDGEMENT AND AS PER SECTION 25.25(c) OF THE TEXAS PROPERTY TAX CODE (REMOVE IMPROVEMENTS): (TY-TAX OFFICE)**
- a. LACK'S VALLEY STORES, LTD \$3,011.41 CHANGE VALUE-FINAL JUDGEMENT**
 - b. LACK'S VALLEY STORES, LTD \$9,503.57 CHANGE VALUE-FINAL JUDGEMENT**
 - c. LFD HOLDING, LLP \$3,548.65 CHANGE VALUE-FINAL JUDGEMENT**
 - d. LFD HOLDING, LLP \$5,186.76 CHANGE VALUE-FINAL JUDGEMENT**
 - e. POPP GRAY & HUTCHESON \$4,494.25 CHANGE VALUE-FINAL JUDGEMENT**
 - f. POPP GRAY & HUTCHESON \$4,433.59 CHANGE VALUE-FINAL JUDGEMENT**
 - g. DODSON C M PC \$4,273.35 REMOVE IMPROVEMENTS**

The Documentation is as follows:

(GG) DISCUSSION AND POSSIBLE ACTION ON THE RESOLUTION APPROVING THE VARIOUS PRIVATE OFFERS RECEIVED FROM THE TAX SALE HELD ON NOVEMBER 2, 1010. (TY-TAX OFFICE)

- a. LEGAL DESCRIPTION: TRACT 1: LOT 14, BLOCK 5, SIXTH SECTION, LA POSADA SOUTH SUBDIVISION, SECTION III, A SUBDIVISION IN CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDES 161-B AND 162-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 04-4730-0050-0140-00)

TRACT 2: BROWNSVILLE - LA POSADA SOUTH SEC III BLDG ONLY LOT 14, BLK 5 (ACCT. NO. 04-4730-0050-0145-00)
- b. LEGAL DESCRIPTION: LOT 5, BLOCK 5, SECOND ADDITION, CITY OF BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 5, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-0020-0050-0050-00)
- c. LEGAL DESCRIPTION: LOT 32, BLOCK 3, MORNINGSIDE ESTATES SUBDIVISION, SECTION 1, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 29, PAGE 10, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 05-0510-0030-0320-00)
- d. LEGAL DESCRIPTION: LOT 6, BLOCK 3, BOULEVARDE HEIGHTS ADDITION, CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 6, PAGE 72, PLAT RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-2860-0030-0060-00)
- e. LEGAL DESCRIPTION: LOT 10, BLOCK 7, RESACA HEIGHTS ADDITION NO. 2, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1035, PAGE 493, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-9050-0070-0100-00)
- f. LEGAL DESCRIPTION: LOT 42, WALLACE SUBDIVISION #2, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 13, PAGE 12, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 25-2530-0000-0420-00)
- g. LEGAL DESCRIPTION: LOT 11, BLOCK 1, HOLTRY ADDITION, AN ADDITION TO THE CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 4225, PAGE 164, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 18-7710-0010-0110-00)
- h. LEGAL DESCRIPTION: LOT 34, BLOCK 11, EBONY HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 14, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 02-6700-0110-0340-00)
- i. LEGAL DESCRIPTION: LOT 18, BLOCK 18, COLONIA LA PALMA SUBDIVISION NO. 1, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 7, PAGE 20, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 57-6160-0180-0180-00)
- j. LEGAL DESCRIPTION: LOT 18, BLOCK 1, PONDEROSA ESTATES SUBDIVISION, UNIT 1, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET 1, SLIDE 386-A, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 60-6000-0010-0180-00)
- k. LEGAL DESCRIPTION: LOT 53, LA ESPERANZA SUBDIVISION, AN ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1177, PAGE 154, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 59-4390-0000-0530-00)
- l. LEGAL DESCRIPTION: LOT 9, BLOCK 1, COMMERCIAL HEIGHTS ADDITION, CITY OF HARLINGEN, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 303, PAGE 236, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 16-7420-0010-0090-00)

The Documentation is as follows:

**(HH) CCDoT PUBLIC WORKS OFFICE STAFF (2): TO TRAVEL TO AUSTIN, TEXAS THE FIRST WEEK OF JANUARY 2011 TO PICK UP A NEW 3000 GALLON WATER TANK.
The Documentation is as follows:**

- (II) DISTRICT ATTORNEY'S OFFICE STAFF (1): COMMANDER LUIS CARLOS DE LEON TRAVELED TO LAREDO, TEXAS ON 12/15/10 TO ATTEND THE SOUTH TEXAS HIDTA MEETING.
The Documentation is as follows:**

- (JJ) ELECTIONS OFFICE STAFF (5): ELECTIONS ADMINISTRATOR ROGER ORTIZ, GEO/INFO SYSTEMS COORDINATOR FRED GARZA, ELECTION CLERKS AMANDA MARTINEZ, CLAUDIA ROCHA AND LLESICA CRAFTS.
The Documentation is as follows:**

**(KK) HEALTH DEPARTMENT OFFICE STAFF (2): HEALTH ADMINISTRATOR YVETTE SALINAS AND WIC DIRECTOR LETY MONTIEL TO TRAVEL TO DALLAS, TEXAS ON 2/27 TO 3/1/11 TO ATTEND THE 25TH ANNUAL CONFERENCE ON PREVENTION OF CHILD ABUSE.
The Documentation is as follows:**

- (LL) HUMAN RESOURCES OFFICE STAFF (2): ASSISTANT HR DIRECTOR SUSIE MARFILENO AND CIVIL SERVICE COORDINATOR DALIA ROBLES TO TRAVEL TO CORPUS CHRISTI ON 2/21 TO 2/22/11 TO ATTEND THE 2011 LOSS CONTROL WORKSHOP.
The Documentation is as follows:**

**(MM) JUVENILE PROBATION STAFF (2): OFFICE MANAGER MELISSA MEDRANO AND A.R.M.Y. PROGRAM ANGELICA HUERTA TO TRAVEL TO MCALLEN, TEXAS ON 1/24/11 TO ATTEND THE “HOW TO SUPERVISE PEOPLE” SEMINAR.
The Documentation is as follows:**

**(NN) SHERIFF'S OFFICE STAFF (1): DEPUTY TO TRAVEL TO NEW MARKET, ALABAMA ON 1/15 TO 3/13/11 TO ATTEND THE CANINE INSTRUCTOR COURSE.
The Documentation is as follows:**

**(OO) SHERIFF'S OFFICE STAFF (1): DEPUTY TO TRAVEL TO NEW MARKET, ALABAMA ON 1/29 TO 3/13/11 TO ATTEND THE CANINE HANDLER COURSE.
The Documentation is as follows:**

(5) **CONSENT ITEMS.**

(Z) **CONSIDERATION AND APPROVAL TO WAIVE THE SIXTY (60) DAY NOTICE REQUIREMENT FOR THE CREATION OF SOUTH PADRE ISLAND TAX INCREMENT REINVESTMENT ZONE NO. ONE. (FB-PLANNING DEVELOPMENT AND MANAGEMENT)**

Commissioner Wood motioned to waive the Sixty (60) Day Notice requirement for the creation of South Padre Island Tax Increment Reinvestment Zone No. One.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Documentation is as follows:

(EE) CONSIDERATION AND APPROVAL TO PURCHASE (1) CANINE \$5,400.00 UTILIZING (FUND 900) VENDOR KASSEBURG CANINE TRAINING CENTER. (OL-SHERIFF) (Contract No. 2010C12490) (Contract No. 2010C12492)

Commissioner Benavides motioned to approve the purchase of (1) canine for \$5,400.00 utilizing (Fund 900) from the Kasseburg Canine Training Center.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Contracts are 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 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 Benavides motioned to approve the Claims.

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

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

NAY: None

ABSTAIN: Judge Cascos

The Claims and Affidavits are as follows:

-
- (C) **APPROVAL OF MINUTES FOR:
NOVEMBER 22, 2010 - SPECIAL MEETING (TABLED)
NOVEMBER 23, 2010 - SPECIAL MEETING (TABLED)
NOVEMBER 30, 2010 - SPECIAL MEETING (TABLED)**

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

-
- (D) **CONSIDERATION AND APPROVAL OF TRANSFERRING ANA JULIETA KOWALSKI, COURT INTERPRETER AND RUBEN SILVA, ROVER FROM COUNTY COURT AT LAW NO. ONE'S (100-4260) BUDGET TO COUNTY COURT AT LAW NO. TWO'S (100-4270) BUDGET AND CHANGE IN DEPARTMENT NO. 100-4260, SLOT 02, COURT ADMINISTRATOR BRENDA CANTU FROM \$46,290 TO \$39,744 EFFECTIVE JANUARY 1, 2011 AND DEPARTMENT NO. 100-4270 (COUNTY COURT AT LAW NO. 2,) SLOT 02, COURT ADMINISTATRATOR MARIA GARCIA FROM \$39,744 TO \$46,290 EFFECTIVE JANUARY 1, 2011. (AM- COUNTY COURT AT LAW NO. 1)**

Commissioner Garza motioned to approve transferring Ana Julieta Kowalski, Court Interpreter and Ruben Silva, Rover from County Court at Law No. One's (100-4260) Budget to County Court at Law No. Two's (100-4270) Budget and change in Department No. 100-4260, Slot 02, Court Administrator Brenda Cantu from \$46,290 to \$39,744 effective January 1, 2011 and Department No. 100-4270 (County Court at Law No. 2) Slot 02, Court Administrator Maria Garcia from \$39,744 to \$46,290 effective January 1, 2011.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

(E) DISCUSSION AND POSSIBLE ACTION ON A BEACH FRONT CONSTRUCTION AND DUNE PROTECTION PERMIT FOR MARK POLSKY FOR SEA BREEZE ESTATES. (JM-PARKS)

Mr. Joe Vega, Deputy Parks Director: "Good morning Judge, Commissioners. Here today we have Mr. Herb Houston, he's representing the land owner, Mr. Mark Polsky. We also have members of the Dune Protection Committee here with us today. If you could please rise so you can be identified. We have Mr. Joe Munoz, Mr. Doyle Wells and Mrs. Gloria Barrientos. The Dune Protection Committee has been working on this permit, I guess for, on this project for the last year and a half. And Mr. Herb Houston would like to, with your permission, approach the Council to do a presentation in regards to this permit."

Commissioner Garza: "With the Court's permission, I'm going to leave a little early because I have a meeting to go to at the Airport. We have a meeting today."

Judge Cascos: "Thanks. See you next week."

NOTE: Commissioner Garza left the Meeting at 9:42 A.M.

Mr. Herb Houston: "Good morning Judge, Commissioners. My name is Herb Houston. I'm representing the applicant for Sea Breeze Estates this morning. You have a package of exhibits that was given to you this morning by Joe (Vega). Sea Breeze is being contemplated to be developed about half a mile currently North of Beach Access 6. This has come to you before about, like Joe said, it's being batted around about a year and a half. At one time there was a permit issued. It was withdrawn over the questions of the allowability (sic) of retaining walls, which the Sea Breeze applicant subsequently pulled. What is envisioned is basically what you'll see at South Padre Island, north of the town, at the Shore Subdivision with a small subdivision of three beachfront homes, another three in the back, brick pavers in between, security gates and whatnot. If you'll go to your Exhibit 2, it's the comment letter from the General Land Office (GLO), and this is where we're getting hung up. The General Land Office has three major problems with this permit application. The first being the line of vegetation determination, or we'll call the 'LOV'. The second, they have a problem with pools and brick paver patios, and third they have a problem with driveways to the homes. This morning Mr. Jim Holdar, our engineering surveyor and Joe Vasquez, our surveyor, have a few comments they would like to address regarding the technical aspects of the mean low tide and the line of vegetation determination."

Mr. Jim Holdar: "I'm Jim Holdar. The Commission, I think, is well acquainted with me. I'm graduated from the University of Arkansas in 1970. I've worked in the Valley since 1969, the summer of '69, and got my

surveyor's license about 33 years ago and I've been doing civil engineering and land surveying in Cameron County and the Valley for the last 40 years. We determined the mean low tide originally using a rule of thumb, elevation +/- 0.7. The GLO questioned our +/- 0.7 for mean low tide and mean high tide and we did research with the National Oceanic and Atmospheric Administration and found tide gauges and records for Brazos Santiago and one in Corpus Christi. There were just a few hundredths difference in those and, based on those, the tide difference was 2.8 feet, if I remember the numbers right. We have them in the packet that you got and assuming half of that, we used 1.4 mean low tide, -1.4, and we did cross sections of the Island. I personally was wading in the surf finding that and it's shown on the Vasquez survey. According to the GLO-and they've got an exhibit that shows where they determined the vegetation line, which in my opinion is not pertinent because the vegetation line has been obliterated by the storm and is not a clearly defined vegetation line. According to the rules on your Exhibit 6, we've got the rules, and according to them the vegetation line, when it's undefined and exceeds 200 foot, the 200 foot is the limit of the public beach and the de facto vegetation line. When I was on-site with Mr. Pyle, who is a GLO surveyor, he picked the point for vegetation line that was somewhere from where the dune had eroded and there was vegetation up at a very high elevation, ten or twelve probably I didn't get that, and he picked the point somewhere on the toll down below some distance off, which I didn't understand any rationale for that, and he picked another one and followed around the, you know, the eroded areas; but they were far in excess of the 200 feet.”

Judge Cascos: “Mr. Holdar, if you can just cut to the chase. I don't know if everyone's following you here. I'm trying to look at this, but tell us what the issue is and just cut to the chase as to what you'd like for us to consider or do.”

Mr. Holdar: “Well, I would like for you to consider that according to the rules and regulations that are in your Exhibit and highlighted that the...”

Judge Cascos: “Which exhibit is that?”

Mr. Holdar: “(Exhibit) Six.”

Commissioner Tamayo: “Exhibit 6?”

Mr. Holdar: “Exhibit 6.”

Commissioner Tamayo: “I have a question before you go on. I'm also trying to clarify what you're trying to tell us here. Have you discussed these issues, I suppose you have, with GLO? I mean the difference in opinion?”

Mr. Holdar: “Only in the letter conversation and when Mr. Pyle was down here, I was mostly observing what

he did. I wasn't debating with him as to what was to be done.”

Commissioner Tamayo: “So according to you, you were giving him facts that would change what he was telling you?”

Mr. Holdar: “He didn't tell me a whole lot. I observed his determination of the line of vegetation.”

Commissioner Tamayo: “Through the letter? Through the correspondence?”

Mr. Holdar: “On-site. I observed that and I responded to his letter, which you have. Which Exhibit is that, Herb?”

Mr. Houston: “Judge, if I can jump in here, I think one of the key things is if you look at Exhibit 3, you'll see an aerial photograph of Sea Breeze compared to Angela Edwards' recently permitted property. Angela Edwards got a 200 feet LOV determination from the State, approved by the County, and as you can see we're looking at almost identical types of property here. Now it makes no sense that Angela got 200 feet and we're being penalized for 300 feet.”

Judge Cascos: “Why don't you explain that a little bit because, you know, why would the State give her the permit and now they're baulking giving you the permit? Tell me how they differ.”

Mr. Houston: “Well, the biggest reason they differ is because you have different people in the Office reviewing permits.”

Commissioner Tamayo: “I was going to say, a different person.”

Mr. Houston: “Now the 200 feet LOV determination that had been made by Mr. Holdar and approved by your own Dune Protection Committee, it's very specific in your Exhibit 6 how the rules are to be followed in areas of obliteration. We showed Bruce (Hodge), just yesterday, a big aerial and you can see in the past where a big wash through from the last storm obliterated that whole area of the Island and went all the way through. Well in the Rules of 15.3, I believe it is, says in areas of obliteration 200 feet is the maximum extent of the LOV and even if there is an LOV further back still, 200 feet is the maximum extent of the LOV. The LOV is also the maximum extent of the property.”

Commissioner Tamayo: “Okay, tell me something. When it's rejected, when your permit application is rejected, what is the process you're supposed to follow to try and get the permit?”

Mr. Houston: “The State does not issue the permit, only the County.”

Commissioner Tamayo: “I mean, but we can't-okay well that's the meat of the discussion here.”

Mr. Houston: “Exactly.”

Commissioner Tamayo: "So what is it that we have to do in order to override the fact that they're telling you..."

Mr. Houston: "Well Commissioner, two years ago House Bill 2819 passed and it said that all local coastal communities had to come up with a building setback line. Well, this Commission said, 'No we're not going to do it' and the GLO said, 'If you don't do it, we're going to withdraw your CEPR funding'. Cameron County didn't do it, Galveston County didn't do it and it was a good thing they didn't because we fought this Bill and the setback line back in 1994, which at that time we thought was taking an issue. The main deal is if the mean low tide line has to be determined as it was by Mr. Holdar at a -1.4. The rules say specifically that the LOV is 200 feet on top of that. The GLO is wanting another hundred feet; that extra hundred feet would basically mean that all the homes in that second tier, or closest to the water, would be built on the public beach and this permit is not only for the development of the lots, but also for the construction of the homes. Angela Edwards, her mitigation plan that she proposed is the same type and almost identical to the mitigation plan as proposed by Sea Breeze, right?"

Mr. Holdar: "Right. I had prepared the initial application for Angela Edwards and the permit is almost verbatim for what we're requesting for both of them."

Mr. Houston: "And when was the last time you looked at the properties?"

Mr. Holdar: "When we went out and did the cross-sections about a month ago and then, you know, within the last two weeks I've been out and looked at the site and they're still almost identical."

Mr. Houston: "The applicant believes he needs to be treated the same as Angela Edwards, not just because of what divisions exist on the ground, but because of what the actual rules and regulations say to be the LOV."

Mr. Holdar: "Anything else? I'd be glad to try to answer any questions."

Commissioner Tamayo: "So you're coming before us saying, the GLO is saying that we cannot have this permit, but we have the authority to give you a permit. What are the consequences if we do that?"

Mr. Houston: "I would imagine that the GLO could threaten and undue..."

Commissioner Tamayo: "And you have tried to work with the GLO over this? The differences of opinion and they keep holding onto what their stand is. They haven't budged?"

Mr. Houston: "They refuse to look at their own rules, which are very clear, but there's just a mindset in that Office that they want to stop as much as they can any type of actual construction in that area."

Commissioner Tamayo: "Have you gone beyond whomever came down here first? You know, there's

always someone else you can go to. Have you exhausted all of that? The process that you can take and..."

Mr. Houston: "Commissioner, the Judge was nice enough to go to Austin with us. We sat down with Jerry Patterson and a long table of ten to fifteen bureaucrats and we tried to discuss it. We've looked at the aerials. I'll let the Judge speak for himself, but we did our best to show them what is actually on the ground; that it is an area of obliteration, that the LOV rules call for the 200 foot."

Commissioner Tamayo: "Okay, so you went through all of that, which we've been hearing for the last half hour, and they still didn't budge? They stayed with their opinion?"

Mr. Holdar: "The problem is that we're not getting a permit from the General Land Office. We're responding to comments."

Commissioner Tamayo: "It didn't take long to catch on to that. That's why you're here."

Mr. Holdar: "And there's not a real good appeal process for comments. There's an appeal process for rulings, but not for comments."

Commissioner Wood: "I think we're well within our legal standing to comply with Section 61.016, which is the boundaries for areas with no marked vegetation line, and also Texas Administrative Code Rule 15.3 by granting this permit. It seems to me like that's what we need to be doing."

Mr. Doyle Wells: "Good morning to you all. Those were some important questions asked and I don't believe you got the full answer. You asked, 'What are the consequences?' Specifically, the State approves the County's Beach Access and Dune Mitigation Plan and they have the capacity to do one of two things. One, they would take, and have the potential as they always threaten to do, and that would be withhold funding for some of our beach cleaning activities and CEPRAs Grants, which are not coming forward again, and some activities like that. The other thing is, the most drastic thing they can do, they can decertify the County's Plan and say you're not qualified to administer and issue permits pertaining to beachfront construction and dune protection plans within that 1000 feet, but Judge you asked, 'Cut to the chase'. Cut to the chase would be the discrepancy or the conflict, as Mr. Houston has pointed out, of the interpretation of where the line of vegetation is. This Committee's looked at this for a year and a half and it's always been clear to us by following our own rules and the Open Beach Act and Natural Resources Code Chapter 61.016 and (61).017, which clearly defines how you determine the line of vegetation. The line of vegetation is critical in this particular application because it's a small piece of land, three lots, that they're going to replat into six individual home sites. They don't have the capacity to move across the road or go elsewhere to accommodate. It's real clear to this Committee and has

always been evident that this applicant should be treated the same as Angela Edwards has been in the past and that's Tract 2 and Tract 5. Most recently, I'll bring the case in point, you approved the permit for the Hilton Gardens on Andy Bowie and that winning case the line of vegetation was actually closer to mean low tide, less than 100 feet. So to keep it straight and keep it apple-to-apple Chapter 61 specifically says that an area, the public beach, either from the mean low tide to the line of vegetation in the area where the line of vegetation is greater than 200 feet, even if there's another line of vegetation, the default line is 200 feet from mean low tide; and that's what everything this application hinges on."

Commissioner Tamayo: "You don't have to convince me because I've been keeping up with this; and thank you for the information that has been sent to us. That's not my problem. My problem is that this isn't my turf, so I'm trying to identify the consequences and what else we can-obviously even the Judge went with you. I'm here till December 31st so, you know, I would be glad to go and talk to someone and try, but it seems like you've exhausted all that. My concern is that-and with experience working with bureaucrats. When I was in Central Office, what I would do with TEA is that I would contact different people and finally someone gave me the answer I wanted and I don't know if this Department is the same way, but that's how it works and that's why I asked have you talked to someone else besides the original person that came. Maybe I missed something, but it seems like the personnel changed. The first person came and that person agreed with you?"

Mr. Wells: "We-yes, specifically we had a meeting with the General Land Office and previous personnel and we brought this fact to their attention. In this particular area, that's unique on the lower coast of Cameron County, of our lack of rainforest and human destruction and storm destruction."

Commissioner Tamayo: "Okay then my question is did that person make a different, have a different opinion than this second person that came in to the picture?"

Mr. Wells: "Yes. Specifically they..."

Commissioner Tamayo: "And where is that person? Did they retire? Did they fire them?"

Mr. Wells: "Yes, yes."

Judge Cascos: "I think after our meeting that person got reassigned."

Mr. Wells: "They were in the midst of a shakeup in our meeting last July with the Commissioner in Austin, but that was also with their full legal staff. We had that discussion in a roundtable meeting on the Island and they went back and met with their legal staff and subsequently went back and told Javier (Mendez) and myself in a meeting that, 'Doyle, you are right'. I was shocked. Essentially, the extent of the public beach eases the line

of vegetation 200 feet from mean low tide. The buck stops here. This is your dilemma today, the applicant would like to have his opportunity to get..."

Commissioner Tamayo: "I realize that the buck stops with us, but we also have a responsibility to look at all angles. You don't have to convince me, I agree with you."

Mr. Wells: "You asked what are the consequences?"

Commissioner Tamayo: "And you told me the consequences. So I don't know, we wouldn't know until action would be taken what the consequences would be."

Mr. Wells: "The consequences of the State, in the event that they chose to do something, but you also have the issue-the applicant from here, if he's denied, the only thing he has the opportunity to do is go into a court of law."

Commissioner Tamayo: "I realize that. I realize all of that. I'm just trying to do the right thing for the County and the development is very important and I think that we need to just go ahead and bite the bullet."

Judge Cascos: "Can we hear from anybody from Staff or Legal?"

Mr. Joe Vega: "Judge, yesterday I met with Bruce (Hodge). Actually we met Friday, Friday afternoon and we brought you this issue and then Bruce had a conversation with the GLO in regards to this issue. Would you like to explain to the Judge and to the Commissioners?"

Mr. Bruce Hodge, Chief Legal Counsel: "Yes, as I understand it there's two issues. One is the present Dune Protection Plan. See, these gentlemen want the right to develop this land; put six structures on it and six swimming pools. This swimming pool issue is one thing, okay, as I understand it and unfortunately for them, right now our Dune Protection Plan does not provide for the construction of swimming pools in this area. Now, these gentlemen here know better than I do, because they've been dealing with this for a year and a half, what the precise language is. I think it has to do with permeable materials or non-permeable materials and all of this, but the GLO has objections to permitting pools without a Dune Protection Plan that discusses pools specifically and has figured out a way to remediate or mitigate whatever effect that kind of a slab concrete thing would have on the drainage aspects of these slots. When I talked to them yesterday, I was asking them, I said, 'Well, what is the remedy? What else can be done?' and short of saying, 'Go ahead and put together a new Dune Protection Plan which incorporates the Erosion Plan, which now has taken priority, okay, and then if for whatever reason we cannot approve your pool, you know, thinking or engineering or whatever in your Dune Protection Plan, then we'll talk about a variance'; but I hear on the other hand from Mr. Houston, and some of the others very

briefly, that the variance has been a subject of quite a lot of dispute. So, you know, while it's problematic, we're here a year and a half down the road and they still don't have the right to do what they want to do, with respect to pools. There is presumably a way to fix that through an amendment to our Dune Protection Plan and to, you know, which hopefully will incorporate the Erosion Plan at the same time. Now the second issue. I asked them specifically, because I sat down with these fellas yesterday, and they showed me aerial photographs of these two different pieces of land. (Angela) Edwards' is about three football fields south of where the Polsky Tract is and they were mindful enough to tell me that at the time that Edwards was approved, according to Exhibit, I think it's in your package here, isn't it Mr. Houston? Which Exhibit is it?"

Mr. Vega: "Exhibit, is it 6?"

Mr. Hodge: "Is it not in your package?"

Judge Cascos: "Exhibit 3?"

Mr. Hodge: "Let's see here."

Mr. Houston: "Exhibit 8."

Commissioner Tamayo: "(Exhibit) 8."

Mr. Hodge: "(Exhibit) 8, okay. Exhibit 8 was the permit that was granted to, yeah there we go, that was granted to the Edwards couple back in 2008 and here we notice that in this particular one, number four, there is an acknowledgment that a 200 foot line of vegetation was designated on this site by using the State's method. In other words, what they're talking about here is this 200 from mean low tide line. That's the one that went in to the permit. Now, when I talked to GLO yesterday about that I asked them, 'Why is it that you want to give, you know, go to mean low tide plus 200 feet to draw the vegetation line in an area where it's sparsely vegetated, at best, and yet over here with the Polsky Tract you want to go out and find GPS points on little, you know, clumps of grass and vegetation out there and draw a different line for them three football fields to the north?' and their response was, 'Well, we never approved Edwards', you know, method of drawing the line of vegetation'. Now, I'm not sure because, you know, I wasn't really a part of this kind of work for the County back in 2008, but it sure looks like we did approve it, you know, back in 2008; and we approved it with it's 200 foot line of vegetation, you know, in areas where the vegetation is either very sparse or, you know, one might argue, maybe the engineer or Mr. Holdar would be able to speak on the Edwards Tract, whether there was actually an obliteration. So it does appear to be somewhat inconsistent, but they will defend that inconsistency with, you know, all sorts of very reasonable sounding arguments. Unfortunately, I was telling these men as much as I

would like to be perfectly up to speed to be able to help guide you all a little better, I simply haven't had time to get my arms all the way around this subject matter. It's somewhat technical, and I would be happy to do that if the Court wishes, but ultimately it's up to you all to decide what you want to do. The only risk being, to my knowledge, some retaliatory defunding of other projects, you know, and I'm not sure they're prepared to do that when on the one hand you've got, you know, 1000 feet of-two pieces of land that are treated somewhat differently.”

Commissioner Tamayo: “Well then there’s something wrong with me this morning because I don't see this complicated.”

Commissioner Benavides: “I don't either.”

Commissioner Tamayo: “I see it very clearly; that it’s some bureaucrat that has decided that they’re God and that's the way they're acting and, quite frankly, I have a problem with that and I've encountered that before, but it seems like you haven't been successful. I was successful, but I guess it wasn’t such a big issue as you have. It was a different Department. I hate to be pushed around by the State and that's what they're doing.”

Judge Cascos: “What action would you like to take at this point?”

Commissioner Tamayo: “I want to go ahead and help them.”

Judge Cascos: “Okay is that a motion?”

Commissioner Tamayo: “That’s a motion.”

Commissioner Benavides: “Motion.”

Commissioner Wood: “Second.”

Commissioner Tamayo: “I make a motion we go ahead.”

Judge Cascos: “Moved by Commissioner Tamayo, second by Commissioner Benavides. All those in favor signify by saying ‘aye’.”

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

Judge Cascos: “Any opposed? Item carries. Thank you all.”

The Documentation is as follows:

(F) CONSIDERATION AND APPOINTMENT OF A COUNTY REPRESENTATIVE TO WORK WITH SOUTH PADRE ISLAND, PURSUANT TO THE CREATION OF TAX INCREMENT REINVESTMENT ZONE ONE. (FB-PLANNING DEVELOPMENT AND MANAGEMENT)

Commissioner Tamayo motioned to appoint Commissioner Benavides to work with South Padre Island, pursuant to the creation of Tax Increment Reinvestment Zone One.

The motion was seconded by Commissioner Wood and carried unanimously.

The Documentation is as follows:

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 10:14 A.M.

APPROVED this 20th day of **January 2011**

CARLOS H. CASCOS, CPA
COUNTY JUDGE

ATTEST:

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