

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 28th 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

Veronica Deaton Deputy Clerk

ABSENT:

The meeting was called to order by Judge Cascos at 8:30 A.M. He then asked for a moment of silence.

Commissioner John Wood and Commissioner Edna Tamayo 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 22, 2010 at 10:56 A.M.:

(3) PUBLIC COMMENTS.

Mr. Richard Tamayo, son of Commissioner Tamayo, commended his mother for the job she has done on behalf of Cameron County.

Representative Rene Oliveira stated that both Commissioner Tamayo and Commissioner Wood have done so much for the County and have exemplified high standards as public servants.

Judge Cascos complemented Commissioner Wood and Commissioner Tamayo on their professionalism as members of Commissioners' Court.

Commissioner Garza stated that working with Commissioner Wood and Commissioner Tamayo has been a pleasure and that the decisions made by the Court have always been for the betterment of the citizens of the County.

Commissioner Wood stated that he has enjoyed his many years in public service and mentioned that he has appreciated working with the employees in the County and as such, they should be compensated properly. He added that he is looking forward to still being involved in the community and expressed thanks to Commissioner Benavides and wished her a Happy Birthday.

Representative Eddie Lucio III wished the Court a Merry Christmas and a Happy New Year and also wished Commissioner Benavides a Happy Birthday. He then thanked Commissioner Wood and Commissioner Tamayo for their service to the County.

Commissioner Tamayo stated that she has enjoyed her eight years as a Commissioner and that the best way to have peace of mind is to do the very best you can. She thanked the late Pete Benavides and noted that Commissioner Garza has been a great role model for her from when he was a board member in San Benito. She then expressed her thanks to each member of the Court and to all the Directors from the various County Departments.

Commissioner Benavides thanked Commissioner Tamayo for her support on several projects, especially those at Browne Road Park. She commented on how Commissioners try to make the best decisions for the County and its' employees. She then expressed her thanks to Commissioner Wood for his continued support and assistance throughout the years and welcomed newly-elected Commissioner Ernie Hernandez and Commissioner Dan Sanchez.

EXECUTIVE SESSION

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Court met in Executive Session at 9:01 A.M. to discuss the following matters:

(1) EXECUTIVE SESSION:

- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CRYSTAL VICK VS. CAMERON COUNTY, CARLOS CASCOS, CAUSE NO. 2010-DCL-8293; FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY AND COUNTY JUDGE CARLOS CASCOS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo 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 COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CRYSTAL VICK VS. CAMERON COUNTY, CARLOS CASCOS, CAUSE NO. 2010-DCL-8293; FOR DISCUSSION AND AUTHORITY TO REPRESENT CAMERON COUNTY AND COUNTY JUDGE CARLOS CASCOS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).**

Commissioner Tamayo motioned to authorize the Civil Division to represent Cameron County and County Judge Carlos Cascos against the suit as initiated by Crystal Vick.

The motion was seconded by Commissioner Benavides and carried unanimously.

PRESENTATIONS

(4) **PRESENTATIONS/RESOLUTIONS.**

- (A) **CONSIDERATION AND APPROVAL OF RESOLUTION RECOGNIZING COMMISSIONER PCT. 2 JOHN WOOD FOR HIS YEARS OF PUBLIC SERVICE TO CAMERON COUNTY. (PSJ-ADMINISTRATOR)**
- (B) **CONSIDERATION AND APPROVAL OF RESOLUTION RECOGNIZING COMMISSIONER PCT. 4 EDNA TAMAYO FOR HER YEARS OF PUBLIC SERVICE TO CAMERON COUNTY. (PSJ-ADMINISTRATOR)**

Commissioner Garza motioned to approve the Resolution recognizing Commissioner Pct. 2 John Wood for his years of public service to Cameron County and to approve the Resolution recognizing Commissioner Pct. 4 Edna Tamayo for her years of public service to Cameron County.

The motion was seconded by Commissioner Tamayo 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 Item No. 5 (K):

Mr. David Garcia, Deputy County Administrator, stated that there is a correction to this item such that the correct date for the travel is from February 21-23.

Consent Item No. 5 (J):

Commissioner Garza asked to discuss this item separately.

Commissioner Wood motioned to approve the "Consent Items", excluding Consent Item No. 5 (J) and with the correction to the travel date for Consent Item No. 5 (K).

The motion was seconded by Commissioner Tamayo 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)**
(PSJ-ADMINISTRATOR)
The Documentation is as follows:
- (B) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF OSCAR O. GARCIA DEPUTY CONSTABLE FOR PRECINCT 4 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT. (RL-HUMAN RESOURCES)**
The Documentation is as follows:
- (C) 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)**
The Agreement is as follows:
- (D) CONSIDERATION AND AUTHORIZATION TO EXECUTE AMENDMENT NO. 1 (CONTRACT NO. 2010C12491) TO PROFESSIONAL SERVICE AGREEMENT (CONTRACT NO. 2010C07259) WITH VICTOR HUGO GARCIA, P.E. D/B/A VANGUARD ENGINEERING. (JM-PARKS)**
The Contract is as follows:
- (E) CONSIDERATION AND AUTHORIZATION TO RENEW FOUR (4) MOBILE VENDING PERMITS TO FRANCISCO H. TORRES, D/B/A EL REY DEL ELOTE FOR UNITS #2, #3, #4 AND #5. (JM-PARKS)**
The Documentation is as follows:
- (F) EXTENSION OFFICE STAFF (1): COUNTY EXTENSION AGENT-AG ENRIQUE PEREZ TO TRAVEL TO ATLANTA, GEORGIA ON 1/3 TO 1/7/11 TO PARTICIPATE IN THE 2011 BELTWIDE NATIONAL COTTON CONFERENCE TO OBTAIN IN-DEPTH INFORMATION WITH NEW DEVELOPMENTS FROM COTTON INDUSTRY, AGRONOMIC ISSUES, COTTON PRODUCTION MANAGEMENT AND ECONOMICS.**
The Documentation is as follows:
- (G) JUSTICE OF THE PEACE PCT. 4 ELECT MANUEL FLORES, JR. TO TRAVEL TO AUSTIN, TEXAS ON 1/9 TO 1/14/11 TO ATTEND THE MANDATORY TEXAS JUSTICE COURT NEW JUDGE EDUCATION SEMINAR.**
The Documentation is as follows:
- (H) JUSTICE OF THE PEACE PCT. 6-1 ELECT JUAN MENDOZA, JR. TO TRAVEL TO AUSTIN, TEXAS ON 1/9 TO 1/14/11 TO ATTEND THE MANDATORY TEXAS JUSTICE COURT NEW JUDGE EDUCATION SEMINAR.**
The Documentation is as follows:
- (I) JUVENILE PROBATION OFFICE STAFF (1): DEPUTY CHIEF DAVID TUMLINSON TO TRAVEL TO AUSTIN, TEXAS ON 1/11 TO 1/12/11 TO ATTEND THE MODELS FOR CHANGE INFORMATION SHARING TOOL KIT TRAINING.**
The Documentation is as follows:
- (J) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT (CONTRACT 2010C12439) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND STEVE AUERNHAMER, GREAT LAKES DREDGE & DOCK COMPANY, LLC PROJECT SPONSOR TO STAGE EQUIPMENT FOR SOUTH PADRE ISLAND BEACH NOURISHMENT PROJECT AT ISLA BLANCA PARK. (JM-PARKS) (ACTION TAKEN SEPARATELY)**
- (K) HEALTH DEPARTMENT OFFICE STAFF (2): HEALTH INSPECTORS JESUS SILVA AND RICHARD CASTILLO TO TRAVEL TO MESQUITE, TEXAS ON 3/21 TO 3/23/11 TO ATTEND THE 19TH ANNUAL TEXAS ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL (TOWTRC) CONFERENCE.**
The Documentation is as follows:

- (A) CONSIDERATION AND APPROVAL OF GRANTING OF EASEMENT TO THE BROWNSVILLE PUBLIC UTILITIES BOARD FOR THE WEST RAILROAD RELOCATION PROJECT.
(PSJ-ADMINISTRATOR)
The Documentation is as follows:**

- (B) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF OSCAR O. GARCIA DEPUTY CONSTABLE FOR PRECINCT 4 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT. (RL-HUMAN RESOURCES)**
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The Documentation is as follows:**

- (F) EXTENSION OFFICE STAFF (1): COUNTY EXTENSION AGENT-AG ENRIQUE PEREZ TO TRAVEL TO ATLANTA, GEORGIA ON 1/3 TO 1/7/11 TO PARTICIPATE IN THE 2011 BELTWIDE NATIONAL COTTON CONFERENCE TO OBTAIN IN-DEPTH INFORMATION WITH NEW DEVELOPMENTS FROM COTTON INDUSTRY, AGRONOMIC ISSUES, COTTON PRODUCTION MANAGEMENT AND ECONOMICS.**

The Documentation is as follows:

- (G) JUSTICE OF THE PEACE PCT. 4 ELECT MANUEL FLORES, JR. TO TRAVEL TO AUSTIN, TEXAS ON 1/9 TO 1/14/11 TO ATTEND THE MANDATORY TEXAS JUSTICE COURT NEW JUDGE EDUCATION SEMINAR.**

The Documentation is as follows:

(H) JUSTICE OF THE PEACE PCT. 6-1 ELECT JUAN MENDOZA, JR. TO TRAVEL TO AUSTIN, TEXAS ON 1/9 TO 1/14/11 TO ATTEND THE MANDATORY TEXAS JUSTICE COURT NEW JUDGE EDUCATION SEMINAR.

The Documentation is as follows:

- (I) JUVENILE PROBATION OFFICE STAFF (1): DEPUTY CHIEF DAVID TURLINSON TO TRAVEL TO AUSTIN, TEXAS ON 1/11 TO 1/12/11 TO ATTEND THE MODELS FOR CHANGE INFORMATION SHARING TOOL KIT TRAINING.**

The Documentation is as follows:

- (K) HEALTH DEPARTMENT OFFICE STAFF (2): HEALTH INSPECTORS JESUS SILVA AND RICHARD CASTILLO TO TRAVEL TO MESQUITE, TEXAS ON 3/21 TO 3/23/11 TO ATTEND THE 19TH ANNUAL TEXAS ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL (TOWTRC) CONFERENCE. The Documentation is as follows:**

(5) **CONSENT ITEMS.**

(J) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT (CONTRACT 2010C12439) BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND STEVE AUERNHAMER, GREAT LAKES DREDGE & DOCK COMPANY, LLC PROJECT SPONSOR TO STATE EQUIPMENT FOR SOUTH PADRE ISLAND BEACH NOURISHMENT PROJECT AT ISLA BLANCA PARK. (JM-PARKS) (CONTRACT 2010C12493)**

Mr. Javier Mendez, Parks Director, explained that there will be equipment brought in to unload pipes to be used for the dredge in the north end of South Padre Island and advised the Court that the project will run through the end of March.

Commissioner Benavides recalled the last time this was done, the roads had just been repaired and there was damage done by the heavy equipment.

Mr. Mendez responded that the County was compensated for the damage.

Commissioner Tamayo motioned to approve the License Agreement between Cameron County (Parks and Recreation) and Steve Auernhamer, Great Lakes Dredge & Dock Company, LLC, Project Sponsor to State Equipment for South Padre Island Beach Nourishment Project at Isla Blanca Park.

The motion was seconded by Commissioner Wood and carried unanimously.

The Agreement is as follows:

ACTION ITEMS

(6) ACTION ITEMS.

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

Upon motion by Commissioner Wood, seconded by Commissioner Benavides 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 Tamayo and carried as follows:

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

NAY: None

ABSTAIN: Judge Cascos as to Warrant No. 00250755 made payable to Laguna Madre Water District and
Warrant No. 00250782 made payable to Public Utilities Board.

The Claims and Affidavits are as follows:

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

Commissioner Tamayo motioned to approve the Minutes for the November 22, 2010-Special Meeting, the November 23, 2010-Special Meeting and the November 30, 2010-Special Meeting.

The motion was seconded by Commissioner Wood and carried unanimously.

(D) DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FROM THE CITY OF SOUTH PADRE ISLAND FOR TEMPORARY USE OF COUNTY OWNED PROPERTY FOR USE AS A PUBLIC WORKS STORAGE YARD. (PSJ-ADMINISTRATOR)

Mr. Pete Sepulveda, County Administrator, stated that he needs direction from the Court to move forward with this request and to prepare an Interlocal Agreement to be presented to the Court at a later date.

Commissioner Benavides asked if the County has any plans to use the area in the near future.

Mr. Javier Mendez, Parks Director, explained that the area has restrictions due to the close proximity of the sewer plant and is currently being used to store debris. He added that the area cannot be used for the building of offices or for residential use.

Commissioner Garza asked if the City will be paying a toll for accessing the property.

Mr. Mendez responded that he has yet to clarify how the City will be entering the area.

Commissioner Wood motioned to direct staff to prepare an Interlocal Agreement regarding the request from the City of South Padre Island for temporary use of County Owned Property for use as a public works storage yard.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Documentation is as follows:

There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 9:26 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