

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 1st day of December 2015, there was conducted a REGULAR Meeting of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

PRESENT:

8:45 A.M.

PETE SEPULVEDA, JR.
COUNTY JUDGE

SOFIA C. BENAVIDES
COMMISSIONER PRECINCT NO. 1

ALEX DOMINGUEZ
COMMISSIONER PRECINCT NO. 2

DAVID A. GARZA
COMMISSIONER PRECINCT NO. 3

DAN SANCHEZ
COMMISSIONER PRECINCT NO. 4

SYLVIA GARZA-PEREZ
COUNTY CLERK

Erika Garza Deputy Clerk

ABSENT:

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The meeting was called to order by Judge Sepulveda at 8:45 A.M. He then asked for a moment of silence.

The Court then led the 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 November 25, 2015 at 8:21 a.m.:

(1) **PUBLIC COMMENTS.**

Mr. Jim Young commented on a Memorandum of Understanding between the Cameron County Board of Judges and Avertest for the purpose of drug-testing individuals on probation. He stated his belief that there are human rights violations being perpetrated by the Cameron County District Attorney's Office and asked that the contract with Avertest be brought before Commissioners' Court.

Ms. Mary Helen Flores spoke on the proposed Parks Master Plan. She stated that she has been unable to review the Plan and asked the Court to oppose this item.

PRESENTATIONS

(4) **PRESENTATIONS/RESOLUTIONS.**

(B) **PRESENTATION OF A RESOLUTION HONORING MS. NORMA GARCIA, ON THE OCCASION OF HER RETIREMENT AFTER 26 YEARS OF DEDICATED SERVICE TO CAMERON COUNTY. (KS-PRE-TRIAL SERVICES)**

Commissioner Dominguez read and presented the Resolution honoring Ms. Norma Garcia on the occasion of her retirement after 26 years of dedicated service to Cameron County.

(E) **PRESENTATION ON THE OVERTIME USED ON 6 SATURDAYS DURING THE MONTH OF AUGUST (8/22/15 AND 8/29/15) AND SEPTEMBER (9/5/15, 9/12/15, 9/19/15 AND 9/26/15) USING OUR LAPSE SALARY BUDGET IN ORDER TO WORK ON WARRANTS, THE SENDING OUT OF NOTIFICATIONS AND SCANNING OF DOCUMENTS. (LS-JP PCT. 2-1)**

Justice of the Peace Precinct 2, Place 1 Linda Salazar reported that 2,438 additional warrants have been processed and all files located in her office have been scanned, with the files in warehouse and storage still pending. She noted that collections in September amounted to \$139,000 and the collections in August amounted to \$82,000.

(1) **PUBLIC COMMENTS.**

Commissioner Garza commented on the passing of Mr. Ricardo Aguilar, a former Alderman for the City of Los Indios and an educator for the San Benito School District for 32 years, and extended his condolences to the Aguilar family.

Commissioner Benavides expressed her sympathy for the family of Mr. Bob Torres, who recently passed.

PRESENTATIONS

(4) PRESENTATIONS/RESOLUTIONS.

- (A) PRESENTATION OF A PROCLAMATION HONORING MR. JOSE ANTONIO SANCHEZ FOR FORTY ONE YEARS AS A VOLUNTEER FIRE FIGHTER WITH THE SANTA ROSA FIRE DEPARTMENT. (DS-COMMISSIONER PCT. 4)**

Commissioner Sanchez read and presented the Proclamation honoring Mr. Jose Antonio Sanchez for forty one years as a Volunteer Fire Fighter with the Santa Rosa Fire Department.

ACTION ITEMS

(3) ACTION ITEMS.

- (P) DISCUSSION AND POSSIBLE ACTION TO APPROVE THE MASTER PLAN FOR THE CAMERON COUNTY COASTAL PARKS. (JEV-PARKS)**

Commissioner Sanchez motioned to approve the Master Plan for the Cameron County Coastal Parks.

The motion was seconded by Commissioner Dominguez and carried unanimously.

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- (Q) PRESENTATION AND DISCUSSION OF PRELIMINARY FINANCE PLAN FOR THE MASTER PLAN FOR THE CAMERON COUNTY COASTAL PARKS. (JEV-PARKS)**

Commissioner Garza motioned to approve the Preliminary Finance Plan for the Master Plan for the Cameron County Coastal Parks utilizing Scenario "A" and restricting the increase in revenues by the increased fees in the operating reserve fund and funding the other reserves accordingly as per the financial advisor.

The motion was seconded by Commissioner Sanchez and carried unanimously.

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- (R) PRESENTATION AND POSSIBLE ACTION ON INCREASING FEES FOR CAMERON COUNTY COASTAL PARKS. (JEV-PARKS)**

Commissioner Garza motioned to approve Scenario "A".

The motion was seconded by Commissioner Sanchez and carried unanimously.

AYE: Commissioner Garza, Commissioner Sanchez, and Judge Sepulveda

NAY: Commissioner Benavides and Commissioner Dominguez

(S) CONSIDERATION AND APPROVAL OF A RESOLUTION NO. 2015R12072 DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES. (JEV-PARKS)

Commissioner Sanchez motioned to approve Resolution No. 2015R12072 declaring intention to reimburse certain expenditures.

The motion was seconded by Commissioner Garza and carried unanimously.

(T) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS (RFQ NO. 151202) FOR ARCHITECTURAL/ENGINEERING SERVICES FOR IMPROVEMENTS TO ISLA BLANCA PARK AND ANDY BOWIE PARK AND APPROVAL OF RFQ DRAFT. (JEV-PARKS)

Commissioner Sanchez motioned to approve to advertise for Requests for Qualifications (RFQ No. 151202) for Architectural/Engineering Services for Improvements to Isla Blanca Park and Andy Bowie Park and Approval of RFQ Draft.

The motion was seconded by Commissioner Garza and carried unanimously.

CONSENT ITEMS

(2) 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. 2 (DD):

Judge Sepulveda asked to discuss this item separately.

Consent Items No. 2 (C), (J), (M), (Q), and (GG):

Commissioner Dominguez asked to discuss these items separately.

Consent Item No. 2 (HH):

Mr. Remi Garza, Elections Administrator, asked to discuss this item separately.

Commissioner Sanchez motioned to approve the "Consent Items", excluding Consent Items No. 2 (B), (C), (J), (M), (Q), (DD), (GG), and (HH).

The motion was seconded by Commissioner Garza and carried unanimously.

(A) CONSIDERATION AND APPROVAL TO REAPPOINT CARLOS GARZA, MARCO LONGORIA AND HECTOR MORENO CRUZ TO THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT BOARD OF DIRECTORS. (PSJ-COUNTY JUDGE)

(B) CONSIDERATION AND AUTHORIZATION TO CLOSE THE SOUTHBOUND LANES AT THE GATEWAY BRIDGE ON DECEMBER 7, 2015 FROM 7:00 P.M. TO 9:00 P.M. FOR THE ANNUAL CHRISTMAS PARADE. (IN CASE OF INCLEMENT WEATHER THE CLOSURE WILL TAKE PLACE

ON MONDAY, DECEMBER 14, 2015 FROM 7:00 P.M. TO 9:00 P.M.) (DAG-COUNTY ADMINISTRATOR) (*ACTION TAKEN SEPARATELY*)

- (C) CONSIDERATION AND AUTHORIZATION TO APPROVE A CREDIT APPLICATION FOR APPERSON, INC. (GEJ-ADMINISTRATIVE SERVICES) (*ACTION TAKEN SEPARATELY*)
- (D) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF ANGEL G. ALFARO AS DEPUTY CONSTABLE FOR PRECINCT 2 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY CONSTABLE IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT. (GEJ-ADMINISTRATIVE SERVICES)
- (E) CONSIDERATION AND ACTION FOR THE APPOINTMENT OF RAMIRO GARZA AS PARK RANGER FOR CAMERON COUNTY PARK RANGERS DIVISION IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE PARK RANGER IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE PARK RANGER'S PRECINCT THAT ORIGINATES IN THE PARK RANGER'S PRECINCT. (GEJ-ADMINISTRATIVE SERVICES)
- (F) CONSIDERATION AND APPROVAL TO EXTEND THE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) GRANT AGREEMENT, G14SS0003A (CONTRACT NO. 2014C03132) FOR AN ADDITIONAL YEAR TO EXPIRE ON DECEMBER 31, 2016. (MG-AUDITOR)
- (G) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR L&S SUBDIVISION, FOR UNBUILT SEPTIC SYSTEMS AND DETENTION POND, PCT. 2. (CAS- CCDoT ENG)
- (H) CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR RANCHO BELLA SUBDIVISION BEING A 4.98 ACRE TRACT OUT OF BLOCK 27, RICE TRACT SUBDIVISION, COMPRISED OF A 2.49 ACRE TRACT (TRACT I), CONVEYED TO DIANA Z. DE LA GARZA AND NORMA Z. SALAZAR, AS DESCRIBED IN A DEED RECORDED IN VOLUME 20095, PAGE 118, OF THE DEED RECORDS OF CAMERON COUNTY, TEXAS AND 2.49 ACRE TRACT (TRACT II), CONVEYED NOE NORBERTO ZARATE AND OSCAR ORLANDO ZARATE, AS DESCRIBED IN DEED RECORDED IN VOLUME 20095, PAGE 130, OF THE DEED RECORDS OF CAMERON COUNTY, TEXAS, PCT. 4. (CAS- CCDoT ENG)
- (I) CONSIDERATION AND AUTHORIZATION FOR FINAL PLAT APPROVAL FOR REPLAT OF LOT ONE (1), BLOCK THREE (3) LA SIESTA ESTATES SUBDIVISION, PHASE 1 BEING A 44.567 ACRE TRACT OF LAND, MORE OR LESS, BEING LOT ONE (1), BLOCK THREE (3) OF LA SIESTA ESTATES SUBDIVISION, PHASE I, AS RECORDED IN CABINET SLOT 3058A, 3058B AND 3059A, MAP RECORDS OF CAMERON COUNTY, TEXAS, PCT. 4. (CAS-CCDoT ENG)
- (J) CONSIDERATION AND AUTHORIZATION FOR APPROVAL OF ROAD TRANSITION CONSTRUCTION FOR ARROYO COLORADO ESTATES SUBDIVISION, PCT. 3. (CAS- CCDoT ENG) (*ACTION TAKEN SEPARATELY*)
- (K) CONSIDERATION AND AUTHORIZATION TO PURCHASE A NEW DOOSAN DL-25TC-3 WHEEL LOADER FOR THE PUBLIC WORKS DIVISION UTILIZING INTERLOCAL PURCHASING AGREEMENT WITH BUY BOARD CONTRACT NO. 423-13. (RGJ-CCDOT-PUBLIC WORKS)
- (L) CONSIDERATION AND ACKNOWLEDGMENT OF THE COUNTY CLERK OCTOBER 2015 FEES AND COLLECTIONS REPORT. (SGP-COUNTY CLERK)
- (M) CONSIDERATION AND ACTION FOR COUNTY JUDGE TO SIGN A CHANGE NOTICE (AMENDMENT NO. 1) ON THE FREQUENCY RECONFIGURATION AGREEMENT (FRA) WITH SPRINT NEXTEL. (TH-EMERGENCY MANAGEMENT) (*ACTION TAKEN SEPARATELY*)
- (N) CONSIDERATION AND AUTHORIZATION FOR COMMISSIONERS' COURT TO ADOPT THE TENTATIVE ODYSSEY JUSTICE OF THE PEACE TRAINING SCHEDULE AND THE CLOSURE OF

THE JUSTICE COURTS ON RESPECTIVE TRAINING DATES SO THAT ALL JUSTICE OF THE PEACE STAFF CAN ATTEND TRAININGS. (LC-JP ADMINISTRATION)

- (O) CONSIDERATION AND AUTHORIZATION TO EXECUTE AGREEMENT (CONTRACT NO. 2015C12317) BETWEEN CAMERON COUNTY AND TEXAS SOUTHMOST COLLEGE FOR THE USE OF THE PORT ISABEL-CAMERON COUNTY AIRPORT TO PROVIDE POLICE TRAINING COURSES AND EXERCISES. (JEV-PARKS)**
- (P) CONSIDERATION AND AUTHORIZATION TO EXECUTE INTERLOCAL CONTRACT (CONTRACT NO. 2015C12318) WITH THE TEXAS GENERAL LAND OFFICE (GLO CONTRACT NO. 16-124-002) FOR BEACH CLEANING AND MAINTENANCE ASSISTANCE. (JEV-PARKS)**
- (Q) CONSIDERATION AND AUTHORIZATION TO UTILIZE JOB ORDER CONTRACT/ALLIED STATES RFP NO. 14-7072, FOR IMPROVEMENTS TO RESTROOM FACILITIES AT ADOLPH THOMAE JR. COUNTY PARK VIA NOBLE GENERAL CONTRACTORS (DBA NOBLE TEXAS BUILDERS). (JEV-PARKS) (*ACTION TAKEN SEPARATELY*)**
- (R) CONSIDERATION AND APPROVAL OF CONTRACT NO. 2015C12315 WITH NOBLE GENERAL CONTRACTORS (DBA NOBLE TEXAS BUILDERS) JOB ORDER CONTRACT/ALLIED STATES RFP NO. 14-7072, FOR IMPROVEMENTS TO THE RESTROOM FACILITIES AT THE ADOLPH THOMAE JR. COUNTY PARK. (JEV-PARKS)**
- (S) CONSIDERATION AND AUTHORIZATION TO UTILIZE THE BUY BOARD COOPERATIVE PURCHASING AGREEMENT FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR SANTA ROSA COMMUNITY PARK VIA PARK PLACE RECREATION DESIGNS, INC. (JEV-PARKS)**
- (T) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE DRAIN "A" WIDENING PHASE II DRAINAGE IMPROVEMENTS IN CAMERON COUNTY DRAINAGE DISTRICT NO. 3 (GLO CONTRACT NO 12-361-000-6127). (MAY-PROGRAM, DEVELOPMENT AND MANAGEMENT)**
- (U) CONSIDERATION AND AUTHORIZATION TO REJECT BID NUMBER 150902 SUBMITTED TO CAMERON COUNTY AND CAMERON COUNTY DRAINAGE DISTRICT NO. 3, RANCHO GRANDE DIVERSION-PHASE 1 DRAINAGE IMPROVEMENTS PROJECT IN CAMERON COUNTY DRAINAGE DISTRICT NO. 3 (GLO CONTRACT NO. 12-361-000-6127). (MAY-PROGRAM, DEVELOPMENT AND MANAGEMENT)**
- (V) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BID NUMBER 160102 FOR THE CAMERON COUNTY DRAINAGE DISTRICT NO. 3, RANCHO GRANDE DIVERSION-PHASE 1 AND 2 DRAINAGE IMPROVEMENTS PROJECT IN CAMERON COUNTY DRAINAGE DISTRICT NO. 3 (GLO CONTRACT NO. 12-361-000-6127). (MAY-PROGRAM, DEVELOPMENT AND MANAGEMENT)**
- (W) CONSIDERATION AND AUTHORIZATION TO SUBMIT A HAZARD MITIGATION GRANT TO THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE PASO REAL SUBDIVISION DRAINAGE PROJECT. (MAY-PROGRAM, DEVELOPMENT AND MANAGEMENT)**
- (X) CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY JUDGE TO EXECUTE CERTIFICATION OF EXEMPTION FORM FOR THE TEXAS DEPARTMENT OF AGRICULTURE PENDING 2015-2016 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) COLONIA FUND CONSTRUCTION CONTRACT FOR WASTEWATER IMPROVEMENTS IN THE LAS PALMAS MOBILE ESTATES SUBDIVISION, IN THE BROWNSVILLE PUBLIC UTILITIES BOARD SERVICE AREA. (MAY-PROGRAM, DEVELOPMENT AND MANAGEMENT)**
- (Y) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 TO CONSTRUCTION CONTRACT WITH ROJAS CONSTRUCTION & PAVING FOR THE LOS RANCHITOS & RANCHO GRANDE DRAINAGE IMPROVEMENTS PROJECT IN CAMERON COUNTY DRAINAGE DISTRICT NO. 3 (GLO CONTRACT NO. 12-361-000-6127). (MAY-PROGRAM, DEVELOPMENT AND MANAGEMENT)**

- (Z) CONSIDERATION AND AUTHORIZATION TO SUBMIT A HAZARD MITIGATION GRANT TO THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE HACIENDA DEL NORTE (LAGUNA SECA) SUBDIVISION DRAINAGE PROJECT. (MAY-PROGRAM, DEVELOPMENT AND MANAGEMENT)**
- (AA) CONSTABLE PCT. 3 ROEL CAVAZOS AND OFFICE STAFF (2): DEPUTIES RAY GIL AND JOHN KEENER TO TRAVEL TO SAN ANTONIO, TEXAS ON 01/31 TO 02/03/16 TO ATTEND THE TEXAS JUSTICE COURT TRAINING CIVIL PROCESS SEMINAR.**
- (BB) COUNTY ADMINISTRATOR DAVID A. GARCIA, DEPUTY COUNTY ADMINISTRATOR XAVIER VILLARREAL AND PARKS DIRECTOR JOE E. VEGA TRAVELED TO AUSTIN, TEXAS ON 11/19/15 TO ATTEND MEETING WITH TEXAS GENERAL LAND OFFICE-COASTAL RESOURCE DIVISION AND OFFICE OF ECONOMIC DEVELOPMENT.**
- (CC) COUNTY ADMINISTRATOR DAVID A. GARCIA TRAVELED TO HOUSTON, TEXAS ON 11/30/15 TO ATTEND THE I-69 ALLIANCE ANNUAL BOARD MEETING.**
- (DD) COUNTY CLERK SYLVIA GARZA-PEREZ AND OFFICE STAFF (1): CHIEF DEPUTY SANDRA SANCHEZ TO TRAVEL TO SAN MARCOS, TEXAS ON 01/17 TO 01/21/16 TO ATTEND THE 2016 COUNTY AND DISTRICT CLERK'S ASSOCIATION CONFERENCE. (ACTION TAKEN SEPARATELY)**
- (EE) COUNTY COURT AT LAW NO. 1 JUDGE ARTURO A. MCDONALD, JR. TO TRAVEL TO CEDAR CREEK, TEXAS ON 01/24 TO 01/26/16 TO ATTEND THE FAMILY JUSTICE CONFERENCE.**
- (FF) DEPUTY COUNTY ADMINISTRATOR XAVIER VILLARREAL TO TRAVEL TO AUSTIN, TEXAS ON 01/04 TO 01/06/16 TO ATTEND THE TEXAS A&M TRANSPORTATION INSTITUTE - EVENT MANAGEMENT AND PLANNING SEMINAR.**
- (GG) DISTRICT CLERK ERIC GARZA AND OFFICE STAFF (3): ADMINISTRATIVE ASSISTANT JESSICA RAMIREZ, DEPUTY CLERK ARMANDO PEREZ AND CIVIL MANAGER DIANA GOMEZ TO TRAVEL TO SAN MARCOS, TEXAS ON 01/18 TO 01/21/16 TO ATTEND THE COUNTY AND DISTRICT CLERK'S ASSOCIATION OF TEXAS CONFERENCE. (ACTION TAKEN SEPARATELY)**
- (HH) ELECTIONS ADMINISTRATOR REMI GARZA AND COUNTY CLERK SYLVIA GARZA-PEREZ TO TRAVEL TO SUGAR LAND, TEXAS ON (1/4 TO 1/8/16 REMI GARZA) AND (1/6 TO 1/8/16 SYLVIA GARZA-PEREZ) TO ATTEND THE TEXAS ASSOCIATION OF ELECTIONS ADMINISTRATORS MID-WINTER CONFERENCE. (ACTION TAKEN SEPARATELY)**
- (II) EXTENSION AGENT/COUNTY-AGRICULTURE DR. ENRIQUE PEREZ TO TRAVEL TO LAREDO, TEXAS ON 12/09 TO 12/10/15 TO PARTICIPATE AT THE DISTRICT 12 JUDGES AND COMMISSIONERS CONFERENCE FOR COUNTY OFFICIALS.**
- (JJ) HEALTH AND HUMAN SERVICES OFFICE STAFF (2): TUBERCULOSIS SUPERVISOR ERICA SILVA AND COMMUNITY SERVICE AIDE DIANA MEZA TO TRAVEL TO AUSTIN, TEXAS ON 12/09 TO 12/11/15 TO ATTEND THE 2015 TUBERCULOSIS NEWS NETWORK WORKGROUP MEETING.**
- (KK) HEALTH DEPARTMENT ADMINISTRATOR ESMERALDA GUAJARDO TO TRAVEL TO AUSTIN, TEXAS ON 12/16 TO 12/18/15 TO ATTEND THE WOMEN'S HEALTH AND FAMILY PLANNING ASSOCIATION OF TEXAS (WHFPT) ALLOCATION WORKGROUP MEETING.**
- (LL) JUSTICE OF THE PEACE PCT. 5-1 JUDGE SALLIE GONZALEZ TO TRAVEL TO SAN ANTONIO, TEXAS ON 01/24 TO 01/27/16 TO ATTEND THE 20 HOUR MANDATED JUSTICE OF THE PEACE EDUCATION SEMINAR.**
- (MM) SHERIFF OMAR LUCIO AND OFFICE STAFF (1): CHIEF JAILER MIKE LEINART TO TRAVEL TO DEL RIO, TEXAS ON 12/07 TO 12/09/15 TO ATTEND THE TEXAS BORDER SHERIFF'S COALITION LEGISLATIVE FORUM.**

CONSENT ITEMS

(2) **CONSENT ITEMS.**

- (B) **CONSIDERATION AND AUTHORIZATION TO CLOSE THE SOUTHBOUND LANES AT THE GATEWAY BRIDGE ON DECEMBER 7, 2015 FROM 7:00 P.M. TO 9:00 P.M. FOR THE ANNUAL CHRISTMAS PARADE. (IN CASE OF INCLEMENT WEATHER THE CLOSURE WILL TAKE PLACE ON MONDAY, DECEMBER 14, 2015 FROM 7:00 P.M. TO 9:00 P.M.) (DAG-COUNTY ADMINISTRATOR)**

Commissioner Dominguez motioned to approve authorization to close the southbound lanes at the Gateway Bridge on December 7, 2015 from 7:00 p.m. to 9:00 p.m. for the Annual Christmas Parade. (In case of inclement weather the closure will take place on Monday, December 14, 2015 from 7:00 p.m. to 9:00 p.m.)

The motion was seconded by Commissioner Sanchez and carried unanimously.

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- (C) **CONSIDERATION AND AUTHORIZATION TO APPROVE A CREDIT APPLICATION FOR APPERSON, INC. (GEJ-ADMINISTRATIVE SERVICES)**

Commissioner Dominguez motioned to approve authorization to approve a credit application for Apperson, Inc.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (J) **CONSIDERATION AND AUTHORIZATION FOR APPROVAL OF ROAD TRANSITION CONSTRUCTION FOR ARROYO COLORADO ESTATES SUBDIVISION, PCT. 3. (CAS-CCDoT ENG)**

Commissioner Dominguez motioned to approve the Road Transition Construction for Arroyo Colorado Estates Subdivision, Pct. 3.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (M) **CONSIDERATION AND ACTION FOR COUNTY JUDGE TO SIGN A CHANGE NOTICE (AMENDMENT NO. 1) ON THE FREQUENCY RECONFIGURATION AGREEMENT (FRA) WITH SPRINT NEXTEL. (TH-EMERGENCY MANAGEMENT)**

Commissioner Dominguez motioned to approve for the County Judge to sign a Change Notice (Amendment No. 1) on the Frequency Reconfiguration Agreement (FRA) with Sprint Nextel.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (Q) **CONSIDERATION AND AUTHORIZATION TO UTILIZE JOB ORDER CONTRACT/ALLIED STATES RFP NO. 14-7072, FOR IMPROVEMENTS TO RESTROOM FACILITIES AT ADOLPH THOMAE JR. COUNTY PARK VIA NOBLE GENERAL CONTRACTORS (DBA NOBLE TEXAS BUILDERS). (JEV-PARKS)**

Commissioner Dominguez motioned to approve authorization to utilize Job Order Contract/Allied States RFP No. 14-7072, for improvements to restroom facilities at Adolph Thomae Jr. County Park via Noble General Contractors (DBA Noble Texas Builders).

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (DD) **COUNTY CLERK SYLVIA GARZA-PEREZ AND OFFICE STAFF (1): CHIEF DEPUTY SANDRA SANCHEZ TO TRAVEL TO SAN MARCOS, TEXAS ON 01/17 TO 01/21/16 TO ATTEND THE 2016 COUNTY AND DISTRICT CLERK'S ASSOCIATION CONFERENCE.**

- (GG) **DISTRICT CLERK ERIC GARZA AND OFFICE STAFF (3): ADMINISTRATIVE ASSISTANT JESSICA RAMIREZ, DEPUTY CLERK ARMANDO PEREZ AND CIVIL MANAGER DIANA GOMEZ TO TRAVEL TO SAN MARCOS, TEXAS ON 01/18 TO 01/21/16 TO ATTEND THE COUNTY AND DISTRICT CLERK'S ASSOCIATION OF TEXAS CONFERENCE.**

Commissioner Sanchez motioned to approve Consent Items No. 2 (DD) and (GG).

The motion was seconded by Commissioner Garza and carried unanimously.

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- (HH) **ELECTIONS ADMINISTRATOR REMI GARZA AND COUNTY CLERK SYLVIA GARZA-PEREZ TO TRAVEL TO SUGAR LAND, TEXAS ON (1/4 TO 1/8/16 REMI GARZA) AND (1/6 TO 1/8/16 SYLVIA GARZA-PEREZ) TO ATTEND THE TEXAS ASSOCIATION OF ELECTIONS ADMINISTRATORS MID-WINTER CONFERENCE.**

Commissioner Garza motioned to approve the Travel for Elections Administrator Remi Garza and County Clerk Sylvia Garza-Perez to travel to Sugar Land, Texas on (1/4 to 1/8/16 Remi Garza) and (1/6 to 1/8/16 Sylvia Garza-Perez) to attend the Texas Association of Elections Administrators Mid-Winter Conference.

The motion was seconded by Commissioner Sanchez and carried unanimously.

ACTION ITEMS

(3) **ACTION ITEMS.**

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

Commissioner Benavides motioned to approve the budget amendments, and line item transfers and TABLING the salary schedules.

The motion was seconded by Commissioner Garza and carried unanimously.

(B) APPROVAL OF CLAIMS.

Ms. Martha Galarza, County Auditor, asked the Court to approve the Claims as follows: Warrant No. 00353555 thru 00353556, Warrant No. 00353561 thru 00353984, and Warrant No. 00353986 thru Warrant No. 00354188; Net Payroll, released on November 20, 2015, in the amount of \$1,905,482.33; a manual payroll claim, released on November 18, 2015, in the amount of \$902.85; a manual payroll claim, released on November 20, 2015, in the amount of \$2,182.61; estimated Payroll, to be released on December 4, 2015, in the net amount of \$1,784,627 and the gross amount of \$3,481,963; ACH Healthcare Claims in the amount of \$376,643.99; and to VOID Warrant No. 00353553 and Warrant No. 00353985.

Commissioner Garza motioned to approve the Claims as presented.

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

AYE: Commissioner Dominguez, Commissioner Garza, Commissioner Sanchez, and Jude Sepulveda

NAY: None

ABSTAIN: Commissioner Benavides as to Warrant No. 00353907 and to Warrant No. 00354144

**(C) APPROVAL OF MINUTES.
SEPTEMBER 1, 2015-SPECIAL MEETING
SEPTEMBER 3, 2015-SPECIAL MEETING
SEPTEMBER 10, 2015-REGULAR MEETING
SEPTEMBER 24, 2015-REGULAR MEETING**

Commissioner Garza motioned to approve the Minutes for the September 1, 2015-Special Meeting, the September 3, 2015-Special Meeting, the September 10, 2015-Regular Meeting, and the September 24, 2015-Regular Meeting.

The motion was seconded by Commissioner Dominguez and carried unanimously.

(D) CONSIDERATION AND POSSIBLE ACTION REGARDING THE STATUS OF THE CONSTRUCTION OF THOMPSON ROAD. (PSJ-COUNTY JUDGE)

Commissioner Dominguez motioned to acknowledge the status of the construction of Thompson Road.

The motion was seconded by Commissioner Garza and carried unanimously.

(E) CONSIDERATION AND AUTHORIZATION TO ENGAGE IN AN AGREEMENT WITH BAHNMAN REALTY INC., TO ASSIST IN THE SELLING OF COUNTY OWNED PROPERTY ON HARRISON STREET IN HARLINGEN, TEXAS. (DAG-COUNTY ADMINISTRATOR)

Commissioner Garza motioned to approve the engage in an Agreement with Bahnman Realty Inc., to assist in the selling of County Owned Property on Harrison Street in Harlingen, Texas.

The motion was seconded by Commissioner Dominguez and carried unanimously.

(F) CONSIDERATION AND APPROVAL OF THE 2015-2016 GENERAL FUND EQUIPMENT LIST. (XV-DEPUTY COUNTY ADMINISTRATOR)

Commissioner Garza motioned to approve the bus for the Sheriff's Department.

The motion was seconded by Commissioner Sanchez and carried unanimously.

Commissioner Garza motioned to TABLE the remaining items under the 2015-2016 General Fund Equipment List.

The motion was seconded by Commissioner Benavides and carried unanimously.

(G) CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING AGREEMENT (S) FOR ONE (1) ADDITIONAL YEAR: (GEJ-ADMINISTRATIVE SERVICES)

a. INSURANCE: WORKERS' COMPENSATION – TEXAS ASSOCIATION OF COUNTIES

Mr. Gilbert Elizondo, Administrative Services Director, gave a brief report as to the history of the plan and noted that in January 2014, the County decided to change from a fully-insured plan to a self-funded plan and was able to save approximately \$850,000 in that time.

Mr. Anthony Lopez, Assistant Director of Administrative Services, reported that there was (1) claim that exceeded \$50,000 in 2014 and there were (3) claims that exceeded \$50,000 in 2015.

Mr. Elizondo recommended approving the renewal with a \$100,000 deductible.

Commissioner Garza motioned to approve the recommendation as stated.

The motion was seconded by Commissioner Sanchez and carried unanimously.

(H) CONSIDERATION AND AUTHORIZATION TO HOLD PUBLIC HEARING REGARDING THE REZONING OF A 69.71 ACRE TRACT OF LAND CALLED 77.413 ACRES, DESCRIBED AS “EXHIBIT A” IN A DEED TO SANDBAR PROPERTIES INC. AS RECORDED IN VOLUME 6561, PAGE 289, DEED RECORDS OF CAMERON COUNTY, TEXAS. (CAS- CCDoT ENG)

Commissioner Sanchez motioned to OPEN the public hearing.

The motion was seconded by Commissioner Benavides and carried unanimously.

Upon sensing no comments, Commissioner Garza motioned to CLOSE the public hearing.

The motion was seconded by Commissioner Benavides and carried unanimously.

(I) CONSIDERATION AND AUTHORIZATION TO APPROVE THE REZONING REQUEST FOR A 69.71 ACRE TRACT OF LAND CALLED 77.413 ACRES, DESCRIBED AS “EXHIBIT A” IN A DEED TO SANDBAR PROPERTIES INC. AS RECORDED IN VOLUME 6561, PAGE 289, DEED RECORDS OF CAMERON COUNTY, TEXAS. (CAS- CCDoT ENG)

Commissioner Sanchez motioned to approve the Rezoning Request for a 69.71 acre tract of land called 77.413 acres, described as “Exhibit A” in a deed to Sandbar Properties Inc. as recorded in Volume 6561, Page 289, Deed Records of Cameron County, Texas.

The motion was seconded by Commissioner Benavides and carried unanimously.

(J) CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CAMERON COUNTY ANIMAL SHELTER. (DV- CCDoT-FACILITIES MANAGEMENT)

Commissioner Sanchez motioned to approve authorization to advertise for Bids for the Cameron County Animal Shelter.

The motion was seconded by Commissioner Benavides and carried unanimously.

(N) CONSIDERATION AND POSSIBLE ACTION TO TERMINATE CONTRACT NEGOTIATIONS WITH SCHNEIDER ELECTRIC AND TO REJECT ALL PROPOSALS SUBMITTED FOR RFQ NO. 140804. (DJV-LEGAL)

Commissioner Garza motioned to terminate contract negotiations with Schneider Electric and to reject all Proposals Submitted for RFQ No. 140804.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (K) **CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH (SECO) THE STATE ENERGY CONSERVATION OFFICE TO PERFORM A PRELIMINARY ENERGY ASSESSMENT OF SELECTED COUNTY FACILITIES. SECO WILL PROVIDE THIS SERVICE FOR THE COUNTY AT NO COST. (DV-CCDoT-FACILITIES MANAGEMENT)**

Commissioner Garza motioned to approve to enter into an Agreement with (SECO) the State Energy Conservation Office to perform a Preliminary Energy Assessment of selected County Facilities. SECO will provide this service for the County at no cost.

The motion was seconded by Commissioner Dominguez and carried unanimously.

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- (L) **CONSIDERATION AND AUTHORIZATION TO UTILIZE JOB ORDER CONTRACT BUY BOARD NO. 464-14 WITH SPAWGLASS CONTRACTORS INC. FOR PHASE I OF THE DANCY BUILDING RESTORATION PROJECT TO INCLUDE ROOF REPLACEMENT AND EXTERIOR WINDOWS RESTORATION. (DV-CCDoT-FACILITIES MANAGEMENT) (TABLED)**

Commissioner Sanchez motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (M) **CONSIDERATION AND AUTHORIZATION TO UTILIZE THE LOWEST BID FOR MASS MAILING OF VOTER REGISTRATION CARDS INCLUDING COST OF BARCODING AND SORTING. (RG-ELECTIONS) (TABLED)**

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Benavides and carried unanimously.

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- (O) **CONSIDERATION AND POSSIBLE ACTION RESPECTING THE EXISTING CONTRACTS BETWEEN THE COUNTY AND THE TEXAS DEPARTMENT OF AGRICULTURE, EAST RIO HONDO WATER SUPPLY CORPORATION AND THE NORTH ALAMO WATER SUPPLY CORPORATION AND ALSAY, INC., THE WATER WELL CONTRACTOR, WHO'S PERFORMANCE BOND IS WITH ARGONAUT INSURANCE COMPANY. (BWH-LEGAL) (TABLED)**

Commissioner Garza motioned to TABLE this item.

The motion was seconded by Commissioner Sanchez and carried unanimously.

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

- a. CONSULTING SERVICES FOR PREPARATION OF APPLICATIONS, IMPLEMENTATION AND DISTRIBUTION OF FEDERAL RESOURCES AND ECOSYSTEMS SUSTAINABILITY, TOURIST OPPORTUNITIES AND REVIVED ECONOMIES (RESTORE) OF THE GULF COAST STATES ACT DOLLARS – RFQ NO. 150903**

“DAVID GARCIA” (NON SCORING LIAISON – COUNTY ADMINISTRATOR)

Commissioner Garza motioned to approve Action Item N0. 3 (U).

The motion was seconded by Commissioner Dominguez and carried unanimously.

(V) CONSIDERATION AND ACTION TO APPROVE A MONTHLY AGREEMENT BETWEEN TIME WARNER CABLE AND CAMERON COUNTY FOR A 5M FIBER ETHERNET PRIVATE LINE FROM *(HUB) 964 E. HARRISON STREET, BROWNSVILLE, TEXAS 78521 TO 2900 SOUTHMOST ROAD., BROWNSVILLE, TEXAS 78521 & 1763 MILITARY ROAD. BROWNSVILLE, TEXAS 78520, AND TO PROVIDE A 35X5 USD UPGRADE TO THE CURRENT CONNECTIONS ON A MONTH TO MONTH BASIS UNTIL THE PRIVATE LINES ARE INSTALLED AS PER DIR CONTRACT NO. DIR-TEX-AN-NG-CTSA-008. (TY-TAX ASSESSOR COLLECTOR)

Commissioner Garza motioned to approve a Monthly Agreement between Time Warner Cable and Cameron County for a 5M Fiber Ethernet Private Line from *(HUB) 964 E. Harrison Street, Brownsville, Texas 78521 to 2900 Southmost Road., Brownsville, Texas 78521 & 1763 Military Road. Brownsville, Texas 78520, and to provide a 35x5 USD Upgrade to the current connections on a month to month basis until the private lines are installed as per DIR Contract No. DIR-TEX-AN-NG-CTSA-008.

The motion was seconded by Commissioner Sanchez and carried unanimously.

PRESENTATIONS

(4) PRESENTATIONS/RESOLUTIONS.

(C) PRESENTATION OF FOURTH QUARTER REPORT FOR THE CAMERON COUNTY INTERNATIONAL BRIDGE SYSTEM. (DAG-COUNTY ADMINISTRATOR)

Commissioner Benavides motioned to acknowledge the Presentation of the Fourth Quarter Report for the Cameron County International Bridge System.

The motion was seconded by Commissioner Garza and carried unanimously.

(D) PRESENTATION OF THE FOURTH QUARTER REVENUE REPORT FOR THE PARKS AND RECREATION DEPARTMENT. (JEV-PARKS)

Commissioner Dominguez motioned to acknowledge the Presentation of the Fourth Quarter Revenue Report for the Parks and Recreation Department.

The motion was seconded by Commissioner Benavides and carried unanimously.

EXECUTIVE SESSION

Upon motion by Commissioner Sanchez, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 12:44 P.M. to discuss the following matters:

(5) EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL UNDER THE AUTHORITY OF THE V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2) REGARDING STATUS AND LEGAL ISSUES PERTAINING TO ALLEGED IMPROPRIETIES IN HANDLING COLLECTIONS IN THE JUSTICE OF THE PEACE, PRECINCT 2, PLACE 2 OFFICE AND POSSIBLE LEGAL REMEDIES PERTAINING THERETO.**
- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING LEGAL ISSUES REGARDING THE COUNTY'S GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF AGRICULTURE, AND THE COUNTY'S GRANT ADMINISTRATION AGREEMENT WITH EAST RIO HONDO WATER SUPPLY CORPORATION AND NORTH ALAMO WATER SUPPLY CORPORATION AND THE COUNTY'S WATER WELL CONTRACT WITH ALSAY, INC. AND THE RESPONSE OF ARGO SURETY, ALSAY'S BOND COMPANY TO OUR RECENT NOTICE LETTER, AS AUTHORIZED BY GOV'T CODE SECTION 551.071 (1)(A) AND (B) AND (2).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING ATTORNEY GENERAL OPEN RECORDS LETTER RULING OR2015-24197, THE LEGAL STATUS OF THE MATTER, RECOMMENDATIONS FOR CONTINUED HANDLING, PREPARATIONS FOR POSSIBLE APPEAL OR JUDICIAL REVIEW, AND LEGAL ISSUES PERTAINING THERETO, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING ANY LEGAL ISSUES ARISING IN CONNECTION WITH THE CAMERON COUNTY PARKS MASTER PLAN AS PERMITTED BY GOV'T CODE SECTION 551.071 (2).**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING POSSIBLY FILING A LAWSUIT AGAINST VOLKSWAGEN FOR AIR POLLUTION VIOLATIONS AND POSSIBLY HIRING OUTSIDE COUNSEL TO REPRESENT THE COUNTY AS PERMITTED BY V.T.C.A GOV'T CODE SECTION 551.071(1)(A)&(2).**
- (F) DELIBERATION REGARDING REAL PROPERTY LOT 1 FIRST NATIONAL BANK, LA FERIA BRANCH (C1-2650-A) LOCATED AT 100 W. EXPRESSWAY 83, LA FERIA, TEXAS ALSO KNOWN AS FIRST NATIONAL BANK LA FERIA BRANCH PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court reconvened into Regular Session at 1:38 P.M. to discuss the following matters:

(6) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL UNDER THE AUTHORITY OF THE V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2) REGARDING STATUS AND LEGAL ISSUES PERTAINING TO ALLEGED IMPROPRIETIES IN HANDLING COLLECTIONS IN THE JUSTICE OF THE PEACE, PRECINCT 2, PLACE 2 OFFICE AND POSSIBLE LEGAL REMEDIES PERTAINING THERETO.**

Commissioner Dominguez motioned to acknowledge the Report by Legal Counsel.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING LEGAL ISSUES REGARDING THE COUNTY'S GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF AGRICULTURE, AND THE COUNTY'S GRANT ADMINISTRATION AGREEMENT WITH EAST RIO HONDO WATER SUPPLY CORPORATION AND NORTH ALAMO WATER SUPPLY CORPORATION AND THE COUNTY'S WATER WELL CONTRACT WITH ALSAY, INC. AND THE RESPONSE OF ARGO SURETY, ALSAY'S BOND COMPANY TO OUR RECENT NOTICE LETTER, AS AUTHORIZED BY GOV'T CODE SECTION 551.071 (1)(A) AND (B) AND (2). (TABLED)**

Judge Sepulveda let it be known that there was no discussion regarding "Executive Session" No. 6 (B).

Commissioner Benavides motioned to TABLE this item.

The motion was seconded by Commissioner Garza and carried unanimously.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING ATTORNEY GENERAL OPEN RECORDS LETTER RULING OR2015-24197, THE LEGAL STATUS OF THE MATTER, RECOMMENDATIONS FOR CONTINUED HANDLING, PREPARATIONS FOR POSSIBLE APPEAL OR JUDICIAL REVIEW, AND LEGAL ISSUES PERTAINING THERETO, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).**

Commissioner Sanchez motioned to proceed as discussed in Executive Session.

The motion was seconded by Commissioner Garza and carried unanimously.

- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING ANY LEGAL ISSUES ARISING IN CONNECTION WITH THE CAMERON COUNTY PARKS MASTER PLAN AS PERMITTED BY GOV'T CODE SECTION 551.071 (2).**

Commissioner Sanchez motioned to acknowledge the Report by Legal Counsel.

The motion was seconded by Commissioner Garza and carried unanimously.

- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL REGARDING POSSIBLY FILING A LAWSUIT AGAINST VOLKSWAGEN FOR AIR POLLUTION VIOLATIONS AND POSSIBLY HIRING OUTSIDE COUNSEL TO REPRESENT THE COUNTY AS PERMITTED BY V.T.C.A GOV'T CODE SECTION 551.071(1)(A)&(2).**

Commissioner Benavides motioned to proceed as discussed in Executive Session.

The motion was seconded by Commissioner Sanchez and carried unanimously.

- (F) **DELIBERATION REGARDING REAL PROPERTY LOT 1 FIRST NATIONAL BANK, LA FERIA BRANCH (C1-2650-A) LOCATED AT 100 W. EXPRESSWAY 83, LA FERIA, TEXAS ALSO KNOWN AS FIRST NATIONAL BANK LA FERIA BRANCH PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Benavides motioned to acknowledge the Report by Legal Counsel.

The motion was seconded by Commissioner Sanchez and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Sanchez and carried unanimously, the meeting was **ADJOURNED** at 1:39 P.M.

APPROVED this 9th day of **February 2016**

PETE SEPULVEDA, JR.
COUNTY JUDGE

ATTEST:

SYLVIA GARZA-PEREZ,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS