

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 4<sup>th</sup> day of May 2004, 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:

9:30 A.M.

COUNTY JUDGE

PEDRO "PETE" 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

Mary Robles Deputy Clerk

ABSENT:

GILBERTO HINOJOSA

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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:30 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation, and he led the Court and the audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on April 30, 2004, at 4:24 P.M.:

NOTE: Commissioner Garza arrived at this time.

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(1) **PUBLIC COMMENTS**

NONE WAS PRESENTED.

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**PRESENTATION**

(2) **PRESENTATION OF SECOND QUARTER REPORT FOR THE INTERNATIONAL BRIDGE SYSTEM**

Mr. Pete Sepulveda, Department of Transportation Director, highlighted the Second Quarter Report for the International Bridge System. He reported that passenger traffic increased by 2%; that commercial traffic decreased by 1%; that over all traffic increase by 1%; that revenues increased by 1%; and, that total variances for the three bridges was a negative \$22,000.00.

Commissioner Garza noted that revenue increased at the Free Trade International Bridge although commercial traffic decreased.

Mr. Sepulveda agreed and stated that the passenger traffic at the Free Trade International Bridge increased by 6%, adding that no other bridge along the border had traffic increases greater than 3%.

Commissioner Wood stated that according to a U.S. Customs Agent at the Free Trade International Bridge more transmigrantes were being received at all times.

Commissioner Tamayo stated that El Ranchito residents expressed concern with traffic caused by transmigrates.

Commissioner Garza questioned the pedestrian crossings at the Free Trade International Bridge.

Mr. Sepulveda explained that approximately 70% of pedestrian crossings at the Free Trade International Bridge were people who park commercial vehicles in the U.S. since they were not allowed to cross into Mexico after 8:45 P.M. until the next morning.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Presentation of Second Quarter Report for the International Bridge System was acknowledged.

**The Report is as follows:**

**(3) PRESENTATION OF THE STATUS OF THE 78<sup>TH</sup>  
CALLED SPECIAL LEGISLATIVE SESSION**

Ms. Veronica De La Fuente, County Judge's Office, informed that the House of Representative would consider HB 1 and that although she did not expect amendments it might be a little different because it was not what the Governor wanted. She added that the Report includes a list of scheduled Committee Meeting and bills to be monitored over the next weeks. Ms. De La Fuente stated that passage of the bill was not suspected because there was not a consensus in the House and Senate; therefore, a Special Session could be anticipated.

Commissioner Tamayo moved that the Presentation of the Status Report of the 78<sup>th</sup> called Special Legislative Session be acknowledged.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Report is as follows:**

## **ACTION ITEMS**

**(4) BUDGET AMENDMENTS, LINE ITEM TRANSFERS  
AND/OR SALARY SCHEDULES**

Mr. Xavier Villarreal, Budget Officer, suggested that this Item be considered after Item No. 6 because the Line Item Transfers were in conjunction to the same.

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**(5) APPROVAL OF MINUTES FOR:  
(A) MARCH 16, 2004-REGULAR MEETING**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Minutes of the Regular Meeting held on March 16, 2004, were approved.

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**(6) CONSIDERATION AND POSSIBLE ACTION  
REGARDING THE CAMERON COUNTY FEDERAL  
DETENTION DIVISION TO INCLUDE  
ORGANIZATIONAL STRUCTURE, STAFFING,  
SECURITY IMPROVEMENTS AND MATTERS  
RELATED THERETO**

Mr. Mike Leinart, Federal Detention Division Administrator, reported that Mr. Robert Cervantes, U.S. Marshal's Office, and he met to tour the facility and to work on operational orders and security issues to be presented to the Court. He indicated that a confidential report regarding security issues was complete and would be presented in Executive Session next week as being recommended by Legal Counsel.

Commissioner Garza asked if any matters would be delayed.

Mr. Leinart responded negatively, assuming that he was authorized to proceed with staffing matters. He explained that prisoners would be returned in a sequential method and that staff would be hired as needed rather than all at once. He explained that the jail was also prepared to receive female federal inmates, and introduced Mr. Rolando Medrano and Ms. Lizette Martinez as his newly hired staff.

Commissioner Garza asked if displaced worker would be given an opportunity to be considered.

Mr. Leinart responded in the affirmative, and clarified that the Human Resources Division would assist.

Commissioner Garza moved that the Organizational Structure and staffing regarding the Federal Detention Division, security improvements, and matters related thereto be approved, with the understanding that security improvements and matters related thereto would be reported to the Court subsequently.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Report is as follows:**

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**(4) BUDGET AMENDMENTS, LINE ITEM TRANSFERS  
AND/OR SALARY SCHEDULES**

Mr. Xavier Villarreal, Budget Officer, explained that 42 slots listed in bold within the Salary Schedules for the County Jail and the Sheriff's Department were being transferred to the Federal Detention Division.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Budget Amendments, Line Item Transfers, and/or Salary Schedules were approved.

**The Documents are as follow:**

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(7) **DISCUSSION AND AUTHORIZATION TO EXPAND THE CAMERON COUNTY INDIGENT HEALTH CARE ASSISTANCE PROGRAM TO INCLUDE THE ADDITIONAL STATE MATCHING FUNDS OF \$766,963.00 OR MORE AND TO PROVIDE FUNDING FOR THE COUNTY'S 10% MATCHING AMOUNTS**

Mr. Mark Yates, County Auditor, informed that the funding source was previously an issue and that in discussions with Budget Officer the \$76,500.00 in Tobacco Reimbursements Funds were included in revenue projections, equaling the 10% needed match. He stated that a notice was received indicating that a total of \$128,000.00 would be provided and that as of April 29, 2004, \$1,630,399.00 was spent from the \$2 million budgeted for indigent healthcare, resulting in about \$400,000.00 remaining balance, sufficient for May and part of June. Mr. Yates noted the need to notify providers that assistance would be terminate upon additional funding not being approved. He explained that many issues have risen regarding whether the Health Service District would require additional funds or if the County spends Tobacco Funds for administration rather than direct medical care. Mr. Yates recommended that Tobacco Funds be spent towards provision of medical services for the indigent population, and stated that the Texas Department of Health indicated that additional funding might be available. He stated that he learned that half 120 counties were closing their Indigent Health Care Programs due to lack of funding.

Commissioner Tamayo moved that the expansion of the Cameron County Indigent Health Care Assistance Program be approved to include the additional State matching funds of \$766,963.00 or more and the provision of funding for the County's 10% matching amounts be authorized.

The motion was seconded by Commissioner Garza.

Mr. Remi Garza, County Assistant Administrator, informed that Judge Hinojosa expressed support for the Auditor's recommendation and wished to make the Court cognizant that it was contractually obligated to provide said funds to the Health Service District, adding that the funds would need to be identified at the time that the Health Service District was prepared to utilized.

Commissioner Garza noted that Tobacco Funds have never been provided to the Health Service District.

Mr. Yates stated that along with formation of the healthcare system in place came the duty to provide indigent healthcare. He explained that the Health Service District does not have the structure needed to provide such services and that to his knowledge neither county has a contract with the Health Services District to provide indigent healthcare. Mr. Yates added that the county has the duty to provide 8% of revenue funds and Tobacco Funds to the

Health Service District and noted the need to formulate such contracts, since that the County was operating the Indigent Health Care Program without the duty or authority to do so.

Upon motion duly made by Commissioner Tamayo that the expansion of the Cameron County Indigent Health Care Assistance Program be approved to include additional State matching funds of \$766,963.00 or more and that the provision of funding for the County's 10% matching amounts be authorized.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(8) CONSIDERATION AND AUTHORIZATION TO CONTRACT WITH DR. THERESA WHITT, PROVIDING PHYSICIAN SERVICES AT 277 N. SAM HOUSTON, SAN BENITO, TX, FOR GATEKEEPER SERVICES FOR THE CAMERON COUNTY INDIGENT HEALTH CARE ASSISTANCE PROGRAM COMMENCING MAY 15, 2004**

Mr. Mark Yates, County Auditor, introduced Ms. Rosie Cavazos who provides detox services and assists his Office in finding doctors who provide indigent healthcare. He recommended that two (2) gatekeepers be available per each major population center, and indicated that he would like to identify one gatekeeper for Brownsville and one for Harlingen.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Contract with Dr. Theresa Whitt, providing physician services at 277 N. Sam Houston, San Benito, Texas, for Gatekeeper Services for the Cameron County Indigent Health Care Assistance Program commencing May 15, 2004, was approved.

**The Contract is as follows:**

(17) **AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR CANTU BOYS ESTATES SUBDIVISION, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS;**

Mr. Pete Sepulveda, Department of Transportation Director, informed that the drawing process would be followed upon the Developer not complying by May 6, 2004, and clarified that proper notification was given.

Commissioner Tamayo questioned if approval could be contingent to May 6, 2004, being the deadline.

Mr. Remi Garza, County Assistant Administrator, suggested that initiation of the drawing process be approved after May 6, 2004.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the initiation of the Drawing Process on Letter of Credit for Cantu Boys Estates Subdivision, Precinct No. 4, for unbuilt septic systems was approved contingent upon the May 6, 2004, deadline.

## **TRAVEL ITEMS**

(9) **CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**

DISCUSSION CONCERNING THE FOLLOWING ITEMS:

ITEM NO. 18: Commissioner Garza asked if an extension was being provided and if the Letter of Credit was included.

Mr. Pete Sepulveda, Department of Transportation Director, responded that a ten (10) month extension was being provided and that the Letter of Credit was included.

ITEM NO. 25-26: Mr. Pete Sepulveda, Department of Transportation Director, clarified that all requirements were being met and that no applications were sent to Austin as of yet.

ITEM NO. 24 Commissioner Garza asked if the County would be the lead agent for City of Primera.

Mr. Pete Sepulveda, Department of Transportation Director, explained that approximately 94 parcels needed to be acquired from which about 90 would be donated. He stated that MGM, City of Primera Engineers, would prepare the administrative work, that the County would prepare donation forms for property owner, and that the City of Primera would then go to property owner for signatures. Mr. Sepulveda added that amendments to the Agreement would be presented before the Court upon parcels requiring that the County go through the entire acquisition process, adding that everything was in place to protect the county.

ITEM NO. 10: Mr. Mark Yates, County Auditor, presented the following late claims: Warrant No. 00116179, payable to Hammer Enterprises, in the amount of \$15,000.00, Warrant No. 00116180, payable to Mr. Andres Hernandez, in the amount of \$76.95.

Commissioner Garza moved that the Items No. 9 through Items No. 28 be approved inclusive of the late claims and with exception of Item No. 17.



The motion was seconded by Commissioner Tamayo and carried unanimously.

- (a) Director of Department of Transportation to attend meeting with Senate Committee on International Relations and Trade Advisory, in Austin, Texas, May 4-5, 2004;
- (b) Sheriff, Chief, and Jail Commander to attend the "Sheriff's Association of Texas 126<sup>th</sup> Annual Training Conference", Wichita Falls, Texas, July 24-29, 2004;
- (c) 138<sup>th</sup> District Court Coordinator to attend "PDP Trial Court Management Course", in Austin, Texas, June 21-25, 2004;
- (d) 357<sup>th</sup> District Court Administrator and Coordinator to attend "Mandatory Continuing Education Seminar", in Austin, Texas, June 21-25, 2004;
- (e) 404<sup>th</sup> District Court Coordinator to attend "A Mandatory Continuing Education Seminar", in Austin, June 21-25, 2004;
- (f) County Judge Administrative Assistant for Intergovernmental Affairs to attend the "78<sup>th</sup> Called Special Legislative Session", in Austin, Texas, May 4-7, 2004;
- (g) Emergency Management Assistant Coordinator to attend "Radio Communication Meeting", in San Antonio, Texas, May 14, 2004;
- (h) District Clerk and five (5) Deputy Clerks to attend the "County and District Clerk's Region 8 Conference", in Rockport, Texas, May 12-14, 2004; and
- (i) PD&M CD Coordinator to attend the "Lower Rio Grande Valley Development Council Solid Waste Advisory Committee Meeting", in Weslaco, Texas, May 13, 2004.

## CONSENT ITEMS

**ALL ITEMS UNDER THE CONSENT AGENDA ITEMS WERE HEARD COLLECTIVELY UNLESS OPPOSITION WAS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WAS CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION WAS TAKEN SEPARATELY.**

DISCUSSION CONCERNING CONSENT AGENDA ITEMS:

- (10) APPROVAL OF CLAIMS;**
- (11) AUTHORIZATION TO SOLICIT COMMERCIAL QUOTES FOR APPRAISAL SERVICES FOR THE PURPOSE OF INSURING THE LEVI'S BUILDING;**
- (12) AUTHORIZATION TO APPOINT DAVID SUISSA, EMILIO ESCOBAR, NIKKI S. HODGESON AND REAPPOINT MICHAEL GOALD AND MARIE FERRIER TO THE PARKS ADVISORY BOARD COMMITTEE TO A TWO-YEAR TERM;**
- (13) AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT FOR FUNDING OF SITE II FOR FEDERAL GRANT WEED AND SEED;**  
**The Application follows:**
- (14) AUTHORIZATION TO FILL A VACANT SHERIFF'S DEPUTY SLOT;**
- (15) AUTHORIZATION TO HIRE ONE (1) ANIMAL CONTROL OFFICER FOR ENVIRONMENTAL HEALTH PROGRAM;**
- (16) AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ:**
  - A. AUTOMOTIVE BATTERIES – ANNUAL BID NO. 1980; AND**
  - B. BUILDING SUPPLIES: CARPENTRY MATERIALS – ANNUAL BID NO. 2000.**

- (17) **IN THE MATTER REGARDING AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR CANTU BOYS ESTATES SUBDIVISION, PRECINCT 4, FOR UNBUILT SEPTIC SYSTEMS; (ACTION TAKEN SEPARATELY)**
- (18) **APPROVAL OF TIME EXTENSION FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT SUMMER VIEW ESTATES SUBDIVISION PRECINCT 4;**
- (19) **AUTHORIZATION TO ACCEPT A TEN (10) FOOT DRAINAGE EASEMENT FOR THE CAMERON PARK SECOND INSTALLMENT SUBDIVISION DRAINAGE PROJECT, OUT OF LOT 9, BLOCK 43;**  
**The Deed follows:**
- (20) **AUTHORIZATION TO ACCEPT A TEN (10) FOOT DRAINAGE EASEMENT FOR THE CAMERON PARK SUBDIVISION DRAINAGE PROJECT, OUT OF LOTS 25 AND 26, BLOCK 22;**  
**The Deed follows:**
- (21) **AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR IOWA GARDENS ROAD BRIDGE NO. 882, PARCEL 1, TO ALLOW CAMERON COUNTY AND TXDOT TO CONTINUE WITH THE REPLACEMENT OF THE BRIDGE AT SUCH SITE;**  
**The Deed follows:**
- (22) **AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR ORTEGA ROAD BRIDGE AT SAN VICENTE OUTFALL #367, PARCEL 4, TO ALLOW CAMERON COUNTY AND TXDOT TO CONTINUE WITH THE REPLACEMENT OF THE BRIDGE AT SUCH SITE;**  
**The Deed follows:**
- (23) **AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR SAN VICENTE OUTFALL NO. 368, PARCELS 1 AND 3, TO ALLOW CAMERON COUNTY AND TXDOT TO CONTINUE WITH THE REPLACEMENT OF THE BRIDGE AT SUCH SITE;**  
**The Deed follows:**
- (24) **APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF PRIMERA FOR ASSISTANCE WITH RIGHT OF WAY ACQUISITION FOR THE PRIMERA ROAD IMPROVEMENT PROJECT:**  
**The Agreement follows:**
- (25) **PRELIMINARY APPROVAL:**
- A. **PRECINCT 4- EL CARIBE ESTATES SUBDIVISION, A 37.551 ACRE TRACT OF LAND, BEING 19.015 ACRES OUT OF BLOCK NINE (9), AND 18.536 ACRES OUT OF BLOCK TEN (10), BLACK BROTHERS SUBDIVISION, CAMERON COUNTY, TEXAS.**
- B. **PRECINCT 1- GARZA-CANO SUBDIVISION, BEING A 8.08 (7.97 CALC.) ACRE TRACT OF LAND IN LOT 5, BLOCK 103, EL JARDIN RESUBDIVISION, SHARE 19, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS.**
- (26) **PRELIMINARY AND FINAL APPROVAL:**
- A. **PRECINCT 4- GATEWAY SUBDIVISION, BEING A 4.956 ACRE TRACT OUT OF THE SOUTH 9.51 ACRES, IN BLOCK SIX (6), SOLIS SUBDIVISION, ACCORDING TO MAP RECORDED IN VOLUME 5 PAGE 20, CAMERON COUNTY, TEXAS.**
- B. **PRECINCT 4- LAS ANAQUAS SUBDIVISION, BEING A SUBDIVISION OF 5.67 ACRES OF LAND OUT OF BLOCK FORTY-TWO (42), OF THE BRIGGS AND COLEMAN SUBDIVISION OF SURVEY 271, AND THE NORTH 400 ACRES OF SURVEY 272, IN CAMERON COUNTY, TEXAS.**
- (27) **FINAL APPROVAL:**

- A. **PRECINCT 4- RESACA SANTA SUBDIVISION PHASE III, BEING A 50.610 ACRE TRACT OF LAND OUT OF A CERTAIN 924.1 ACRE TRACT OUT OF PORTION SHARES FIVE (5), SIX (6), AND SEVEN (7), IN THE PARTITION OF THE UPPER OR WESTERN ONE-THIRD OF THE SAN PEDRO DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS.**
- B. **PRECINCT 3- PINTARELLI SUBDIVISION, BEING A PROPOSED SUBDIVISION OF LOT THIRTEEN (13), (4.223 ACRES), BLOCK ONE, ATASCOSA ESTATES, UNIT I, CAMERON COUNTY, TEXAS.**

## **TRAVEL ITEMS**

**(NO DIRECT COST TO GENERAL FUND)**

**(28) CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**

- (a) Commissioner Precinct No. 3 to attend the "Senate Committee on International Relations and Trade Advisory Committee Meeting", in Austin, Texas, May 5, 2004;
  - (b) County Drug Enforcement Task Force Employee to attend "TLETS Training", in Kerville, Texas, May 9-13, 2004;
  - (c) Health Department employee to attend the "Adult Patient Male and Female Issues Seminar", in South Padre Island, Texas, June 21-25, 2004;
  - (d) Three (3) Juvenile Probation Employees to attend a meeting with Base Commanders, in Austin, Texas, May 6, 2004;
  - (e) Juvenile Probation Employee to attend the "Caseworker 5 Basic II for Data Coordinators", in Austin, Texas, May 6, 2004;
  - (f) Twelve (12) Health Department Employees to attend the "Pediatric Potpourri 2004", in Brownsville, Texas, May 15, 2004; and
  - (g) Park System Director and Deputy Director to attend the "Texas Parks and Wildlife Focus Group Meeting", in Austin, Texas, May 6-7, 2004;
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- (13) **AUTHORIZATION FOR THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT TO SUBMIT FOR FUNDING OF SITE II FOR FEDERAL GRANT WEED AND SEED.**

**The Application is as follows:**

- (19) AUTHORIZATION TO ACCEPT A TEN (10) FOOT DRAINAGE EASEMENT FOR THE CAMERON PARK SECOND INSTALLMENT SUBDIVISION DRAINAGE PROJECT, OUT OF LOT 9, BLOCK 43.  
The Deed is as follows:**

- (20) AUTHORIZATION TO ACCEPT A TEN (10) FOOT DRAINAGE EASEMENT FOR THE CAMERON PARK SUBDIVISION DRAINAGE PROJECT, OUT OF LOTS 25 AND 26, BLOCK 22.**  
**The Deed is as follows:**

- (21) **AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR IOWA GARDENS ROAD BRIDGE NO. 882, PARCEL 1, TO ALLOW CAMERON COUNTY AND TXDOT TO CONTINUE WITH THE REPLACEMENT OF THE BRIDGE AT SUCH SITE.**  
**The Deed is as follows:**

- (22) AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR ORTEGA ROAD BRIDGE AT SAN VICENTE OUTFALL #367, PARCEL 4, TO ALLOW CAMERON COUNTY AND TXDOT TO CONTINUE WITH THE REPLACEMENT OF THE BRIDGE AT SUCH SITE.  
The Deed is as follows:**



- (23) AUTHORIZATION TO ACCEPT RIGHT OF ENTRY AND POSSESSION FOR SAN VICENTE OUTFALL NO. 368, PARCELS 1 AND 3, TO ALLOW CAMERON COUNTY AND TXDOT TO CONTINUE WITH THE REPLACEMENT OF THE BRIDGE AT SUCH SITE.**

**The Deed is as follows:**

- (24) **APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF PRIMERA FOR ASSISTANCE WITH RIGHT OF WAY ACQUISITION FOR THE PRIMERA ROAD IMPROVEMENT PROJECT.**

**The Agreement is as follows:**

## EXECUTIVE SESSION

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 10:09 A.M. to discuss the following matters:

**(29) EXECUTIVE SESSION:**

- (a) Confer with Commissioners' Court Legal Counsel concerning claim by Rudy Solis on a matter in which the duty of the attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2);
- (b) Confer with Commissioners' Court Legal Counsel concerning a notice of violation from the Texas Department of Health regarding X-Ray Equipment, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2); and
- (c) To deliberate the duties of the Computer Center Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074(A).

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened in Regular Session at 10:59 A.M. to discuss the following matters:

**(30) ACTION RELATIVE TO EXECUTIVE SESSION:**

- (a) **Confer with Commissioners' Court Legal Counsel concerning claim by Rudy Solis on a matter in which the duty of the attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter.**

Commissioner Wood moved that the claim by Rudy Solis be **DENIED**, with the understanding that the County has a lot of grief and that Park Ranger guidelines regarding animal cases be reviewed and dealt with accordingly.

The motion was seconded by Commissioner Garza and carried unanimously.

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- (b) **In the matter regarding confer with Commissioners' Court Legal Counsel concerning a notice of violation from the Texas Department of Health regarding X-Ray Equipment, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act. (DENIED)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Legal Counsel was acknowledged.

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- (c) **To deliberate the duties of the Computer Center Director.**

Commissioner Garza moved that the Status Report by Legal Counsel be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously

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There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 11:02 A.M.

**APPROVED** this 15<sup>th</sup> day of **June 2004**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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