THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 9th day of November 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:

9:30 A.M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

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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:

PEDRO "PETE" BENAVIDES

The meeting was called to order by Judge Hinojosa at 9:35 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation, and he then led the Court and 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 November 5, 2004, at 3:13 P.M.

Commissioner Tamayo congratulated all Veterans. She informed that Judge Hinojosa and she met with Congressman Ruben Hinojosa via tele-conference where he was very supportive of the North Rail Relocation Project, in conjunction with Senator Hutchinson. She added that a tele-conference was being arranged with Senator Salomon Ortiz.

Judge Hinojosa stated that the Mayor and City Manager of Harlingen, Mr. Pete Sepulveda, Department of Transportation Director, Mr. Remi Garza, County Administrative Assistant, Commissioner Tamayo and he were present during the tele-conference with Congressman Hinojosa and his staff. He stated that the meeting was not different from being in person and expressed interest in the technology used for the samedue to the monetary savings that be gained as well as the savings in time, thus he suggested that the possibility of obtaining similar technology be explored for Cameron County.

Commissioner Garza informed that he attended several funerals as a result of the passing away of his aunt and uncle within 7 days of each other and stated that the couple was like his second parents. He described his family reunion to be a great "celebration of life."

Commissioner Wood informed that the County Auditor submitted the application to the U.S. Marshall's for adjustment of the reimbursement rate for housing of inmates on October 29, 2004. He stated that the person responsible for reviewing the application contacted the County Auditor regarding minor issues and indicated that review of the application would be finalized by the end of the week. Commissioner Wood commended Mr. Mark Yates, County Auditor, for his work and efforts in putting the package together as it was very detailed information. He noted the need to lobby for the extra 10% that Mr. Yates included in the application.

Judge Hinojosa asked what the population at the Detention Center I was at this time.

Lieutenant George Garcia, Sheriff's Department, responded that Detention Center I was presently housing 250 federal inmates.

Commissioner Tamayo commended Mr. Mark Yates, County Auditor, for the excellent work.

Mr. Yates thanked Commissioner Tamayo and noted that many other county employees participated in preparing the report.

NOTE: JUDGE HINOJOSA STEPPED OUT.

(1)PUBLIC COMMENTS

At this time, Mr. Dagoberto Barrera, Brownsville resident, presented and highlighted the following statement:

Mr. Manuel Villarreal, Human Resources Director, informed that Cameron County was ahead of the City of Brownsville with regards to the United Way Fund raiser, the City being at $24,000.00 and the County being at $39,000.00, adding that the $50,000.00 goal would be met.

NOTE: JUDGE HINOJOSA RETURNED AT THIS TIME.

Mr. Joe G. Rivera, County Clerk, thanked all county employees for helping and stated that if everything went as expected, Cameron County should raise $50,000.00 by the end of November. He requested that all employees give at least $2.00 a pay period and that Elected Officials give $20.00 per pay period.

Commissioner Wood commended Mr. Rivera for his dedication to United Way.

At this time, Mr. Manuel Hernandez, Brownsville Resident, commented that today was a year since he suffered a heart attack, thus advised that everyone live life to its fullest. He stated that he was happy that the Bond Issue for the University of Texas at Brownsville passed, and expressed concern regarding some issues that he witnessed during the elections process. Mr. Hernandez noted the need to make improvements in the electoral process and commented that some delays that took place that night should not have occurred.

The Forms are as follow:

(21) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR:

A. PRECINCT 4-PELICAN POINTE, SUBDIVISION, PHASE II & III, BEING A 223.61 ACRE TRACT OF LAND OUT (223.59 ACRES-DEED) SHARE, ESPIRITU SANTO GRANT, AS RECORDED IN VOLUME 10229, PAGE 188, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS

Judge Hinojosa explained that this subdivision includes a tract of land being donated for construction of a Sub-Fire Station, a Constable's Office and future placement of a helicopter landing in Arroyo City and noted that this would greatly benefit the community. He thanked the family for the donation.

Commissioner Tamayo moved that Preliminary approval of Precinct 4-Pelican Pointe, Subdivision, Phase II & III, being a 223.61 acre tract of land out (223.59 acres-deed) share, Espiritu Santo Grant, as recorded in Volume 10229, page 188, Official Records of Cameron County, Texas, be authorized.

The motion was seconded by Commissioner Garza and carried unanimously.

ACTION ITEMS

(4) REQUEST FOR A REPORT FROM CAMERON COUNTY ELECTION'S ADMINISTRATOR, ROGER ORTIZ CONCERNING DELAYS DURING ELECTION DAY BALLOT COUNTS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION

Judge Hinojosa stated that the large delays encountered during the election were due to very large voter turn-outs, the result of efforts on behalf of the university and the county, the presidential race and the Kids Voting Program that teaches children the electoral process to prepare them for their adulthood.

Commissioner Tamayo stated that voters not having their voter's registration card also caused delays because of the need to verify eligibility.

Commissioner Wood commented that when invited to read to some students he was instructed to read books regarding the importance of voting and to encourage children to lure their parents and families to vote.

Commissioner Garza expressed concern with regards to ensuring that county departments operate effectively and efficiently and that the results needed be produced. He explained that he placed the item on the agenda to learn how he, as County Commissioner, could help rather than to reprimand the Elections Administrator. Commissioner Garza added that he was willing to wait on a report from the Elections Department.

Mr. Roger Ortiz, Elections Administrator, stated that some issues could be addressed today and that he would return with a full report that includes suggestions of what could be done and how the Court could help

achieve the same. He stated that counting of provisional and of mail-in votes received late in the afternoon caused some delays, in addition to the Military Votes. Mr. Ortiz stated that additional staff was needed to improve the election process since the Resolution and Ballot Boards consist of the same persons, noting that waiting on the Board to finish examining the mail-in votes was one of the biggest delays. He stated that the blackout that occurred at the courthouse too contributed to the delays, causing a loss of about five (5) hours. Mr. Ortiz affirmed that staff returned to work until late hours of the night and worked Election Day after sleeping merely two hours. He explained that excellent training was provided concerning the procedure. Mr. Ortiz stated that the Electoral System works and that sufficient ballots had been ordered. He reiterated that he would return to the Court with a report and suggestions on what could be done for the next two years since the County must comply with HAVA soon after.

Judge Hinojosa noted that the county was dealing with many issues not encountered in the past, such as the large voter turnout. He noted the need to address an issue regarding registered voters that were not listed as so and to allow everyone to vote. Judge Hinojosa stated that having two separate elections caused delays at the voting precincts due to the need to register for both, as did the provisional votes amongst others. He stated that some things that occurred were not understandable and requested that answers be provided in a report during a workshop.

NOTE: JUDGE HINOJOSA STEPPED OUT AT THIS TIME.

Commissioner Garza requested that a mechanism be developed to ensure that residents be registered to vote in the correct precinct due to conflict between P.O. Boxes and physical addresses. He expressed concern with election workers instructing and/or encouraging voters how to vote.

Mr. Ortiz stated that training was provided by the Election Department and the Office of the Secretary of State on two different days instructing workers how not to sound as if an issue was being pushed nor to direct the voter. He stated that voters were asked to fill a statement of residency and that these were being processed to minimize the issues with addresses.

Commissioner Garza asked if a GIS address could be requested for rural residents to resolve these issues.

Mr. Ortiz responded in the affirmative. He stated that letters were mailed yet very little response was obtained.

Commissioner Garza asked if voters were instructed to provide the General Election Ballot and the Bond Issue Ballot in Precincts that qualified for the Bond Issue Election.

Mr. Ortiz responded in the affirmative.

Commissioner Garza asked why both ballots were not provided automatically to qualifying voters.

Mr. Ortiz reiterated that workers received training that requires that they provide both ballots to qualifying voters.

Commissioner Garza stated that he would address a concern with an Election Judge personally with Mr. Ortiz.

Mr. Joe Rivera, County Clerk and Election Commission Member, congratulated Mr. Ortiz for his efforts and work during the election. He stated that delays were expected whenever large turnouts and combined elections were held and emphasized that now was the time to start preparations for innovated technology for future elections to speed up the election count.

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

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

The Documents are as follow:

(3) IN THE MATTER REGARDING APPROVAL OF MINUTES FOR:
A. SEPTEMBER 14, 2004-REGULAR MEETING (TABLED)

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, this Item was **TABLED**.

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(4) REQUEST FOR A REPORT FROM CAMERON COUNTY ELECTION'S ADMINISTRATOR, ROGER ORTIZ CONCERNING DELAYS DURING ELECTION DAY BALLOT COUNTS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION

Commissioner Wood moved that the Report by Mr. Roger Ortiz, Elections Administrator, concerning delays during Election Day ballot counts for the November 2, 2004, General Election be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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(5) PRESENTATION AND CERTIFICATION BY THE COUNTY AUDITOR OF THE REVENUES FOR THE CAMERON COUNTY'S OPERATING BUDGETS FOR FUNDS 000 THROUGH 960 FOR FY 2005. (EXCLUDING THOSE GRANT FUNDS CERTIFIED THROUGH OTHER ACTIONS) (MY-AUDITOR)

Mr. Mark Yates, County Auditor, explained that this Item certifies revenues approved in the annual Budget and that the only change was a slight increase in the Courthouse Security Fund.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the certification by the County Auditor of the revenues for the Cameron County's Operating Budgets for Funds 000 through 960 for Fiscal Year 2005, were approved, excluding grant funds certified through other actions.

The Revenues are as follows:

(6) CONSIDERATION AND AUTHORIZATION TO APPOINT AND REAPPOINT MEMBERS TO THE DUNE PROTECTION ADVISORY COMMITTEE. (JM-PARK SYSTEM)

Commissioner Tamayo moved that appointment and reappointment of the following members to the Dune Protection Advisory Committee be approved:

County Judge:	Ebbie AHadi	Restaurant Owner	New Appointment
Commissioner Pct. 1	Eliseo Munoz	Retired	Reappointment
Commissioner Pct. 2	Sherman Lee	Real Estate Management	Reappointment
Commissioner Pct. 3	Doyle Wells	Business Owner	Reappointment
Commissioner Pct. 4	Mary W. Ferguson	Legal Secretary	Current

The motion was seconded by Commissioner Wood and carried unanimously.

(7) DISCUSSION AND SELECTION OF TCDRS (RETIREMENT SYSTEM) PLAN FOR CAMERON COUNTY EMPLOYEES FOR THE CALENDAR YEAR 2005. (MY-AUDITOR)

NOTE: JUDGE HINOJOSA JOINED THE MEETING AT THIS TIME.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the selection of TCDRS (Retirement System) Plan for Cameron County employees for the calendar year 2005 was approved, pursuant to recommendation by the County Auditor that it continue as approved in June 2004.

The Agreement is as follows:

(8) CONSIDERATION AND APPROVAL OF AGREEMENT WITH CHEMICAL RESPONSE AND REMEDIATION CONTRACTORS, INC., FOR MONTHLY MOLD INSPECTIONS AT THE DANCY BUILDING. (FB-PD & M)

Mr. Remi Garza, Assistant County Administrator, informed that there were questions regarding increased presence of mold while the interior restoration was underway and stated that this would provide a monitoring system throughout the restoration of the facility.

Commissioner Garza moved that the Agreement with Chemical Response and Remediation Contractors, Inc., for monthly mold inspections at the Dancy Building be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Agreement is as follows:

(9) CONSIDERATION AND APPROVAL OF ADVANCE FUNDING AGREEMENT BETWEEN CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION ON THE WEST RAIL PROJECT. (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, informed that changes were made by the Contract Attorney and that Attachment C must be changed to reflect that federal funds would be used for engineering and right-of-way. He stated that a Resolution was requested and that it would be placed on the next agenda for adoption.

Commissioner Garza moved that the Advance Funding Agreement between Cameron County and the Texas Department of Transportation on the West Rail Project be approved, subject to changes to Attachment C.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Agreement is as follows:

(10) CONSIDERATION AND APPROVAL TO UPGRADE THE TOLL COLLECTION SYSTEM AT THE INTERNATIONAL BRIDGE SYSTEM. (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, informed that the upgrade to the Toll Collection System at the International Bridge System was needed at a cost of $150,000.00 which could be split into two (2) fiscal years. He recommended to upgrade the software and hardware located indoors during the first year and that the software and hardware located in the lanes be upgraded the following year. Mr. Sepulveda stated that the Budget Officer and County Auditor were looking into ways to finance the $75,000.00 if divided into two years, noting that the $75,000.00 would be divided amongst the other partnering entities. He stated that an option was to include the system in the equipment list. Mr. Sepulveda recommended approval of the upgrade through Revenue Market.

NOTE: JUDGE HINOJOSA STEPPED OUT AT THIS TIME.

Commissioner Garza asked if the project was subject to the bidding process.

Mr. Sepulveda stated that a sole source letter could be obtained and expressed concern with selecting another vendor due to the large investment in the present system.

Mr. Mark Yates, County Auditor, clarified that the Revenue Market was not a sole source; however, he explained that the project was merely an upgrade component, thus was not subject to the bidding process.

Commissioner Garza moved that the upgrade of the Toll Collection System at the International Bridge System be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(11) CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST BY RIO GRANDE VALLEY HEALTH SERVICES DISTRICT FOR CAMERON COUNTY TO ACT AS FISCAL AGENT FOR THE DISTRICT. (RG-COUNTY JUDGE)

Mr. Remi Garza, Assistant County Administrator, stated that the Health Service District (HSD) requested that the county act as its fiscal agent until such time that they have established themselves.

Commissioner Tamayo asked if additional staff would be needed.

Mr. Mark Yates, County Auditor, responded that the total cost was unknown, as was who they would be dealing with. He stated that he would like to discuss the matter with the Health Service District.

Mr. Garza suggested that authorization be given to negotiate an agreement.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, contractual negotiations with the Rio Grande Valley Health Service District for Cameron County to act as Fiscal Agent for the District were authorized.

CONSENT ITEMS

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 THE FOLLOWING CONSENT AND TRAVEL ITEMS:

ITEM NO. 15: Commissioner Wood questioned what Presidio would provide, if this was renewal of a contract, when it would be used and whether the service should be bid out.
Mr. Rudy Juarez, Computer Center Director, stated that the contract would allow for support service that would be billed only upon the hours being used. He stated that network configuration was a delicate matter that should not be bid out as a result of the need for security. He stated that the DIR Contract already approved by the State of Texas was used in order to comply with all purchasing requirements.

ITEM NO. 13: Mr. Mark Yates, County Auditor, informed that the Jail Renovation Projects was rapidly approaching the $2 million mark and that approximately $1 million from Fund 80, Gateway Reserves, were loaned to Fund 6, renovations and capital purchases. He stated that he would submit a draft Resolution to Bond Counsel to work with reimbursement from bond proceed and to provide remaining balances to the Court, adding that the process could be started within a week.
Mr. Yates presented the following late claims:

NOTE: JUDGE HINOJOSA RETURNED AT THIS TIME.

Commissioner Tamayo moved that the "Consent and Travel Items" be approved, inclusive of the late claims.

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

AYE: Commissioners Wood, Garza and Tamayo,

NAY: None,

ABSTAIN: Judge Hinojosa as to Warrant No. 00127024, payable to Laguna Madre Water District, in the amount of $184.08.

(13) APPROVAL OF CLAIMS;
The Affidavit is as follows:

(14) ADOPTION OF A RESOLUTION RECOGNIZING H.E.B. FOR THEIR 100TH ANNIVERSARY AND 15 YEARS OF HELPING CAMERON COUNTY AND CITY OF BROWNSVILLE IN THE FEAST OF SHARING. (PB- COMM. PRECINCT 1)
The Resolution is as follows:

(15) AUTHORIZATION TO ENTER INTO AN ON-SITE TECHNICAL SUPPORT CONTRACT WITH PRESIDIO CORP. UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RJ-COMPUTER CENTER)
The Contract is as follows:

(16) APPROVAL OF THE LETTER OF ENGAGEMENT BETWEEN CAMERON COUNTY COMMISSIONERS' COURT AND THEIR INDEPENDENT AUDITORS, LONG CHILTON, LLP TO PERFORM THE INDEPENDENT AUDIT OF CAMERON COUNTY'S GOVERNMENTAL ACTIVITIES, BUSINESS-TYPE ACTIVITIES, AGGREGATE DISCREETLY PRESENTED COMPONENT UNITS, EACH MAJOR FUND, AND AGGREGATE REMAINING FUND INFORMATION AS OF AND FOR THE YEAR ENDED SEPTEMBER 30, 2004 WHICH COLLECTIVELY COMPRISE THE BASIC FINANCIAL STATEMENTS. (MY-AUDITOR)
The Application is as follows:

(17) AUTHORIZATION FOR THE CAMERON COUNTY JUDGE TO SUBMIT COASTAL LEASE RENEWAL APPLICATION, AFFIDAVIT AND RENEWAL FILLING FEE OF $25.00 TO THE TEXAS GENERAL LAND OFFICE FOR COASTAL PUBLIC LAND EASEMENT CL930001, STATE TRACT 720 ON SOUTH PADRE ISLAND. (JM-PARK SYSTEM) The Application is as follows:

(18) AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)
A. BUILDING SUPPLIES: AIR CONDITIONER FILTERS – ANNUAL BID NO. 2001
B. CAMERON PARK COLONIA ROAD & DRAINAGE IMPROVEMENTS – REBID NO. 040801

(19) AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR R & S SUBDIVISION, PHASE I, II-A, II-B & III, PRECINCT 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)

(20) AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
A. PRECINCT 4- BLUM ESTATES SUBDIVISION, BEING A 20.0 ACRES SUBDIVISION OUT OF ALL OF BLOCK 250, ADAMS GARDENS SUBDIVISION "C", AS RECORDED IN VOLUME 10, PAGE 3, MAP RECORDS OF CAMERON COUNTY, TEXAS.
B. PRECINCT 3- CUATRO ENCINOS SUBDIVISION, 2.90 ACRES BEING 1.16 ACRES OUT OF BLOCK 22 AND 1.74 ACRES OUT OF BLOCK 21 & 22, F. Z. BISHOP'S PALM SUBDIVISION ACCORDING TO VOLUME 7, PAGE 2 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.
C. PRECINCT 3- ZILLOCK RANCH, UNIT 3 SUBDIVISION, A 7.397 ACRE, TRACT OF

LAND, MORE OR LESS, OUT OF BLOCK ONE HUNDRED FIFTY-FOUR (154), SAN BENITO LAND AND WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS, AS RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS OF CAMERON COUNTY, TEXAS.

(21) AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
A. PRECINCT 4- PELICAN POINTE, SUBDIVISION, PHASE II & III, BEING A 223.61 ACRE TRACT OF LAND OUT (223.59 ACRES-DEED) SHARE, ESPIRITU SANTO GRANT, AS RECORDED IN VOLUME 10229, PAGE 188, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.

(22) ACCEPTANCE OF THE RIGHT OF ENTRY AND POSSESSION OF PARCEL 9 (FRONTING ON WHITE RANCH ROAD NEAR THE INTERSECTION OF US EXPRESSWAY 83 OUTSIDE OF LA FERIA), FOR US 83 EXPRESSWAY PROJECT. (PS-DEPT. OF TRANSPORTATION)
The Easement is as follows:

TRAVEL ITEMS

(NO DIRECT COST TO GENERAL FUND)

(23) 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) County Clerk and two (2) employees to attend the "2004 50th Annual Vital Statistics Conference", in Austin, Texas, December 5-7, 2004;

(B) Assistant County and District Attorney attend a "Trial Advocacy I Course" in Columbia, South Carolina, December 13-17, 2004;

(C) Justice of the Peace Precinct 2, Place 1 Elect, to attend the "Pre-Trial Case Management", in Laredo, Texas, November 11-12, 2004;

(D) Justice of the Peace Precinct 5, Place 1, to attend the "Mandatory 20-Hour Seminar", in Corpus Christi, Texas, November 15-18, 2004;

(E) District Clerk and Criminal Manager to attend a "South Texas Legal Seminar", in Corpus Christi, Texas, November 9-10, 2004;

(F) 197th District Judge to attend a "South Texas Legal Seminar" in Corpus Christi, Texas, November 10, 2004;

(G) Tax Assessor-Collector and Administrative Assistant to attend the "22nd Annual County Tax Assessor-Collector's Continuing Education Seminar," in College Station, Texas, November 14-17, 2004;

(H) Director of Department of Transportation to meet with UPRR Officials regarding the West Rail and North Rail Project in Houston, Texas, November 5, 2004;

(I) Law Enforcement Safety Coordinator to pick-up 2004 Hazardous Materials Response Books on behalf of Emergency Management Department in College Station, Texas, November 2-3, 2004;

(J) Four (4) Extension Office Agents to attend the "District Fall Faculty Conference", in Weslaco, Texas, November 16-18, 2004/04; and

(K) WIC Director to attend the "Annual Texas Wic Dietetic Internship Planning and Evaluation Committee Meeting", in Austin, Texas, 16-17, 2004.

(13) APPROVAL OF CLAIMS.
The Affidavit is as follows:

(14) ADOPTION OF A RESOLUTION RECOGNIZING H.E.B. FOR THEIR 100TH ANNIVERSARY AND 15 YEARS OF HELPING CAMERON COUNTY AND CITY OF BROWNSVILLE IN THE FEAST OF SHARING. (PB- COMM. PRECINCT 1)
The Resolution is as follows:

(15) AUTHORIZATION TO ENTER INTO AN ON-SITE TECHNICAL SUPPORT CONTRACT WITH PRESIDIO CORP. UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES INTER-LOCAL COOPERATIVE PURCHASING AGREEMENT CONTRACTS. (RJ-COMPUTER CENTER)
The Contract is as follows:

(16) APPROVAL OF THE LETTER OF ENGAGEMENT BETWEEN CAMERON COUNTY COMMISSIONERS' COURT AND THEIR INDEPENDENT AUDITORS, LONG CHILTON, LLP TO PERFORM THE INDEPENDENT AUDIT OF CAMERON COUNTY'S GOVERNMENTAL ACTIVITIES, BUSINESS-TYPE ACTIVITIES, AGGREGATE DISCREETLY PRESENTED COMPONENT UNITS, EACH MAJOR FUND, AND AGGREGATE REMAINING FUND INFORMATION AS OF AND FOR THE YEAR ENDED SEPTEMBER 30, 2004 WHICH COLLECTIVELY COMPRISE THE BASIC FINANCIAL STATEMENTS. (MY-AUDITOR)

The Application is as follows:

(22) ACCEPTANCE OF THE RIGHT OF ENTRY AND POSSESSION OF PARCEL 9 (FRONTING ON WHITE RANCH ROAD NEAR THE INTERSECTION OF US EXPRESSWAY 83 OUTSIDE OF LA FERIA), FOR US 83 EXPRESSWAY PROJECT. (PS-DEPT. OF TRANSPORTATION)
The Easement is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:00 A.M. to discuss the following matters:

(23) EXECUTIVE SESSION:

A. Confer with Commissioners' Court Legal Counsel concerning Vicenta Cantu; Felix R. Munoz, Ruth Weaver and Diamantina Alvarado versus Cameron County and Tony Yzaguirre, Jr.; Civil Action No. B-03-096 in the United States District Court, for discussion of Felix Munoz's settlement offer, consider counter offer and authority for mediation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(B).

B. Deliberation regarding real property concerning the possible amendments to the current terms of the concession with Costa Rica Bar & Grill; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section551.071(2).

C. Deliberation regarding real property concerning the granting of a license to lease a shoe shine stand on county property; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).

D. Confer with Commissioners' Court Legal Counsel concerning proposal involving real property at Isla Blanca Park (Schlitterbaun Park Proposal); pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2) & 551.072.

E. Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's administration building; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).

F. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2).

G. Deliberation regarding real property concerning the possible acquisition of 1048 E. Monroe St, Brownsville, Texas; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072; and

H. Confer with Commissioners' Court Legal Counsel Concerning Proposal No. 040401 involving real property at Isla Blanca Park; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(2) & 551.072.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 12:16 A.M. to discuss the following matters:

(24) ACTION RELATIVE TO EXECUTIVE SESSION:

A. Confer with Commissioners' Court Legal Counsel concerning Vicenta Cantu; Felix R. Munoz, Ruth Weaver and Diamantina Alvarado versus Cameron County and Tony Yzaguirre, Jr.; Civil Action No. B-03-096 in the United States District Court, for Discussion of Felix Munoz's settlement offer, consider counter offer and authority for mediation.

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

The motion was seconded by Commissioner Wood and carried unanimously.

B. Deliberation Regarding Real Property Concerning the Possible Amendments to the Current Terms of the Concession with Costa Rica Bar & Grill.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Status Report by Mr. Javier Mendez, Parks System Director, was acknowledged.

C. In the matter regarding deliberation regarding Real Property concerning the granting of a license to lease a Shoe Shine Stand on county property. (TABLED)

NOTE: This Item was not discussed.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, this Item was **TABLED**.

D. Confer with Commissioners' Court Legal Counsel concerning proposal involving Real Property at Isla Blanca Park (Schlitterbahn Park Proposal).

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

E. Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report by Legal Counsel was acknowledged, and the entering into a Contract with Aguirre Associates was authorized, subject to legal.

The Agreement is as follows:

F. In the matter regarding confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark. (TABLED)

NOTE: This Item was not discussed.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, this Item was **TABLED**.

G. Deliberation regarding Real Property Concerning the Possible Acquisition of 1048 E. Monroe St, Brownsville, Texas.

Commissioner Garza moved that the Binder Contract be approved, subject to Legal Review and that the $500.00 expenditure be authorized.

The motion was seconded by Commissioner Tamayo and carried unanimously.

H. Confer with Commissioners' Court Legal Counsel concerning Proposal No. 040401 involving Real Property at Isla Blanca Park.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, Legal Counsel was authorized to prepare and obtain the signature of the County Judge on an Agreement, First Refusal, for all county property located on Isla Blanca Park for a period not to go beyond the 2005 Legislative Session and re-numeration to the county for such agreement was authorized.

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(12) CONSIDERATION AND POSSIBLE ACTION REGARDING AN AGREEMENT BETWEEN CAMERON COUNTY AND SOUTH TEXAS COMMUNICATIONS REGARDING THE INTER-OPERABLE PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM. (RG-COUNTY JUDGE)

Commissioner Wood moved that the Agreement between Cameron County and South Texas Communications regarding the Inter-Operable Public Safety Radio Communications System be approved, subject to review by the County Auditor.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Agreement is as follows:

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 12:23 P.M.

APPROVED this **21st** day of **December 2004.**

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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