

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 31st day of May 2005, 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

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:

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The meeting was called to order by Judge Pro-Tem Benavides at 9:32 A.M. He then asked 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 May 27, 2005, at 2:30 P.M.:

Commissioner Tamayo expressed concern with the damage cause by strong winds on the area of La Paloma.

Judge Hinojosa stated that several activities had taken place due to Memorial Day Celebration.

(1) **PUBLIC COMMENTS**

None were presented.

PRESENTATIONS

(2) **DISCUSSION ON TRANSPORTING MENTAL PATIENTS BY CAMERON COUNTY PERSONNEL. (DAG- COMM. PCT. 3**

Justice of the Peace Dan Sanchez and Constable Robles addressed the court regarding their concerns with the transporting of Mental Patients to and from County Hospitals. They noted that the sheriff's office was not helping with the transporting of the patients and noted that the Constables' office was not budgeted or equipped with vehicles nor was their enough personnel to handle the situations. Constable Robles spoke on an occasion on which a 340-lbs lady had to be transported to a local hospital for a mental screening by the hospitals staff and noted time was lost during the transporting of patients from Harlingen to McAllen from other office duties, stating that this interfered with the man power and with the services that his office provides to the public.

Commissioner Benavides asked what was being asked for the Court.

Constable Robles responded that he was asking for help from other Law Enforcement agencies.

Commissioner Tamayo questioned the percentage of the time such issues took away from his time with other office duties.

Sheriff Omar Lucio noted that his department has helped with the transporting of these mental patients, adding that people have been taken to San Antonio for screenings.

Judge Hinojosa commented that all constables had agreed to a rotating system in regards to the transporting of these metal patients, noting that meetings were pending with the Sheriff in order to determine if the constable's could be relieved from some of the stress associated with the transportation of the mental patients.

Mr. Remi Garza, County Assistant Administrator, asked that the court was well aware of this issue and asked that more time be given in order to make some "headway" in order to create a plan on finding a solution to this problem.

Judge Hinojosa agreed and asked patience was essential for this issue to be worked out.

Commissioner Tamayo moved that the discussion on transporting mental patients by Cameron County personnel be **ACKNOWLEDGED.**

The motion was seconded by Commissioner Benavides and carried unanimously.

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

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

**(4) APPROVAL OF MINUTES FOR:
A. MARCH 29, 2005-REGULAR MEETING**

Commissioner Benavides moved that this item be **APPROVED**.

Commissioner Tamayo seconded the motion and carried unanimously.

(5) CONSIDERATION AND POSSIBLE ACTION ON AWARD OF THE TWO YEAR BANK DEPOSITORY CONTRACT/CAMERON COUNTY BID NO. 1222, SUBJECT TO COMMISSIONER'S COURT APPROVAL OF THE FINAL CONTRACT. (EG-TREASURER)

Commissioner Garza moved that this item be **APPROVED**.

Commissioner Tamayo seconded the motion and carried as follows:

Aye-Commissioners Benavides, Wood, Garza, and Tamayo.

None-None

Abstain-Judge Hinojosa

The Information and Affidavit are as follow:

(6) CONSIDERATION AND AUTHORIZATION TO CREATE THE CHILD SUPPORT CLERK POSITION IN THE CAMERON COUNTY DISTRICT CLERK'S OFFICE CHILD SUPPORT DEPARTMENT. (ADLG-DISTRICT CLERK)

Commissioner Garza moved that the creation of the Child Support Clerk Position in the Cameron County District Clerk's Office Child Support Department be **APPROVED**.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(7) CONSIDERATION AND POSSIBLE ACTION REGARDING THE PROPOSED DEVELOPMENT OF SOLID WASTE MANAGEMENT FACILITY IN CAMERON COUNTY. (COMM. COURT)

Commissioner Tamayo moved that this item be **APPROVED**.

Commissioner Garza seconded the motion and carried unanimously.

(8) CONSIDERATION AND POSSIBLE ACTION REGARDING THE CAMERON COUNTY LEGISLATIVE AGENDA, TO INCLUDE PASSAGE OF RESOLUTIONS IN SUPPORT OF OR IN OPPOSITION TO CERTAIN LEGISLATION AFFECTING THE COUNTY'S INTEREST. (VDL-COUNTY JUDGE)

Commissioner Tamayo moved that this item be **APPROVED**.

The motion was seconded by Commissioner Garza and carried unanimously.

(9) CONSIDERATION AND ACTION CREATING THE CAMERON COUNTY AUDIT COMMITTEE AND APPOINTMENT OF ITS MEMBERS. (GH-COUNTY JUDGE)

Mr. Remi Garza, County Assistant Administrator, presented and highlighted the following information regarding the creation of the Cameron County Audit Committee and appointment of its members.

Upon motion by Commissioner Tamayo and seconded by Commissioner Benavides this item was **APPROVED**.

The Information is as follows:

(10) **CONSIDERATION AND AUTHORIZATION TO REALLOCATE \$25,000 OF FY 2004 BOND PROCEEDS FOR THE CONSTRUCTION OF THE RECORDS STORAGE AREA WITHIN THE FORMER LEVIS BUILDING. (XV-BUDGET OFFICER)**

Commissioner Tamayo moved that the reallocation of \$25,000 of FY2004 Bond Proceeds for the construction of the Records Storage area within the former Levis Building be **APPROVED**.

Commissioner Garza seconded the motion and carried unanimously.

The Documents are as follows:

(11) **CONSIDERATION AND POSSIBLE APPROVAL TO RECLASSIFY AND INCREASE THE SALARIES FOR BUDGET 830652, SLOT #03 & #05; BUDGET 830654, SLOT #01, WITHIN THE CAMERON COUNTY PARKS AND RECREATION SALARY SCHEDULE. (JM-PARK SYSTEM)**

Mr Javier Mendez, Parks Director, presented and highlighted the following information regarding the reclassification of the presented slots.

Commissioner Wood moved that this item be **APPROVED**.

Commissioner Garza seconded the motion and carried unanimously.

The Information is as follows:

(12) **CONSIDERATION AND POSSIBLE APPROVAL OF
THE EXTERIOR COLORS FOR THE BROWNE ROAD
REGIONAL PARK – SOCIAL SERVICES BUILDING.
(JM-PARKS SYSTEM)**

Commissioner Benavides moved that this item be **APPROVED**.

Commissioner Tamayo seconded the motion and carried unanimously.

The Information is as follows:

(13) **CONSIDERATION AND APPROVAL OF DANCY BUILDING PROJECT CONTRACTOR CHANGE PROPOSAL NO. 43 FOR ADDITIONAL ELECTRICAL OUTLETS, TIME CLOCK INSTALLATION, AND COURTROOM LIGHTING SWITCHES. (FB-PD & M)**

Mr. Remi Garza, County Assistant Administrator, explained that the proposed location of the time clock would “interfere” with the marble finish at the Dancy Building.

Judge Hinojosa suggested that the proposed location of the time clock not be approved until after the architect would take a “look” at it and determine where would be the best place for such device.

Commissioner Benavides moved that the building project contractor change proposal No. 43 for additional electrical outlets, time clock installation, and courtroom lighting switches.

Commissioner Tamayo seconded the motion and carried unanimously.

The Information is as follows:

(14) CONSIDERATION AND ACTION TO SUBMIT A REQUEST TO FEMA FOR ADDITIONAL FUNDS TO CONTINUE THE DEL MAR HEIGHTS BUYOUT PROGRAM.(GS-COUNTY JUDGE)

Commissioner Tamayo moved to **approve** the request to submit to FEMA for additional funds to continue the Del Mar Heights Buyout Program.

Commissioner Wood seconded the motion and carried unanimously.

The Information is as follows:

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

Item No. 21-Judge Hinojosa recommended that the selection committee consist of the following members: Javier Mendez, Parks Director, Xavier Villarreal, Budget Officer and Mike Forbes, Purchasing Agent.

Item No. 35-Commissioner Tamayo asked if Mr. Doug Wright, Legal Counsel had personally reviewed this item.
Mr. Wright responded negatively.
Mr. Pete Sepulveda, Department of Transportation Director, clarified that this item was placed on the agenda as a matter of simple procedure.

Commissioner Tamayo moved that the "Travel and Consent Items" be approved and that Item No. 23 be

TABLED.

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

Aye- Commissioners Benavides, Wood, Garza and Tamayo

Nay- None

Abstain- Judge Hinojosa as to Warrant No. 00138935 payable to the Laguna Madre Water District in the amount of \$11,354.61; Commissioner Garza as to Warrant No. 00138952 payable to the Medicine Shoppe in the amount of \$2,028.69;

(15) APPROVAL OF CLAIMS.

The Claims and Affidavit are as follow:

(16) CONSIDERATION AND POSSIBLE APPROVAL OF MOBILE COMMUNICATIONS PLAN FOR THE COUNTY JUDGE'S OFFICE AND DIVISION OF EMERGENCY MANAGEMENT AND PREPAREDNESS AND COUNTY FIRE MARSHALLS. (RG-COUNTY JUDGE)

The Information is as follows:

(17) CONSIDERATION AND AUTHORIZATION TO NOMINATE THE VALLEY PROUD ENVIRONMENTAL COUNCIL TO APPLY FOR A GENERAL LAND OFFICE COASTAL MANAGEMENT CYCLE 11 GRANT TO CONTINUE THE CAPTAIN CRAB CLEAN BEACH MEDIA AND EDUCATION CAMPAIGN FOR THE SPRING AND SUMMER OF 2007. (FB-PD & M)

The Agreement is as follow:

(18) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS, DESIGNATING DAKOTA VILLAGE SUBDIVISION 1 AND 2 IN RURAL CAMERON COUNTY AS A COLONIA TO MEET OFFICE OF RURAL COMMUNITY AFFAIRS TEXAS COMMUNITY DEVELOPMENT PROGRAM CRITERIA FOR STATE FUNDING PURPOSES. (FB-PD & M)

The Resolution is as Follow:

(19) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS, DESIGNATING PEDERSON SUBDIVISION AND ADJACENT AREA NEAR HIGHWAY

100 IN RURAL CAMERON COUNTY AS A COLONIA TO MEET OFFICE OF RURAL COMMUNITY AFFAIRS TEXAS COMMUNITY DEVELOPMENT PROGRAM CRITERIA FOR STATE FUNDING PURPOSES. (FB-PD & M)

The Resolution is as follow:

- (20) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE 2005-2006 COLONIA CONSTRUCTION FUND AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**

The Resolution is as follows:

- (21) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/ RFQ FOR: (MF-PURCHASING)**

A. **POSSIBLE CONCESSION LEASE OF BLDG. "A" ON CAMERON COUNTY PROPERTY LOCATED WITHIN ANDY BOWIE PARK ON SOUTH PADRE ISLAND, CAMERON COUNTY, TX – RFP #050501 AND POSSIBLE SELECTION OF EVALUATION COMMITTEE BY COMMISSIONERS' COURT.**

- (22) **CONSIDERATION AND ACKNOWLEDGEMENT OF THE UNITED STATE DEPARTMENT OF AGRICULTURE'S (USDA) APPROVAL FOR THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES WIC PROGRAM TO UTILIZE THEIR EARNED PROGRAM FUNDS FOR BUILDING A NEW BRICK AND MORTAR WIC WING AT THE BROWNIE COLONIA COMMUNITY CLINIC IN CAMERON COUNTY. (YS-HEALTH)**

- (23) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF CONRADO M. CANTU TO RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 1 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**

- (24) **CONSIDERATION AND ACTION FOR THE APPOINTMENT OF MANUEL TREVINO TO DEPUTY CONSTABLE FOR PRECINCT NO. 3 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**

- (25) **CONSIDERATION AND AUTHORIZATION TO PURCHASE PARK PLAYGROUND EQUIPMENT VIA THE STATE OF TEXAS – TASB – BUY BOARD – COOPERATIVE PURCHASING AGREEMENT FOR COMMUNITY PARKS AND BROWNE ROAD REGIONAL PARK. (JM-PARK SYSTEM)**

- (26) **CONSIDERATION AND AUTHORIZATION TO AWARD BID TO MID-SOUTH DEMOLITION, FOR THE DEMOLITION OF THE FORMER JEREMIAHS RIVER RIDE PROPERTY. (JM-PARK SYSTEM)**

The Tabulations are as follow:

- (27) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A STANDARD FORM OF AGREEMENT BETWEEN CAMERON COUNTY (PARKS) AND MID-SOUTH DEMOLITION. (JM-PARK SYSTEM)**
The Agreement is as follow:
- (28) **CONSIDERATION AND APPROVAL TO MODIFY PROPOSAL OF AUSTIN TRAFFIC SIGNAL AS A SOLE SOURCE. (MY-AUDITOR)**
- (29) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR THE FOLLOWING BIDS: (MY-AUDITOR)**
 - A. **INDEPENDENT AUDITORS – ANNUAL RFP #1220**
- (30) **CONSIDERATION AND APPROVAL OF TIME EXTENSION, FROM APRIL 10, 2005 TO APRIL 10, 2006, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT THE HEATHER SUBDIVISION, PRECINCT NO. 3. (PS-DEPT. OF TRANSPORTATION)**
- (31) **CONSIDERATION AND APPROVAL OF TIME EXTENSION, FROM APRIL 1, 2005 TO APRIL 20, 2006, FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT PALOMAR SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)**
- (32) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR SUGARLAND ACRES, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (33) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR BISHOP HAVEN 17 SUBDIVISION REPLAT, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (34) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR RESACA DE CARRICITOS, PHASE II SUBDIVISION, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (35) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR MAGNOLIA ESTATES, PHASE II SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (36) **CONSIDERATION AND AUTHORIZATION TO RENEW PROFESSIONAL ENGINEER LICENSE FOR ERNESTO E. HINOJOSA, STAFF ENGINEER. (PS-DEPT. OF TRANSPORTATION)**
- (37) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
 - A. **PRECINCT NO. 3- NORTH MELON ROAD SUBDIVISION, BEING A RE-SUBDIVISION OF 5.3228 ACRES BEING ALL OF LOT 116, A. & R. COUNTRY ACRES, INC., CAMERON COUNTY, TEXAS ACCORDING TO MAP THEREOF RECORDED IN CABINET 1, SLOT 198-B, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

TRAVEL ITEMS

- (38) **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. **357th District Court Coordinator, To Travel To Austin, Tx, On 6/20-24/05, To Attend The “Texas Center For The Judiciary, Inc” To Fulfill Yearly Education Requirements.**
 - B. **197th District Court Coordinator, To Travel To Austin, Tx, On 6/20-24/05, To Attend The PDP Trial Court Coordination Program To Maintain Required Yearly Hours With The Texas Center For The Judiciary.**
 - C. **Justice Of The Peace Precinct 2, Place 1 And Employees (2), To Travel To Austin, Tx, On 6/26-29/05, To Attend A Mandatory Justice Of The Peace Seminar Course.**
 - D. **District Attorney’s Office Employees (5), To Travel To Galveston, Tx, On 6/7-10/05, To Attend Tdcaa’s Dna & Expert Witness Seminar.**
 - E. **County Clerk And Deputy Clerks (4), To Travel To South Padre Island, Tx, On 6/19-23/05, To Attend The “South Texas Juvenile Law Conference.”**
 - F. **Justice Of The Peace Precinct 5, Place 1 And Employees (3), To Travel To South Padre Island, TX, On 6/13-18/05, To Attend The Annual Justices Of The Peace And Constables State Association Conference And Seminar.**
 - G. **Human Resources Director And Department Of Transportation Director, To Travel To Houston, Tx, On 6/16/05, To Attend 2005 Hurricane Seminar.**
 - H. **County Extension Agent, To Travel To Laredo, Tx, On 6/1/05, To Conduct The Career Ladder Dossier Training.**
 - I. **County Extension Agent And Program Associate, To Travel To College Station, Tx, On 6/7-10/05, To Assist And Attend The Texas 4-H Roundup.**
 - J. **Weed And Seed Site Coordinator, To Travel To Austin, Tx, On 6/8-9/05, To Make Camp Arraignments For This Summer’s Drug Education For Youth Camp.**
 - K. **Juvenile Probation Employees (3), To Travel To Austin, Tx, On 6/6-10/05, To Attend “17th Annual Intensive Supervision Program Institute Training.”**
 - L. **Juvenile Probation Employees (4), To Travel To Austin, Tx, On 7/10-15/05, To Attend “9th Annual Drill Instructor Institute.”**
 - M. **Unified Narcotics Intelligence Task Force Director, To Travel To Laredo, Tx, On 6/7-9/05, To Attend The Intelligence Sub-Committee.**
 - N. **Unified Narcotics Intelligence Task Force, To Travel To Springfield, Va, On 7/10-15/05, To Attend The I2 Analyst Notebook Level 1.**

- O. Pd & M Cd Coordinator, To Travel To Weslaco, Tx, On 6/1/05, To Attend Secretary Of State's Presentation Of New Colonia Laws.**

- P. Department Of Health And Human Services Employees (16) And County Judge's Office Employee, To Travel To Austin, Tx, On 6/8-10/05, To Attend A Training Seminar As Part Of The Strategic National Stockpile (Sns) Program.**

(15) APPROVAL OF CLAIMS.

The Claims and Affidavit are as follow:

- (16) CONSIDERATION AND POSSIBLE APPROVAL OF MOBILE COMMUNICATIONS PLAN FOR THE COUNTY JUDGE'S OFFICE AND DIVISION OF EMERGENCY MANAGEMENT AND PREPAREDNESS AND COUNTY FIRE MARSHALLS. (RG-COUNTY JUDGE)**

The Information is as follows:

- (18) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS, DESIGNATING DAKOTA VILLAGE SUBDIVISION 1 AND 2 IN RURAL CAMERON COUNTY AS A COLONIA TO MEET OFFICE OF RURAL COMMUNITY AFFAIRS TEXAS COMMUNITY DEVELOPMENT PROGRAM CRITERIA FOR STATE FUNDING PURPOSES. (FB-PD & M)**

The Resolution is as Follow:

- (19) **CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS, DESIGNATING PEDERSON SUBDIVISION AND ADJACENT AREA NEAR HIGHWAY 100 IN RURAL CAMERON COUNTY AS A COLONIA TO MEET OFFICE OF RURAL COMMUNITY AFFAIRS TEXAS COMMUNITY DEVELOPMENT PROGRAM CRITERIA FOR STATE FUNDING PURPOSES. (FB-PD & M)**

The Resolution is as follow:

- (20) CONSIDERATION AND APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE 2005-2006 COLONIA CONSTRUCTION FUND AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**

The Resolution is as follows:

- (26) **CONSIDERATION AND AUTHORIZATION TO AWARD BID TO MID-SOUTH DEMOLITION, FOR THE DEMOLITION OF THE FORMER JEREMIAHS RIVER RIDE PROPERTY. (JM-PARK SYSTEM)**

The Tabulations are as follow:

- (27) CONSIDERATION AND AUTHORIZATION TO EXECUTE A STANDARD FORM OF AGREEMENT BETWEEN CAMERON COUNTY (PARKS) AND MID-SOUTH DEMOLITION. (JM-PARK SYSTEM)**

The Agreement is as follow:

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:08 A.M. to discuss the following matters:

(39) EXECUTIVE SESSION:

- A. Confer With Commissioners' Court Legal Counsel Concerning Cameron County Vs. Faulkner, Usa Formerly Known As Landmark, Pursuant To V.T.C.A. Government Code, Section 551.071(1) (A) & (2).**
- B. Confer With Commissioners' Court Legal Counsel Concerning Issues Regarding The Cameron County Detention Centers And The Cameron County Sheriff's Administration Building, Pursuant To V.T.C.A. Government Code, Section 551.071(2).**
- C. Confer With Commissioners' Court Legal Counsel Concerning The Proposed Solid Waste Management Facility Site East Of Los Fresnos Proposed By Consolidated Waste Industries, Inc. On 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 V.T.C.A. Government Code, Section 551.071(2).**
- D. Confer With Commissioners' Court Legal Counsel Concerning Claim Of Maria I. Estrada, For Discussion And Authority To Represent, Pursuant To V.T.C.A. Government Code, Section 551.071(A) & (2).**
- E. Confer With Commissioners' Court Legal Counsel Concerning Issues Relating To The Dancy Building Renovation Project 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 V.T.C.A. Government Code, Section 551.071 (1) & (2) And 551.072.**

(40) ACTION RELATIVE TO EXECUTIVE SESSION

Upon motion by Commissioner Garza , seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 11:37A.M. to discuss the following matters:

- A. Confer With Commissioners' Court Legal Counsel Concerning Cameron County Vs. Faulkner, Usa Formerly Known As Landmark, Pursuant To V.T.C.A. Government Code, Section 551.071(1) (A) & (2).**

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

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- B. Confer With Commissioners' Court Legal Counsel Concerning Issues Regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building, Pursuant To V.T.C.A. Government Code, Section 551.071(2).**

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. Confer With Commissioners' Court Legal Counsel Concerning The Proposed Solid Waste Management Facility Site East Of Los Fresnos Proposed By Consolidated Waste Industries,**

Inc. On 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 V.T.C.A. Government Code, Section 551.071(2).

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously the reports by Legal Counsel and the County Judge's office were acknowledged.

D. Confer With Commissioners' Court Legal Counsel Concerning Claim Of Maria I. Estrada, For Discussion And Authority To Represent, Pursuant To V.T.C.A. Government Code, Section 551.071(A) & (2).

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously. acknowledge report of counsel and authorize legal counsel to represent Cameron County.

E. Confer With Commissioners' Court Legal Counsel Concerning Issues Relating To The Dancy Building Renovation Project 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 V.T.C.A. Government Code, Section 551.071 (1) & (2) And 551.072.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously acknowledge status report of Frank Bejarano, PD & M Director, and the status report of the architect were acknowledged.

There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 11:40 A.M.

APPROVED this 30th day of August **2005**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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