

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 6<sup>th</sup> day of September 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:

COMMISSIONER BENAVIDES

COMMISSIONER GARZA

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The meeting was called to order by Judge Hinojosa at 9:37 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 September 6, 2005, at 04:30 P.M.:

Judge Hinojosa stated that he was contacted by the Red Cross here in Cameron County. He commented that Mr. Tom Hutchins was contacted several times by the Red Cross to see if there are available shelters in Cameron County and we mentioned that essentially if they are prepared to send evacuees to Cameron County then we will find a suitable amount of space for them. He informed that they contacted several entities across the county in the last few days to see where there is available space. He added that there is a system of priorities that the state has set up for evacuees and once they fill up in different cities then they will end up coming to Cameron County. The cities are as follows: Houston, Dallas, San Antonio, Galveston, Laredo, Corpus Christi, and then the valley. He stated that he was not sure where exactly that is, but he was informed by the news that they are going to start air lifting people to other parts of the country. Judge Hinojosa informed that the county has volunteered at the request of the Red Cross to find space here in the valley to do our part in helping the victims of Hurricane Katrina. He continued that we should be concerned on how things are in that part of the country and to the grace of god that the county is not in that same position, we have had so many error misses as New Orleans had before and we have always felt fortunate, but people get a little frustrated because we prepare so much, buying so many supplies, applying plywood on windows, in many instances evacuate, and then nothing happens. He commented that then the people get upset at us because they think we over reacted and all the work that they did and spending so much money, but this is an example of where people in parts of that region of the United States believe that there has been so many near misses and they do not need to waste time, energy, and money to be prepared for this hurricane; adding that as a result they were not as prepared as they should have been prepared and so the disaster accelerated by that. He quoted to "always prepare for the worst, and hope for the best" and if we ask people to do things that they do not think that is necessary is because we worry about things like this happening in Cameron County and throughout the Rio Grande Valley and we will continue to do that, despite of the criticism of sometimes going too far in preparing. He stated an example, if Hurricane Emily would have shifted any degree to the north it would of caused a category 4 hurricane to make a direct hit to South Padre Island and to the Laguna Madre area and a category 4 hurricane has a tidal surge of between 18-25 feet, he added that anybody who would battle out the storm would not be alive today ad that area would be inundated. Judge Hinojosa noted the need of all the entities of Government to have the same level of preparedness.

Commissioner Wood commented the need to thank the thousands of volunteers from our area that are putting in hours of their busy schedules to help people affected by the Hurricane Katrina and added that everyone had to work together.

**(1) PUBLIC COMMENTS**

At this time Mr. Francisco Sifuentes informed that he was before the commission to make people think of what we have learned from those events relating of the Hurricanes. He stressed the fact of the need for all the taxing entities and agencies to work together for preparedness and noted that this would save money for everyone who pays taxes.

**The Form is as follow:**

**(6) DISCUSSION REGARDING THE FISCAL YEAR 2005-2006 BUDGET. (XV-BUDGET OFFICER)**

Upon motion by Commissioner Tamayo and seconded by Commissioner Wood the discussion regarding the Fiscal Year 2005-2006 Budget was acknowledged.

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**(5) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING REGARDING THE PROPOSED TAX RATE FOR 2005-2006 FISCAL YEAR. (XV-BUDGET OFFICER)**

Commissioner Tamayo moved to hold a public hearing regarding the proposed Tax Rate for 2005-2006 Fiscal Year.

The motion was seconded by Commissioner Wood seconded the motion and carried unanimously.

Judge Hinojosa informed that the current tax rate was .358191 per hundred dollar valuation. He asked if anybody from the court wished to speak on this issue.

Upon motion by Commissioner Tamayo and seconded by Commissioner Wood and carried unanimously the public hearing regarding the proposed Tax Rate for 2005-2006 Fiscal Year was closed.

**The Information is as follows:**

## **PRESENTATIONS**

**(2) PRESENTATION OF THE KEY TO THE CITY OF SOUTH PADRE ISLAND TO AURORA DE LA GARZA, CAMERON COUNTY DISTRICT CLERK, IN HONOR AND RECOGNITION FOR HER CONTINUING DEDICATION AND HARD WORK IN PROMOTING THE CITY OF SOUTH PADRE ISLAND. (ADLG-DISTRICT CLERK)**

At this time the Key to the City of South Padre Island was presented to Mrs. Aurora De La Garza, Cameron County District Clerk, in honor and recognition for her continuing dedication and hard work in promoting the City of South Padre Island.

Mr. Joe G. Rivera, County Clerk, said a few words and congratulated Mrs. De La Garza for her success.

Mrs. De La Garza thanked everyone for the honor and recognizing this event signified for her and encouraged that everyone pitch in to help the community for these needy times.

Commissioner Tamayo moved to acknowledge the presentation of the key to the City of South Padre Island to Aurora De La Garza, Cameron County District Clerk, in honor and recognition for her continuing dedication and hard work in promoting the City of South Padre Island.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Information is as follow:**

(7) **CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING REGARDING THE SETTING OF ELECTED OFFICIALS' COMPENSATION. (XV-BUDGET OFFICER)**

Commissioner Wood moved to open a Public Hearing regarding the setting of Elected Officials Compensation.

The motion was seconded by Commissioner Tamayo and carried unanimously.

Commissioner Tamayo moved that the public Hearing regarding the setting of Elected Officials Compensation be closed.

The motion was seconded by Commissioner Wood and carried unanimously.

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(8) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE SETTING OF ELECTED OFFICIALS' COMPENSATION. (XV-BUDGET OFFICER)**

Commissioner Tamayo moved that this item be **APPROVED** as attached in the back-up information.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follow:**

(9) **CONSIDERATION AND POSSIBLE ACTION REGARDING COMPENSATION FOR OVERTIME TO CERTAIN STAFF DURING HURRICANE EMILY. (COMM. COURT)**

Ms. Dylbia Jeffries, Legal Counsel, informed under Article 3, Section 53 of the Constitution, the law does not allow employees that are salaried and/or exempt to be compensated for services that have already been provided. She added that Legal had checked with the Attorney Generals Office and noted that such office had concurred with the same opinion as it is considered a “gift” for services that had already been provided.

Sheriff Omar Lucio informed that in conversations with Legal Counsel Richard Burst, the court could stipulate in advance that employees who have to work in the event of an emergency more than 171 hours and/or exempt than they could be compensated for their services, and Legal Counsel agreed.

Judge Hinojosa noted the need to define exempt employees in order for this issue not to rise. He suggested that Department Heads to recommend who should be compensated in the exempt category and then the issue be brought before the Commissioners Court for approval.

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

The motion was seconded by Commissioner Wood and carried unanimously.

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

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

Commissioner Tamayo seconded the motion and carried unanimously.

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(11) **CONSIDERATION AND AUTHORIZATION TO CREATE A CRIMINAL CLERK POSITION IN THE CAMERON COUNTY DISTRICT CLERK'S OFFICE. (ADLG-DISTRICT CLERK)**

Commissioner Tamayo moved to approve the request to create a criminal clerk position in the Cameron County District Clerk's Office at the rate of \$18,000 yearly salary.

The motion was seconded by Commissioner Wood and carried unanimously.

Mr. Xavier Villarreal, Budget Officer, recommended that this position be approved until after the budget is approved as the creation would affect this years current budget.

Judge Hinojosa noted that this item would be revisited at the next Commissioners Court meeting in regards to the position being made permanent. He commended Mr. Villarreal for his efforts in putting together the Budget for the County.

Commissioner Tamayo amended her motion to include the approval of such position for the remainder of the Fiscal Year.

Commissioner Wood seconded the motion and carried unanimously.

**The Information is as follows:**



(12) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN SOUTHWEST SOLUTIONS GROUP AND THE CAMERON COUNTY (DISTRICT CLERK'S OFFICE RECORDS MANAGEMENT) FOR SHELVING. (ADLG-DISTRICT CLERK)**

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

The motion was seconded by Commissioner Wood and carried unanimously.

**The Agreement is as follow:**

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(13) **CONSIDERATION AND POSSIBLE ACTION  
REGARDING THE IMPLEMENTATION OF FEES  
WITHIN THE COUNTY CLERK'S OFFICE  
APPROVED DURING 2005 LEGISLATIVE SESSION.  
(JGR-COUNTY CLERK)**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously the Implementation of fees within the County Clerk's Office approved during 2005 Legislative Session was **APPROVED.**

**The Information is as follow:**

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**(35) CONSIDERATION AND AUTHORIZATION TO ACCEPT  
GRANT NO. JA-05-J20-18009-01 FROM THE GOVERNOR'S  
OFFICE FOR THE DISTRICT ATTORNEY'S SEXUAL  
ASSAULT INTERVENTION PROGRAM. (COMM. COURT)**

Upon motion by Commissioner Wood and seconded by Commissioner Tamayo and carried unanimously the District Attorney's Office was authorized to accept Grant No. JA-05-J20-18009-01 from the Governor's Office for the District Attorney's Sexual Assault Intervention Program.

**The Information is as follow:**

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(14) **CONSIDERATION AND AUTHORIZATION TO TRANSFER FUNDS FROM SLOT (15) 100-5120 BUDGET TO SLOT (80) 100-5600. (OL-SHERIFF)**

Commissioner Tamayo moved that the transfer of funds from Slot (15) 100-5120 Budget to Slot (80)100-5600 be

**AUTHORIZED.**

Commissioner Wood seconded the motion and carried unanimously.

Mr. Xavier Villarreal, Budget Officer informed the amount which was being transferred was \$1924.00 dollars.

**The Documentation is as follow:**

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(17) **CONSIDERATION AND AUTHORIZATION TO AWARD BIDS FOR CONSTRUCTION OF PORT ISABEL ANNEX TO ZIWA COMPANY AND AUTHORIZATION TO NEGOTIATE AGREEMENT. (PS-DEPT.OF TRANSPORTATION)**

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

The motion was seconded by Commissioner Wood and carried unanimously.

**The Information follows:**

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**(18) CONSIDERATION AND POSSIBLE ACTION REGARDING  
THE CONSTRUCTION OF THE ARROYO CITY FIRE/LAW  
ENFORCEMENT SUBSTATION. (COMM. COURT)**

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

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- (16) **CONSIDERATION AND POSSIBLE AUTHORIZATION TO DRAFT REQUEST FOR PROPOSALS (RFP) FOR MEDICAID ELIGIBILITY SERVICES FOR THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES MATERNITY PROGRAM. (YS-HEALTH)**

Upon motion by Commissioner Tamayo this item was **APPROVED**.

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## **ACTION ITEMS**

- (3) **BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.**
- (4) **APPROVAL OF CLAIMS.**

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

**The Information is as follow:**

## **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**

Commissioner Tamayo moved that moved that the "Travel and Consent Items" be approved excluding item

No. 25(Action taken separately) and that item No. 29 be approved subject to Legal Review.

The motion was seconded by Commissioner Wood and carried unanimously.

- (19) **CONSIDERATION AND APPROVAL OF WEB BANKING EMPLOYEES FORMS WITH FIRST NATIONAL BANK TO ALLOW THE CAMERON COUNTY DISTRICT ATTORNEY TO DESIGNATE THE 4 SPECIFIED INDIVIDUALS WITHIN HIS OFFICE TO PERFORM THE "AUTHORIZED FUNCTIONS." (EG-TREASURER)**
- (20) **CONSIDERATION AND AUTHORIZATION FOR THE DISTRICT CLERK'S OFFICE TO AMEND THE CONTRACT (04-C0078) BETWEEN THE OFFICE OF THE ATTORNEY GENERAL AND THE DISTRICT CLERK'S OFFICE – CHILD SUPPORT DIVISION. (ADLG-DISTRICT CLERK)**  
The Contract is as follow:
- (21) **CONSIDERATION AND APPROVAL FOR THE PURCHASE OF CELLULAR PHONE SERVICE AND PHONE FOR CONSTABLE PRECINCT NO. 4 OFFICE. (RL-CONSTABLE PCT. 4)**
- (22) **CONSIDERATION AND POSSIBLE ADOPTION OF ORDER REGARDING UTILIZATION OF SOLID WASTE SERVICES IN THE UNINCORPORATED AREAS OF CAMERON COUNTY, PURSUANT TO V.T.C.A., HEALTH & SAFETY CODE, SEC. 364.034. (RB-LEGAL)**  
The Order is as follow:
- (23) **CONSIDERATION AND ACTION FOR APPROVAL TO ENTER INTO A CONTRACT FOR THE PURCHASE OF THE ES & S AUTOMARK, AN UPGRADE TO THE COUNTY'S EXISTING OPTICAL SCAN VOTING SYSTEM, AND THE MODEL 100, PCT. COUNTER FROM ELECTION SYSTEMS AND SOFTWARE TO SATISFY THE VOTING SYSTEM COMPLIANCE REQUIREMENTS OF THE HELP AMERICA VOTE ACT. (RO-ELECTIONS)(Subject to Legal Review)**  
The Contract is as follow:
- (24) **CONSIDERATION AND AUTHORIZATION TO WORK WITH LOCAL TASK FORCE ON MENTAL HEALTH PATIENT TRANSPORT REGARDING ESTABLISHING COUNTY PROGRAM. (COMM. COURT)**
- (25) **CONSIDERATION AND POSSIBLE APPROVAL OF LONG TERM LEASE WITH THE ROMAN CATHOLIC DIOCESE FOR THE USE OF THE Santa Maria CATHOLIC CHURCH AS A HISTORICAL MUSEUM. (DJV-LEGAL)(Action taken separately)**  
The Lease is as Follow:
- (26) **CONSIDERATION AND SELECTION OF LONG, CHILTON, L.L.P., TO PROVIDE A COMPREHENSIVE ANNUAL REPORT, PURSUANT TO RFP #1220 (INDEPENDENT AUDITORS) AND AUTHORIZATION TO NEGOTIATE AGREEMENT. (COMM. COURT)**
- (27) **CONSIDERATION AND APPOINTMENT OF REYNALDO RAMIREZ FOR RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 4 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S**



**PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OF THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES)**

- (28) CONSIDERATION AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND PATRICIA CORLETTA TO PROVIDE OFFICE MANAGEMENT AND PROFESSIONAL SECRETARIAL SUPPORT FOR THE SAN ANTONIO HIDTA OFFICE. (AV-DA)**

**The Agreement is as follow:**

- (29) CONSIDERATION AND AUTHORIZATION TO PURCHASE "COURTNOTIFY SUBPOENA MANAGEMENT SYSTEM," FROM ORION COMMUNICATION INC. AND DESIGNATION AS A SOLE SOURCE PROVIDER. (AV-DA)(Action taken separately)**

- (30) CONSIDERATION AND APPROVAL TO ATTEND SEMINAR ON INDIGENT DEFENSE REGIONAL TRAINING FOR GRANTS AND EXPENDITURES REPORTS. (MY-AUDITOR)**

- (31) CONSIDERATION AND APPROVAL OF PURCHASING OF EQUIPMENT FOR SOUTH TEXAS HIDTA PROGRAM UTILIZING STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) PURCHASING AGREEMENT. (MY-AUDITOR)**

- (32) CONSIDERATION AND AUTHORIZATION TO EXCHANGE AND PURCHASE SIX SIDEARMS WITH ACCESSORIES FOR CONSTABLE PRECINCT NO. 4 DEPARTMENTS. (RL-CONSTABLE PCT.4)**

- (33) CONSIDERATION AND APPROVAL OF TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 725131 FOR THE WL SALADO COLONIA MAINE ROAD AREA SANITARY SEWER PROJECT. (FB-PD&M)**

**The Contract is as follow:**

- (34) CONSIDERATION AND AUTHORIZATION TO AWARD LOW BID FOR MATERIALS FOR THE COLONIA CORONADO AND HARRIS TRACT FIRST TIME WATER PROJECT (TCDP CONTRACT NO. 724055). (FB-PD&M)**

- (35) CONSIDERATION AND AUTHORIZATION TO ACCEPT GRANT NO. JA-05-J20-18009-01 FROM THE GOVERNOR'S OFFICE FOR THE DISTRICT ATTORNEY'S SEXUAL ASSAULT INTERVENTION PROGRAM. (COMM. COURT)(action taken separately)**

- (36) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**

**A. PRECINCT NO. 4- RENE ESTRADA SUBDIVISION PHASE II, BEING 18.473 ACRES, MORE OF LESS, BEING ALL OF LOTS 1 AND 3, RENE ESTRADA SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN CABINET 1, SLOT 1943-A AND 1943-B, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

## TRAVEL ITEMS

**(37) 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. District Attorney and employees, to attend the "TDCAA'S Annual Criminal & Civil Law Update Seminar" in Corpus Christi, Texas, September 21-23, 2005;
  - B. District Attorney's office employees, to attend the "Texas Association for Court Administration's 29<sup>th</sup> Annual Conference" in Dallas, Texas, October 11-13, 2005;
  - C. District Clerk and Deputy Clerks (3), to attend "The Texas District Court Alliance 5<sup>th</sup> Annual Workshop and (Clerks College) & Texas State Library Records Management Classes for Local Government" in Austin, Texas, September 19-22, 2005;
  - D. Unified Narcotics Intelligence Task Force Employee to attend the "Financial Training Conference" in South Padre Island, Texas, September 27 through -29, 2005;
  - E. Department of Health and Human Services Public Health Technician, LVN, Computer Technician, and Public Health Preparedness Supervisor, to attend the "Training for the National Electronic Disease Surveillance System (NEDSS)" in Austin, Texas, September 14-16, 2005;
  - F. Juvenile Probation employees (3), to attend the "Title IV-E Basic Training" in Austin, Texas, September 19-22, 2005;
  - G. Juvenile Probation employees (2), to attend the "9<sup>th</sup> Balancing Education and Juvenile Justice Conference Partnership for Successful Students" in Austin, Texas, September 8-9, 2005;
  - H. Juvenile Probation employees (2), to attend the "Data Focus Group Meeting of Caseworker 5 and 3<sup>rd</sup> Annual Data Coordinators' Workshop" in Austin, Texas, September 14-16, 2005;
  - I. County Extension Agent, to attend "The HAB Workgroup Meeting" in Corpus Christi, Texas, September 9, 2005;
  - J. PD & M CD Coordinator and Fiscal Analyst/Manager, to attend "The Office of Rural Community Affairs TCDP Project Implementation Training" in South Padre Island, Texas, September 16, 2005;
  - K. PD & M CD Coordinator, to attend "The Office of Colonia Initiatives (OCI) Meeting to discuss The Colonia Action Plan for 2006-2007" in McAllen, Texas, September 28, 2005;
  - L. Chief Park Ranger, to attend "The Texas Police Chief Leadership Series" in Huntsville, Texas, January 22-27, 2006;
  - M. Chief Park Ranger, to attend "A New Chief Development Program" in Huntsville, Texas, October 16-21, 2005;
  - N. Assistant Director of Department of Transportation and County Judge, to discuss County Transportation Projects and other Federal Priorities, in Washington, D.C. , September 21-22, 2005;
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**(25) CONSIDERATION AND POSSIBLE APPROVAL OF LONG TERM LEASE WITH THE ROMAN CATHOLIC DIOCESE FOR THE USE OF THE Santa Maria CATHOLIC CHURCH AS A HISTORICAL MUSEUM. (DJV-LEGAL)(TABLED)**

Upon motion by Commissioner Wood and seconded by Commissioner Tamayo this item was **TABLED** and carried as follow:

AYE: Commissioners Benavides, Wood, and Tamayo,

NAY: None

ABSTAIN: Judge Hinojosa

- (20) CONSIDERATION AND AUTHORIZATION FOR THE DISTRICT CLERK'S OFFICE TO AMEND THE CONTRACT (04-C0078) BETWEEN THE OFFICE OF THE ATTORNEY GENERAL AND THE DISTRICT CLERK'S OFFICE – CHILD SUPPORT DIVISION. (ADLG-DISTRICT CLERK)**  
**The Contract is as follow:**

- (22) CONSIDERATION AND POSSIBLE ADOPTION OF ORDER REGARDING UTILIZATION OF SOLID WASTE SERVICES IN THE UNINCORPORATED AREAS OF CAMERON COUNTY, PURSUANT TO V.T.C.A., HEALTH & SAFETY CODE, SEC. 364.034. (RB-LEGAL)**  
**The order is as follow:**

- (23) **CONSIDERATION AND ACTION FOR APPROVAL TO ENTER INTO A CONTRACT FOR THE PURCHASE OF THE ES & S AUTOMARK, AN UPGRADE TO THE COUNTY'S EXISTING OPTICAL SCAN VOTING SYSTEM, AND THE MODEL 100, PCT. COUNTER FROM ELECTION SYSTEMS AND SOFTWARE TO SATISFY THE VOTING SYSTEM COMPLIANCE REQUIREMENTS OF THE HELP AMERICA VOTE ACT. (RO-ELECTIONS)(Subject to Legal Review)**  
**The Contract is as follow:**

- (25) **CONSIDERATION AND POSSIBLE APPROVAL OF LONG TERM LEASE WITH THE ROMAN CATHOLIC DIOCESE FOR THE USE OF THE Santa Maria CATHOLIC CHURCH AS A HISTORICAL MUSEUM. (DJV-LEGAL)(Action taken separately)**  
**The Lease is as Follow:**

- (33) **CONSIDERATION AND APPROVAL OF TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO. 725131 FOR THE WL SALADO COLONIA MAINE ROAD AREA SANITARY SEWER PROJECT. (FB-PD&M)**  
**The Contract is as follow:**



## **EXECUTIVE SESSION**

Upon motion by Commissioner Tamayo, seconded by Commissioner \_\_Wood and carried unanimously, the

Court met in Executive Session at 11:25A.M. to discuss the following matters:

**(38) EXECUTIVE SESSION:**

- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, APPROVAL OF SETTLEMENT AGREEMENT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A) (B) & (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 ISSUES INVOLVING SOLID WASTE COLLECTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) (2).**
  - D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
  - E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE PROPOSED SOLID WASTE MANAGEMENT FACILITY SITE EAST OF LOS FRESNOS PROPOSED BY CONSOLIDATED WASTE INDUSTRIES, INC., PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (A) & (2).**
  - F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE PROPOSED AGREED ORDER FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REGARDING DOCKET NO. 2002-1339-MLM-E: ENFORCEMENT CASE NO. 5915, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071 (1) (B).**
  - G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAUSE NO. 2001-08-3600-G CAMERON COUNTY VS. FIRST NATIONAL BANK OF EDINBURG, FOR AUTHORITY TO NON SUIT THE REMAINING CAUSES OF ACTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1) (A).**
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**(39) ACTION RELATIVE TO EXECUTIVE SESSION**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Court reconvened into Regular Session at 12:02 P.M. to discuss the following matters:

- A. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, APPROVAL OF SETTLEMENT AGREEMENT.**

**B. 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 Tamayo, seconded by Commissioner Wood and carried unanimously, these items were **TABLED**.

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**C. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE ISSUES INVOLVING SOLID WASTE COLLECTION.**

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

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**D. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT.**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously the status report by Legal Counsel was acknowledged and the authorization was given to go out for appraisals on 5 tracts of land on 12<sup>th</sup> street.

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**E. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE PROPOSED SOLID WASTE MANAGEMENT FACILITY SITE EAST OF LOS FRESNOS PROPOSED BY CONSOLIDATED WASTE INDUSTRIES, INC..**

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

Commissioner Wood seconded the motion and carried unanimously.

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**F. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING THE PROPOSED AGREED ORDER FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REGARDING DOCKET NO. 2002-1339-MLM-E: ENFORCEMENT CASE NO. 5915.**

Commissioner Wood moved that Legal Counsel be authorized to review of agreed Order and execution of the same by County Judge be authorized and that the Settlement Agreement be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**G. CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAUSE NO. 2001-08-3600-G CAMERON COUNTY VS. FIRST NATIONAL BANK OF**

**EDINBURG, FOR AUTHORITY TO NON SUIT THE REMAINING CAUSES ACTION,  
PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)**

Commissioner Tamayo moved that Legal Counsel be authorized to file for non-suit in the event that it is a mutual non-suit.

The motion was seconded by Commissioner Wood and carried unanimously.

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**(15) CONSIDERATION AND POSSIBLE APPROVAL OF AN  
AGREEMENT WITH THE HEALTH SERVICES DISTRICT.  
(DJV-LEGAL)**

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

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There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the meeting was **ADJOURNED** at 12 :05P.M.

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**APPROVED** this 8<sup>th</sup> day of DECEMBER 2005.

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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**