

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 18<sup>th</sup> day of OCTOBER 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 Pedro "Pete" Benavides at 9:30 A.M. He 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 this 14<sup>th</sup> day of October 2005, at 3:10 P.M.:

(1) **PUBLIC COMMENTS**

None was presented.

**ACTION ITEMS**

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

Mr. Xavier Villarreal, Budget Officer, informed that a late request was made for \$10,000.00 for the Cameron County Library System Budget to enable wireless internet access throughout all countywide libraries and requested direction from the Court.

Mr. Remi Garza, County Administrative Assistant, recommended that a presentation be made during a later meeting.

Upon motion by Commissioner Benavides, 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) APPROVAL OF CLAIMS.**

Judge Hinojosa noted the need to issue a check to Red River Service Corporation on a regular basis as payments are received by the water supply corporations.

Mr. Mark Yates, County Auditor, agreed that payment could be issued upon receipt of data allowing that funds be booked and noted the need to have a loan arrangement with Fund 80 to distribute payment.

Judge Hinojosa noted the need to make sure that Red River Service Corporation receives payment as soon.

Commissioner Benavides moved that the Claims be approved.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Claims are as follows:**

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**(4) CONSIDERATION AND AUTHORIZATION TO INCREASE PETTY CASH FUNDS AT VARIOUS COUNTY TAX BRANCH OFFICES. (MY-AUDITOR)**

Upon motion by Commissioner Benavides, seconded by Commissioner Wood and carried unanimously, the increase to petty cash funds at various County Tax Branch Offices was authorized.

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**(8) CONSIDERATION AND AUTHORIZATION FOR THE CAMERON COUNTY PROGRAM DEVELOPMENT DEPARTMENT TO CONDUCT A PUBLIC HEARING ON OCTOBER 25, 2005 FOR THE PURPOSE OF SUBMITTING ONE OR MORE GRANT APPLICATION TO THE 2005 TEXAS COMMUNITY DEVELOPMENT PROGRAM COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM. (FB-PD & M)**

Commissioner Tamayo moved that the Cameron County Program Development Department be authorized to conduct a Public Hearing on October 25, 2005 for the purpose of submitting one or more grant application to the 2005 Texas Community Development Program Colonia Economically Distressed Areas Program.

The motion was seconded by Commissioner Wood and carried unanimously.

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**(16) IN THE MATTER REGARDING CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING RFP/RFQ FOR: (MF-PURCHASING)**  
**A. POSSIBLE DEVELOPMENT OF HOTEL ON 6.6 ACRES (APPROX.) OF CAMERON COUNTY PROPERTY LOCATED WITHIN ANDY BOWIE PARK ON SOUTH PADRE ISLAND, TEXAS – RFP #050901 AND POSSIBLE SELECTION OF EVALUATION COMMITTEE MEMBERS BY COMMISSIONERS COURT. (REJECTED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, all proposals submitted for possible development of hotel on 6.6 acres (approx.) of Cameron County Property located within Andy Bowie Park on South Padre Island, Texas, -- RFP #050901, were **REJECTED**.

## 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 the "Travel and Consent Items" be approved, with exception of Items No. 9 and 16.

The motion was seconded by Commissioner Benavides and carried unanimously.

- (9) **IN THE MATTER REGARDING AUTHORIZATION TO ALLOW THE SOUTH PADRE ISLAND POLICE DEPARTMENT VIEW ACCESS ONLY TO THE CAMERON COUNTY DISTRICT CLERK'S OFFICE CRIMINAL CASE MANAGEMENT SYSTEM. (ADLG-DISTRICT CLERK) (ACTION TAKEN SEPERATELY)**
  
- (10) **APPROVAL OF LEASE AGREEMENT RENEWAL FOR OFFICE SPACE BETWEEN CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE AND THE LONE STAR NATIONAL BANK. (AV-DA)**  
**The Agreement is as follows:**
  
- (11) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES REGIONAL AND LOCAL SERVICES SECTION TO PROVIDE ESSENTIAL PUBLIC HEALTH SERVICES IN CAMERON COUNTY. (YS-HEALTH)**  
**The Agreement is as follows:**
  
- (12) **APPROVAL OF ENGINEERING SERVICES AGREEMENT WITH AMBIOTEC CIVIL ENGINEERING GROUP FOR DESIGN AND DEVELOPMENT OF THE BROWNE ROAD PHASE OF THE EL SALADO COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM WASTEWATER PROJECT IN CAMERON COUNTY PRECINCT NO. 1 (TCDP CONTRACT NO. 724175). (FB-PD & M)**  
**The Agreement is as follows:**
  
- (13) **APPROVAL OF ENGINEERING SERVICES AGREEMENT WITH AMBIOTEC CIVIL ENGINEERING GROUP FOR DESIGN AND DEVELOPMENT OF THE SOUTHMOST ROAD PHASE OF THE EL SALADO COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM WASTEWATER PROJECT IN CAMERON COUNTY PRECINCT NO. 1 (TCDP CONTRACT NO. 724185). (FB-PD & M)**  
**The Agreement is as follows:**
  
- (14) **APPROVAL FOR INTERLOCAL COOPERATION AGREEMENT AND MEMORANDUM OF UNDERSTANDING FOR CAMERON COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM. (TR-JUVENILE)**  
**The Agreement is as follows:**
  
- (15) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ FOR: (MF-PURCHASING)**
  - A. **PAPER: COPIER & ENVELOPES – ANNUAL BID #2460**
  - B. **SAFETY SHOES – ANNUAL BID #2620**
  - C. **TELEVISION BROADCASTING – ANNUAL BID #1830**
  - D. **TIRE REPAIRS – ANNUAL BID #1850**
  - E. **VOTING SUPPLIES – ANNUAL BID #2680**
  
- (16) **IN THE MATTER REGARDING AUTHORIZATION TO OPEN THE FOLLOWING RFP/RFQ FOR: (MF-PURCHASING)**
  - A. **POSSIBLE DEVELOPMENT OF HOTEL ON 6.6 ACRES (APPROX.) OF CAMERON**

**COUNTY PROPERTY LOCATED WITHIN ANDY BOWIE PARK ON SOUTH PADRE ISLAND, TEXAS – RFP #050901 AND POSSIBLE SELECTION OF EVALUATION COMMITTEE MEMBERS BY COMMISSIONERS COURT (ACTION TAKEN SEPERATELY)**

- (17) **AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR EAGLE ESTATES SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (18) **AUTHORIZATION FOR FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**  
A. **PRECINCT NO. 4- RENE ESTRADA SUBDIVISION PHASE II, BEING 18.473 ACRES, MORE OR LESS, BEING ALL OF LOTS 1 AND 3, RENE ESTRADA SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET 1, SLOT 1943-A AND 1943-B, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

**TRAVEL ITEMS**

- (19) **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) Constable Precinct No. 7, To Travel To Galveston, Tx, On 10/16-21/05, To Attend 2005-2006 Management & Civil Process For Supervisors.
- (B) District Attorney's Office And Employee, To Travel To Laredo, Tx, On 10/19/05, To Attend Hidta – Swb Hidta Executive Board Meeting.
- (C) District Clerk And Deputy Clerks (2), To Travel To Horseshoe Bay, Tx, On 11/2-4/05, To Attend The Collecting Court Fines & Fees Winter Workshop & Training Session.
- (D) Juvenile Probation Employees (4), To Travel To Austin, Tx, On 11/15-17/05, To Attend “Strengthening Youth And Families: Ideas, Tools And Practices For Success.”
- (E) Juvenile Probation Director, To Travel To Austin, Tx, On 10/10-11/05, To Attend “Meeting With Dwight Harris And Williamson Director.”
- (F) Sheriff's Department Employees (2), To Travel To Houston, Tx, On 10/23-26/05, To Attend Practical Homicide Investigation: Tactics, Procedures And Forensic Techniques, Third Edition And Practical Homicide Investigation: Checklist And Field Guide.
- (G) Extension Office Agent, To Travel To El Campo, Tx, On 11/8-10/05, To Attend The South Region 4-H University Conference.
- (H) County Judge Employee, To Travel To San Antonio, Tx, On 10/19/05, To Attend The Texas Border Infrastructure Coalition Meeting.
- (I) County Judge Employee, To Travel To Austin, Tx, On 10/21/05 To Attend The Mental Health Association Of Texas Annual Meeting.

- (10) APPROVAL OF LEASE AGREEMENT RENEWAL FOR OFFICE SPACE BETWEEN CAMERON COUNTY DRUG ENFORCEMENT TASK FORCE AND THE LONE STAR NATIONAL BANK. (AV-DA)**  
**The Agreement is as follows:**

- (11) APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES REGIONAL AND LOCAL SERVICES SECTION TO PROVIDE ESSENTIAL PUBLIC HEALTH SERVICES IN CAMERON COUNTY. (YS-HEALTH)**

**The Agreement is as follows:**



- (12) **APPROVAL OF ENGINEERING SERVICES AGREEMENT WITH AMBIOTEC CIVIL ENGINEERING GROUP FOR DESIGN AND DEVELOPMENT OF THE BROWNE ROAD PHASE OF THE EL SALADO COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM WASTEWATER PROJECT IN CAMERON COUNTY PRECINCT NO. 1 (TCDP CONTRACT NO. 724175). (FB-PD & M)**  
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**The Agreement is as follows:**

- (14) **APPROVAL FOR INTERLOCAL COOPERATION AGREEMENT AND MEMORANDUM OF UNDERSTANDING FOR CAMERON COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM. (TR-JUVENILE)**  
**The Agreement is as follows:**

## EXECUTIVE SESSION

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 9:46 A.M. to discuss the following matters:

### **(15) 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 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).
- (D) Confer With Commissioners' Court Legal Counsel Concerning Issues Relating To The 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 Lease Issues With The Catholic Dioceses Involving The Santa Maria County Park And The Santa Maria Catholic Church, Pursuant To V.T.C.A. Government Code, Section 551.071(2).

### **(21) ACTION RELATIVE TO EXECUTIVE SESSION**

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 10:08 A.M. to discuss the following matters:

- (A) **In the matter regarding confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark, approval of settlement agreement. (TABLED)**

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

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- (B) **In the matter regarding 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 Wood, seconded by Commissioner Tamayo and carried unanimously, this Item was **TABLED**.

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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.**

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (D) **Confer with Commissioners' Court Legal Counsel concerning issues relating to the possible acquisition of real property for the Dancy Building Renovation Project.**

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

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- (E) **Confer with Commissioners' Court Legal Counsel concerning Lease issues with the Catholic Dioceses involving the Santa Maria County Park and the Santa Maria Catholic Church.**

NOTE: Judge Hinojosa was not present in Executive Session during discussion of this item.

Commissioner Wood moved that the Status Report by Legal Counsel and PD&M be acknowledged

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

AYE: Commissioners Benavides, Wood, Garza and Tamayo

NAY: None

ABSTAIN: Judge Hinojosa

**The Affidavit is as follows:**

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

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

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(6) **IN THE MATTER REGARDING CONSIDERATION AND POSSIBLE APPROVAL OF AMENDMENT TO LEASE WITH THE ROMAN CATHOLIC DIOCESE DATED JUNE 11, 1992 REGARDING THE PROPERTY USED FOR THE SANTA MARIA COUNTY PARK. (DJV-LEGAL) (REJECTED)**

Commissioner Garza moved that the amendment to the lease with the Roman Catholic Diocese dated June 11, 1992, regarding the property used for the Santa Maria County Park be **REJECTED**.

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

AYE: Commissioners Benavides, Wood, Garza and Tamayo

NAY: None

ABSTAIN: Judge Hinojosa

**The Affidavit is as follows:**

(7) **IN THE MATTER REGARDING 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)  
(REJECTED)**

Commissioner Garza moved that the long term lease with the Roman Catholic Diocese for the use of the Santa Maria Catholic Church as a Historical Museum be **REJECTED**.

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

AYE: Commissioners Benavides, Wood, Garza and Tamayo

NAY: None

ABSTAIN: Judge Hinojosa

**The Affidavit is as follows:**

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There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the meeting was **ADJOURNED** at 10:12 A.M.

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**APPROVED** this 10<sup>th</sup> day of **January 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**