

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 15<sup>th</sup> of NOVEMBER here 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:

1:30 P.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 1:40 P.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 the 10<sup>th</sup> day of November 2005, at 4:29 P.M.:

(1) **PUBLIC COMMENTS**

None was presented.

**ACTION ITEMS**

(12) **CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE 2005 COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM FUND ON BEHALF OF THE CITY OF LA FERIA FOR A SANITARY SEWER PROJECT IN THE NANCY, SOLISENO (A.K.A. RANCH SOLIS) AND SIERRA ALTO COLONIAS IN CAMERON COUNTY PRECINCT NO. 4; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S CHIEF EXECUTIVE OFFICER AND REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**

(13) **CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE 2005 COLONIA ECONOMICALLY DISTRESSED AREAS PROGRAM FUND ON BEHALF OF THE CITY OF LA FERIA FOR A SANITARY SEWER PROJECT IN THE LA FERIA GARDENS COLONIA IN CAMERON COUNTY PRECINCT NO. 4; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S CHIEF EXECUTIVE OFFICER AND REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**

Mr. Frank Bejarano, PD&M Director, reported that the City of La Feria was the only entity that qualifies for these monies.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Resolutions authorizing submission of a Texas Community Development Program Application to the Office of Rural Community Affairs for the 2005 Colonia Economically Distressed Areas Program Fund on behalf of the City of La Feria for a Sanitary Sewer Project in the Nancy, Soliseno (A.K.A. Ranch Solis) and Sierra Alto Colonias in Cameron County Precinct No. 4; and authorizing the County Judge to act as the County's Chief Executive Officer and Representative in all matters pertaining to the county's participation in the Texas Community Development

Program and submission of a Texas Community Development Program application to the Office of Rural Community Affairs for the 2005 Colonia Economically Distressed Areas Program Fund on behalf of the City of La Feria for a Sanitary Sewer Project in the La Feria Gardens Colonia in Cameron County Precinct No. 4; and authorizing the County Judge to act as the County's Chief Executive Officer and Representative in all matters pertaining to the county's participation in the Texas Community Development Program were adopted.

**The Resolutions are as follow:**

(5) **CONSIDERATION AND ACTION REGARDING THE FUTURE USE OF VACATED OFFICE SPACE AT THE COUNTY COURTHOUSE COMPLEX, INCLUDING BUT NOT LIMITED TO, THE OFFICE SPACE FOR THE DISTRICT ATTORNEY, ON THE THIRD FLOOR OF THE ADMINISTRATION BUILDING, 964 E. HARRISON, BROWNSVILLE, TEXAS. (AV-DA)**

Mr. Armando Villalobos, District Attorney, reported that they have been in contact with the County Judge's Office with regards to office space, that they compromised as to the office space in the Law Library and that the Court was soon to relocate to the Dancy Building. He noted the need to act now and to hire the appropriate professionals to determine what will be needed.

Judge Hinojosa asked if Mr. Villalobos wanted to start the planning process at this time and if the entire third floor would be needed by the DA.

Mr. Villalobos responded in the affirmative, and added that Computer Center and the Mail Room would not be affected. He noted the need to have a plan that provides security and to begin the planning process at this time due to the up-coming Holiday Season.

The clarification was made that office space was allocated at the Levi Building in San Benito for the District Attorney's Office.

Judge Hinojosa explained that the third floor was being considered because it might allow for the District Attorney's Office to connect to their present office by making an opening in wall.

Mr. Villalobos reported that some engineers were asked to inspect the building and the plans, and requested authorization to contract for engineering services to determine the feasibility of expanding to the third floor. He noted the need for the Court to plan for their office in order to avoid leasing or borrowing office space.

Commissioner Wood asked what was planned for the fourth floor upon being vacated.

Judge Hinojosa responded that there were no plans; however, the Court had the option to create a family district court or to continue with the special master court since a courtroom with chambers was already available, noting that the use of the additional space could be determined in the near future. He suggested that all family law matters be held on the fourth floor and that the CASA Program be housed from it, as well as staff from the DA's office that works in the related filed, noting that this would be a good use of the fourth floor. Judge Hinojosa stated that there would be questions as to what would happen to the court reporters because the space they presently occupy will be used by the collections department to be implemented for the District Courts and that perhaps space could be identified within the areas to be vacated.

Mr. Villalobos requested that the Court take care of their office because they have a difficult time doing their job due to the lack of office space. He noted that they have many needs that must be met in order to make other departments functional.

Commissioner Benavides asked if the Commissioners Courtroom would be left as the EOC.

Judge Hinojosa responded in the affirmative, and reiterated his suggestion that the fourth floor be used for family law issues upon being vacated.

Commissioner Tamayo moved that the request regarding the future use of vacated office space at the County Courthouse Complex, including but not limited to, the office space for the District Attorney, on the Third Floor of the Administration Building, 964 E. Harrison, Brownsville, Texas, be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

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

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

**The Documents are as follow:**

**(3) APPROVAL OF CLAIMS**

Commissioner Wood moved that the Budget Amendments, Line Item Transfers and/or Salary Schedules be approved.

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

AYE: Commissioners Benavides, Wood, and Garza

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00147637, payable to Laguna Madre Water District, in the amount of \$192.57; and Commissioner Tamayo as to Warrant No. 00148222, payable to Red River Services Corporation, in the amount of \$68,372.54.

**The Claims and affidavits are as follow:**

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- (4) **APPROVAL OF MINUTES FOR:**
- A. **JULY 12, 2005-REGULAR MEETING**
  - B. **JULY 15, 2005-SPECIAL MEETING**
  - C. **JULY 18, 2005-REGULAR MEETING**
  - D. **JULY 26, 2005-SPECIAL MEETING**
  - E. **JULY 29, 2005-SPECIAL MEETING**

Commissioner Benavides moved that the Minutes of July 12, 2005, Regular Meeting, July 15, 2005, Special Meeting, July 18, 2005, Regular Meeting, July 26, 2005, Special Meeting, and July 29, 2005, Special Meeting be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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

Mr. Remi Garza, County Administrative Assistant, reported that the City of Los Fresnos provided \$10,000.00 to be used for legal services expenditures.

Judge Hinojosa explained that the county was collecting money for professional services needed in this matter and noted the need for the County Auditor to allocate it appropriately.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report regarding the proposed development of solid waste management facility in Cameron County was acknowledged

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- (6) **CONSIDERATION AND ADOPTION OF AN ORDER INSTITUTING A CIVIL SERVICE SYSTEM FOR CAMERON COUNTY, TEXAS. (RB-CIVIL)**

Mr. Richard Burst, Commissioners' Court Legal Counsel, explained that the Court has the discretion to appoint a three member Civil Service Commission, one of which shall be appointed chairperson and that Statutes sets out their rotation of terms. He stated that the commission may establish a policy to exclude employees other than those designated by Statute, as was done by Nueces County, yet this is not required.

Commissioner Wood moved that the Order instituting a Civil Service System for Cameron County, Texas, be adopted.

Judge Hinojosa explained the process to be that the Court adopts the system at this time, appoints the Commission within a certain period of time, the Commission has a set period of time to draft rules and procedures to be approved by the Court and then the system is finally instituted. He added that all departments will have an opportunity to provide input to the commission as to what they believe the rules and regulations should read. Judge Hinojosa stated that it was time to institute a Civil Service System that will be of benefit to the county because litigation costs can be significantly decreased and a much better system in terms operation will appear. He stated that the Commission can review the issue of excluding employees and present recommendation to the Court.

Commissioner Garza asked how the commissioners will be appointment.

Sheriff Omar Lucio requested to be allowed to present some form of input.

Judge Hinojosa hoped that the commissioners to be appointed will have public hearings and gather input from all three segments of the county system (management; elected officials; employees) and use it to draft the rules and regulation. He added that the Human Resources Director and Commissioners' Court Legal Counsel would be closely involved in the process, and recognized the need to obtain the sheriff's input due to the number and type of employees.

Mr. Burst noted the need to determine a timeline.

Commissioner Garza requested that Mr. Burst explain the process for appointing the commissioners.

Mr. Burst explained that the gentlemen's agreement done by the Court was that each commissioner would be unanimously appointed.

Commissioner Wood explained his recollection of the agreement was that each court member would recommend names in order to agree unanimously.

Commissioner Garza expressed concern with the ability to unanimously agree and hoped that there be consideration in order to have a balanced of individuals serving on the commission.

Commissioner Tamayo stated that the process would take time and suggested that each name submitted be accompanied by reasons why he/she was being recommended.

Judge Hinojosa asked if there were certain criteria to be followed in considering individuals. He suggested that each slot be categorized as done by the National Labor Relations Board, which is a three member Board, one being from: labor, management and one from either side in order to ensure representation of each category.

Mr. Armando Villalobos, District Attorney, advised that the salaries of law enforcement staff must be increased upon implementation of the Civil Service System because requirements will also be increased.



Judge Hinojosa stated that during Sheriff Lucio's first term, the sheriff and he pushed for big salary increases for sheriff deputies and were successful, and that perhaps the issue must be revisited because the sheriff is encountering difficulty in recruiting personnel to fill vacant positions, including Detention Officer Positions.

Mr. Villalobos expressed support for the Civil Service System, and noted the need to understand that implementing it was a major project because it will require the need for funding additional in the Sheriff's Department to increase requirements and professionalism in order to make the system work properly.

Judge Hinojosa stated that if anyone has standing to request additional funds for salaries, it was the Sheriff's Department given what has happened with the federal inmates; thus expressed support.

Commissioner Garza asked if the court would consider having Commissioners Benavides and Wood recommend one name, Judge Hinojosa recommend another name and Commissioner Tamayo and he recommend another name.

Commissioner Wood commented that this was not what was previously agreed upon.

Judge Hinojosa suggested that each member present five names that will be exchanged and narrowed down to three persons. He stated that he believes that the court can agree on the appointments as was done with the RMA Directors, and noted the need to have confidence that each member will exercise good judgment in recommending someone that will be good for the county. Judge Hinojosa reiterated his recommendation that each slot be designated in order to ensure representation of employees.

Mr. Burst explained the criteria for the positions to be that the individuals must be at least 25 years old, be a minimum of three years resident of county and that no member of the court may serve on the commission unless the county has a population exceeding 1.8 million.

Judge Hinojosa asked if a county employee may serve on the commission.

Mr. Burst responded in the affirmative, and reiterated that the Court designates the chairperson. He clarified that once the system was adopted it would be in place permanently without a probation period.

Judge Hinojosa stated that the system does not go into effect until the rules and regulations are in place.

Mr. Burst agreed and explained that an order was drafted. He noted the need to set a timeline for the commission to be appointed, to allow time for the commission to establish the rules and regulations and to set an effective date for the Civil Service Commission.

Judge Hinojosa suggested that January 31, 2006, be set as deadline to appoint the commission, and that June 1, 2006 be set as deadline for the Civil Service System to be effective.

Mr. Manuel Villarreal, Human Resources Director, noted the need to obtain the testing material, and agreed with the June 1, 2006 deadline.

Upon motion duly made by Commissioner Wood that the Order instituting a Civil Service System for Cameron County, Texas, be adopted.

The motion was seconded by Commissioner Garza and carried unanimously.

**The Order is as follows:**

**(8) IN THE MATTER REGARDING CONSIDERATION AND ACTION REGARDING THE PURCHASE OF A PORTABLE BUILDING /WAREHOUSE FOR USE AS A PRECINCT BARN OR FOR GENERAL STORAGE. (PB-COMM. PRECINCT 1) (TABLED)**

Reverend Bob Clark, Brownsville resident, briefed as to the details of the building in question, and indicated that there was a need at the Social Service Building at Browne Road Park. He stated that the building was quoted at \$30,000.00 plus all additional features, that relocating the building would cost \$30,000.00 and that a concrete slab needed would cost \$30,000.00.

NOTE: JUDGE HINOJOSA STEPPED OUT AT THIS TIME.

Reverend Clark indicated that the building was presently located near Olmito off of FM 1732 on a property recently sold.

Commissioner Tamayo suggested that the owners be asked if they could donate the building.

Reverend Clark agreed and stated that the donation would be proposed since he could provide a letter to the owner to right off part of the cost based on his 2013C. He stated that the owner has not been consulted; therefore, he proposed that action be delayed in order to explore the possibility of having the building donated.

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

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**(9) DISCUSSION OF HEALTH PLAN 3<sup>RD</sup> PARTY ADMINISTRATOR AGREEMENT. (MV-HUMAN RESOURCES)**

Mr. Manuel Villarreal, Human Resources Director, reported that the agreement in place was on a three year term with an option to renew for the forth year, and requested direction on whether to begin the timely process now or if the court would like to have a report.

Commissioner Garza requested an annual actuary report regarding the status of the 3<sup>rd</sup> Party Administrator.

Mr. Mark Yates, County Auditor, stated that a report could be compiled in about three weeks.

Commissioner Garza requested minutes of each meeting of the Insurance Committee.

Commissioner Tamayo moved that the discussion regarding the Health Plan 3<sup>rd</sup> Party Administrator Agreement be acknowledged.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(10) CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.024(A) (4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A COMPANY TO OPERATE THE JAIL INFIRMARY. (YS-HEALTH)**

Mrs. Dylbia L. Jeffries, Contract Attorney, stated that a similar item would be placed when a department wants to contract for professional services if they fall within an exception of competitive requirements. She explained that the Department of Health and Human Services wants to request proposals for operation of the jail infirmary and that said services fall within the exemption.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the possible finding of an exemption under V.T.C.A., Local Government Code, Section 262.024(A)(4) from the competitive requirements for certain purchases by a county in reference to contracting with a company to operate the Jail Infirmary was approved.

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**(11) CONSIDERATION AND AUTHORIZATION TO ALLOW THE PARK SYSTEM TO UTILIZE THE BETTERMENT FUNDS ALLOTTED IN THE CONTRACT BETWEEN JAMAIL CONSTRUCTION AND CAMERON COUNTY (PARKS AND RECREATION). (JM-PARK SYSTEM)**

Mr. Javier Mendez, Parks & Recreations Department Director, stated that the insulation of the septic system for the Social Service Building at Browne Road Park must be bid out. He stated that he was planning to use the allotted Betterment Fund, totaling \$50,000.00, for the contract with Jamail Construction, and that the total anticipated cost equals the \$50,000.00 since allowances were available in the event that change orders may be needed.

Commissioner Garza expressed concern in using the betterment fund.

Mr. Mendez explained that the money could be used to fund insulation of the septic system and fund any change order from fund balance, noting that either way the fund balance might have to be used. He explained that the septic system was needed because the Brownsville Public Utility Board would not complete their proposed station to provide services by the time the certificate of completion obtained.

Commissioner Wood asked if the septic system was not included in the bid already since it was listed as substitute for parking lot within the back-up material, at a cost of \$111,000.00.

Mr. Mendez responded that the matter was included to show the correspondence between the architect and the county and the total cost of \$1.9 million; however, the contract was for the \$1.5 base bid. He presented a letter from the architect indicating that he does not foresee a problem using the betterment fund and recommended approval.

NOTE: JUDGE HINOJOSA JOINED THE MEETING AT THIS TIME.

Commissioner Tamayo moved that the Park System be authorized to utilize the Betterment Funds allotted in the contract between Jamail Construction and Cameron County (Park and Recreation), as recommended by the Parks & Receptions Director.

The motion was seconded by Judge Hinojosa and carried unanimously.

**The Report is as follows:**

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(14) **CONSIDERATION AND POSSIBLE ACTION REGARDING ADDITIONAL RESPONSIBILITIES TO BE ASSUMED BY GEOGRAPHIC INFORMATION SYSTEM COORDINATOR AND CARTOGRAPHER AND SALARY ADJUSTMENTS. (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the additional responsibilities to be assumed by Geographic Information System Coordinator and Cartographer and salary adjustments of \$7,500.00 for the Geographic Information System Coordinator and of \$4,500.00 for the Cartographer were approved.

**The Salary Schedules are 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**

DISCUSSION CONCERNING THE FOLLOWING CONSENT AND TRAVEL ITEMS:

ITEM NO. 36: Mr. Pete Sepulveda, Department of Transportation Director, requested that this item be tabled.

ITEM NO. 33: Mr. Javier Mendez, Parks & Recreations Department Director, recommended that Mike Forbes, Purchasing Agent; Xavier Villarreal, Budget Officer, Pete Sepulveda, Department of Transportation Director, a member of the Parks Advisory Board and he form the committee.

Commissioner Benavides moved that the "Travel and Consent Items" be approved, inclusive of the recommended committee and that Item No. 36 be **TABLED**.

The motion was seconded by Commissioner Garza and carried unanimously.

- (15) **APPOINTMENT OF MS. MINNIE MARTINEZ AS THE CAMERON COUNTY REPRESENTATIVE TO AMIGOS DEL VALLE BOARD OF DIRECTORS. (COMM. COURT)**

**The Resolution is as follows:**

- (16) **APPROVAL OF A RESOLUTION HONORING ISABEL CARDENAS ON THE OCCASION OF HER RETIREMENT. (COMM. COURT)**

**The Resolution is as follows:**

- (17) **POSSIBLE ACTION TO ACCEPT THE 2005 HOMELAND SECURITY GRANT AWARD, INCLUDING AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE THE SUB-RECIPIENT AGREEMENT AND ACTION DIRECTING THE COUNTY TREASURER TO SUBMIT THE DIRECT DEPOSIT FORM TO STATE AUTHORITIES. (TH-EMERGENCY MANAGEMENT)**

**The Agreement is as follows:**

- (18) **APPROVAL OF INFIRMARY REQUEST FOR PROPOSAL (RFP) FOR MEDICAL SERVICES. (YS-HEALTH)**

- (19) **APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE UNIVERSITY OF TEXAS AT BROWNSVILLE (UTB) TO ALLOW STUDENTS ENROLLED IN THE RESPECTIVE NURSING PROGRAMS TO OBTAIN EDUCATIONAL EXPERIENCE THROUGH THE CLINICAL ROTATIONS OF THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES CLINIC SITES. (YS-HEALTH)**

**The MOU is as follows:**

- (20) **AUTHORIZATION TO OBTAIN A CELLULAR PHONE AND SERVICE FOR THE SPECIAL NEEDS DIVERSIONARY PROGRAM SUPERVISOR TO BE PURCHASED USING TEXAS COMMISSION ON MENTALLY IMPAIRED GRANT FUNDS. (TR-JUVENILE)**

- (21) **AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF THE EL SALADO COLONIA MAINE ROAD AREA SANITARY SEWER PROJECT (TCDP CONTRACT NO. 725131). (FB-PD & M)**

- (22) APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS AUTHORIZING SIGNATORIES FOR DRAWDOWNS ON GRANT FUNDS FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)  
The Resolution is as follows:
- (23) APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING EDUCATION AND TRAINING PROJECT AND CONTINUE ITS PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL. (FB-PD & M)  
The Resolution is as follows:
- (24) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH LETICIA BARGUIARENA TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 197<sup>TH</sup> DISTRICT COURT. (DJV-LEGAL)  
The contract is as follows:
- (25) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH JACQUELINE REYNOLDS TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 197<sup>TH</sup> DISTRICT COURT. (DJV-LEGAL)  
The contract is as follows:
- (26) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH ENRIQUE JUAREZ TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 197<sup>TH</sup> DISTRICT COURT. (DJV-LEGAL)  
The contract is as follows:
- (27) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH ALEJANDRO DOMINGUEZ TO PROVIDE LEGAL REPRESENTATION FOR PATIENTS IN MENTAL COMMITMENT HEARINGS. (DJV-LEGAL)  
The contract is as follows:
- (28) AUTHORIZATION TO PURCHASE PHONE SERVICES AND ACCESSORIES, FOR THREE CELL PHONES. (OL-SHERIFF)
- (29) AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND KENNETH L. CADENA, GUNNERY SERGEANT FOR THE U.S. MARINE CORPS. RELATING TO THE USE OF NORTHERN END OF THE ISLAND FOR AMPHIBIOUS TRAINING. (JM-PARK SYSTEM)  
The contract is as follows:
- (30) AUTHORIZATION TO SOLICIT BIDS FOR THE INSTALLATION OF AN ON SITE SEWAGE FACILITY FOR THE BROWNE ROAD – SOCIAL SERVICES BUILDING. (JM-PARK SYSTEM)
- (31) AUTHORIZATION TO AWARD THE FOLLOWING BIDS / RFP / RFQ FOR: (MF-PURCHASING)  
A. TIRES: AUTOMOTIVE, POLICE PATROL, OFF ROAD & HEAVY DUTY – ANNUAL BID #1997 TO FIRESTONE  
The Tabulation is as follows:
- (32) AUTHORIZATION TO AWARD THE FOLLOWING BIDS /RFP / RFQ FOR: (MF-PURCHASING)  
A. VOTING SUPPLIES – ANNUAL BID #2680 TO CAPITAL GRAPHICS, E. S. S.  
The Tabulation is as follows:



- (33) **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.**
- (34) **AUTHORIZATION TO REJECT THE FOLLOWING BIDS /RFP /RFQ FOR: (MF-PURCHASING)**  
A. **IMAGING: DISTRICT ATTORNEY – RFP #1455DA**  
B. **LEASE DC 1, 2 AND OLD JAIL – RFP #040301**  
C. **SHERIFF’S / JAIL MANAGEMENT SOFTWARE – RFP #040101**
- (35) **ACKNOWLEDGEMENT – NO RFP’S RECEIVED FOR THE FOLLOWING: (MF-PURCHASING)**  
A. **PROCESS EVALUATION OF JUVENILE PROBATION WEED & SEED PROGRAM – RFP #051001**  
B. **CAMERON COUNTY INDIGENT HEALTH CARE PROGRAM SERVICES – RFP #050902**
- (36) **IN THE MATTER REGARDING APPROVAL OF EXTENSION OF 30 DAYS TO THE CONTRACT BETWEEN CAMERON COUNTY AND EZ ACCESS FOR BILLING AND COLLECTING OF SOLID WASTE ACCOUNTS. (PS-DEPT. OF TRANSPORTATION) (TABLED)**
- (37) **AUTHORIZATION TO ACCEPT MEADOW RIDGE DR, FAIRFIELD DR., AND ROSEWOOD CR. LOCATED IN INWOOD SUBDIVISION, PRECINCT NO. 2, AS RECORDED IN CABINET 1 PG. 2452-A, 2452-B, & 2453-A OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)**
- (38) **AUTHORIZATION TO ACCEPT ALTA VISTA COURT, MONTE CRISTO COURT, MONTE ALTO COURT AND MONTE VISTA COURT LOCATED IN THE MONTEZUMA ESTATES SUBDIVISION, PRECINCT NO. 4, AS RECORDED IN CABINET 1, 2438-B & 2439-A OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)**
- (39) **AUTHORIZATION TO ACCEPT CALLE RANCHO GRANDE EAST, CALLE SAN ANDRES AND CALLE RANCHO GRANDE NORTH LOCATED IN THE RANCHO GRANDE SOUTH SUBDIVISION SECTION X, PRECINCT NO. 4, AS RECORDED IN CABINET 1, PG. 2383-A, 2383-B & 2384-A OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)**
- (40) **AUTHORIZATION TO ACCEPT NORTH POMELO ROAD CT. LOCATED IN THE NORTH POMELO SUBDIVISION NO. 2, PRECINCT NO. 4, AS RECORDED IN CABINET 1, PG. 2461-B & 2462-A OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)**
- (41) **AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR PELICAN POINTE SUBDIVISION PHASE 11, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (42) **AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR CHELSEA ESTATES SUBDIVISION II, PRECINCT NO. 4, FOR**

**UNBUILT SEPTIC SYSTEMS AND WATER WELLS. (PS-DEPT. OF TRANSPORTATION)**

- (43) **AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR NORTH LOZANO SUBDIVISION, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
- (44) **AUTHORIZATION TO ENTER INTO AN ADVANCE FUNDING AGREEMENT BETWEEN THE STATE OF TEXAS AND THE COUNTY OF CAMERON FOR THE PROPOSED CONSTRUCTION OF GRIMES ROAD FROM FM 106 TO FM 509 IN THE PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION)**  
**The agreement is as follows:**
- (45) **AUTHORIZATION TO ALLOW LAND EXCHANGE OF RIGHTS-OF-WAY BETWEEN THE PORT OF HARLINGEN AUTHORITY AND CAMERON COUNTY IN ORDER TO PROVIDE FOR THE STRAIGHTENING OF THE CURVE ON FM 106 NEAR THE PORT OF HARLINGEN. (PS-DEPT. OF TRANSPORTATION)**  
**The deed is as follows:**
- (46) **APPROVAL OF TIME EXTENSION FROM OCTOBER 20, 2005 TO OCTOBER 20, 2006 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT EAGLE ESTATES SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION).**

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## **TRAVEL ITEMS**

- (47) **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) Department of Health and Human Services Director of Operations to attend the "Texas Indigent Health Care Annual Conference 2005" in Austin, Texas, November 9-11, 2005;
- (B) PD&M CD Coordinator attend the "Lower Rio Grande Valley Development Council Professional Advisory Review Panel Meeting" in Mercedes, Texas, November 9, 2005;
- (C) Two (2) Juvenile Probation Employees to attend the "Monthly TJPC Committee Meetings for the Yearly Drill Instructors Institute Agenda and Training Schedule for July 2006" in Austin, Texas, November 21, 2005, December 12, 2005 and January 23, 2006;
- (D) Justice of the Peace Precinct 2, Place 2, to attend the "Texas Justice Court Training Center" in Austin, Texas, December 13-16, 2005;
- (E) Assistant District Attorney to attend the "National College Of District Attorney's Forensic Evidence Course" in San Antonio, Texas, December 4-8, 2005;
- (F) Health Administrator, Assistant Health Administrator and Public Health Preparedness Supervisor to attend the "2005 Public Health Preparedness Contractor's Technical Assistance Conference" in Austin, Texas, December 5-7, 2005; and
- (G) Sheriff, Chief Deputy and Chief to attend the "2006 Courts and Local Government Technology Conference" in Austin, Texas, January 30 thru February 2, 2006.
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- (15) **APPOINTMENT OF MS. MINNIE MARTINEZ AS THE CAMERON COUNTY REPRESENTATIVE TO AMIGOS DEL VALLE BOARD OF DIRECTORS. (COMM. COURT)**  
**The Resolution is as follows:**

- (16) APPROVAL OF A RESOLUTION HONORING ISABEL CARDENAS ON THE OCCASION OF HER RETIREMENT. (COMM. COURT)**  
**The Resolution is as follows:**

- (17) **POSSIBLE ACTION TO ACCEPT THE 2005 HOMELAND SECURITY GRANT AWARD, INCLUDING AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE THE SUB-RECIPIENT AGREEMENT AND ACTION DIRECTING THE COUNTY TREASURER TO SUBMIT THE DIRECT DEPOSIT FORM TO STATE AUTHORITIES. (TH-EMERGENCY MANAGEMENT)**  
**The Agreement is as follows:**

- (19) APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE UNIVERSITY OF TEXAS AT BROWNSVILLE (UTB) TO ALLOW STUDENTS ENROLLED IN THE RESPECTIVE NURSING PROGRAMS TO OBTAIN EDUCATIONAL EXPERIENCE THROUGH THE CLINICAL ROTATIONS OF THE CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES CLINIC SITES. (YS-HEALTH)**  
**The MOU is as follows:**

- (22) APPROVAL OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS AUTHORIZING SIGNATORIES FOR DRAWDOWNS ON GRANT FUNDS FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS TEXAS COMMUNITY DEVELOPMENT PROGRAM. (FB-PD & M)**  
**The Resolution is as follows:**

- (23) APPROVAL OF A RESOLUTION AUTHORIZING CAMERON COUNTY TO APPLY TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR AN ILLEGAL DUMPING EDUCATION AND TRAINING PROJECT AND CONTINUE ITS PARTNERSHIP WITH THE VALLEY PROUD ENVIRONMENTAL COUNCIL. (FB-PD & M)**

**The Resolution is as follows:**



- (24) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH LETICIA BARGUIARENA TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 197<sup>TH</sup> DISTRICT COURT. (DJV-LEGAL)**  
**The contract is as follows:**

- (25) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH JACQUELINE REYNOLDS TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 197<sup>TH</sup> DISTRICT COURT. (DJV-LEGAL)**  
**The contract is as follows:**

- (26) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH ENRIQUE JUAREZ TO PROVIDE LEGAL REPRESENTATION TO THE INDIGENT DEFENDANTS OF THE 197<sup>TH</sup> DISTRICT COURT. (DJV-LEGAL)**  
**The contract is as follows:**

- (27) APPROVAL OF CONTRACT WITH LEGAL SERVICES WITH ALEJANDRO DOMINGUEZ TO PROVIDE LEGAL REPRESENTATION FOR PATIENTS IN MENTAL COMMITMENT HEARINGS. (DJV-LEGAL)**

**The contract is as follows:**

- (29) AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION) AND KENNETH L. CADENA, GUNNERY SERGEANT FOR THE U.S. MARINE CORPS. RELATING TO THE USE OF NORTHERN END OF THE ISLAND FOR AMPHIBIOUS TRAINING. (JM-PARK SYSTEM)**

**The contract is as follows:**

- (31) AUTHORIZATION TO AWARD THE FOLLOWING BIDS / RFP / RFQ FOR: (MF-PURCHASING)**
- A. TIRES: AUTOMOTIVE, POLICE PATROL, OFF ROAD & HEAVY DUTY – ANNUAL BID #1997 TO FIRESTONE**
- The Tabulation is as follows:**

- (32) AUTHORIZATION TO AWARD THE FOLLOWING BIDS /RFP / RFQ FOR: (MF-PURCHASING)**
- A. VOTING SUPPLIES – ANNUAL BID #2680 TO CAPITAL GRAPHICS, E. S. S.**  
**The Tabulation is as follows:**

- (44) AUTHORIZATION TO ENTER INTO AN ADVANCE FUNDING AGREEMENT BETWEEN THE STATE OF TEXAS AND THE COUNTY OF CAMERON FOR THE PROPOSED CONSTRUCTION OF GRIMES ROAD FROM FM 106 TO FM 509 IN THE PRECINCT NO. 4 AREA. (PS-DEPT. OF TRANSPORTATION)**  
**The agreement is as follows:**



- (45) AUTHORIZATION TO ALLOW LAND EXCHANGE OF RIGHTS-OF-WAY BETWEEN THE PORT OF HARLINGEN AUTHORITY AND CAMERON COUNTY IN ORDER TO PROVIDE FOR THE STRAIGHTENING OF THE CURVE ON FM 106 NEAR THE PORT OF HARLINGEN. (PS-DEPT. OF TRANSPORTATION)**  
**The deed is as follows:**

## **EXECUTIVE SESSION**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 2:53 P.M. to discuss the following matters:

**(48) EXECUTIVE SESSION:**

- (A) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark, approval of settlement agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071(1)(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 Vernon Texas Code Annotated (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 Vernon Texas Code Annotated (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 Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (E) Deliberation regarding Real Property concerning acquisition of Parcel 118, for Primera Road Project in the Primera, Precinct No. 4 area; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (F) Deliberation regarding Real Property concerning acquisition of Parcel 48, for Primera Road Project in the Primera, Precinct No. 4 area; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (G) Deliberation regarding Real Property concerning acquisition of Parcel 55, for Primera Road Project in the Primera, Precinct No. 4 area; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (H) Deliberation regarding Real Property concerning acquisition of Parcel 37, for Primera Road Project in the Primera, Precinct No. 4 area; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (I) Deliberation regarding Real Property concerning acquisition of Parcel 27, for Primera Road Project in the Primera, Precinct No. 4 area; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (J) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404<sup>th</sup> District Court; Cause No. 2002-05-2015-G, for discussion of case status and possible settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (A) & (B);
- (K) Deliberation regarding Real Property located at Andy Bowie County Park "Flats" area, concerning a possible license agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (2) & 551.072;

- (L) Confer with Commissioners' Court Legal Counsel concerning granting an easement at the Los Indios Bridge; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (M) Confer with Commissioners' Court Legal Counsel concerning property issues regarding Lot 26, Block 6 Alamo Heights Subdivision, City of Brownsville (1103 Crockett Avenue); pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072;
- (N) Confer with Commissioners' Court Legal Counsel concerning Roel Gonzalez and Sonia Gonzalez versus Cameron County, Texas and Jesus Villanueva, individually and in his official capacity; Civil Action No. 05-278, for authority to represent Cameron County and authority for County Judge to waive summons; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (1) (A) &(2);
- (O) Confer with Commissioners' Court Legal Counsel concerning claim of ABC Waste Collection, Status, and authority to represent Cameron County; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (1) (A);
- (P) Deliberation regarding Real Property located at 409 E. Harrison Avenue in Harlingen, and being Lot 9, E 12 ½ of Lot 10, Block 73, Harlingen Original Townsite, Precinct No. 4 area; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072; and
- (Q) Deliberation regarding Real Property for the West Rail Project; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 3:53 P.M. to discuss the following matters:

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

- (A) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Faulkner, USA formerly known as Landmark, approval of settlement agreement.**

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (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 Garza, seconded by Commissioner Wood and carried unanimously, Legal Counsel was authorized to proceed with negotiating a contract.

**NOTE: JUDGE HINOJOSA JOINED THE MEETING AT THIS TIME.**

- (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 Garza moved that the Legal Counsel be authorized to negotiate a contract with the experts.

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 Tamayo and carried unanimously, Mr. Frank Bejarano, PD&M Director, was authorized to proceed as discussed in Executive Session.

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- (E) **Deliberation regarding Real Property concerning acquisition of Parcel 118, for Primera Road Project in the Primera, Precinct No. 4 area.**

Commissioner Wood moved that the purchase of Parcel 118, for Primera Road Project in the Primera, Precinct No. 4 area, be authorized for the amount of \$792.00.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (F) **Deliberation regarding Real Property concerning acquisition of Parcel 48, for Primera Road Project in the Primera, Precinct No. 4 area.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the purchase of Parcel 48, for Primera Road Project in the Primera, Precinct No. 4 area, was authorized for the amount of \$1055.00.

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- (G) **Deliberation regarding Real Property concerning acquisition of Parcel 55, for Primera Road Project in the Primera, Precinct No. 4 area.**

Commissioner Wood moved that the purchase of Parcel 55, for Primera Road Project in the Primera, Precinct No. 4 area, be authorized for the amount of \$2,798.00.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(H) Deliberation regarding Real Property concerning acquisition of Parcel 37, for Primera Road Project in the Primera, Precinct No. 4 area.**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the purchase of Parcel 37, for Primera Road Project in the Primera, Precinct No. 4 area, was authorized for the amount of \$1,281.00.

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**(I) Deliberation regarding Real Property concerning acquisition of Parcel 27, for Primera Road Project in the Primera, Precinct No. 4 area.**

Commissioner Benavides moved that the purchase of Parcel 27, for Primera Road Project in the Primera, Precinct No. 4 area, be authorized for the amount of \$3,381.00.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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**(J) Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404<sup>th</sup> District Court; Cause No. 2002-05-2015-G, for discussion of case status and possible settlement.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, Legal Counsel was authorized to settle with some defendants as discussed in Executive Session.

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**(K) Deliberation regarding Real Property located at Andy Bowie County Park "Flats" area, concerning a possible license agreement.**

Commissioner Wood moved that Mr. Javier Mendez, Parks & Receptions Department Director, be authorized to continue research on the use of the flats for concerts.

The motion was seconded by Commissioner Garza and carried unanimously.

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**(L) In the matter regarding confer with Commissioners' Court Legal Counsel concerning granting an easement at the Los Indios Bridge. (TABLED)**

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

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- (M) Confer with Commissioners' Court Legal Counsel concerning property issues regarding Lot 26, Block 6 Alamo Heights Subdivision, City of Brownsville (1103 Crockett Avenue).**

Commissioner Garza moved that the Status Report by the Property Management Department be acknowledged and that they be authorized to demolish.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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- (N) Confer with Commissioners' Court Legal Counsel concerning Roel Gonzalez and Sonia Gonzalez versus Cameron County, Texas and Jesus Villanueva, individually and in his official capacity; Civil Action No. 05-278, for authority to represent Cameron County and authority for County Judge to waive summons.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the County Judge was authorized to sign waiver of summons and Legal Counsel Legal was authorized to represent the County in the litigation.

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- (O) Confer with Commissioners' Court Legal Counsel concerning claim of ABC Waste Collection, Status, and authority to represent Cameron County.**

NOTE: Commissioner Tamayo was not present during discussion of this item.

Commissioner Garza moved that Legal Counsel be authorized to represent Cameron County and that the report by Legal Counsel be accepted.

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

AYE: Commissioner Benavides, Wood, Garza and Judge Hinojosa

NAY: None

ABSTAIN: Commissioner Tamayo

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- (P) Deliberation regarding Real Property located at 409 E. Harrison Avenue in Harlingen, and being Lot 9, E 12 ½ of Lot 10, Block 73, Harlingen Original Townsite, Precinct No. 4 area.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Property Management Department was authorized to proceed as directed in Executive Session for the possible sale of the property in question and to secure the property of Public Works.

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**(Q) Deliberation regarding Real Property for the West Rail Project.**

Commissioner Garza moved that the Status Report by Mr. Pete Sepulveda, Department of Transportation Director, be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at :4:04 P.M.

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**APPROVED** this 24<sup>th</sup> day of January 2006.

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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**