

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 22nd 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:

PRESENT:

9:30 A.M.

GILBERTO HINOJOSA
COUNTY JUDGE

PEDRO "PETE" BENAVIDES
COMMISSIONER PRECINCT NO. 1

JOHN WOOD
COMMISSIONER PRECINCT NO. 2

COMMISSIONER, PRECINCT NO. 3

EDNA TAMAYO
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

Mary Robles Deputy Clerk

ABSENT:

DAVID A. GARZA

The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:30 A.M. He then asked Reverend Bob Clark, Brownsville resident, for the invocation, and he then led the Court and audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on November 18, 2005, at 2:30 P.M.:

(1) **PUBLIC COMMENTS**

None was presented.

ACTION ITEMS

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

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

The documents are as follow:

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- (4) **APPROVAL OF MINUTES FOR:**
A. JULY 19, 2005-REGULAR MEETING
B. AUGUST 2, 2005-REGULAR MEETING
C. AUGUST 9, 2005-REGULAR MEETING
D. AUGUST 10, 2005-SPECIAL MEETING

Commissioner Wood moved that the Minutes of the Regular Meetings held July 19, 2005, August 2, 2005, August 9, 2005 and the Special Meeting held August 10, 2005 be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

NOTE: JUDGE HINOJOSA ARRIVED AT THIS TIME.

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- (5) **APPROVAL OF CLAIMS.**

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Claims were approved.

The Claims are as follow:

(7) CONSIDERATION AND AUTHORIZATION TO IMPLEMENT A PETTY CASH FUND FOR THE SHERIFF'S DEPARTMENT. (OL-SHERIFF)

Commissioner Wood expressed appreciation as to the Sheriff's Department supplying him with information to better understand and support they request.

Commissioner Wood moved that implementation of a Petty Cash Fund for the Sheriff's Department be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(9) CONSIDERATION AND ACTION APPOINTING MR. BRUCE HODGE AS THE REPRESENTATIVE OF THE COMMISSIONERS' COURT LEGAL COUNSEL TO THE CAMERON COUNTY EMPLOYEE BENEFITS/INSURANCE COMMITTEE. (MV-HUMAN RESOURCES)

(10) CONSIDERATION AND APPOINTMENT OF MR. MANNY SAENZ TO CAMERON COUNTY EMPLOYEE BENEFITS/INSURANCE COMMITTEE FOR FY 2005-2006. (JGR-COUNTY CLERK)

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the appointment of Bruce Hodge as the representative of the Commissioners' Court Legal Counsel and Manny Saenz to the Cameron County Employee Benefits/Insurance Committee for Fiscal Year 2005-2006 was authorized.

(11) CONSIDERATION AND APPROVAL OF PERSONNEL POLICY CHANGES ON SECTION 9.03. (MV-HUMAN RESOURCES)

Mr. Manuel Villarreal, Human Resources Director, reported that Legal Counsel prepared a policy that permits reimbursement to jail staff that work 24-7 without being able to take their vacation. He explained that these employees must confirm that vacation leave was requested and denied, that the funds must be available within their budgets and that court approval was required.

Commissioner Wood commented that the issue extends beyond the Sheriff's Department.

Mrs. Dylbia L. Jeffries, Contract Attorney, explained that the policy was limited to departments who have staff around the clock because other departments should not have a problem scheduling vacations.

Commissioner Wood asked how jail staff could be differentiated from other staff with this policy.

Mrs. Jeffries explained that the policy is limited to facilities operated 24 hours, seven days a week.

Judge Hinojosa commented that all scenarios cannot be anticipated in any policy and that arising situations will cause that a policy be revisited and modified, noting that this policy was to address overtime issues at the jail.

Commissioner Wood clarified that each instance would have to come before Commissioners Court and documentation must be provided to prove that the employee was unable to take vacation leave.

Mr. Remi Garza, County Administrative Assistant, suggested that department heads be encouraged to have employees take their leave time because otherwise the cost to the county doubles.

Commissioner Benavides moved that the Personnel Policy changes on Section 9.03 be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Policy is as follows:

(5) **APPROVAL OF CLAIMS.**

At this time, Mr. Mark Yates, County Auditor, presented the following late claims:

Warrant No. 00148945, loan to the CCRMA, in the amount of \$300.00; Warrant No. 00148946, loan to United Narcotics Intelligence, in the amount of \$60,000.00; Warrant No. 00148947, payable to Size Commercial, in the amount of \$1,800.00; and Warrant No. 00148948, payable to State Comptrollers Office, in the amount of \$213.75.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the late claims were approved.

(12) **CONSIDERATION AND APPROVAL OF EXTENSION OF 9 MONTHS TO THE CONTRACT BETWEEN CAMERON COUNTY AND EZ ACCESS FOR BILLING AND COLLECTING OF SOLID WASTE ACCOUNTS. (PS-DEPT. OF TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, reported that in talking with the auditor they concluded that a nine month extension to the EZ Access contract was needed to allow time for a good transition and to be able to customize needed reports that provide information to be submitted to the auditor in a timely manner, adding that in turn the auditor can release payments to Red River Services Corporation. He stated that this project has been a big challenge, that many unanticipated issues that have arisen have been worked out, and that staff from Computer Center has worked very closely with them, EZ Access, and the Auditor's Office.

Judge Hinojosa stated that in talking with Commissioner Wood, his understanding was that Red River Services Corporation was wanting to do their own billing and questioned whether this would be the best. He explained that initially he disapproved; however, considering them doing the billing might be best giving the logistic problems encountered.

Mr. Sepulveda stated that the billing process with EZ Access has been easier because they have control versus working with the water district because obtaining a listing took nearly thirty days. He stated that one entity doing all the billing would simplify the process.

Commissioner Tamayo noted the need to inform the public if changes occur. She commented that people were having problems to do payments in Rio Hondo because of systems being down.

Mr. Mark Yates, County Auditor, indicated that he was aware of the problem and that the issue could only be resolved by providing the same connectivity found in other annexes, cost of \$4,500.00 a month.

Commissioner Wood stated that other systems soon to be available might resolve the issue at a lower cost. He stated that Red River Services Corporation doing the billing would most likely be best and would simply the auditing process.

Mr. Yates stated that the reports obtained through EZ Access were auditable; contrary to information received from the water districts. He stated that the county would not receive the \$0.85 administration fee because the water district charges a \$2.00 fee for any changes made to an account, noting that the county was funding the operation with county funds.

Mr. Sepulveda recommended that the contract be extended for 60 days if the court was to consider Red River Services Corporation doing the billing, in order for him to come up with recommendation.

There was a brief discussion concerning the amount paid to Red River Services Corporation to date.

Commissioner Tamayo moved that the 60 extension of nine months to the contract between Cameron County and EZ Access for billing and collecting of solid waste accounts be approved.

Judge Hinojosa asked if an inventory of paid collections was supplied by the water district.

Mr. Sepulveda responded that said information was presently being worked on in order to change it to a format usable by the Auditor's Office. He stated that as soon as he can certify that accounts have been paid and services have been rendered he submits the information to the auditor who in turn pays Red River Services Corporation.

Upon motion duly made by Commissioner Tamayo that the 60 extension of nine months to the contract between Cameron County and EZ Access for billing and collecting of solid waste accounts.

The motion was seconded by Commissioner Benavides and carried unanimously.

(13) CONSIDERATION AND APPROVAL TO ISSUE A DUNE MITIGATION AND RESTORATION PERMIT TO APPLICANT; MIKE ADELMAN AND DOMIT CONSTRUCTION & DEVELOPMENT, INC. – QUEEN TOWERS, SPI SITE. (JM-PARKS)

Mr. Javier Mendez, Parks & Receptions Department Director, explained that the permit was to authorize the construction company to restore dunes destroyed by Hurricane Emily and them, as requested by State. He added that the construction company asked if 3,000 square feet of county property could be used to do the total restoration.

Judge Hinojosa requested that Mr. Mendez examine what was needed to provide lifeguards in county parks.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the issuance of a Dune Mitigation and Restoration Permit to applicant: Mike Adelman and Domit Construction & Development, Inc. – Queen Towers, SPI site, was approved.

**(14) CONSIDERATION AND APPROVAL TO RECLASSIFY
JOB SLOT NO. 04 IN THE DEPARTMENT 100-410
FROM LEGAL SECRETARY TO LEGAL
SECRETARY/PARALEGAL WITH A SALARY AT
\$34,500.00. (RB-COMM. CT. LEGAL)**

Commissioner Wood moved that the reclassification of job Slot No. 4 in the Department 100-410 from Legal Secretary to Legal Secretary/Paralegal with a salary at \$34,500.00 be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

The Salary Schedule is as follows:

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY

Commissioner Benavides moved that the "Travel and Consent Items" be approved.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (15) **AUTHORIZATION TO UTILIZE TXMAS CONTRACT NO. 2-36010 (GSA SCHEDULE CONTRACT) TO PURCHASE OF OCE TCS400 LARGE FORMAT COLOR PRINTING SYSTEM. (JGR-COUNTY CLERK)**
- (16) **PRESENTATION AND ACKNOWLEDGEMENT OF THE QUARTERLY REPORT, FOR THE QUARTER ENDING SEPTEMBER 30, 2005 ON INVESTMENTS OF COUNTY FUNDS, IN ACCORDANCE WITH PROVISIONS OF GOV. CODE 2256 – THE PUBLIC INVESTMENT ACT. (EG-TREASURER)**
The Report follows:
- (17) **REAPPOINTMENT OF MR. LEO RAMIREZ TO THE CAMERON APPRAISAL BOARD OF DIRECTORS. (GH-COUNTY JUDGE)**
The Resolution follows:
- (18) **APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER FOR ANDERSON EQUIPMENT IN THE AMOUNT OF \$1,711.50.(PS-DEPT OF TRANSPORTATION)**
- (19) **APPROVAL OF PURCHASE WITHOUT PURCHASE ORDER FOR HOLT CAT IN THE AMOUNT OF \$3,073.50.(PS-DEPT. OF TRANSPORTATION)**
- (20) **AUTHORIZATION TO SUBMIT CONTINUATION GRANT APPLICATION TO THE MEADOWS FOUNDATION FOR THE TITLE IV EXPANSION PROGRAM.(COMM.CT)**
The Application follows:
- (21) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS / RFP'S / RFQ FOR:**
 - A. **TIRE REPAIR – ANNUAL BID #1850**
 - B. **VEHICLE MAINTENANCE BUILDING CONSTRUCTION, OLMITO, TX – BID #051003**
 - C. **SAN BENITO ANNEX BUILDING CONSTRUCTION, SAN BENITO, TX – BID #051002**
- (22) **AUTHORIZATION TO CLOSE GATEWAY BRIDGE ON DECEMBER 5, 2005 FROM 6:00 P.M. TO 9:00 P.M. FOR THE ANNUAL CHRISTMAS PARADE. (PS-DEPT. OF TRANSPORTATION)**
- (23) **AUTHORIZATION TO PROVIDE MOBILE PHONE AND SERVICE FOR THE MECHANIC SUPERVISOR IN THE PUBLIC WORKS DEPARTMENT. (PS-DEPT OF TRANSPORTATION)**
- (24) **AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
 - A. **PRECINCT NO. 4- BHB SUBDIVISION, BEING LOT 1, BLOCK 1, CHUNG MEI SHRIMP FARM DEVELOPMENT SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN CABINET 1, SLOT 990-A OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS; AND LOTS 1 & 2, BLOCK 2, ARROYO DEVELOPMENT SUBDIVISION NO. 1, CAMERON COUNTY, TEXAS AS RECORDED IN CABINET 1, SLOT 1025-A & B AND 1026-A OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

- (25) **AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 4- ARGULLIN ESTATES SUBDIVISION, BEING 8.947 ACRES OUT OF A 10.00 ACRE TRACT KNOWN AS THE EAST ONE HALF OF THE EAST ONE HALF OF BLOCK 285, SAN BENITO IRRIGATION COMPANY, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 3, PAGE 16-18 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

TRAVEL ITEMS

- (26) **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. Justice of the Peace Precinct 4 to attend the “Justice of the Peace Annual 20 Hour Seminar” in Austin, Texas, December 13-16, 2005;
- B. Juvenile Probation Chief Executive Director to attend the “President’s Council Meeting” in Austin, Texas, November 16-17, 2005;
- C. Extension Office Agent to attend the “National Urban Symposium” in Dallas, Texas, December 7-9, 2005;
- D. Four (4) Extension Office Agents to attend the “Fall Faculty Conference Agenda” in Weslaco, Texas, November 29 through December 1, 2005;
- E. Assistant District Attorney to attend the “Texas Bail Bond Course” in Dallas, Texas, December 2-3, 2005;
- F. County Court at Law Judge No. 3 to attend the “Car Crash Seminar (Specialization for Civil Trial and Personal Injury Trial Law)” in San Antonio, Texas, December 15-16, 2005;
- G. Public Health Preparedness Supervisor and Licensed Vocational Nurse to attend the “Governor’s Division of Emergency Management Texas Preparedness Workshop” in Austin, Texas, November 15-18, 2005; and
- H. Director of Department of Transportation to attend the “Border Trade Alliance Meeting” in Mexico City, Mexico, December 7-9, 2005.
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- (16) **PRESENTATION AND ACKNOWLEDGEMENT OF THE QUARTERLY REPORT, FOR THE QUARTER ENDING SEPTEMBER 30, 2005 ON INVESTMENTS OF COUNTY FUNDS, IN ACCORDANCE WITH PROVISIONS OF GOV. CODE 2256 – THE PUBLIC INVESTMENT ACT. (EG-TREASURER)**
The Report follows:

- (17) **REAPPOINTMENT OF MR. LEO RAMIREZ TO THE CAMERON APPRAISAL BOARD OF DIRECTORS. (GH-COUNTY JUDGE)**
The Resolution follows:

- (20) AUTHORIZATION TO SUBMIT CONTINUATION GRANT APPLICATION TO THE MEADOWS FOUNDATION FOR THE TITLE IV EXPANSION PROGRAM.(COMM.CT)
The Application follows:**

PRESENTATION

(2) DISCUSSION OF THE CAMERON COUNTY INDIGENT HEALTH CARE PROGRAM. (YS-HEALTH)

Mrs. Yvette Salinas, Department of Health and Human Services, reported that she met with county personnel and Dr. Gonzales because no proposals were received, and that everyone felt that they were committed to having a year round indigent program which would require that claim reimbursements be prioritized. She explained that they felt that gatekeepers and pharmaceuticals must be reimbursed as a year round program, that they services should be reimbursed on a prorated basis, and that the gatekeepers presently under contract must be kept. Mrs. Salinas stated that they also considered hiring a physician for the Brownsville area and housing him/her at the Lucio Clinic.

Commissioner Wood asked if a full time position was being suggested.

Mrs. Salinas responded in the affirmative although she was yet to examine all relating details. She stated that this would be a pilot program.

Judge Hinojosa stated that the hiring of a physician made more sense and would allow more control since it would be a county employee.

Mr. Mark Yates, County Auditor, stated that funds would be encumbered to ensure payment for primary care for a year round program, including gatekeepers and pharmaceuticals.

Commissioner Wood asked how applying for additional state funds with the 10% match would be affected if the 8% funds are not expended.

Mr. Yates responded that it would be a balancing act and that the difference would be the amount of funds that state allocates for Cameron County.

Commissioner Wood asked how additional funds would be accessed. He noted the need to not exclude ourselves from additional state funds.

Mr. Yates responded that an attempt to balance the program would be made thought the year and that reports would be presented to the court.

Mr. Remi Garza, County Administrative Assistant, stated that program would be divided into quarters, where on the third quarter the county can budget adequately in order to be able to access additional state funds if available.

Mr. Yates stated that a centralized drug dispensing was also discussed but there was a problem in the logistic of moving prescriptions from upper county to lower county areas without having a pharmacist available, yet this could be alleviated by the hiring of a physician in Brownsville.

Judge Hinojosa stated that support staff would be needed if a doctor was hired.

Mr. Yates noted the need to create HIPPA reports for each doctor visit, thus daily transactions would be needed to show state that the county was meeting guidelines.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the discussion of the Cameron County Indigent Health Care Program was acknowledged.

The Report is as follows:

- (21) **AUTHORIZATION TO OPEN THE FOLLOWING BIDS / RFP'S / RFQ FOR:**
- A. **TIRE REPAIR – ANNUAL BID NO. 1850**
 - B. **VEHICLE MAINTENANCE BUILDING CONSTRUCTION, OLMITO, TX – BID NO. 051003**
 - C. **SAN BENITO ANNEX BUILDING CONSTRUCTION, SAN BENITO, TX – BID NO. 051002**

Mr. Pete Sepulveda, Department of Transportation Director, reported three bids were received for Item 21-c and one bid for Item 21-b. He requested direction from the court on whether to open the bid for Item 21-b, while recommending that it be tabled and re-bid.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, Item 21-B was **TABLED**.

Judge Hinojosa asked if any work could be done in-house and suggested that a construction manager at risk could be hired because working with an existing building was always harder to deal with.

Mr. Sepulveda requested time to review the matter and present recommendation.

EXECUTIVE SESSION

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, the Court met in Executive Session at 10:22 A.M. to discuss the following matters:

(27) **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. Confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404th District Court; Cause No. 2002-05-2015-G, for possible settlement; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (A) & (B);

- F. Confer with Commissioners' Court Legal Counsel concerning Andrew Paul Smith ver Cameron County, Texas and Omar Lucio, Sheriff of Cameron County, Texas; Cause No. 2005-11-5421-C, authority for Legal Division to represent Cameron County and Omar Lucio in his official Capacity and authority for removal to federal court; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (1) (A);
- G. 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);
- H. Deliberation regarding Real Property concerning the clinic site for the Rio Grande Valley Health Service; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072; and
- I. Confer with Commissioners' Court Legal Counsel regarding Rio Grande Valley Health Service District Contract for the provision of Indigent Health Care; pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.071 (2).

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 10:52 A.M. to discuss the following matters:

(28) ACTION RELATIVE TO EXECUTIVE SESSION:

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

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

Commissioner Wood moved that the Status Report by the County Judge be acknowledged
The motion was seconded by Commissioner Benavides and carried unanimously.

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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.**

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Status Report by Legal Counsel was acknowledged and the related travel to Austin, Texas, was approved.

D. In the matter regarding confer with Commissioners' Court Legal Counsel concerning issues relating to the possible acquisition of Real Property for the Dancy Building Renovation Project. (TABLED)

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

E. In the matter regarding confer with Commissioners' Court Legal Counsel concerning Cameron County versus Bobo Construction Company in the 404th District Court; Cause No. 2002-05-2015-G, for possible settlement.

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

The motion was seconded by Commissioner Tamayo and carried unanimously.

F. Confer with Commissioners' Court Legal Counsel concerning Andrew Paul Smith ver Cameron County, Texas and Omar Lucio, Sheriff of Cameron County, Texas; Cause No. 2005-11-5421-C, authority for Legal Division to represent Cameron County and Omar Lucio in his official Capacity and authority for removal to federal court.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, Legal Counsel was authorized to represent Omar Lucio in his official capacity and the removal of case from federal court was authorized.

G. In the matter regarding confer with Commissioners' Court Legal Counsel concerning claim of ABC Waste Collection, status, and authority to represent Cameron County. (TABLED)

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

H. Deliberation regarding Real Property concerning the clinic site for the Rio Grande Valley Health Service.

Commissioner Tamayo moved that the Status Report by Remi Garza, County Administrative Assistant, be acknowledged.

The motion was seconded by Commissioner Wood and carried unanimously.

I. Confer with Commissioners' Court Legal Counsel regarding Rio Grande Valley Health Service District Contract for the provision of Indigent Health Care.

Commissioner Benavides moved to authorize that negotiation continue and that a letter be sent.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(5) APPROVAL OF CLAIMS.

Upon motion by Commissioner Wood, seconded by Commissioner Benavides and carried unanimously, Item No. 5 was reopened.

Mr. Pete Sepulveda, Department of Transportation Director, requested that Warrant No. 00148610, payable to Jamail Construction be held until some documentation is verified and that it be released upon approval by the Department of Transportation.

Commissioner Tamayo moved that the Warrant No. 00148610 be held until approved by the Dept. of Transportation.

The motion was seconded by Commissioner Benavides and carried unanimously.

(6) IN THE MATTER REGARDING CONSIDERATION AND ACTION REGARDING CONTRACT BETWEEN CAMERON COUNTY AND RIO GRANDE HEALTH SERVICE DISTRICT FOR THE PROVISIONS OF INDIGENT HEALTH CARE SERVICES. (COMM.CT.) (TABLED)

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

(8) 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 Town of Laguna Vista indicated that they would contribute \$5,000.00 towards the Legal Defense Fund.

Commissioner Wood moved that the discussion regarding the proposed development of a solid waste management facility in Cameron County be acknowledged.

The motion was seconded by Commissioner Tamayo and carried unanimously.

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 10:59 A.M.

APPROVED this 7th day of **February 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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