

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 17th day of JANUARY 2006, 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.**

BE IT FURTHER RESOLVED, that the Cameron County Commissioners' Court wishes to dedicate its proceedings in memory of Judge Filemon Vela.

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

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 9:39 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 13th day of January, 2006 at 4:35 P.M.:

NOTE: JUDGE HINOJOSA ARRIVED AT THIS TIME.

(1) PUBLIC COMMENTS

None was presented.

PRESENTATION

**(2) PRESENTATION OF RESOLUTION HONORING DR.
HAROLD HUGH EMERSON FOR HIS MANY
ACHIEVEMENTS AND EVEN GREATER
CONTRIBUTIONS TO CAMERON COUNTY**

At this time, Judge Hinojosa read and presented a Resolution honoring Dr. Harold Hugh Emerson to his wife and family.

The Resolution is as follows:

ACTION ITEMS

Commissioner Wood recognized his son Frank Wood who was in attendance.

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

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

The documents are as follow:

- (4) **APPROVAL OF MINUTES FOR:**
(A) **NOVEMBER 1, 2005 REGULAR MEETING**
(B) **NOVEMBER 15, 2005 SPECIAL MEETING**
(C) **NOVEMBER 18, 2005 SPECIAL MEETING**
(D) **NOVEMBER 22, 2005 REGULAR MEETING**
(E) **NOVEMBER 29, 2005 REGULAR MEETING**

Commissioner Tamayo moved that the Minutes of November 1, 2005-Regular Meeting, the November 15, 2005-Special Meeting, the November 18, 2005-Special Meeting, the November 22, 2005-Regular Meeting and the November 29, 2005-Regular Meeting be approved.

The motion was seconded by Commissioner Wood.

Commissioner Garza expressed concern with accessing the Minutes for review.

Commissioner Tamayo withdrew her motion and Commissioner Wood withdrew his second.

Commissioner Benavides moved that the Minutes of the November 1, 2005-Regular Meeting and the November 18, 2005-Special Meeting be approved and that the Minutes of the November 15, 2005-Special Meeting, the Minutes of the November 22, 2005 Regular Meeting and the Minutes of the November 29, 2005 Regular Meeting be **TABLED**.

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- (29) **CONSIDERATION AND APPROVAL OF PURCHASES WITHOUT PURCHASE ORDER FOR AUSTIN AMERICAN STATESMAN IN THE AMOUNT OF \$1,025.32 AND RAY RAMON IN THE AMOUNT OF \$3,003.60. (MY-AUDITOR)**

Mr. Mark Yates, County Auditor, requested approval of purchase without purchase order for payment for advertisement of the Executive Director Position of the Cameron County Regional Mobility Authority.

Commissioner Tamayo moved that the Purchase without purchase order for Austin American Statesman in the amount of \$1,025.32 and Ray Ramon in the amount of \$3,003.60 be approved.

The motion was seconded by Commissioner Benavides.

Commissioner Garza asked if the RMA was instructed as to the process.

Mr. Yates responded in the affirmative and added that his office would work with them on the matter.

Upon motion duly made by Commissioner Tamayo that the purchase without purchase order for Austin American Statesman in the amount of \$1,025.32 and Ray Ramon in the amount of \$3,003.60 be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

(5) **APPROVAL OF CLAIMS.**

Mr. Mark Yates, County Auditor, presented a list of late claims.

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

The Claims are as follow:

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

Judge Hinojosa commented that this item was no longer needed on the agenda.

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

(7) IN THE MATTER REGARDING CONSIDERATION AND APPROVAL OF THE EARLY VOTING POLLING LOCATIONS FOR THE 2006 PRIMARY ELECTION OF MARCH 7, 2006 (RO-ELECTIONS) (TABLED)

Judge Hinojosa asked that this item be tabled in order to examine if locations at UTB-TSC and TSTC should be set.

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

(8) IN THE MATTER REGARDING CONSIDERATION AND AUTHORIZATION TO MAKE NECESSARY TRANSFER OR EMPLOYEES AND ASSIGNMENT OF DUTIES WITHIN THE PARKS DEPARTMENT TO TAKE OVER GROUND MAINTENANCE FOR COUNTY OWNED BUILDINGS. (JM-PARKS SYSTEM) (TABLED)

Mr. Javier Mendez, Parks & Recreations Department Director, explained that after doing some research they learned that Mr. Marcelino Ibarra, Building Maintenance Superintendent, maintains 19 county buildings, while Mr. Pete Sepulveda, Department of Transportation Director, maintains the property surrounding said buildings.

Commissioner Wood stated that the issue regarding lack of staff and equipment should be addressed prior to assigning any duties. He suggested that the two department directors determine the number of staff and equipment needed to complete the task and that a report be presented to the Court.

Commissioner Tamayo suggested that a management system be developed to cluster staff to complete the duties.

Judge Hinojosa suggested that the use of the use of the Prisoner at Work Program (PAW) be examined and considered for county projects, noting the need to use said program according to its original intent. He suggested

that the Parks & Recreations Department consider funding a PAW crew, thus giving the sheriff be given resources to make full use of said program. He requested a report regarding the program, and suggested that the issue of these departments working together be revisited, adding that he appreciates the efforts of both directors to find a solution.

Commissioner Garza clarified that the use and scheduling of the PAW crew was solely at the discretion of the County Sheriff.

Judge Hinojosa clarified that Sheriff Lucio works closely with the court; however, the workload is larger than the resources available. He suggested working with the sheriff to set up the program to where it will work for the county.

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

(9) **CONSIDERATION AND POSSIBLE AUTHORIZATION TO HOLD PUBLIC HEARINGS FOR DISCUSSION, SUGGESTIONS AND/OR APPROVAL OF THE CAMERON COUNTY PARKS AND RECREATION DEPARTMENT'S COMPREHENSIVE, PARKS, RECREATION AND OPEN SPACE MASTER PLAN. (JM-PARK SYSTEM)**

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Public Hearings for discussion, suggestions and/or approval of the Cameron County Parks and Recreation Department's Comprehensive, Parks, Recreation and Open Space Master Plan was opened for public comment.

Mr. Javier Mendez, Parks & Recreations Department Director, presented and highlighted a draft revitalization of the Cameron County Park Master Plan that was last done five years ago. He explained that community meetings were conducted in several areas, most within Precinct No. 4, and that a "needs assessment" was prepared. Mr. Mendez noted the recommendations on priorities of seven items of which he combined baseball fields and lighted softball fields in order to get the maximum amount of points, adding that the other items consist of hiking/walking trails, playground facilities, basketball courts, swimming pools, lighted soccer fields and picnic pavilions. He stated that the other seventeen items requested in the survey are not given points when applying to the Texas Parks & Wildlife but were being included in the plan in the event that funds are made available from other agencies.

Mr. Mendez explained that the intent was to revisit the plan every two years. He stated that the plan lists eleven items to be done right away and that the projects could be bid out or an engineer could be hired to prepare

cost estimates. He reported that the following four parks have been discussed by the court and are to be addressed within 2006 and 2008: Cameron Park, Rio Hondo, La Paloma and El Ranchito.

Judge Hinojosa asked if it was too late to combine the parks in El Ranchito and San Pedro in order to build a regional park to serve the high concentration of populations in the surrounding areas. He suggested that a separate park be built in La Paloma, and noted the need to focus on community parks for rural areas to serve kids within walking distance.

Commissioner Garza asked if the preliminary cost would be \$10 million.

Mr. Mendez responded that this would be the preliminary cost if a contractor was hired.

Commissioner Garza expressed concern with existing county parks not being properly maintained; therefore, he noted the need to include plans for maintenance and protection of county parks located in rural areas.

Mr. Mendez explained that the projects would be listed within the Master Plan as capital improvement projects to be addressed over a two year period.

Commissioner Garza expressed concern with not having cost estimates for projects to be done in the next two years.

Judge Hinojosa explained that funding was not necessary in the Master Plan, rather the need was to address what the county wants to do within the next ten years and that the projects to be built depend upon the bonds sold, how much debt service could be done and the amount of maintenance that could be provided. He stated that long range planning must be the county's priority regardless if funding is available at this time, and agreed that small community parks must be considered for isolated areas such as Los Laureles and Las Yescas. Judge Hinojosa agreed that maintenance must be incorporated into the Master Plan and noted the importance to maintain parks possibly through coordination of the PAW.

Commissioner Wood commented that an up to date Master Plan was required when applying for funding and noted the need to have a good maintenance and operation budget for the proposed projects.

Commissioner Tamayo recommended that the need for additional staff be projected within the plan.

Commissioner Benavides suggested installation of solar lighting for bridge on Highway 48 and that the possibility for the county to take over the park be examined.

Judge Hinojosa commented that an attempt to do so occurred about five years ago.

Mr. Mendez explained that the Texas Parks & Wildlife suggested that the county take over, that the county offered to take over if they guaranteed a funding commitment to build restrooms, parking lot, etc., and that Texas Parks & Wildlife would research the matter and inform the county of a decision, which to date remains pending.

Judge Hinojosa recommended that the proposal be further examined because the area was highly used by county residents and suggested that a trip to Austin be scheduled if needed to discuss a permanent maintenance system.

Commissioner Wood stated that there were discussions about possible closure of the canal due to homeland security issues.

Commissioner Garza expressed no opposition to add this proposal to the master plan and a community park for Los Laureles.

Judge Hinojosa explained that the county was limited as to the number of parks to be built at any one time due to the construction cost, maintenance cost and because the county does not build community parks unless a matching grant is obtained from the Texas Parks & Wildlife, which permits only a limited number of applications per year and restricts that construction be complete before submitting another application.

Mr. Mendez explained that a 15 acre community park for Los Laureles could be included in the plan in the event that property becomes available. He stated that he wants to include the property on Boca Chica Beach in the event that the property transfer issue gets resolved. Mr. Mendez stated that the Executive Director of the U.S. Fish & Wildlife indicated that they would revisit the matter to try to do the property transfer.

Commissioner Garza commented that the person in charge of the real estate section for the U.S. Fish & Wildlife has been on leave of absence for a year and no one else can do this.

Judge Hinojosa agreed that although this was a great idea he was growing tired of the time and efforts spent on this.

Mr. Mendez explained that part of the property was owned by Parks & Wildlife and that they were restricted on how they transfer the property because of the funds used to purchase it.

Commissioner Garza stated that the acquiring of the boat ramp on Highway 48 must be expedited because that highway was soon to be expanded by TXDOT.

Mr. Mendez presented and highlighted conceptual plans for El Ranchito, La Paloma, Cameron Park and Rio Hondo and stated that he would add one for the HWY 48 Boat Ramp and the community park in Los Laureles.

Judge Hinojosa asked when the application for Cameron Park would be submitted.

Mr. Mendez responded that said application could be submitted under a different program.

Judge Hinojosa suggested that the Cameron Park application be submitted and that the conceptual design for Rio Hondo be used for La Paloma.

Mr. Mendez highlighted the conceptual design for Cameron Park, inclusive of changes to the basketball court, the playground area and the soccer field. He stated that approval of an agreement with the University of Houston to commit \$15,000.00 for a walking trail was obtained.

Judge Hinojosa said funds could be used to do the work in-house.

Mr. Mendez responded in the affirmative.

Judge Hinojosa suggested that all county parks, built from here, include a walking trail.

Mr. Mendez proceeded to highlight the conceptual design for the La Paloma Park, and stated that they were looking to an additional piece of property for construction of a water feature.

Judge Hinojosa requested that no water features be included on county parks because of the high maintenance needed and the dangers that might arise.

Mr. Mendez proceeded to highlight the conceptual design for the Rio Hondo Park, and suggested that the playground area be relocated to include an additional baseball field. He reported that the architect wants to add a swimming pool and a butterfly garden since funding was already available, and that part of the park was located within city limits.

At this time, Mrs. Gloria Barrientos, former Rio Hondo City Commissioner, expressed support for the Rio Hondo Park and presented letters of support from Elected Official.

Mr. Santiago Saldana, Rio Hondo Mayor, expressed support for the proposed park and stated that they were all united to work towards accomplishing it.

Judge Hinojosa agreed that the Rio Hondo Park Project was being done in full partnership.

Commissioner Wood asked if area residents were allowed to use school grounds for recreation.

Mrs. Barrientos responded that said grounds were available to residents when not in use by the schools.

Commissioner Tamayo commented that the public hearings held were highly attended and that the building located on the property was a great asset already being used.

Commissioner Wood commented the Rio Hondo for allowing the use of school grounds because it is an important part of the community, especially in areas where everything is limited.

Mr. Mendez informed that research of colonias to make use the park was done, resulting in nine colonias with a population of 1,907, plus a population of 2,074 in Rio Hondo, totaling nearly twice the amount to use the park. He stated that a presentation regarding the proposed park would be done before the City of Rio Hondo next week.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the Public Hearings for discussion, suggestions and/or approval of the Cameron County Parks and Recreation Department's Comprehensive, Parks, Recreation and Open Space Master Plan was closed.

(10) CONSIDERATION AND POSSIBLE APPROVAL OF A RESOLUTION ADOPTING CAMERON COUNTY'S COMPREHENSIVE, PARKS, RECREATION AND OPEN SPACE MASTER PLAN. (JM-PARK SYSTEM)

Commissioner Tamayo moved that the Resolution adopting Cameron County's Comprehensive, Parks, Recreation and Open Space Master Plan be approved, inclusive of changes and additions.

The motion was seconded by Commissioner Garza and carried unanimously.

The Resolution and Report are as follow:

(11) **CONSIDERATION AND APPROVAL FOR THE ESTABLISHMENT OF REGIONAL RECORDING SYSTEM AND IMPROVEMENTS TO COUNTYWIDE RADIO SYSTEM AND AUTHORIZATION TO PURCHASE NECESSARY EQUIPMENT AS OUTLINED IN GRANT SUBMITTAL. (GH-COUNTY JUDGE)**

Mr. Tom Hushen, Emergency Management Director, informed that after the interoperable radio system was implemented, state required that a Level IV, statewide interoperability radio system be established to be able to communicate throughout. He explained that for said reason, Texas Law I, II, III and NIPS Pack had to be incorporated onto the towers, tying each tower, noting that this was partially funded through a BIP Fund, in the amount of \$330,000.00, the 2005 Homeland Security Funds, in the amount of \$125,000.00, plus other funds.

Mr. Hushen explained that a new recording system was needed because of channels added to the countywide radio system. He stated that the sheriff identified funding for the recording equipment and that the sheriff suggested that cities that do not have recording capabilities be incorporated into the system. Mr. Hushen reported that the 911 Board identified \$612,026.13 for the project that would have a total cost of \$1.09 million. He stated that the remaining balance of \$24,472.08 could be funded from last year's Local Law Enforcement Block Grant or from the per user fee revenue since the maintenance agreement cost was decreased, making about \$25,000.00 available.

Commissioner Garza requested a listing of all aspects of the projects that indicate the status of each.

Mr. Hushen highlighted the funding sources and the total cost, and explained that any radios linked through the towers could be recorded at the discretion of the sheriff, adding that the recordings could be easily accessed through a computer.

Sheriff Omar Lucio briefed that the ability to obtain the recordings from a computer would decrease time and work needed when having to supply recordings for court and would decrease the need for storage.

Commissioner Garza asked if the system would record 911 calls and not all calls.

Mr. Hushen responded in the affirmative and explained that this system gives the sheriff the capability to record any radio within his department. He clarified that all cities were consulted and agreed.

Mr. Xavier Villarreal, Budget Officer, stated that the budgets would be presented next week.

Upon motion by Commissioner Benavides, seconded by Commissioner Tamayo and carried unanimously, the establishment of Regional Recording System, the improvements to Countywide Radio System and the purchase of necessary equipment as outlined in grant submittal were authorized.

The Reports are as follow:

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- (12) **CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS FOR: (MF-PURCHASING)**
- A. **PICK-UP TRUCK (QTY. 1) TAX – BID NO. 051203**
 - B. **SUV (QTY. 1) SHERIFF’S DEPT. – BID NO. 051202**

Mr. Mike Forbes, Purchasing Agent, reported that the lowest bidder for 12-A was Caldwell Country Chevrolet, Caldwell, Texas, that Tipton Ford was a local vendor within the 3% and requested a vendor selection. He indicated that the lowest bidder for 12-B was Columbus Country Ford, that Boggus Ford was a local vendor within the 3% and requested a vendor selection.

Commissioner Garza questioned the delivery time.

Mr. Forbes responded that the low local bid was 75 compared to 90 days on the low bid for 12-A, and that the low local bid was 60 compared to 90 days on the low bid for 12-A.

Commissioner Benavides moved that the awarding of Bid No. 051203 to Tipton Ford, Brownsville, Texas, and the awarding of Bid No. 051202 to Boggus Ford, Harlingen, Texas, be authorized.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Resolution is as follows:

(13) **DISCUSSION AND POSSIBLE ACTION
PRIORITIZING PROJECTS FOR REQUEST OF
FEDERAL FUNDING FOR FY 2007. (PS-DEPT. OF
TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, reported that the applications would be complete by mid February.

Judge Hinojosa reported that they would travel to Washington D.C. the second week of February because discussions on budgetary issues were already under way and that a schedule would be prepared as to the projects to be addressed at that time. He added that his office would schedule meetings with the drainage districts to determine their needs and that the county would advocate for any funding that the drainage districts would need to enhance the drainage system.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the list of prioritized projects for request of federal funding for Fiscal Year 2007 was approved.

The List is as follows:

(14) CONSIDERATION AND AUTHORIZATION TO HIRE SIX TEMPORARY EMPLOYEES AND THREE FULL TIME EMPLOYEES FOR THE PUBLIC WORKS DIVISION OF THE DEPARTMENT OF TRANSPORTATION. (PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director, requested creation of three permanent positions at a cost of about \$60,000.00 plus fringe benefits. He stated that \$15,000.00 was available and that the rest would need be funded from fund balance or project material.

Judge Hinojosa suggested that four positions be created.

At this time there was discussion concerning the total staff at each precinct and the need for personnel countywide.

Commissioner Tamayo moved that the hiring of six temporary employees and four full-time employees for the Public Works Division of the Department of Transportation be approved.

The motion was seconded by Judge Hinojosa and carried as follows:

AYE: Commissioners Benavides, Wood, Tamayo and Judge Hinojosa

NAY: Commissioner Garza

(15) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING FOR THE PURPOSE OF CHANGING THE ROAD STATUS OF PALM TREE DRIVE, AND A PORTION OF ORANGE DRIVE, FROM "PUBLIC ROAD" TO "PRIVATE ROAD", BOTH ROADS BEING WITHIN SUN VALLEY VILLAGE MOBILE HOME PARK "B" UNIT NO. 3, RECORDED IN VOLUME 29, PAGE 30 OF THE MAP RECORDS, AND SAID ROADS BEING LOCATED IN PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Public Hearing for the purpose of changing the road status of Palm Tree Drive, and a portion of Orange Drive, from "Public Road" to "Private Road", both roads being within Sun Valley Village Mobile Home Park "B" Unit No. 3, recorded in Volume 29, Page 30 of the Map Records, and said roads being located in Precinct No. 4 was opened for public comment.

Mr. Pete Sepulveda, Department of Transportation Director, reported that due process was followed.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Public Hearing for the purpose of changing the road status of Palm Tree Drive, and a portion of Orange Drive, from

“Public Road” to “Private Road”, both roads being within Sun Valley Village Mobile Home Park “B” Unit No. 3, recorded in Volume 29, Page 30 of the Map Records, and said roads being located in Precinct No. 4 was closed.

(16) CONSIDERATION AND AUTHORIZATION TO ADOPT AN ORDER FOR CHANGE OF ROAD STATUS FROM “PUBLIC ROAD” TO “PRIVATE ROAD” FOR PALM TREE DRIVE AND A PORTION OF ORANGE DRIVE, BOTH ROAD BEING WITHIN SUN VALLEY VILLAGE MOBILE HOME PARK “B” UNIT NO. 3, RECORDED IN VOLUME 29, PAGE 30, OF THE MAP RECORDS, AND SAID ROAD BEING LOCATED IN PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)

Commissioner Wood moved that the Order for the purpose of changing the road status of Palm Tree Drive, and a portion of Orange Drive, from “Public Road” to “Private Road” both roads being within Sun Valley Village Mobile Home Park “B” Unit No. 3, recorded in Volume 29, Page 30 of the Map Records, and said roads being located in Precinct No. 4 be adopted.

The motion was seconded by Commissioner Tamayo and carried unanimously.

The Order is as follows:

(17) **CONSIDERATION AND APPROVAL OF CHANGE ORDER NUMBER 1 FOR THE PORT ISABEL ANNEX BUILDING. (PS-DEPT. OF TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, reported that the Change Order includes three items, them being: a night deposit box; the sidewalk and wiring. He added that the total cost of \$8,000.00 was to be funded from the Betterment Fund.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Change Order No. 1 for the Port Isabel Annex Building was approved.

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:

Commissioner Benavides moved that the "Travel and Consent Items" be approved, with exception of Item No. 29.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(18) **APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE FAMILY PLANNING SERVICES. (YS-HEALTH)**
The Contract follows:

(19) **ADOPTION OF A RESOLUTION RECOGNIZING THE TENTH ANNIVERSARY OF THE FOUNDATION OF THE PARISH OF SAN FELIPE DE JESUS. (COMM. COURT)**
The Resolution follows:

(20) **ADOPTION OF A RESOLUTION HONORING MS. BERTHA GARZA ON THE OCCASION OF HER RETIREMENT. (COMM. COURT)**
The Resolution follows:

(21) **ADOPTION OF A RESOLUTION HONORING MR. SIMON VEGA FOR HIS MANY CONTRIBUTIONS TO THE COMMUNITY OF LOS FRESNOS. (COMM. COURT)**
The Resolution follows:

(22) **ADOPTION OF A RESOLUTION HONORING MR. DON BADEAUX FOR HIS MANY YEARS OF PUBLIC SERVICE. (COMM. COURT)**
The Resolution follows:

(23) **ADOPTION OF A RESOLUTION SUPPORTING THE RIO GRANDE RIVER FLOOD CONTROL SYSTEM REHABILITATION. (COMM. COURT)**
The Resolution follows:

- (24) APPROVAL OF RECLASSIFICATION OF TITLE CHANGE JOB SLOT #3 IN THE 83-669 DEPARTMENT FROM ADMINISTRATIVE AIDE TO BUDGET ANALYST. (JM-PARK SYSTEM)
- (25) APPROVAL TO EXECUTE A SUBAWARD AGREEMENT BETWEEN CAMERON COUNTY AND THE UNIVERSITY OF TEXAS BROWNSVILLE – HEALTH SCIENCE CENTER AT HOUSTON FOR FUNDING OF THE MULTI-PURPOSE TRAIL AT LA ESPERANZA PARK. (JM-PARK SYSTEM)
The Agreement follows:
- (26) AUTHORIZATION TO SUBMIT A GRANT APPLICATION(S) TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE COMMUNITY PARK IN RIO HONDO. (JM-PARK SYSTEM)
The Application follows:
- (27) APPROVAL OF CAMERON COUNTY’S DEDICATION PLAQUE FOR THE BROWNE ROAD – SOCIAL SERVICES BUILDING. (JM-PARK SYSTEM)
The plaque follows:
- (28) AUTHORIZATION TO PURCHASE TWO LAW ENFORCEMENT PATROL VEHICLES VIA THE STATE OF TEXAS – TASB – BUY BOARD – COOPERATIVE PURCHASING AGREEMENT FOR CAMERON COUNTY PARKS AND RECREATION DEPARTMENT. (JM-PARK SYSTEM)
- (29) IN THE MATTER REGARDING CONSIDERATION AND APPROVAL OF PURCHASES WITHOUT PURCHASE ORDERS FOR AUSTIN AMERICAN STATESMAN IN THE AMOUNT OF \$1,025.32 AND RAY RAMON IN THE AMOUNT OF \$3,003.60. (MY-AUDITOR) (ACTION TAKEN SEPARATELY)
- (30) AUTHORIZATION TO AWARD THE FOLLOWING BIDS FOR: (MF-PURCHASING)
- A. PATROL CARS (QTY. 26) SHERIFF’S & CONSTABLES – BID #051201 TO PHILPOTT FORD
 - B. PICK-UP TRUCKS (QTY. 6) SHERIFF’S & CONSTABLES – BID #051202 TO DALLAS DODGE
- The Tabulation follows:
- (31) AUTHORIZATION TO ACCEPT RESACA VIEW CIRCLE, RESACA VIEW NORTH, AND RESACA VIEW SOUTH LOCATED IN THE SAN JOSE RESACA VIEW SUBDIVISION PHASE II, PRECINCT NO. 3, AS RECORDED IN CABINET 1, PAGE 2370-B, 2371-A & 2371-B OF THE CAMERON COUNTY MAP RECORDS, CAMERON COUNTY, TEXAS INTO THE COUNTY ROAD SYSTEM. (PS-DEPT. OF TRANSPORTATION)
- (32) APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE SAN BENITO INDEPENDENT SCHOOL DISTRICT FOR THE WIDENING OF PADILLA ROAD. (PS-DEPT. OF TRANSPORTATION)
The Agreement follows:
- (33) APPROVAL OF TIME EXTENSION FROM JANUARY 9, 2006 TO DECEMBER 6, 2006 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT RAMON SUBDIVISION, PRECINCT NO. 4. (PS-DEPT. OF TRANSPORTATION)
- (34) AUTHORIZATION FOR PRELIMINARY APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)
- A. PRECINCT NO. 3- LAGUNA RANCHITO SUBDIVISION, BEING THE WEST 5 ACRES OF THE SOUTHWEST 10 ACRES OF BLOCK 66, LAGUNA VISTA CLUB SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 1, PAGE 13 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

- (35) **AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. **PRECINCT NO. 4- RED BIRD SUBDIVISION, BEING THE SOUTH 10.92 ACRES OUT OF BLOCK 52, POMELO SUBDIVISION IN LA FERIA GRANT, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 5, PAGE 32 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS**

TRAVEL ITEMS

(36) **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) COUNTY TREASURER, TO TRAVEL TO COLLEGE STATION, TX, ON 3/27-30/06, TO ATTEND COUNTY TREASURER'S CONTINUING EDUCATION.
- (B) TAX OFFICE CHIEF OF INVESTIGATIONS & ENFORCEMENT AND INVESTIGATORS (2), TO TRAVEL TO CORPUS CHRISTI, TX, ON 1/18/06, TO ATTEND THE "CORPUS CHRISTI POLICE DEPARTMENT AUTO THEFT TASK FORCE - AUTO THEFT INTELLIGENCE SHARING MEETING," AND DISCUSS TITLE FRAUD ISSUES WITH AUTO THEFT INVESTIGATORS.
- (C) TAX ASSESSOR-COLLECTOR, CHIEF DEPUTY AND CHIEF OF INVESTIGATIONS, TO TRAVEL TO HOUSTON, TX, ON 2/21-24/06, TO ATTEND THE "25TH ANNUAL TAAD CONFERENCE."
- (D) DISTRICT ATTORNEY, TO TRAVEL TO SAN ANTONIO, TX, ON 1/25-26/06, TO ATTEND SOUTH TEXAS HIDTA EXECUTIVE COMMITTEE MEETING.
- (E) DISTRICT ATTORNEY'S OFFICE INVESTIGATORS (5), TO TRAVEL TO ARLINGTON, TX, ON 2/13-17/06, TO ATTEND TDCAA'S INVESTIGATOR'S SCHOOL SEMINAR.
- (F) ASSISTANT DISTRICT ATTORNEYS (6), TO TRAVEL TO CORPUS CHRISTI, TX, ON 1/25-26/06, TO ATTEND TDCAA'S ANNUAL CRIMINAL & CIVIL LAW UPDATE SEMINAR.
- (G) ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO EDINBURG, TX, ON 1/19/06, TO ATTEND THE HIDALGO COUNTY BAR ASSOCIATION'S 2006 CRIMINAL LAW CONFERENCE.
- (H) ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO CHANDLER, AZ, ON 2/19-23/06, TO ATTEND NATIONAL COLLEGE OF DISTRICT ATTORNEY'S EXPERIENCED PROSECUTOR COURSE.
- (I) COUNTY EXTENSION AGENT, TO TRAVEL TO VICTORIA, TX, ON 1/5/06, TO ATTEND THE SOUTH REGION 4-H MASTER VOLUNTEER ADVISORY GROUP AND TRAINING TEAM.
- (J) COUNTY EXTENSION AGENT, TO TRAVEL TO LAREDO, TX, ON 1/7/06, TO ATTEND THE DISTRICT 12 ADULT LEADERS ASSOCIATION & 4-H COUNCIL MEETING.
- (K) COUNTY EXTENSION AGENT, TO TRAVEL TO SAN ANTONIO, TX, ON 1/19-21/06, TO ATTEND THE CREATIVE INSPIRATION SEWING, QUILTING & EMBROIDERY EXPO.
- (L) JUSTICE OF THE PEACE PRECINCT 3, PLACE 1 EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 1/23-25/06, TO ATTEND THE ANNUAL MANDATORY 18 HOUR EXPERIENCED COURT CLERK EDUCATION SEMINAR.
- (M) SHERIFF'S OFFICE CAPTAIN AND LIEUTENANT, TO TRAVEL TO AUSTIN, TX, ON 1/8-10/06, TO ATTEND THE 2006 HOMELAND SECURITY GRANT PROGRAM AND URBAN AREA SECURITY.
- (N) SHERIFF'S DEPARTMENT OFFICERS (2), TO TRAVEL TO DEL RIO, TX, ON 1/18-20/06, TO ATTEND THE TEXAS BORDER SHERIFF'S COALITION.
- (O) SHERIFF'S DEPARTMENT OFFICERS (2), TO TRAVEL TO AUSTIN, TX, ON 1/17-19/06, TO ATTEND A LAW ENFORCEMENT ADVANCES DWI REPORTING SYSTEM TRAINING.

- (P) JUVENILE PROBATION EMPLOYEES (4), TO TRAVEL TO CORPUS CHRISTI, TX, ON 1/25-27/06, TO ATTEND "FIFTEENTH ANNUAL WINTER GROWTH CONFERENCE."
 - (Q) COUNTY COURT AT LAW JUDGE NO. 2, TO TRAVEL TO EDINBURG, TX, ON 1/19/06, TO ATTEND THE 2006 CRIMINAL LAW CONFERENCE.
 - (R) COMPUTER CENTER DIRECTOR, NETWORK ADMINISTRATOR AND PROGRAMMER, TO TRAVEL TO AUSTIN, TX, ON 1/31-2/6/06, TO ATTEND THE 2006 COURTS AND LOCAL GOVERNMENT TECHNOLOGY CONFERENCE & THE GTC SEMINAR AND EXPO.
 - (S) UNIFIED NARCOTICS INTELLIGENCE TASK FORCE ADMINISTRATIVE ASSISTANT AND INTELLIGENCE ANALYST, TO TRAVEL TO CORPUS CHRISTI, TX, ON 2/12-17/06, TO ATTEND THE DPS TLETS/NLETS & TCIC/NCIC BASIS PROCEDURES COURSE.
 - (T) PD & M EMPLOYEE, TO TRAVEL TO MERCEDES, TX, ON 1/18/06, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL SOLID WASTE ADVISORY COMMITTEE MEETING.
 - (U) PD & M CD COORDINATOR, TO TRAVEL TO MERCEDES, TX, ON 1/11/06, TO ATTEND LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL MEETING.
 - (V) DEPARTMENT OF HEALTH AND HUMAN SERVICES DIRECTOR OF NURSES AND IMMUNIZATION SPECIALIST, TO TRAVEL TO AUSTIN, TX, ON 2/7-9/06, TO ATTEND TECHNICAL ASSISTANCE MEETING FOR LOCAL HEALTH DEPARTMENT CONTRACTORS.
 - (W) CONSTABLE PRECINCT 6, DEPUTY CONSTABLE PRECINCT 4, DEPUTY CONSTABLE PRECINCT 7, CONSTABLE PRECINCT 2 AND DEPUTY CONSTABLE PRECINCT 2, TO TRAVEL TO SAN ANTONIO, TX, ON 2/21-22/06, TO ATTEND PUBLIC TRAINING COUNCIL "MANAGING CRIMINAL INVESTIGATIONS TRAINING."
 - (X) ASSISTANT DIRECTOR OF DEPARTMENT OF TRANSPORTATION, TO TRAVEL TO AUSTIN, TX, ON 1/16-17/06, TO ATTEND THE TEXAS DEPARTMENT OF TRANSPORTATION COMPREHENSIVE DEVELOPMENT AGREEMENT INDUSTRY WORKSHOP.
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- (18) APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE FAMILY PLANNING SERVICES. (YS-HEALTH)**
The Contract follows:

- (19) ADOPTION OF A RESOLUTION RECOGNIZING THE TENTH ANNIVERSARY OF THE FOUNDATION OF THE PARISH OF SAN FELIPE DE JESUS. (COMM. COURT)
The Resolution follows:**

- (20) **ADOPTION OF A RESOLUTION HONORING MS. BERTHA GARZA ON THE OCCASION OF HER RETIREMENT. (COMM. COURT)**
The Resolution follows:

- (21) **ADOPTION OF A RESOLUTION HONORING MR. SIMON VEGA FOR HIS MANY CONTRIBUTIONS TO THE COMMUNITY OF LOS FRESNOS. (COMM. COURT)**
The Resolution follows:

- (22) **ADOPTION OF A RESOLUTION HONORING MR. DON BADEAUX FOR HIS MANY YEARS OF PUBLIC SERVICE. (COMM. COURT)**
The Resolution follows:

- (23) ADOPTION OF A RESOLUTION SUPPORTING THE RIO GRANDE RIVER FLOOD CONTROL SYSTEM REHABILITATION. (COMM. COURT)**
The Resolution follows:

- (25) **APPROVAL TO EXECUTE A SUBAWARD AGREEMENT BETWEEN CAMERON COUNTY AND THE UNIVERSITY OF TEXAS BROWNSVILLE – HEALTH SCIENCE CENTER AT HOUSTON FOR FUNDING OF THE MULTI-PURPOSE TRAIL AT LA ESPERANZA PARK. (JM-PARK SYSTEM)**
The Agreement follows:

- (26) AUTHORIZATION TO SUBMIT A GRANT APPLICATION(S) TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE COMMUNITY PARK IN RIO HONDO. (JM-PARK SYSTEM)**
The Application follows:

- (27) APPROVAL OF CAMERON COUNTY'S DEDICATION PLAQUE FOR THE BROWNE ROAD – SOCIAL SERVICES BUILDING. (JM-PARK SYSTEM)**
The plaque follows:

- (30) AUTHORIZATION TO AWARD THE FOLLOWING BIDS FOR: (MF-PURCHASING)**
- A. PATROL CARS (QTY. 26) SHERIFF'S & CONSTABLES – BID #051201 TO PHILPOTT FORD**
 - B. PICK-UP TRUCKS (QTY. 6) SHERIFF'S & CONSTABLES – BID #051202 TO DALLAS DODGE**

The Tabulation follows:

- (32) APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE SAN BENITO INDEPENDENT SCHOOL DISTRICT FOR THE WIDENING OF PADILLA ROAD. (PS-DEPT. OF TRANSPORTATION)**
The Agreement follows:

EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:53 A.M. to discuss the following matters:

(37) 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(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 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 THE JOINT VENTURE AGREEMENT WITH THE SOUTH PADRE ISLAND ECONOMIC DEVELOPMENT CORPORATION REGARDING THE SOUTH PADRE ISLAND BIRDING AND NATURE CENTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING COUNTY OF CAMERON VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A, AND BFI WASTE SERVICES OF TEXAS, L.P. VS. COUNTY OF CAMERON AND RED RIVER SERVICE CORPORATION OF TEXAS, INC., CASE NO. B-05-279, FOR DISCUSSION OF CASE STATUS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)&(B).
- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING PIPE LINE EASEMENTS ALONG THE RIGHT OF WAY OF CHEMICAL ROAD, OLD PORT ISABEL, F.M. 1847 (PAREDES LINE ROAD), EMILIA LANE, OLD ALICE ROAD, COUNTY ROAD (BUTLER AVE.) AND CARMEN AVENUE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Court reconvened into Regular Session at 12:13 P.M. to discuss the following matters:

(38) 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)**
- (B) Confer with Commissioners' Court Legal Counsel concerning issues regarding the Cameron County Detention Centers and the Cameron County Sheriff's Administration Building. (TABLED)**
- (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. (TABLED)**
- (E) Confer with Commissioners' Court Legal Counsel concerning settlement offer of ABC Waste Collection. (TABLED)**

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 the possible acquisition of Real Property for the Dancy Building Renovation Project.**

Commissioner Benavides moved that the Status Report by Legal Counsel be acknowledged and that Legal Counsel be authorized to proceed as discussed in Executive Session.

The motion was seconded by Commissioner Wood and carried unanimously.

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- (F) Confer with Commissioners' Court Legal Counsel for consideration of amending the License Agreement between Cameron County and Red River Services Corporation.**

Commissioner Benavides moved that the Status Report by Legal Counsel be acknowledged and that Legal Counsel be authorized to proceed as discussed in Executive Session.

The motion was seconded by Commissioner Wood and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 12:15 P.M.

APPROVED this 28th day of **MARCH 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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