

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 11th day of April 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 Reynaldo G. Garza.

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

Aide A. Trejo Deputy Clerk

ABSENT:

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The meeting was called to order by Judge Pro-tem Pedro "Pete" Benavides at 9:31 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 April 7, 2006 at 4:32 P.M.:

Judge Hinojosa reported on his trip to Washington, D.C. with Commissioner Wood and his visiting with members of Congress and their staff. He stated that a substantial amount of money is going to the war in Iraq and Hurricane Katrina efforts.

Commissioner Wood stated that he and David Garcia, Department of Transportation, met with the Service Transportation Board regarding the removal of the railroad tracks in front of the County Courthouse and now have an idea of what it is going to take to remove the railroad tracks. He added that he spoke with the State Department regarding border issues and met with new American Consulate who is going to be working in Matamoros.

Commissioner Tamayo noted how appropriate it is to make as many trips to Washington to show our interest and appreciation.

Judge Hinojosa added that he met with Senator Hutchinson on immigration reform and that he and Commissioner Wood promoted the railroad relocation project, projects that deal with the intercoastal waterway realignment, met with barge owners association, pushed funding for a permanent channel at the Bahia and met with Congressman Doggett, who is sponsoring the \$9 million levee maintenance and renovation initiative.

(1) PUBLIC COMMENTS.

Juani Alfaro expressed her concern regarding a lack of transportation in the Dakota Estates area, where she resides. She stated that she has lived there for 5 years with her mother and often has to take her mother to the doctor as well as buy groceries, runs errands, etc. and the lack of transportation in a hindrance on these daily activities. She asked for the Court's support and help in finding a solution to the transportation hardships faced by the people in this colonia.

The Form is as follows:

PRESENTATIONS:

(2) **PRESENTATION OF A RESOLUTION RECOGNIZING MR. CARLTON REYES FOR HIS OUTSTANDING COMMUNITY INVOLVEMENT. (COMM. COURT)**

Judge Hinojosa presented Carlton Reyes with the resolution and noted that Mr. Reyes is an advocate for shrimpers of South Texas and fighting injustices. He added that Cameron County is the home of the largest shrimp fleet in the world and Mr. Reyes has helped the shrimpers in any way he can as the last few years has had an impact on their livelihood.

Mr. Reyes thanked the Commissioners' Court for this honor and noted the struggle of the shrimping industry.

Judge Hinojosa added that Cameron County has been working closely with the shrimp producers in promoting the shrimping industry. He informed all that there is a legislative agenda that was passed in the State Legislature that is aimed at assisting shrimp workers in receiving benefits under a federal law of displaced workers who have reduced production as a result of foreign competition.

(10) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE BROWNSVILLE URBAN SYSTEM'S PROPOSAL IN RESPONSE TO TEXAS DEPARTMENT OF TRANSPORTATION'S REQUEST FOR PROPOSAL FOR JOB ACCESS AND REVERSE COMMUTE GRANT. (COMM. COURT)**

Norma Zamora, Director for the Brownsville Urban System, stated that BUS is proposing to submit an application for a job access and reverse commute grant that would provide public transportation to colonias or low-income areas needed transportation services to jobs, trainings and day care. She added that BUS is seeking funds from Cameron County, Cameron Works and others to leverage the federal funds that are available as the grant is a 50/50 split between federal and local funds. She described the three routes that BUS is hoping to initiate through this grant and they are: (1) a Fixed Route that would connect colonias in the outlying areas of the current service area to the permanent fixed route system, (2) a Demand-Respond service where passengers would call BUS to dispatch a vehicle to pick them up and transport them to their destination and (3) a Park and Ride Service that would provide direct service to employees of major employers from colonia areas to their places of employment. She added that BUS is partnering with the Lower Rio Grande Development Council, La Fleur Transportation, The Wave and other transportation providers in Cameron County to assist with the proposed routes.

Mr. Tom Logan, Transit Planner, described the proposed projects in detail. He stated that the Park and Ride service would be a shuttle service to and from Keppel AmFELS and employees would be picked up at either Cameron Park or the BUS facility on Jose Colunga. He noted that Rio Transit is proposing a new fixed route that begins at the edge of US 83/77, the County line, and runs along the expressway all the way into Brownsville that will run 6 days a week with limited hours. He went onto say that BUS is requesting Rio Transit expand the route along US 281 to increase service from 3 days a week to 6 days a week with limited service in the morning and evening hours. He added that the Demand-Response service is being coordinated with Rio Transit and La Fleur to provide service for work-related trips such as trainings or day care service.

Commissioner Benavides spoke on the importance of transportation in the Browne Park area due to constant growth in the area.

Commissioner Tamayo spoke on the desperate need for transportation along US 281.

Ms. Zamora stated that BUS is asking for Cameron County to fund Route 30 for a 2-year total of \$87,138 and the Demand-Response Expanded Rural Service along US 281. She added that the total for the Expanded Rural Service is \$305,993.10 and funding for this route will be split between Cameron County, Cameron Works and VIDA. She indicated that the total proposed budget for the grant is \$756,453 and BUS is requesting \$163,636 from Cameron County for a 2-year cycle.

Commissioner Wood questioned why these projects are only slated to run for 2 years.

Ms. Zamora stated that this grant is an initiative assigned to assist colonias and if successful BUS would be able to apply for continuous funding after the first initial 2 years.

Commissioner Garza asked if there are any fares generated from these proposed routes.

Ms. Zamora explained that the fares are already allocated into the costs and that the routes will be implemented in stages as funding becomes available.

Judge Hinojosa asked if implementation could be delayed until October 2007.

Ms. Zamora added that the funds will not be needed until September 2006 and because the projects will be implemented in stages, funding from the County can be received in October 2007.

Judge Hinojosa expressed his concern for the upcoming budget cycle as the upcoming fiscal year will be difficult in terms of budget.

Commissioner Tamayo expressed interest in accounting for how many people will be utilizing the services.

Ms. Zamora quoted a route in Cameron Park, which is being funded by Cameron County, which transports 120 passengers daily and added that the Rio Transit Route that goes from Brownsville to Port Isabel transports 2000 passengers a month.

Judge Hinojosa stated the County needs to evaluate how much money is available for allocation.

Ms. Zamora stated that a letter of endorsement that requires no support of funding and a letter of commitment that states Cameron County will provide funding, subject to BUS securing all the funds needed can be included in the grant application.

Judge Hinojosa added that he needs to review the budget with Xavier Villarreal, Budget Officer and suggested that the Court pass a resolution in support of the project, but not granting any sort of financial commitment.

Ms. Zamora stated that the application can be submitted with the resolution and if the funding becomes available before the grant is awarded, BUS can submit a letter stating the financial support has been given.

Commissioner Benavides motioned to create a resolution in support of the Brownsville Urban System's Job Access and Reverse Commute Project. The motion was seconded by Commissioner Garza and carried unanimously.

Commissioner Tamayo moved to go into Executive Session.

The motion was seconded by Commissioner Garza.

Commissioner Tamayo moved to withdraw her motion to go into Executive Session.

The motion was seconded by Commissioner Garza and carried unanimously.

(15) CONSIDERATION AND AUTHORIZATION TO HOLD A PUBLIC HEARING TO DISCUSS PROPOSED GRANT PROJECTS SUBMITTED TO THE TEXAS DEPARTMENT OF TRANSPORTATION – STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM. (JM-PARK SYSTEM)

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Public Hearing was opened for public comment.

Discussion on Item No. 19:

Dewey Cashwell, Town of South Padre Island City Manager, spoke on the Transportation Center that the Town of South Padre Island hopes to establish with Cameron County. He indicated that the idea of the Transportation Center is for people to access different forms of transportation from this one location and in turn

alleviate the issue of traffic and parking on South Padre Island. He stated that the concept of the center is a parking structure of 3-5 stories which will cost anywhere between \$5-7 million.

Judge Hinojosa asked where the Transportation Center would be located.

Mr. Javier Mendez, Parks Director, stated that the center would be located near the entrance of Isla Blanca Park.

Mr. Cashwell added that there will be franchise operations in the center that will generate funds and help reduce costs such as the helicopter landing pad on the roof.

Judge Hinojosa expressed his concern of the location being on Isla Blanca Park.

Commissioner Garza questioned the necessity of a Transportation Museum inside the center.

Mr. Cashwell stated that the museum is an item that the State Department of Transportation feels is important to display in any of the buildings they are associated with and assists in acquiring the grant.

Commissioner Garza also questioned the necessity of the helicopter landing port.

Judge Hinojosa stated that he would like to revisit the issue of development on Isla Blanca Park as there is much public concern.

Commissioner Wood indicated that this is a way to reduce traffic on the Island and added that there are individuals who have the monetary means to take a helicopter to and from their destination points.

Mr. Cashwell stated that the center can be used to enhance the Emergency Services capabilities on the Island.

Discussion on Item No. 16:

Commissioner Wood questioned the construction of a proposed ferry landing as there are no current plans to secure a ferry.

Javier Mendez, Parks Director, stated the ferry landing could be utilized in different aspects such as a docking area for boats in case of another causeway collapse.

Commissioner Garza noted that this would be a good form of transportation as well a tourist attraction.

Mr. Mendez stated that there is a private individual who approached the Town of South Padre Island and voiced their interest in supplying a pedestrian ferry to the Island. He added and that there is going to be a trail built to connect the ferry landing with the hike and bike trails at Isla Blanca Park.

Mr. Mendez asked the Commissioners to rank the proposed projects in order of priority at the request of TxDOT.

Judge Hinojosa suggested that the projects be ranked as follows: El Camino de Isla Blanca Park, Our Lady of Visitation Visitor Center and Isla Blanca Park Ferry Landing.

Upon motion by Commissioner Tamayo, seconded by Commissioner Benavides and carried unanimously, the Public Hearing to discuss proposed grant projects submitted to the Texas Department of Transportation-Statewide Transportation Enhancement Program was closed.

(16) **CONSIDERATION AND ADOPTION OF A RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION – STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM FOR A PROJECT NOMINATION PROVIDED BY THE TEXAS TRANSPORTATION COMMISSION FOR THE ISLA BLANCA PARK FERRY LANDING. (JM-PARK SYSTEM)**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Resolution supporting the submittal of an application to the Texas Department of Transportation-Statewide Transportation Enhancement Program for a project nomination provided by the Texas Transport Commission for the Isla Blanca Park Ferry Landing was adopted.

The Resolution is as follows:

(17) **CONSIDERATION AND ADOPTION OF A RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION – STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM FOR A PROJECT NOMINATION PROVIDED BY THE TEXAS TRANSPORTATION COMMISSION FOR THE OUR LADY OF VISITATION VISITORS CENTER. (JM-PARK SYSTEM)**

Commissioner Tamayo moved to adopt the Resolution supporting the submittal of an application to the Texas Department of Transportation-Statewide Transportation Enhancement Program for a project nomination provided by the Texas Transport Commission for the Our Lady of Visitation Visitors Center.

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

AYE: Judge Hinojosa, Commissioner Tamayo, Commissioner Benavides and Commissioner Garza

NAY: Commissioner Wood

The Resolution is as follows:

(18) CONSIDERATION AND ADOPTION OF A RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION – STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM FOR A PROJECT NOMINATION PROVIDED BY THE TEXAS TRANSPORTATION COMMISSION FOR THE EL CAMINO DE ISLA BLANCA PARK. (JM-PARK SYSTEM)

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Resolution supporting the submittal of an application to the Texas Department of Transportation-Statewide Transportation Enhancement Program for a project nomination provided by the Texas Transport Commission for the El Camino de Isla Blanca Park was adopted.

The Resolution is as follows:

(19) CONSIDERATION AND ADOPTION OF A RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION – STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM FOR A PROJECT NOMINATION PROVIDED BY THE TEXAS TRANSPORTATION COMMISSION FOR THE ISLA BLANCA PARK / SOUTH PADRE ISLAND VISITOR AND TRANSPORTATION CENTER. (JM-PARK SYSTEM)

Commissioner Benavides moved to adopt the Resolution supporting the submittal of an application to the Texas Department of Transportation-Statewide Transportation Enhancement Program for a project nomination provided by the Texas Transport Commission for the Isla Blanca Park/South Padre Island Visitor and Transportation Center.

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

AYE: Commissioner Wood, Commissioner Benavides

NAY: Commissioner Garza, Judge Hinojosa and Commissioner Tamayo

The motion failed by a vote of (3) to (2).

(8) CONSIDERATION AND POSSIBLE ACTION REGARDING IMPLEMENTATION OF NEW WELLNESS PROGRAM. (MV-HUMAN RESOURCES)

Carey Malek, representative of Mutual of Omaha, noted the new wellness program is designed to target certain health issues, such as smoking, and implement a program aimed at decreasing such issues. He added that the goal is to make County employees healthier and in turn lower costs for the County.

Manuel Villarreal stated that they are hoping to reach each employee in May to get a report on them in terms of their health.

Judge Hinojosa emphasized the importance of knowing how healthy you are and what you are at risk for.

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the implementation of a new wellness program was approved.

(9) CONSIDERATION AND APPROVAL OF RECLASSIFICATION OF PART-TIME SECRETARIAL POSITION TO A FULL-TIME SECRETARIAL POSITION. (FR-CONSTABLE PCT. 3)

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the reclassification of part-time secretarial position to a full-time secretarial position was approved.

EXECUTIVE SESSION

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:04 A.M. to discuss the following matters:

(40) 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 ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN THE COMMUNITY OF LA PALOMA PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LIABILITY ISSUES AT THE CAMERON COUNTY JAIL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING COUNTY OF CAMERON VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A, FOR DISCUSSION OF CASE AND AUTHORITY FOR SETTLEMENT WITH ABC WASTE COLLECTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)& (B).**
- (G) DELIBERATION REGARDING THE POSSIBLE SALE OF REAL PROPERTY OWNED BY CAMERON COUNTY BY THE GATEWAY BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (H) DELIBERATION REGARDING THE SALE OF REAL PROPERTY FOR FM 511 EXPANSION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

NOTE: Commissioner Tamayo and Commissioner Wood did not return to the meeting.

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the court reconvened into Regular Session at 11:53 A.M. to discuss the following matters:

(41) ACTION RELATIVE TO 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).**

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

NOTE: Commissioner Wood returned to the meeting at this time.

- (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).**

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Status Report by Pete Sepulveda was acknowledged.

- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN THE COMMUNITY OF LA PALOMA PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Status Report by Javier Mendez was acknowledged.

- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING LIABILITY ISSUES AT THE CAMERON COUNTY JAIL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

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

NOTE: Commissioner Garza left the meeting at this time.

- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING COUNTY OF CAMERON VS. BFI WASTE COLLECTION, ET. AL., CAUSE NO. 2005-07-3905-A, FOR DISCUSSION OF CASE AND AUTHORITY FOR SETTLEMENT WITH ABC WASTE COLLECTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A)& (B).**

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

- (G) DELIBERATION REGARDING THE POSSIBLE SALE OF REAL PROPERTY OWNED BY CAMERON COUNTY BY THE GATEWAY BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

- (H) DELIBERATION REGARDING THE SALE OF REAL PROPERTY FOR FM 511 EXPANSION PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

(13) CONSIDERATION AND POSSIBLE AND ACTION REGARDING THE SELECTION AND AWARD OF RFP NO. 051105 FOR INFIRMARY MEDICAL SERVICES FOR COUNTY JAIL AND DETENTION FACILITIES. (DJV-LEGAL)

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

NOTE: Commissioner Garza returned to the meeting at this time.

(4) PRESENTATION AND UPDATE ON STATUS OF WEST AND NORTH RAIL PROJECTS. (PS-DEPT. OF TRANSPORTATION)

John Hudson, JWH Associates, gave a presentation on the update of the West and North Rail Projects. He noted that when these projects are completed, there will be 100 ft. extra of right-of-way through Downtown Brownsville and across the Brownsville & Matamoros Bridge. He stated that the engineering design is 85% complete and they are working with TxDOT on the design of the railroad over US 281 and the bridge structure to allow US 281 to be expanded into a 6 lane divided highway. He noted that the appraisals for all the partials of land along the West Rail have been ordered and JWH is in negotiations with property owners to purchase right-of-way along the West Rail.

NOTE: Judge Hinojosa left the meeting at this time.

He noted that the funding from the Cameron County Regional Mobility Authority would come through TxDOT providing equity funds to the CCRMA. He went on to say that these funds would allow the purchase of the right-of-way along the West Rail. He added that TxDOT's Transportation Bill has provisions for \$200 million to be allocated to states based on their railroad plan and they having been working with TxDOT for the relocation projects to be submitted to Washington for the State of Texas to receive federal funding. He noted the there is a need of \$13 million to complete construction.

Pete Sepulveda, Department of Transportation Director, reported on the status of the North Rail. He stated that the CCRMA has taken over the project from the City of Harlingen and are in the process of doing the

environmental assessment. He added he will draft an MOU between Cameron County and the CCRMA so that the County can be designated as a partner.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the presentation on the status of the West and North rail projects was acknowledged.

(3) PRESENTATION OF THE SECOND QUARTER REPORT FOR THE INTERNATIONAL BRIDGE SYSTEM. (PS-DEPT. OF TRANSPORTATION)

Pete Sepulveda, Department of Transportation Director, presented the second quarter report for the International Bridge System. He noted that the total revenue generated for the first and second quarter totals \$9,064,067.25 and the County is \$148,095 above the budgeted amount for revenue and expenditures.

Commissioner Wood asked about the impact of Spring Break on the Gateway Bridge.

Mr. Sepulveda stated that the revenue was 8% higher than last year, but still well below the revenue generated from 2-3 years ago.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the presentation of the Second Quarter Report for the International Bridge System was acknowledged.

The Report is as follows:

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

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

The Documents are as follows:

(6) APPROVAL OF MINUTES FOR:

- (A) JANUARY 24, 2006-REGULAR MEETING**
- (B) JANUARY 31, 2006-REGULAR MEETING**
- (C) FEBRUARY 7, 2006-REGULAR MEETING**
- (D) FEBRUARY 14, 2006-SPECIAL MEETING**
- (E) FEBRUARY 14, 2006-REGULAR MEETING**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the minutes for January 24, 2006-Regular meeting, January 31, 2006-Regular meeting, February 7, 2006-Regular meeting, February 14, 2006-Special meeting and February 14, 2006-Regular meeting were approved.

(7) APPROVAL OF CLAIMS.

Commissioner Garza moved that the Claims be approved, inclusive of the late claims.

The motion was seconded by Commissioner Wood and carried unanimously.

The Claims are as follows:

(11) CONSIDERATION AND APPROVAL OF PERSONNEL POLICY CHANGES ON SECTION 7.08 (4) REGARDING RESTORATION OF SICK LEAVE AND RETENTION OF YEARS OF SERVICE. (MV-HUMAN RESOURCES)

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

(12) CONSIDERATION AND ACTION CREATING SUPPORT STAFF FOR THE IMPLEMENTATION OF CIVIL SERVICE SYSTEM. (MV-HUMAN RESOURCES)

Manuel Villarreal, Human Resources Director, recommended a redistribution of salary from a vacant position to compensate the HR Staff as their responsibilities and duties will increase greatly as the Civil Service System is implemented.

Commissioner Garza asked if there would be a hiring of a Civil Service Consultant.

Mr. Villarreal answered in the affirmative.

Commissioner Garza questioned whether to wait to hire the consulting firm before any changes/increases are made.

Mr. Villarreal stated that they are already working with the firm to implement the Civil Service System.

Commissioner Garza asked what the consulting firm's duties are and added that he thought they would be providing us a template of what to do and how to implement the Civil Service System.

Mr. Villarreal stated that the firm would be creating the rules of the Civil Service System.

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

(14) CONSIDERATION AND AUTHORIZATION TO ENTER INTO A BUSINESS CONTINUITY SERVICE AGREEMENT WITH PRESIDIO CORP. TO RE-DEVELOP THE CAMERON COUNTY COMPUTER CENTER DISASTER PREPAREDNESS AND RECOVERY PLAN BASED ON COUNTY BUSINESS GOALS AND OBJECTIVES, AND SYSTEMS ARCHITECTURE AND INFRASTRUCTURE DESIGN. (RJ-COMPUTER CENTER)

Rudy Juarez, Computer Center Director, stated the Computer Center and Presidio Corp. are trying to design a strategic plan based on the departments and their priorities in the event of a catastrophic event. He added that there is currently no plan in place..

Commissioner Wood questioned the deliverable description on page 24, Appendix A: Deliverable Guidelines as to the exact meaning of the description.

Mr. Juarez stated that the description refers to the equipment that is currently in place and its functionality in terms of age and our ability to recover or replace the equipment in the event that it is outdated. He added that there is a technical plan in place, but if a disaster occurs there is no plan to prioritize what department comes on-line first and how many people and equipment are they going to need to operate.

Commissioner Garza asked if there is any other cost in regards to travel.

Mr. Juarez stated that he has taken the cost of travel into account and Presidio Corp. has agreed to adhere to Cameron County's travel guidelines.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the agreement was approved.

The Agreement is as follows:

(20) CONSIDERATION AND APPROVAL TO USE FUND BALANCE IN ROAD BRIDGE FOR ROAD MATERIALS. (PS-DEPT. OF TRANSPORTATION)

Pete Sepulveda, Department of Transportation Director, highlighted all of the streets that have been worked on in the last six months. He stated that in order to continue working for the next five months, he will need to transfer funds from the fund balance, approximately \$1.9 million, to the road materials balance, which has a balance of \$100,000.

Commissioner Benavides asked if he can provide the Court with a listing of how much money is spent per precinct and how many road miles have been covered.

Commissioner Wood asked Mr. Sepulveda how much has been spent of the road materials balance and how much he believes will be needed from the fund balance to continue work for the next five months.

Mr. Sepulveda stated that \$1.4 million has been spent so far and feels that \$500,000 will be needed for the next five months.

Commissioner Wood moved to allow no more than \$500,000 be taken from the fund balance to be used for road materials.

The motion was seconded by Commissioner Garza and carried unanimously.

The Memorandum is as follows:

(21) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY. (PS-DEPT. OF TRANSPORTATION)

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Interlocal Agreement between Cameron County and the Cameron County Regional Mobility Authority was approved.

The Agreement is as follows:

(22) **CONSIDERATION AND APPROVAL OF A RESOLUTION SUPPORTING THE EXTENSION OF I-37 OR I-69 FROM CORPUS CHRISTI TO THE RIO GRANDE VALLEY AND PLEDGING OF FUNDS. (PS-DEPT. OF TRANSPORTATION)**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Resolution supporting the extension of I-37 or I-69 from Corpus Christi to the Rio Grande Valley and pledging of funds was approved.

The Resolution 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

DISCUSSION CONCERNING CONSENT AND TRAVEL ITEMS:

Item No. 26: Commissioner Wood commented on the success of the Weed and Seed program and indicated that the program's success has acquired continuous support from the Department of Justice.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, Item No. 26 was approved.

Item No. 29: Commissioner Garza expressed his concern for off-site imaging, scanning and indexing of County records. He stated his concerns regarding County records when they are no longer being in our control.

Mike Forbes, purchasing agent, noted that the proposal goes into great detail as to the procedures of off-site handling.

Item No. 39 (C): Commissioner Garza asked why the item is being placed on the agenda when the training occurred almost a month ago.

Jared Hockema, Emergency Management Assistant Coordinator, stated the individuals went to a course that was reimbursed by the State of Texas and they are requesting reimbursement for their meals as the State did not pay for that.

Commissioner Garza pointed out the gas expense that was included with the request for reimbursement of meals.

Mr. Hockema stated that the gas expense should have been turned in to be reimbursed by the State and they should only be reimbursed for meals.

Item No. 39 (E) and (G):

Commissioner Garza questioned why we are sending (2) juvenile probation early intervention officers to Garden Grove, CA and the Elections Administrator to San Francisco, CA. He expressed his opinion that perhaps there are trainings that are closer, as the County is under cost containment.

Xavier Villarreal, Budget Officer, stated that these 2 conferences are paid for by grant funds.

Commissioner Wood moved that the "Travel and Consent Items" be approved, subject to Item No. 39 (C) being approved for the reimbursement of meals only.

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

AYE: Commissioner Wood and Commissioner Benavides

NAY: Commissioner Garza

- (23) **CONSIDERATION AND AUTHORIZATION TO ALLOW THE CAMERON COUNTY PARKS AND RECREATION DEPARTMENT TO AWARD BID TO VICTOR M. CUELLAR, D/B/A V.M. CUELLAR, IN AN AMOUNT GREATER THAN \$15,000.00, BUT LESS THAN \$25,000.00. (JM-PARK SYSTEM)**
- (24) **CONSIDERATION AND AUTHORIZATION TO REQUEST PROPOSALS FOR IRC 125 CAFETERIA PLAN ADMINISTRATION FOR OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007 AND ADVERTISEMENT. (MV-HUMAN RESOURCES)**
- (25) **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH LYNN PHAM & ROSS, LLP FOR CONSULTING SERVICES TO INITIATE THE CAMERON COUNTY CIVIL SERVICE SYSTEM. (RB-LEGAL)**
The Agreement is as follows:
- (26) **CONSIDERATION AND AUTHORIZATION FOR CAMERON COUNTY TO ACCEPT THE WEED AND SEED CONTINUATION GRANT AWARDED TO THE CAMERON COUNTY JUVENILE PROBATION DEPARTMENT. (TR-JUVENILE)**
The Documentation is as follows:
- (27) **CONSIDERATION AND AUTHORIZATION FOR THE JUVENILE PROBATION DEPARTMENT TO SUBMIT AN APPLICATION FOR ASSISTANCE TO THE UNITED STATES DEPARTMENT OF JUSTICE. (TR-JUVENILE)**
- (28) **CONSIDERATION AND AUTHORIZATION TO RENEW THE FOLLOWING BIDS FOR ONE (1) ADDITIONAL YEAR: (MF-PURCHASING)**
(A) PEST CONTROL SERVICES – ANNUAL BID #1600 WITH SAFEGUARD
(B) ROAD MATERIALS: EMULSION OILS – ANNUAL BID #2540 WITH SEM MATERIALS
(C) ROAD MATERIALS: COLD PATCH – ANNUAL BID #2566 WITH BALLINGER
(D) ROAD MATERIALS: STABILIZER LIQUID – ANNUAL BID #2574 WITH ROAD BOND USA, J.B. INDUSTRIES, ARROW MAGNOLIA
The Tabulation is as follows:
- (29) **CONSIDERATION AND APPROVAL OF PROPOSAL DRAFT FOR IMAGING, SCANNING AND INDEXING ON-SITE AND OFF-SITE SERVICES FOR VARIOUS COUNTY DEPARTMENTS. (MF-PURCHASING)**
- (30) **CONSIDERATION AND AUTHORIZATION TO AWARD FIRE EXTINGUISHERS & SYSTEMS MAINTENANCE & REPAIRS – ANNUAL BID #1430 TO ALL STATE FIRE EXT. (MF-PURCHASING)**
The Tabulation is as follows:
- (31) **CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS/RFP FOR: (MF-PURCHASING)**
(A) UNIFORMS RENTAL & CLEANING – ANNUAL BID #1940 TO UNIFIRST
(B) TRANSPORTATION/EXTRADITION SERVICES FOR INMATES – ANNUAL RFP #1890 TO TRANSCOR
The Tabulation is as follows:
- (32) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR CANO ESTATES NO. IV SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:
- (33) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR PALOMAR SUBDIVISION, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:
- (34) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR THE HEATHER SUBDIVISION, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**

The Documentation is as follows:

- (35) CONSIDERATION AND APPROVAL OF INVOICE FOR RABA-KISTNER IN THE AMOUNT OF \$27,735.00, PURSUANT TO EVERGREEN CONTRACT WITH CAMERON COUNTY. (PS-DEPT. OF TRANSPORTATION)

The Information is as follows:

- (36) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND L & G ENGINEERING FOR SERVICES AS REQUIRED FOR COMPLETING RELATED MISCELLANEOUS ROADWAY PROJECTS. (PS-DEPT. OF TRANSPORTATION)

The Contract is as follows:

- (37) CONSIDERATION AND APPROVAL OF WORK AUTHORIZATION NO. 1 BETWEEN CAMERON COUNTY AND L & G ENGINEERING. (PS-DEPT. OF TRANSPORTATION)

The Documentation is as follows:

- (38) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)

PRECINCT NO. 1- G & A SUBDIVISION, BEING THE WEST 11 ACRE TRACT OF LAND OUT OF LOT 5, BLOCK 103, EL JARDIN RESUBDIVISION, SHARE 19, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 1, PAGE 26 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

The Documentation is as follows:

TRAVEL ITEMS:

- (39) CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):

- (A) CONSTABLE PRECINCT 7, TO TRAVEL TO HUNTSVILLE, TX, ON 4/11/06, TO ATTEND TRAINING-VERBAL JUDO FOR THE PROFESSIONAL.
- (B) CONSTABLE PRECINCT 2, TO TRAVEL TO HUNTSVILLE, TX, ON 4/10-11/06, TO ATTEND TRAINING-VERBAL JUDO FOR THE PROFESSIONAL.
- (C) ASSISTANT FIRE MARSHAL AND DEPUTY FIRE MARSHAL, TO TRAVEL TO SAN ANTONIO, TX, ON 3/6-9/06, TO ATTEND G-193 NATIONAL INCIDENT MANAGEMENT SYSTEM COURSE.
- (D) JUVENILE PROBATION CHIEF, TO TRAVEL TO ARLINGTON, TX, ON 4/23-26/06, TO ATTEND "JUVENILE JUSTICE ASSOCIATION OF TEXAS (JJAT) CONFERENCE."
- (E) JUVENILE PROBATION EARLY INTERVENTION OFFICERS (2), TO TRAVEL TO GARDEN GROVE, CA, ON 4/22-29/06, TO ATTEND THE "SCHOOL RESOURCE OFFICER TRAINING."
- (F) PD & M CD COORDINATOR, TO TRAVEL TO MERCEDES, TX, ON 4/12/06, TO ATTEND LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL MEETING.
- (G) ELECTIONS ADMINISTRATOR, TO TRAVEL TO SAN FRANCISCO, CA, ON 7/2-8/06, TO ATTEND THE ANNUAL CONFERENCE AND EDUCATION SESSIONS BY IACREOT.

- (H) HEALTH ADMINISTRATOR, TO TRAVEL TO FALFURRIAS, TX, ON 4/4/06, TO ATTEND THE LOCAL HEALTH DEPARTMENT DIRECTOR'S MEETING.**
- (I) COUNTY JUDGE EMPLOYEE, TO TRAVEL TO LAREDO, TX, ON 4/11-12/06, TO ATTEND THE TEXAS BORDER INFRASTRUCTURE COALITION MEETING.**
- (J) COUNTY AUDITOR AND ASSISTANT AUDITOR, TO TRAVEL TO AUSTIN, TX, ON 5/8-12/06, TO ATTEND THE FORTY-EIGHTH ANNUAL COUNTY AUDITORS INSTITUTE.**
- (K) STAFF ENGINEER, TO TRAVEL TO SAN ANTONIO, TX, ON 4/20-21/06, TO ATTEND SEMINAR – TECHNIQUES FOR THE MODERN ENGINEERING MANAGER FOR CONTINUING EDUCATION HOURS.**
- (L) SHERIFF AND CHIEFS (2), TO TRAVEL TO SAN ANTONIO, TX, ON 5/14-18/06, TO ATTEND THE 20TH ANNUAL TEXAS JAIL ASSOCIATION SPRING CONFERENCE.**
- (M) LIEUTENANT AND SERGEANT, TO TRAVEL TO SAN ANTONIO, TX, ON 4/11-13/06, TO ATTEND THE LEGAL AND LIABILITY MANAGEMENT FOR TACTICAL, SWAT AND EMERGENCY RESPONSE OPERATIONS TRAINING SEMINAR.**
- (N) 107TH DISTRICT JUDGE, TO TRAVEL TO LAS VEGAS, NV, ON 4/2-5/06, TO ATTEND THE 5TH ANNUAL (NV) ABSOLUTE CRIMINAL LITIGATORS COFERENCE-2006.**
- (O) COUNTY JUDGE AND DEPARTMENT OF TRANSPORTATION DIRECTOR, TO TRAVEL TO AUSTIN, TX, ON 4/18/06, TO ATTEND TRANSPORTATION HEARING.**

- (25) **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH LYNN PHAM & ROSS, LLP FOR CONSULTING SERVICES TO INITIATE THE CAMERON COUNTY CIVIL SERVICE SYSTEM. (RB-LEGAL)**

The Agreement is as follows:

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The Documentation is as follows:

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(A) PEST CONTROL SERVICES – ANNUAL BID #1600 WITH SAFEGUARD

(B) ROAD MATERIALS: EMULSION OILS – ANNUAL BID #2540 WITH SEM MATERIALS

(C) ROAD MATERIALS: COLD PATCH – ANNUAL BID #2566 WITH BALLINGER

(D) ROAD MATERIALS: STABILIZER LIQUID – ANNUAL BID #2574 WITH ROAD BOND USA, J.B. INDUSTRIES, ARROW MAGNOLIA

The Tabulation is as follows:

- (30) CONSIDERATION AND AUTHORIZATION TO AWARD FIRE EXTINGUISHERS & SYSTEMS MAINTENANCE & REPAIRS – ANNUAL BID #1430 TO ALL STATE FIRE EXT. (MF-PURCHASING)
The Tabulation is as follows:**

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(A) UNIFORMS RENTAL & CLEANING – ANNUAL BID #1940 TO UNIFIRST

**(B) TRANSPORTATION/EXTRADITION SERVICES FOR INMATES – ANNUAL RFP #1890 TO
TRANSCOR**

The Tabulation is as follows:

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The Documentation is as follows:

- (33) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR PALOMAR SUBDIVISION, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:

- (34) CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR THE HEATHER SUBDIVISION, PRECINCT NO. 3, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:

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The Information is as follows:

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The Contract is as follows:

- (37) CONSIDERATION AND APPROVAL OF WORK AUTHORIZATION NO. 1 BETWEEN CAMERON COUNTY AND L & G ENGINEERING. (PS-DEPT. OF TRANSPORTATION)
The Documentation is as follows:**

- (38) CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- A. PRECINCT NO. 1- G & A SUBDIVISION, BEING THE WEST 11 ACRE TRACT OF LAND OUT OF LOT 5, BLOCK 103, EL JARDIN RESUBDIVISION, SHARE 19, ESPIRITU SANTO GRANT, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 1, PAGE 26 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

The Documentation is as follows:

SUPPLEMENTAL ITEMS:

(1) CONSIDERATION AND POSSIBLE APPROVAL OF AMENDMENT TO CONTRACT BETWEEN CAMERON COUNTY AND AGUIRRE CORP. EXTENDING SCOPE OF WORK.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Amendment to the Contract between Cameron County and Aguirre Corp. extending the scope of work was approved.

There being no further business to come before the Court, upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the meeting was **ADJOURNED** at 1:10 P.M.

APPROVED this 3rd day of **May 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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