

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 13<sup>th</sup> day of June 2006, there was conducted a SPECIAL 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:

8:00 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:  
PEDRO "PETE" BENAVIDES

EDNA TAMAYO

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The meeting was called to order by Judge Hinojosa at 8:15 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 June 9, 2006 at 11:14 A.M.:

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(1) **PUBLIC COMMENTS.**

None were presented.

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## **PRESENTATIONS**

(2) **PRESENTATION AND STATUS REPORT ON THE FIRST AND SECOND CALL BORDER COLONIA ACCESS PROGRAM. (PS-DEPT. OF TRANSPORTATION)**

Mr. Ernesto Hinojosa, Department of Transportation, stated that the First Call Border Colonia Access Program is near completion. He stated that the funds for the Bishop Colonia are depleted and added that Mr. Pete Sepulveda, Department of Transportation Director, is in the process of finding other funds available. He noted that the First Call took about (2) years to complete.

Mr. Ernesto Hinojosa presented the Court with a spreadsheet indicating the First Call projects that were selected based on population and those selected based on competitive criteria set up by TxDOT. He stated that (9) population-based colonias have been worked on under the First Call which equates to (9) miles of roads and a total cost of \$3 million. He stated that the 2<sup>nd</sup> part of the First Call program involved the competitive bid projects and noted that Cameron Park was selected as a project for this program.

Judge Hinojosa informed the Court that people are parking on the sidewalks in Cameron Park and requested that signs be posted stating those parking on sidewalks will be fined. He also requested that law enforcement officials patrol the area to fine offenders.

Mr. Ernesto Hinojosa stated that he would look into the matter.

Judge Hinojosa asked Sheriff Lucio to send officers to patrol the area and noted that the JP's should not be lenient on the offenders.

Mr. Ernesto Hinojosa stated that the 2<sup>nd</sup> part of the First Call program took a year to complete and added that the total cost of the project is \$4 million. He stated that TxDOT gave Cameron County \$7 million for these projects and approximately \$3 million is left. He noted that the 3<sup>rd</sup> phase, an estimated cost of \$2.3 million, leaves approximately \$700,000 for the 2<sup>nd</sup> phase.

Judge Hinojosa asked about Brownsville Public Utilities Board's plan for the relocation of the lines.

Mr. Ernesto Hinojosa stated that PUB had allocated \$1.5 million for utility relocation and has only used \$700,000. He noted that funding is available for the relocation of the lines for phase 3.

Mr. Ernesto Hinojosa highlighted a handout that listed the expenditures for each colonia and stated that funding from TxDOT totaled \$10,228,794 for all colonias as well as all (3) project phases of Cameron Park. He noted that \$7,220,643.31 has been spent, which leaves a remaining \$3,007,954.69.

Judge Hinojosa commended everyone who worked on these projects on a job well done and added that the residents are happy with the work as well. He asked if there is a program for maintenance of urban standard roads.

Commissioner Wood stated that urban roads are easier to maintain, as they are built to a higher standard than rural roads. He added that urban roads should not need regular maintenance for several years.

Mr. Ernesto Hinojosa stated that all roads are built to TxDOT standards and meets all of their requirements. He noted given the fact that rural roads require more maintenance, such as seal coating and mowing, the creation of a maintenance crew is in process.

Commissioner Garza stated that the Juarez Subdivision, an urban section of road, is in the reconstruction process and noted that material are being reclaimed and crews are utilizing the existing gutters and overlaying the road as the original developer left the roads in such poor shape.

Mr. Ernesto Hinojosa stated that on the Second Call, TxDOT has cut back on funding, only providing \$7 million, and have set criteria that states no more than \$200,000 per mile, including drainage and road materials, can be spent. He listed the (7) colonias in the Second Call program: Encantada, Tierra Bonita #1 & #2, Lozano, Esparza Unit #1 & #2, Arroyo Colorado Estates and Juarez; and stated that the cost is estimated at \$2.3 million.. He added that the set up of a second work crew, to expedite project, is in process.

Mr. Ernesto Hinojosa stated that the 2<sup>nd</sup> part of the Second Call, the competitive bid projects, includes the colonias of Galpin, Olmito and Rutherford-Harding Addition. He noted that the Olmito colonia is going to be a year long in-house project that is going to be completed in 9-12 months. He added that population-based projects will be done first.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Presentation and Status Report on the First and Second Call Border Colonia Access Program was acknowledged.

**The Documentation is as follows:**

## **ACTION ITEMS**

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

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

**The Documents are as follows:**

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**(4) APPROVAL OF MINUTES FOR:**

**(A) MAY 30, 2006-REGULAR MEETING**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the minutes for the May 30, 2006-Regular Meeting were approved.

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**(5) 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:**

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(6) **CONSIDERATION AND POSSIBLE APPROVAL OF PARTICIPATING IN THE SOUTH TEXAS COUNTY JUDGES AND COMMISSIONER'S ASSOCIATION. (VDL-COUNTY JUDGE)**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, participation in the South Texas County Judges and Commissioner's Association was approved.

**The Documents are as follows:**

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**(8) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT AMONG THE CITY OF BROWNSVILLE, CAMERON COUNTY, CAMERON COUNTY DRAINAGE DISTRICT NO. 3, VALLEY MUNICIPAL UTILITY DISTRICT NO. 2 AND THE COMMUNITY OF LOS FRESNOS. (PS-DEPT. OF TRANSPORTATION)**

Mr. Remi Garza, Assistant County Administrator, stated that the agreement pertains to a drainage project that the City of Brownsville, Cameron County, Cameron County Drainage District No. 3, Valley Municipal Utility District No. 2 and the Community of Los Fresnos are collaborating on and does not require any match from Cameron County as the City of Brownsville is going to be the lead sponsor and will perform all of the administrative duties.

Commissioner Wood stated that he met with Ben Medina and the Brownsville City Manager and noted that the grant amount is \$84,500. He added that the City of Brownsville is providing a match of \$64,000 in cash and \$20,000 of in-kind services and are looking to the other participants in assisting with the \$64,000 cash match for the grant.

Judge Hinojosa asked if a contributing amount is needed at this time.

Commissioner Wood replied in the negative and added that a contribution will be needed in the near future.

Commissioner Garza noted that the agreement states that the \$64,583 in cash is a responsibility of Brownsville and moved to approve the Interlocal Agreement among the City of Brownsville, Cameron County, Cameron County Drainage District No. 3, Valley Municipal Utility District No. 2 and the Community of Los Fresnos,

The motion was seconded by Commissioner Wood and carried unanimously.

**The Agreement is as follows:**

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**(9) CONSIDERATION AND POSSIBLE APPROVAL REGARDING THE INCLUSION OF THE RGV EDUCATIONAL BROADCASTING, INC. (KMBH) ON THE JURY DONATION HOUSE BILL 1886.(RG-COUNTY JUDGE)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, Inclusion of the RGV Educational Broadcasting, Inc. (KMBH) on the Jury Donation House Bill 1886 was approved.

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**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. 16:** Ms. Dylbia Jeffries Vega, Legal Counsel, requested that this item be TABLED.

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**Item No. 15:** Commissioner Wood expressed his disapproval of the absence of Constable Burnias as this item involves the appointment of a reserve deputy constable in his precinct.

Mr. Manuel Villarreal, Human Resources Director, stated that he notified Constable Burnias of the meeting date and time.

Judge Hinojosa stated that the Brownsville Herald wrote a story insisting that the Commissioners' Court approved the appointment of a deputy that had pending charges against him. He recommended that any appointee be present at the Commissioners' Court Meeting to answer any questions involving pending matters as to avoid future misrepresentation.

Mr. Villarreal stated that he will advise future appointees, as they bring in their documentation, that their presence at the meeting be necessary.

Commissioner Garza noted that a reserve deputy constable can request an unmarked car without the approval from the Commissioners' Court and recommended that future requests be brought to the Court for approval.

Commissioner Garza moved to approve the appointment of Israel F. De Hoyos Reserve Deputy Constable for Precinct No. 6 in compliance with the finding that it is necessary to appoint the Deputy in order to properly handle the business of the Constable's Office that originates in the Constable's Precinct and that the appointment is valid only through the end of the fiscal year in which the appointment is made or the current term of the elected constable which ever ends sooner.

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

AYE: Commissioner Garza and Judge Hinojosa



**Item No. 24:** Commissioner Garza asked why Public Works is handling the beach cleaning and maintenance as opposed to the Parks Department.

Mr. Javier Mendez, Parks Director, stated that Boca Chica Beach is maintained by Public Works, not the Parks System.

Judge Hinojosa added that Boca Chica Beach is State property and noted that Commissioner Benavides was the one who requested that Public Works maintain the beach. He added that there are no resources available for the County to take over maintenance.

Mr. Mendez stated that fees can be charged for access to fund the cost of maintenance. He noted that there has been opposition in the past from the public regarding beach access fees.

Ms. Dylbia Jeffries Vega, Legal Counsel, noted that Item (4) of the application states that the applicant provide free entrance to all public beaches within its jurisdiction. She added that this issue needs to be clarified as fees are charged for access to the beaches of South Padre Island.

Commissioner Garza moved that the "Travel and Consent Items" be approved, excluding Item No. 15 and tabling Item No. 16.

The motion was seconded by Commissioner Wood and carried unanimously.

- (10) **CONSIDERATION AND AUTHORIZATION TO INCREASE THE AMOUNT OF PETTY CASH FOR THE NURSING PROGRAM AT THE FOUR CLINIC LOCATIONS AS REQUESTED. (YS-HEALTH)**
- (11) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. ANTONIO LIMON FOR HIS LIFETIME OF ACHIEVEMENT. (COMM. COURT)**  
**The Resolution is as follows:**
- (12) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MS. SYLVIA RODRIGUEZ ON THE OCCASION OF HER INDUCTION TO THE TEXAS WOMEN'S UNIVERSITY HALL OF FAME. (COMM. COURT)**  
**The Resolution is as follows:**
- (13) **CONSIDERATION AND ADOPTION OF A RESOLUTION HONORING VALEDICTORIANS AND SALUTATORIANS FROM CAMERON COUNTY HIGH SCHOOLS. (COMM. COURT)**  
**The Resolution is as follows:**
- (14) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING THE FIRST ANNUAL OBSERVANCE OF EMANCIPATION DAY, OTHERWISE KNOWN AS "JUNETEENTH," IN CAMERON COUNTY. (COMM. COURT)**  
**The Resolution is as follows:**
- (15) **CONSIDERATION AND APPOINTMENT OF ISRAEL F. DE HOYOS RESERVE DEPUTY CONSTABLE FOR PRECINCT NO. 6 IN COMPLIANCE WITH THE FINDING THAT IT IS NECESSARY TO APPOINT THE DEPUTY IN ORDER TO PROPERLY HANDLE THE BUSINESS OF THE CONSTABLE'S OFFICE THAT ORIGINATES IN THE CONSTABLE'S PRECINCT AND THAT THE APPOINTMENT IS VALID ONLY THROUGH THE END OF THE FISCAL YEAR IN WHICH THE APPOINTMENT IS MADE OR THE CURRENT TERM OF THE ELECTED CONSTABLE WHICH EVER ENDS SOONER. (MV-HUMAN RESOURCES) (ACTION TAKEN SEPARATELY)**  
**The Documentation is as follows:**

- (16) CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A. , LOCAL GOVERNMENT CODE, SECTION 262.024(A)(4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A COMPANY FOR ENGINEERING SERVICES FOR AN ASSESSMENT AND MATERIALS TESTING FOR THE VETERANS INTERNATIONAL BRIDGE. (DJV-LEGAL) (TABLED)
- (17) CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.024(A)(4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A COMPANY FOR ENGINEERING SERVICES FOR SOIL AND MATERIALS TESTING. (DJV-LEGAL)  
The Documentation is as follows:
- (18) CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.024 (A)(4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A REGISTERED NURSE AS A CONSULTANT FOR THE JAIL INFIRMARY. (RB-LEGAL)
- (19) CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH LOUANN COLLINS, R.N. A JAIL INFIRMARY CONSULTANT. (RB-LEGAL)  
The Agreement is as follows:
- (20) CONSIDERATION AND AUTHORIZATION TO NOMINATE VALLEY PROUD ENVIRONMENTAL COUNCIL TO APPLY FOR A TEXAS GENERAL LAND OFFICE, COASTAL MANAGEMENT PROGRAM, CYCLE 12 GRANT TO CONTINUE THE CAPTAIN CRAB BEACH MEDIA AND EDUCATION CAMPAIGN FOR THE SPRING AND SUMMER OF 2008. (FB-PD & M)  
The Documentation is as follows:
- (21) CONSIDERATION AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND KARINA Y. CASTILLO TO PROVIDE SERVICES IN THE WEED AND SEED TARGETED COMMUNITY. (TR-JUVENILE)  
The Agreement is as follows:
- (22) CONSIDERATION AND AUTHORIZATION FOR THE WEED AND SEED PROGRAM TO ACCEPT REGISTRATION FEES FOR THE SUMMER YOUTH PROGRAM. (TR-JUVENILE)
- (23) CONSIDERATION AND APPROVAL OF TIME EXTENSION FROM JUNE 23, 2006 TO JUNE 23, 2007 FOR PROVIDING SEWER FACILITIES (SEPTIC SYSTEMS) AT TULLOS SUBDIVISION, PRECINCT NO. 2. (PS-DEPT. OF TRANSPORTATION)
- (24) CONSIDERATION AND AUTHORIZATION TO ENTER INTO A BEACH CLEANING AND MAINTENANCE AGREEMENT WITH THE TEXAS GENERAL LAND OFFICE FOR THE STATE FINANCIAL ASSISTANCE FOR FISCAL YEAR 2007. (PS-DEPT. OF TRANSPORTATION)  
The Documentation is as follows:

## TRAVEL ITEMS

- (25) 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 1, TO TRAVEL TO FORT WORTH, TX, ON 6/23-29/06, TO ATTEND JUSTICE OF THE PEACE AND CONSTABLE STATE CONVENTION.

- (B) TAX ASSESSOR-COLLECTOR AND CHIEF OF INVESTIGATIONS, TO TRAVEL TO AUSTIN, TX, ON 6/13-15/06, TO ATTEND THE 2007 AUTOMOBILE THEFT PREVENTION AUTHORITY BOARD MEETING AND GRANT REVIEW.**
- (C) DISTRICT ATTORNEY AND EXECUTIVE FIRST ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO SAN ANTONIO, TX, ON 6/7-8/06, TO MEET WITH SOUTH TEXAS HIDTA – VERNON PARKER.**
- (D) PD & M CD COORDINATOR, TO TRAVEL TO MERCEDES, TX, ON 6/14/06, TO ATTEND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL PROFESSIONAL ADVISORY REVIEW PANEL MEETING.**
- (E) JUVENILE PROBATION EMPLOYEES (4), TO TRAVEL TO AUSTIN AND SAN ANTONIO, TX, ON 7/10-12/06, TO ATTEND “EDUCATION DESIRE TRIP.”**
- (F) WEED AND SEED COORDINATOR, JUVENILE PROBATION OFFICERS (2), DESIRE MENTORS (2) AND EARLY INTERVENTION PROBATION OFFICER, TO TRAVEL TO KINGSVILLE, TX, ON 6/26-30/06, TO PARTICIPATE IN THE SIXTH DRUG EDUCATION FOR YOUTH SUMMER CAMP.**
- (G) ELECTIONS ADMINISTRATOR AND EMPLOYEES (4), TO TRAVEL TO AUSTIN, TX, ON 7/19-21/06, TO ATTEND 24<sup>TH</sup> ANNUAL ELECTION LAW SEMINAR.**
- (H) JUSTICE OF THE PEACE PRECINCT 5, PLACE 1 AND EMPLOYEE, TO TRAVEL TO FORT WORTH, TX, ON 6/25-28/06, TO ATTEND THE 2006 ANNUAL JPCA CONFERENCE/TRAINING.**

- (11) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MR. ANTONIO LIMON FOR HIS LIFETIME OF ACHIEVEMENT. (COMM. COURT)**  
**The Resolution is as follows:**

- (12) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING MS. SYLVIA RODRIGUEZ ON THE OCCASION OF HER INDUCTION TO THE TEXAS WOMEN'S UNIVERSITY HALL OF FAME. (COMM. COURT)**  
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**The Resolution is as follows:**

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**The Documentation is as follows:**



- (17) **CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A., LOCAL GOVERNMENT CODE, SECTION 262.024(A)(4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO CONTRACTING WITH A COMPANY FOR ENGINEERING SERVICES FOR SOIL AND MATERIALS TESTING. (DJV-LEGAL)**

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**The Agreement is as follows:**

- (20) **CONSIDERATION AND AUTHORIZATION TO NOMINATE VALLEY PROUD ENVIRONMENTAL COUNCIL TO APPLY FOR A TEXAS GENERAL LAND OFFICE, COASTAL MANAGEMENT PROGRAM, CYCLE 12 GRANT TO CONTINUE THE CAPTAIN CRAB BEACH MEDIA AND EDUCATION CAMPAIGN FOR THE SPRING AND SUMMER OF 2008. (FB-PD & M)**  
**The Documentation is as follows:**

- (21) **CONSIDERATION AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN CAMERON COUNTY AND KARINA Y. CASTILLO TO PROVIDE SERVICES IN THE WEED AND SEED TARGETED COMMUNITY. (TR-JUVENILE)**  
**The Agreement is as follows:**

- (24) **CONSIDERATION AND AUTHORIZATION TO ENTER INTO A BEACH CLEANING AND MAINTENANCE AGREEMENT WITH THE TEXAS GENERAL LAND OFFICE FOR THE STATE FINANCIAL ASSISTANCE FOR FISCAL YEAR 2007. (PS-DEPT. OF TRANSPORTATION)**  
**The Documentation is as follows:**

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(7) **CONSIDERATION AND POSSIBLE ACTION FOR COMMISSIONERS' COURT TO PRIORITIZE PROJECTS TO SUBMIT TO THE COASTAL IMPACT ASSISTANCE PROGRAM (CIAP), COASTAL MANAGEMENT PROGRAM (CMP) – CYCLE 12, AND TEXAS PARKS AND WILDLIFE DEPARTMENT. (JM-PARK SYSTEM)**

Mr. Javier Mendez, Parks Director, stated that the County will be receiving Coastal Impact Assistance Program (CIAP) funds, which is estimated to be twice the amount received (4) years ago, that will total \$1 million per year. He stated that there are certain restrictions as to how the County can use the money from CIAP. He read (6) items that the County can be eligible for and they are: (1) restore, protect and enhance coastal natural resources, (2) improve water quality, (3) enhance public access, (4) improve on-shore infrastructure and environmental management, (5) mitigate erosion and stabilize shorelines and (6) educate the public on the importance of coastal natural resources. He stated that there are (2) portions to the program; the County portion and the State portion of funding. He added that the County can apply for both portions; however, a nomination form needs to be submitted with the application for State funds. He asked for direction from the Court as to prioritize what to include on the application.

Judge Hinojosa stated that the City of Port Isabel is planning to construct a waterfront park that will include walking trails, a bird watch overlook, public gardens, piers, a boardwalk, restroom facilities, a pavilion, a boat ramp, a kayak launch, and an outdoor amphitheatre. He stated that the City of Port Isabel is requesting that this waterfront park be placed on the priority list for the CIAP funds as well as \$200,000. Judge Hinojosa noted this waterfront park is one that can be used by all Cameron County residents and asked that this project be placed on the list of priorities for the CIAP funds.

Ms. Jill Francisco, City of Port Isabel, stated that the City of Port Isabel will be seeking the County fund portion of CIAP separately and asked that the waterfront park be placed on Cameron County's list of priorities.

Commissioner Garza asked what the total cost of the project is.

Ms. Francisco stated that the cost estimate is over \$1 million and noted that the City of Port Isabel is working with engineers to come up with a more exact number.

Commissioner Garza expressed his disapproval of placing the Boca Chica Beach Park project on the list of priorities as there have been unsuccessful attempts at this project in the past.

Judge Hinojosa stated that there was a commitment with Texas Parks and Wildlife for a matching grant of \$500,000 and noted that they were willing to give the County \$100,000 for the grant. He added that the County was never able to get U.S. Fish and Wildlife to do a long-term lease of Boca Chica Beach. He agreed with Commissioner Garza on moving on from the Boca Chica Beach Park project.

Ms. Laura de la Garza, Watershed Coordinator for the Arroyo Colorado Watershed Partnership, stated that there is a plan in place to clean up the arroyo and noted that the top priority of the plan is construction of wetlands of different sizes. She stated that problem with the arroyo is high nutrients from waste water treatment plants and added that wetlands are the best option to alleviate this problem.

Ms. De la Garza stated that the Arroyo Colorado Watershed Partnership will be applying for State funds for a feasibility study that will cost \$250,000. She requested that Cameron County give funds to show strength and commitment to the Arroyo Colorado Watershed Partnership's application. She stated that the arroyo is an impaired water body of the State and added that there is a volunteer effort in place to clean up the arroyo as to prevent tighter limitations from the State on the water treatment plants.

Judge Hinojosa asked how much of a match the Arroyo Colorado Watershed Partnership is requesting.

Ms. De la Garza stated that \$25,000 would show much support for the Arroyo Colorado project.

Mr. Mendez stated that the application will have higher consideration if there is a match or a donation.

Judge Hinojosa asked if the Arroyo Colorado Watershed Partnership is asking for funds from the CIAP monies or from the County.

Commissioner Garza replied that the Arroyo Colorado Watershed Partnership is asking for a \$25,000 commitment from the funds that Cameron County is awarded from CIAP and expressed his support for the project.

Judge Hinojosa asked if the priorities need to be re-listed and requested to add the City of Port Isabel waterfront park and the Arroyo Colorado project to the list.

Mr. Mendez replied that a plan needs to be made by September 2006 as to what projects the County wants to submit in the CIAP application.

Mr. Mendez informed the Court that the shoreline stabilization at Adolph Thomae Park is critical as only 850 ft. are stabilized and added that there is 4200 ft. of area that is yet to be stabilized. He asked to use a majority of the monies from CIAP for the shoreline stabilization.

Commissioner Garza moved to approve the list of priorities as presented to the Court as well as the additional projects discussed.

The motion was seconded by Commissioner Wood and carried unanimously.

**The Documentation is as follows:**



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## **EXECUTIVE SESSION**

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Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 9:24 A.M. to discuss the following matters:

**(26) 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 THE POSSIBLE ACQUISITION OF PROPERTY IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN LA PALOMA, PRECINCT NO. 4, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING STATUS OF OVERCROWDING ISSUES AND AGREEMENT WITH ATTORNEY GENERALS OFFICE/TEXAS COMMISSION ON JAIL STANDARDS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (G) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, FOR THE REPLACEMENT OF SEARCY RANCH ROAD BRIDGE 131, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (H) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 10:00 A.M. to discuss the following matters:

**(27) 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 Wood, seconded by Commissioner Garza and carried unanimously, the Status Report by Legal Counsel was acknowledged.

- (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 Wood and carried unanimously, the Status Report by Sheriff Lucio 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 Garza, seconded by Commissioner Wood and carried unanimously, the acceptance of the counter offer from the owner of Lot 7, Block 120 was approved

- (D) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE POSSIBLE ACQUISITION OF PROPERTY IN PORT ISABEL, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Status Report by the Public Works Department was acknowledged.

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

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

- (F) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING STATUS OF OVERCROWDING ISSUES AND AGREEMENT WITH ATTORNEY GENERALS OFFICE/TEXAS COMMISSION ON JAIL STANDARDS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

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

- (G) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, FOR THE REPLACEMENT OF SEARCY RANCH ROAD BRIDGE 131, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, authorization for the purchase of property for \$5,674 was approved.

- (H) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 1, FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

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

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There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the meeting was **ADJOURNED** at 10:03 A.M.

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**APPROVED** this 27<sup>th</sup> day of **June 2006**.

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**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**ATTEST:**

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