

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 27th day of June 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:
PEDRO "PETE" BENAVIDES

EDNA TAMAYO

The meeting was called to order by Judge Hinojosa at 9:35 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 23, 2006 at 2:37 P.M.:

(1) PUBLIC COMMENTS.

Mr. Fernando Ruiz, Brownsville resident, expressed disappointment in which the Court has been handling the matters of Isla Blanca Park. He requested that this issue be placed on referendum so that the people of Cameron County can voice their opinion on the subject.

Ms. Faith Ballesteros, South Padre Island resident, commented on how special Isla Blanca Park is to the people of the Valley. She stated that Isla Blanca Park is a place where people take their children and hope to one day take their grandchildren. She added that as this is the people's park where we fish at the jetties, surf and spend time with family.

Ms. Ballesteros stated that the people of the Valley are the life blood of this community and to take away a public space means taking away a piece of the people. She expressed her concern about the prospect of gambling in a public park where children play and voiced disbelief over the fact that the developer of this project, Mr. Barry Keenan, is a convicted kidnapper who served only 4 ½ years of a lifelong prison sentence as he was deemed mentally insane. She asked for the Court to keep Isla Blanca Park intact and noted that Isla Blanca Park was deeded to the County "for public park purposes only and for no other purpose".

Mr. Delton Lee, Harlingen resident, presented the Court with demographics regarding the issue of Isla Blanca Park. He noted that the original deed specifically states on page 4, item 1 "The land bequeathed here is for public park purposes only and no other purpose." He stated that the (4) boxes presented to the Court represent 35,000 individual responses against the commercial development of Isla Blanca Park and noted that 1,000 more responses were sent to the Judge's Office from Winter Texans. He informed the Court that the responses would be handed over once all the information has been put into a database. He added that the demographics include contact information and how individuals use the park. He mentioned that not one person stated that they wanted more commercial development that benefits a small group of people or any casino gambling and added that some persons said they wanted more wildlife, better restrooms, more pavilions and more parking. He asked the Court to consider a different project that will benefit the whole community.

The Forms are as follows:

PRESENTATIONS

- (2) **PRESENTATION OF RESOLUTION HONORING MS. JEANNE BAKER, MS. CLAUDIA DUNCAN, MR. DENJUAMI GANDARA, MS. SHEENA KNIGHTS, MR. GABRIEL MOK, MS. LINDA PENA, MR. ALEJANDRO PEREZ, AND MR. CARLOS RIVERA FOR THEIR OUTSTANDING ACADEMIC ACHIEVEMENT. (COMM. CT)**

Judge Hinojosa noted that every year a resolution is has passed honoring those high school graduates of Cameron County who graduated valedictorian or salutatorian of their class. He added that honoring these individuals is important as they bring pride to their families and their communities. He presented each graduate with a resolution detailing their many accomplishments.

- (3) **PRESENTATION OF RESOLUTION COMMENDING MR. SANTOS GOMEZ, MS. JANET SHEARS, MR. TRAVIS STUKES, MR. SAUL VILAFRANCO, MR. JULIO TREVIÑO, MS. ROSIE LOPEZ, AND MR. MARK PEÑA FOR THEIR OUTSTANDING SERVICE. (COMM. CT)**

Judge Hinojosa stated this resolution recognizes those persons who assisted during the difficult time when a gentleman fell from the 3rd floor of the Judicial Building and landed in the Hall of Justice. He added that it was through the steady hand and help from these individuals that no one else was hurt and this person was able to be saved. He noted that they acted quickly and did not hesitate in providing aid.

ACTION ITEMS

- (4) **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:

(5) APPROVAL OF MINUTES FOR:

(A) JUNE 13, 2006-SPECIAL MEETING

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the minutes for the June 13, 2006-Special Meeting were approved.

(6) 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 as follows:

AYE: Commissioner Garza and Commissioner Wood

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00162353, made payable to Southwest Key Program La Esperanza, in the amount of \$267,082.00

The Claims and Affidavit are as follows:

(7) **CONSIDERATION AND ADOPTION OF A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF CAMERON, TEXAS SUPPORTING AN EFFORT BY THE CITY OF HARLINGEN, TEXAS TO CREATE THREE TAX INCREMENT FINANCING REINVESTMENT ZONES.(FB-PD&M)**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Resolution supporting an effort by the City of Harlingen, Texas to create Three Tax Increment Financing Reinvestment Zones was approved.

The Resolution is as follows:

(8) CONSIDERATION AND ACTION TO APPOINT A COMMISSIONERS' COURT REPRESENTATIVE FOR THE THREE (3) PROPOSED CITY OF HARLINGEN TAX INCREMENT FINANCING REINVESTMENT ZONES.(FB-PD&M)

Commissioner Wood moved that Commissioner David A. Garza be appointed as the Commissioners' Court Representative for the Three (3) proposed City of Harlingen Tax Increment Financing Reinvestment Zones.

The motion was seconded by Commissioner Garza and carried unanimously.

(9) CONSIDERATION AND POSSIBLE APPROVAL OF GEOPHYSICAL EXPLORER THE USE OF COUNTY ROADS TO CONDUCT A 3-D SEISMIC SURVEY.(DJV-LEGAL)

Mr. Richard Burst, Legal Counsel, stated Geophysical Explorer is requesting to use the right-of-way for surveying purposes.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Geophysical Explorer use of County roads to conduct a 3-D Seismic Survey was approved.

The Documentation is as follows:

(10) **CONSIDERATION AND APPROVAL FOR AN AGREEMENT BETWEEN IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY AND CAMERON COUNTY CONSTABLE PRECINCT NO. 4 FOR THE REIMBURSEMENT OF EXPENSES IN JOINT OPERATIONS TASK FORCE.(RL-CONSTABLE PCT. 4)**

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

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. 25:

Mr. Mike Forbes, Purchasing Agent, asked that (2) committees be selected.

Judge Hinojosa recommended that Mr. Forbes, Mr. Ernesto Hinojosa, County Engineer, and Mr. Xavier Villarreal, Budget Officer, be appointed to the "Soil & Materials Testing" and the "Structural Inspection" committees.

Commissioner Wood recommended adding Mr. David Garcia, Department of Transportation Assistant Director, to the committee for "Structural Inspection".

Commissioner Garza moved that the "Travel and Consent Items" be approved, excluding Item No. 12 and Item No. 13.

The motion was seconded by Commissioner Wood and carried unanimously.

Commissioner Garza moved to approved Item No. 12 and Item No. 13.

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

AYE: Judge Hinojosa and Commissioner Garza

NAY: Commissioner Wood

(11) **CONSIDERATION AND SELECTION OF LIFERE, INS. CO AS THIRD PARTY ADMINISTRATION SECTION IRC 125 & FLEXIBLE SPENDING ACCOUNT AS RECOMMENDED BY INSURANCE COMMITTEE.(MV-HUMAN SERVICE DEPT)**

The Documentation is as follows:

(12) **CONSIDERATION AND POSSIBLE FINDING OF AN EXEMPTION UNDER V.T.C.A. GOVERNMENT CODE, SECTION 262.024.(A)(4) FROM THE COMPETITIVE REQUIREMENTS FOR CERTAIN PURCHASES BY A COUNTY IN REFERENCE TO HIRING AN ENGINEER FOR THE POST-**

HURRICANE/DISASTER RECOVERY OPERATIONS DAMAGE ASSESSMENT.(TH-EMERGENCY MANAGEMENT) (ACTION TAKEN SEPARATELY)

The Documentation is as follows:

- (13) **CONSIDERATION AND AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR POST-HURRICANE/DISASTER RECOVERY OPERATIONS DAMAGE ASSESSMENT.(TH-EMERGENCY MANAGEMENT) (ACTION TAKEN SEPARATELY)**
The Documentation is as follows:
- (14) **CONSIDERATION AND APPROVAL TO PURCHASE INFLUENZA VACCINE FROM SANOFI PASTEUR, INC. (AVENTIS) THROUGH THE TEXAS BUILDING AND PROCUREMENT COMMISSION (TBPC) FOR "INFLUENZA CAMPAIGN 2006/2007"(YS-HEALTH)**
The Documentation is as follows:
- (15) **CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING JUSTO BARRIENTES' 102ND CELEBRATION OF OUR COUNTRY'S BIRTHDAY, THE 4TH OF JULY.(COMM.CT.)**
The Resolution is as follows:
- (16) **CONSIDERATION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE LOUISIANA ROAD AND DAKOTA VILLAGE NOS. 1 AND 2 WATER IMPROVEMENT PROJECT (TCDP CONTRACT NO. 725165).(FB-PD&M)**
The Documentation is as follows:
- (17) **CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING THE CAMERON COUNTY SHERIFF'S DEPARTMENT TO SUBMIT A CONTINUATION GRANT APPLICATION TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE 2007 SOLID WASTE LOCAL ENFORCEMENT PROJECT AND DESIGNATION OF SOURCE FOR REQUIRED MATCH.(FB-PD&M)**
The Resolution is as follows:
- (18) **CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING THE CAMERON COUNTY DISTRICT ATTORNEY'S OFFICE TO SUBMIT A CONTINUATION GRANT APPLICATION TO THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR A REGIONAL ENVIRONMENTAL AWARENESS EDUCATION AND TRAINING PROJECT.(FB-PD&M)**
The Resolution is as follows:
- (19) **CONSIDERATION AND APPROVAL OF USE OF EVERGREEN CONTRACT WITH RABA KISTNER TO PROVIDE ADDITIONAL SERVICES REQUESTED BY TXDOT FOR THE PRIMERA ROAD ENVIRONMENT ASSESSMENT.(PS-DEPT OF TRANSPORTATION)**
The Contract is as follows:
- (20) **CONSIDERATION AND ADOPTION OF RESOLUTION ASKING CONGRESSMAN AND SENATORS TO OPPOSE LANGUAGE IN WATER RESOURCES DEVELOPMENT ACT TO DE-AUTHORIZE THE ARROYO COLORADO.(PS-DEPT OF TRANSPORTATION)**
The Resolution is as follows:
- (21) **CONSIDERATION AND APPROVAL OF AMENDMENT TO LEASE AGREEMENT BETWEEN CAMERON COUNTY AND FLEET MANAGEMENT FOR OFFICE SPACE FOR CONSTRUCTION MANAGEMENT.(PS-DEPT. OF TRANSPORTATION)**
The Agreement is as follows:
- (22) **CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN CAMERON COUNTY AND GARCO CONSTRUCTION FOR CAMERON COUNTY/ARROYO CITY LAW ENFORCEMENT FIRE SUBSTATION AND FAMILY LEARNING CENTER.(PS-DEPT OF TRANSPORTATION)**
The Agreement is as follows:
- (23) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
(A) PRECINCT NO. 4- PASEO DE LOS REYES SUBDIVISION – BEING 16.81 ACRES OUT OF THE

NORTHERLY 20.08 ACRES OUT BLOCK THIRTY-THREE (33), COLLINS SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 3, PAGE 19 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

The Documentation is as follows:

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

The Documentation is as follows:

- (25) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP'S/RFQ'S FOR:**
- (A) SOIL & MATERIALS TESTING – ANNUAL RFQ #1724**
- (B) STRUCTURAL INSPECTION – COUNTY INTERNATIONAL BRIDGES – ANNUAL RFQ #1230**

TRAVEL ITEMS

- (26) CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):**
- (A) DISTRICT ATTORNEY AND STAFF (2), TO TRAVEL TO AUGUSTA, MAINE, ON 6/26-29/06, TO MEET WITH PATHOLOGIST ON EIGHT PENDING MURDER CASES.**
- (B) JUSTICE OF THE PEACE PCT. 3-1, TO TRAVEL TO SOUTH PADRE ISLAND, TEXAS, ON 6/9/06, TO ATTEND THE 2006 VITAL STATISTICS REGIONAL CONFERENCE.**
- (C) JUVENILE PROBATION EMPLOYEE, TO TRAVEL TO AUSTIN, TEXAS, ON 6/6-8/06, TO ATTEND THE “STANDARDS REVISION WORKGROUP AND DETENTION OVER POPULATION WORKGROUP.**
- (D) DIRECTOR OF DEPARTMENT OF TRANSPORTATION, TO TRAVEL TO WASHINGTON, DC, ON 6/25-27/06, TO ATTEND A BRIEFING WITH CONGRESSIONAL STAFFERS AND TO MEET WITH FHWA OFFICIALS TO DISCUSS RAIL PROJECT.**
- (E) DISTRICT ATTORNEY EMPLOYEE, TO TRAVEL TO AUSTIN, TEXAS, ON 7/5-7/06, TO ATTEND THE 2ND ANNUAL CONFERENCE ON PROMOTING COMMUNITY SAFETY, VICTIM INTEREST AND OFFENDER SUCCESS.**
- (F) PD&M CD COORDINATOR, TO TRAVEL TO SAN ANTONIO, TEXAS, ON 7/17-21/06, TO ATTEND CITY OF SAN ANTONIO ANNUAL HOUSING SUMMIT AND GRANT WRITING TRAINING.**

- (11) **CONSIDERATION AND SELECTION OF LIFERE, INS. CO AS THIRD PARTY ADMINISTRATION SECTION IRC 125 & FLEXIBLE SPENDING ACCOUNT AS RECOMMENDED BY INSURANCE COMMITTEE.(MV-HUMAN SERVICE DEPT)**
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The Contract is as follows:**

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The Documentation is as follows:

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

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

The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court met in Executive Session at 10:18 A.M. to discuss the following matters:

(27) EXECUTIVE SESSION:

- (A) 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.**
- (B) CONFER WITH COMMISSIONER'S COURT LEGAL COUNSEL CONCERNING ISSUES RELATED TO THE CONCESSION LEASE WITH WALTER AND JACKIE CONRAD, D/B/A WOODY AND DICK'S BEACH SHACK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DISCUSSION ON ARRANGEMENTS FOR FORENSIC TESTIMONY WITH PATHOLOGISTS FROM VALLEY BAPTIST MEDICAL CENTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2)**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING POSSIBLE AMENDMENT TO 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 CLAIM OF VILAFRANCA TILE & CONSTRUCTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).**
- (F) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RED RIVER SOLID WASTE COLLECTION CONTRACT ABOUT THE LAST BILLING NOTICES TO CUSTOMERS ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (G) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR HUDSON ROAD, PRECINCT 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (H) DELIBERATION REGARDING USE OF COUNTY PROPERTY AT THE FREE TRADE BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (I) DELIBERATION REGARDING THE GRANTING OF TEN FOOT (10') ELECTRICAL EASEMENT TO AEP TEXAS, TO EXTEND OVERHEAD PRIMARY POWER LINE TO THE OLD LEVI BUILDING WILLIAMSON ROAD, SAN BENITO, TEXAS, PRECINCT 3, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (J) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN THE COMMUNITY OF LAURELES PRECINCT NO. 3, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

- (K) **DELIBERATION REGARDING REAL PROPERTY CONCERNING THE CONCESSION LEASE BETWEEN CAMERON COUNTY AND COSTA RICA FOOD AND SPIRITS INC., AGUICO PROPERTIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**
- (L) **DELIBERATION REGARDING REAL PROPERTY CONCERNING A POSSIBLE CONCESSION LEASE BETWEEN CAMERON COUNTY AND AFFILIATED MANAGEMENT SYSTEMS, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 10:37 A.M. to discuss the following matters:

(28) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) **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 Status Report was acknowledged.

- (B) **CONFER WITH COMMISSIONER'S COURT LEGAL COUNSEL CONCERNING ISSUES RELATED TO THE CONCESSION LEASE WITH WALTER AND JACKIE CONRAD, D/B/A WOODY AND DICK'S BEACH SHACK, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Judge Hinojosa-"Do I hear a motion?"

Mr. Richard Burst, Legal Counsel-"motion is to give the lessee (30) days notice of termination"

Judge Hinojosa-"Do you want to address us?"

Mr. Walter Conrad-"Thank you. Gentlemen my name is Walter Conrad and it is my concession. I guess I don't fully understand what the problem is with the concession or the concession name. First let me speak to the name itself. The name is based on a family member and a close friend of the family. My wife's maiden name is Woody, her father's name was Woody, last name was Woody and that was his nickname. Back in the late 1950's, my father-in-law opened and ran a tavern in central Nebraska, excuse me, eastern Nebraska called "Woody's Tavern", not surprising, it was a very small town and his best friend happened to run the competition, which was down the street, and his name was Dick. That's pretty much the main history to that. You will notice in all of our signs and advertising that the most prominent display are a couple of dogs. The dogs, you know, are a particular breed and one of the dogs represents a real dog that we have who also happens to be named Woody."

Judge Hinojosa-"Let me interrupt you"

Mr. Conrad-“Yes sir”

Judge Hinojosa-“And I understand where you’re coming from and everything, but we’ve gotten a lot of complaints and we just prefer not to have something like that and so that’s where we’re headed and we...”

Mr. Conrad-“Judge, pardon my interruption, but I have only been aware of one main complaint. The sign itself was actually, which the sign needed to come down I didn’t go through proper channels and I apologize for that, but the sign itself actually was up approximately Labor Day of last year and the first complaint I’m aware of was early April of this year. I also know that, having spoken to the manager of Andy Bowie Park, he was certainly not getting complaints. Yet, he was obviously aware of the name and we advertised and so forth. So, I just, I’m only saying basically one, excuse me, one complaint that seems to have tipped the scale, where it was not what I would certainly call a flood of complaints.”

Mr. Richard Burst, Legal Counsel-“May I interrupt? May I suggest that that we may want to table this until next week and direct me to negotiate with him?”

Judge Hinojosa-“Ok, do I hear a motion to table?”

Commissioner Wood-“So moved”

Commissioner Garza-“Second”

Judge Hinojosa-“Motion by Commissioner Wood, second by Commissioner Garza, any further discussion? All those in favor signify by stating “aye”

Commissioner Wood and Commissioner Garza-“Aye”

Judge Hinojosa-“All opposed? Motion carries”

(C) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL CONCERNING DISCUSSION ON ARRANGEMENTS FOR FORENSIC TESTIMONY WITH PATHOLOGISTS FROM VALLEY BAPTIST MEDICAL CENTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2)

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

(D) CONFER WITH COMMISSIONERS’ COURT LEGAL COUNSEL CONCERNING POSSIBLE AMENDMENT TO 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).

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

- (E) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CLAIM OF VILAFRANCA TILE & CONSTRUCTION, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)&(2).**

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

- (F) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING RED RIVER SOLID WASTE COLLECTION CONTRACT ABOUT THE LAST BILLING NOTICES TO CUSTOMERS ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).**

Commissioner Garza moved to request that Red River Service Corporation reconsider their green stamp program.

The motion was seconded by Commissioner Wood and carried unanimously.

- (G) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR HUDSON ROAD, PRECINCT 3 AREA, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Garza moved to acknowledge receipt of properties from owner and negotiate the donation of the property.

The motion was seconded by Commissioner Wood and carried unanimously.

- (H) **DELIBERATION REGARDING USE OF COUNTY PROPERTY AT THE FREE TRADE BRIDGE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Commissioner Garza moved to authorize the Transportation Department to negotiate a license agreement

The motion was seconded by Commissioner Wood and carried unanimously.

- (I) **DELIBERATION REGARDING THE GRANTING OF TEN FOOT (10') ELECTRICAL EASEMENT TO AEP TEXAS, TO EXTEND OVERHEAD PRIMARY POWER LINE TO THE OLD LEVI BUILDING WILLIAMSON ROAD, SAN BENITO, TEXAS, PRECINCT 3, 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**.

- (J) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF LAND FOR A PROPOSED PARK IN THE COMMUNITY OF LAURELES PRECINCT NO. 3, 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 Parks Director was acknowledged and authorization to proceed as directed in Executive Session was approved.

(K) DELIBERATION REGARDING REAL PROPERTY CONCERNING THE CONCESSION LEASE BETWEEN CAMERON COUNTY AND COSTA RICA FOOD AND SPIRITS INC., AGUICO PROPERTIES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(2).

Judge Hinojosa-“Motion to not renew, not extend the concession lease agreement?”

Commissioner Garza-“So moved”

Judge Hinojosa-“Motion by Commissioner Garza...”

Mr. Robert Roberts-“Your honor, my name is Robert Roberts and I’m here on behalf of Cost Rica. It’s the Court’s intent not to extend this?”

Judge Hinojosa-“Right”

Mr. Roberts-“And the basis?”

Judge Hinojosa-“You need to talk to him (Richard Burst, Legal Counsel) and he’ll tell you the reasons and it’s not as bad as it sounds, it’s just...”

Mr. Roberts-“It sounds pretty bad, your honor.”

Commissioner Wood-“We just don’t want to extend this lease for another period of time without having more information than what we’ve got available.”

Mr. Roberts-“If we could not make a final ruling then and just revisit this issue after I’ve had a chance to share with you...”

Commissioner Garza-“Well I think that June 15th made a final ruling on this because that was the deadline of the lease”

Mr. Burst-“The deadline expired on the 15th”

Judge Hinojosa-“He’s (Mr. Burst) going to explain it to you, but the long and the short of it is that we really need to talk about the terms all over again and then there’s a process that’s involved and so we wouldn’t be able to do that if we extended the lease agreement. So we need to get, you need to get with our attorney so that he can explain to you how that’s going to work.”

Mr. Roberts-“Just as a clarification, we’re not trying to extend the lease agreement, just a deadline within the lease agreement, as per a June 14th letter that we delivered to the Court before the expiration of this first deadline.”

Judge Hinojosa-“We understand what you want to do, it’s just that...”

Mr. Robert-“Understood”

Judge Hinojosa-“...we don’t want to do that.”

Mr. Burst-“They’re not agreeing to extend the deadline.”

Mr. Roberts-“Thank you, your honor.”

Commissioner Garza-“Was that a second?”

Commissioner Wood-“Yes”

Judge Hinojosa-“Motion and a second, any further discussion? All those in favor signify by stating “aye”

Commissioner Wood and Commissioner Garza-“Aye”

Judge Hinojosa-“All opposed? Motion carries.”

(L) DELIBERATION REGARDING REAL PROPERTY CONCERNING A POSSIBLE CONCESSION LEASE BETWEEN CAMERON COUNTY AND AFFILIATED MANAGEMENT SYSTEMS, 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**.

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 10:47 A.M.

APPROVED this 18th day of **July 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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