

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 25th day of July 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 Adolfo G. Betancourt.

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:



The meeting was called to order by Judge Pro-Tem Pedro "Pete" Benavides at 9:32 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 July 21, 2006 at 3:06 P.M.:

NOTE: Judge Hinojosa and Commissioner Garza joined the meeting at this time.

(1) PUBLIC COMMENTS.

None were presented.

(6) CONSIDERATION AND ADOPTION OF A RESOLUTION SUPPORTING THE NFL FRANCHISE ACQUISITION AND STADIUM DEVELOPMENT BY TICHENOR AND ASSOCIATES. (COMM. COURT)

Mr. Rollins M. Koppel, attorney for Tichenor and Associates, informed the Court that this project is sponsored by the family of McHenry Tichenor, who were pioneers in the region as they started the first Spanish-language radio station in Harlingen, TX in 1939 and have since become experts in Hispanic media and have developed a keen understanding of the Hispanic marketplace. He noted that Tichenor Media Systems has merged with Univision is now the largest Spanish-language media in the nation. He added that Mr. Tichenor feels it is time to do something for the people of the Rio Grande Valley and has conducted a study of possibly bringing an NFL franchise to the Valley by acquiring an existing team. He noted that the price will be tremendous and the project is enormous, but Mr. Tichenor and his colleagues have invested \$1 million on the study of the possibilities and are prepared to spend another \$2 million to promote and market the project in the United States and Mexico and have commissioned a survey by the Gallup Poll Organization and which has shown tremendous positive response. He stated that with the growth of the Rio Grande Valley and the support of Mexico, Mr. Tichenor believes that the project will be successful. He mentioned that a population of approximately 7.4 million people has demonstrated interest in a project such as this and added that the stadium will be centrally located between Cameron County and Hidalgo County. Mr. Koppel asked for support from Cameron County on this endeavor.

Judge Hinojosa informed the Court that he met with Mr. Tichenor and Mr. Koppel regarding this project and noted that although this project seems dubious, a review of demographics suggests otherwise. He stated that with the population of the Valley and the close proximity of Mexico and the Corpus Christi area, the total population within a 200-mile radius of Weslaco is as high as (8) to (10) million. He mentioned the fact that there is not a metropolitan area that large outside of New York, Chicago or Los Angeles. He commended Mr. Koppel for his efforts and asked for support of this project.

Commissioner Tamayo asked how the long the project has been in the planning stages.

Mr. Koppel stated that there has been tremendous support from the Valley partnerships and added that he intends to approach every city in Cameron County and Hidalgo County to ask for support of this project. He added

that there is an intention to launch a \$1 million marketing effort and the intentions are for this project to be a bi-cultural effort. He added that the McAllen and Brownsville SMSA (Standard Metropolitan Statistical Area) is among the fastest growing in the area and the largest source behind the SMSA is tourism. He stated that the stadium would not only be for football, but for cultural events and will seat over 60,000 people.

Commissioner Tamayo noted that the Tichenor Family is known for thinking outside the box and highlighted the fact that there are many residents of Mexico who own property at South Padre Island and Rancho Viejo and are very much a part of our society.

Commissioner Wood pointed out the wonderful opportunity that this could be for the Valley.

Commissioner Benavides noted the positive economic impact an NFL franchise could have on the Rio Grande Valley.

Mr. Koppel added that the plan is to acquire a current NFL team and then request permission from the NFL to relocate the team to the Valley.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Adoption of a Resolution supporting the NFL Franchise Acquisition and Stadium Development by Tichenor and Associates was approved.

The Resolution is as follows:

PRESENTATIONS

(2) PRESENTATION REGARDING THE CAMERON COUNTY STORM WATER MANAGEMENT REGIONAL PLAN. (PS-DEPT. OF TRANSPORTATION)

Mr. Ernesto Hinojosa, County Engineer, introduced Mr. Mark Luffer, of TEDSI Infrastructure, who then presented the Cameron County Storm Water Management Regional Plan.

Mr. Luffer informed the Court that TEDSI was hired to create a regional storm water plan and added that Cameron County is considered an MS-4 (Municipal Separate Storm Sewer System) and falls under the (6) different components of the plan and they are as follows: 1) public education and outreach, 2) public involvement, 3) illicit discharge of determinations in to the storm sewers and ditches, 4) construction site run-off control, 5) post construction run-off and 6) pollution and prevention. He noted that all of this is affected by the Clean Water Act trying to minimize the amount of pollutants that enter the Laguna Madre and the Gulf of Mexico. He stated that this program was mandated by the Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ). He added that the first year involves much public education and outreach and cooperating with schools to inform the students of the plan and incorporating different handouts detailing the plan.

Commissioner Tamayo asked if there has been any public input regarding the Storm Management Panel.

Mr. Luffer replied that he will come back to the Commissioners' Court for recommendations on the Storm Water Management Regional Plan after the Court has spoken with Cameron County residents to get their input on the plan. He stated that this is a (5) year program and the first year will comprise of the development of a website and slogan, to be used for marketing purposes, the initiation of a hotline, which will allow the public to report illicit discharges, and the outline of ditches by GIS. He stated that material aimed at the education of children will be utilized and will incorporate puzzles, door hangers, stickers, bookmarks, posters and placemats. He noted that teaching children early on about the importance of clean water is key and added that there will be a contest to name a mascot for the marketing campaign.

Commissioner Garza asked if all cities in Cameron County are considered MS-4's.

Mr. Luffer replied that any city, such as Harlingen and Brownsville, with a population over 100,000 is considered to be at the MS-4 level.

Commissioner Garza expressed his concern with run off entering the Arroyo Colorado.

Mr. Luffer responded that he will look into the matter.

Mr. Ernesto Hinojosa stated that there are rules and regulations regarding subdivisions and added that those regulations can be amended.

Commissioner Garza asked if a county road is managed with the same as a process as subdivisions regarding drainage.

Mr. Ernesto Hinojosa replied that all roads have some connection to a body of water for drainage.

Commissioner Garza noted that there are subdivisions with no storm drainage that have been approved by the Commissioners' Court.

Mr. Ernesto Hinojosa replied that drainage is currently required on all roads and added that previously it was not, which might explain why some older subdivisions do not have drainage.

Commissioner Wood asked if the EPA and TCEQ are providing any funds, as this issue could manifest into a huge financial burden.

Mr. Luffer replied in the negative.

Commissioner Tamayo pointed out that there is no authority to issue citations for drainage violations.

Mr. Luffer stated that a door hanger is used as a warning and to raise attention to the matter.

Commissioner Tamayo noted that the plan is mainly focused at educating the public and added that she would like to see a phase that is aimed at enforcement.

Mr. Luffer replied that the enforcement phase could fall under the Clean Water Act and added that he will meet with State officials to see what can be done. He informed the Court that he has spoken with several schools and they have shown interest in the matter.

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the Presentation regarding the Cameron County Storm Water Management Regional Plan was acknowledged.

ACTION ITEMS

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

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

The Documents are as follows:

(4) APPROVAL OF CLAIMS.

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

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

AYE: Commissioner Garza, Commissioner Benavides and Commissioner Wood

NAY: None

ABSTAIN: Judge Hinojosa as to Warrant No. 00163833, made payable to Southwest Key Program La Esperanza, in the amount \$8,397.41 and Warrant No. 00163733, made payable to the Laguna Madre Water District, in the amount of \$3,736.00 and Commissioner Tamayo as to Fund 820, Solid Waste Collection, in the amount of \$34,315.92 and Warrant No. 00163789, made payable to Red River Service Corporation, in the amount of \$315.92..

The Claims and Affidavits are as follows:

(5) CONSIDERATION AND POSSIBLE ACTION REGARDING ISSUES RAISED BY THE EMPLOYEE HEALTH BENEFITS COMMITTEE REGARDING MUTUAL OF OMAHA INCLUDING BUT NOT LIMITED TO DENIED CLAIMS, AND POSSIBLE ISSUING OF BIDS FOR THIRD PARTY ADMINISTRATOR, STOP LOSS COVERAGE AND PROVIDER NETWORK. (MV-HUMAN RESOURCES)

Mr. Manuel Villarreal, Human Resources Director, informed the Court that Mutual of Omaha has been seriously delayed on reimbursing claims and consequently, doctors are opting out as a PPO and employees are being billed for claims they should not have to pay. He added that claims are to be reviewed within (45) days and this is not happening.

Mr. Villarreal informed the Court that he has requested a list of claims and the reason they are pending from Mutual of Omaha and has received nothing.

Commissioner Garza asked if there are any minutes of the insurance committee meetings, as requested by the Commissioners' Court.

Mr. Villarreal replied that there was a meeting this past Friday and a meeting earlier this year.

Commissioner Tamayo asked how many meetings the committee has had since the appointment of the committee members.

Mr. Villarreal informed the Court that the insurance committee has met (3) times.

Judge Hinojosa asked when was the last time proposals went out for the County's health insurance policy.

Mr. Villarreal replied (4) years.

Commissioner Garza asked if there has been a study done in the last (6) months regarding the status of the County's health plan. He stated that he would like to see what the County is putting "in" and getting "out".

Mr. Villarreal noted that Mr. Mark Yates, County Auditor, is currently doing an evaluation of expenditures.

Commissioner Garza asked that an outside consultant can be used to review expenditures.

Judge Hinojosa suggested that other plans be looked at to see if there is a better deal available. He added that the most important points to identify are to ensure that employees are being covered for the best price possible for the plan and overall expenditures to the County. He stated that he would like to see what else is available and noted that Valley Baptist is looking at options to insure governmental entities.

Commissioner Tamayo asked to see minutes from the insurance committee meetings and recommended reviewing the appointment for each member annually.

Commissioner Garza asked to see an actuarial study done on expenditures.

Judge Hinojosa suggested going out for proposals and conducting an actuarial study.

Commissioner Garza added that an independent agency should conduct the study.

Commissioner Wood recommended an actuarial study be done regularly and any findings be presented to the insurance committee. He added that the insurance committee should be meeting at least every other month to evaluate the state of the insurance plan.

Commissioner Tamayo commented on the fact that the committee members do receive a stipend. She asked that Mr. Villarreal present a report to the Court after meeting with the representatives from Mutual of Omaha.

Mr. Villarreal informed the Court that representatives from Mutual of Omaha are scheduled to come down on the first of August.

Judge Hinojosa asked that the Mutual of Omaha representatives meet with the insurance committee.

Commissioner Garza stated that he would like to see a list of the complaints for review.

Commissioner Benavides recommended going out for proposals on the insurance plan, as a better plan can only benefit the employees of Cameron County.

Judge Hinojosa recommended going out for proposals, having the County Auditor make a presentation to the Court regarding the finances of the insurance plan and have the Mutual of Omaha representatives meet with the insurance committee.

Commissioner Benavides moved to go out for proposals, have the County Auditor make a presentation to the Court regarding the finances of the insurance plan as soon as possible and have the Mutual of Omaha representatives meet with the insurance committee.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(7) **CONSIDERATION AND POSSIBLE ACTION REGARDING THE EXPANSION OF THE PARKS ADVISORY BOARD TO INCLUDE A REPRESENTATIVE FROM THE SAVE ISLA BLANCA ORGANIZATION. (COMM. COURT)**

Judge Hinojosa-“Did you all come up with a name?”

Ms. Faith Ballesteros, member of the Friends of Isla Blanca Park Organization-“No, we have had a name we are ‘Friends of Isla Blanca Park’ but everybody knows us as the ‘Save Isla Blanca Park Group’; either one is fine, but our official name...”

Judge Hinojosa-“No, the name on the committee”

Commissioner Garza-“individual”

Judge Hinojosa-“an individual”

Commissioner Tamayo-“an individual”

Ms. Ballesteros-“...Oh, for the...”

Judge Hinojosa-“...Parks Board”

Ms. Ballesteros-“We have come, well first of all, let me say we want to thank you for providing a spot or for considering a spot for one us from our group and we are very carefully deciding who would be the most appropriate person for that role. Today I came, and some of us came, with a list of questions. We don't have any information about the Parks Advisory Board. So I am just going to present the questions and I will leave them with Mr. (Javier) Mendez or Mr. (Remi) Garza, whoever is the appropriate person. I want to just, they're just...How often does the board meet? Where and when do they meet? How many people are on the board? Who are the other park advisory board members? Meaning are they employees of the County or Parks or just citizens at large”

Judge Hinojosa-“They're private citizens”

Commissioner Tamayo-“private citizens”

Ms. Ballesteros-“Just private citizens. How are the board members normally chosen? How long do board members serve? What are the duties and functions of the Park Advisory Board? What is the structure of the board? Meaning does it have officers, is it a round-table discussion, that kind of thing. How are decisions made by the board? Do they vote on a decision and then present that? Does the board serve solely as an advisory committee? How are the decisions and information of the board used? And to whom does the parks board report? We'll just take those answers and if they want to send them to us and then we'll be able to choose the best person. We're going to be having a meeting in about two weeks, I believe, maybe two and a half weeks, and at that time we can decide and we can contact the County and let you know who our person is.”

Judge Hinojosa-“Ok”

Ms. Ballesteros-“Alright”

Judge Hinojosa-“I can give you the answer to all your questions in about three seconds.”

Ms. Ballesteros-“But I might forget them”

Judge Hinojosa-“Ok”

Commissioner Wood-“It'll probably be easy for Mr. Mendez to reply to you in writing on these so you all can look at them and...”

Ms. Ballesteros-“certainly”

Commissioner Wood-“... figure out who you feel like is the best person to participate.”

Judge Hinojosa-“But in a nutshell, I mean it’s an advisory board... decisions, I mean actions at the parks, like setting of fees and that kind of stuff, development; they’re run by the Parks Board and asked for a recommendation from the Parks Board....the Parks Board decisions’ or recommendations’ to the County Commissioners’ Court. The board members are selected by the commissioners. In the past they’re kind of designated by commissioners but now we’re up to seven members and so it’s kind of...the commissioners have a person that they recommend but we kind of work together in appointing the members. And they vote on every recommendation made and they organized themselves into an organization with a chairman and so forth. And so it’s, the reason I believe that it was important for you all to have someone there is to avoid some of the issues that came up with respect to this Isla Blanca development. That proposal, as I understand, was presented to the Parks Board and if you’re on the Parks Board you would have seen it come through and you would have been able to act accordingly and come to us. You can come as a board member or you can come as a board, it doesn’t matter, whatever decision you make is up to you but it puts you in a position of having direct access to some of the inner workings of the Parks Department. That’s basically why I believe it was important for you all to have a representative.”

Ms. Ballesteros-“Ok, thank you very much”

Commissioner Garza-“County-wide Parks Department”

Judge Hinojosa-“County-wide”

Commissioner Garza-“Not just Isla Blanca”

Judge Hinojosa-“It covers...”

Ms. Ballesteros-“Right, right that’s what I understood”

Judge Hinojosa-“... every park project in the County”

Ms. Ballesteros-“That’s what I was wondering if it was all the little parks everywhere; it’s the whole deal”

Judge Hinojosa-“All the parks in Cameron County are now under the Parks Department”

Ms. Ballesteros-“Ok, alright”

Commissioner Wood-“It’s the whole deal”

Ms. Ballesteros-“Thank you, should I just give this (list of questions) to Mr. Mendez?”

Commissioner Garza-“Move to approve the expansion of the Advisory Board”

Commissioner Tamayo-“Second”

Mr. Remi Garza, Assistant County Administrator-“They meet as needed; it’s not a set schedule as those projects are presented.”

Judge Hinojosa-“And I think it’s a two year term but I’m not sure”

Ms. Ballesteros-“Oh, ok”

Judge Hinojosa-“Alright? Ok, there’s a motion by Commissioner Garza, is there a second to that motion?”

Commissioner Tamayo-“I seconded”

Judge Hinojosa-“Motion, second by Commissioner Tamayo. Any further discussion? All those in favor signify by stating ‘aye’”

Commissioner Wood, Commissioner Garza, Commissioner Tamayo and Commissioner Benavides-“Aye”

Judge Hinojosa-“All opposed? Motion carries.”

The Documentation is as follows:

**(8) CONSIDERATION AND APPROVAL OF COURTHOUSE
PARKING LOT LAYOUT AND MATTERS RELATED
THERE TO. (PS-DEPT. OF TRANSPORTATION)**

Mr. Pete Sepulveda, Department of Transportation Director, informed the Court that (206) parking spaces have been allotted and in addition are (6) handicap spaces, (3) spaces for law enforcement officials and (2) loading zones. He added that there are (2) entrances on Tyler St. and mentioned that (60) to (70) spaces can be added with the detention center area parking. He advised the Court that \$80,000 is needed for materials and an additional \$15,000 to \$20,000 is needed for landscaping and irrigation; as well as \$50,000 to \$60,000 that the detention center area will cost. He requested that the Court establish a funding source.

Commissioner Wood asked if (6) handicap spaces is sufficient for the Americans with Disabilities Act requirements.

Mr. Remi Garza, Assistant County Administrator, mentioned that the (6) spaces are in addition to the current handicap spots.

Mr. Ernesto Hinojosa, County Engineer, informed the Court that the City of Brownsville requires 10 percent green area and irrigation on all new parking areas.

Commissioner Garza asked why the plan cannot be “grandfathered” in.

Mr. Ernesto Hinojosa stated that a landscaper will be hired for the project.

Judge Hinojosa asked if car stoppers will be placed in the parking lot.

Mr. Sepulveda replied in the negative.

Commissioner Tamayo asked why the parking lot cannot be “grandfathered” in.

Mr. Ernesto Hinojosa informed the Commission that reconstruction is not considered “grandfathered”.

Commissioner Garza asked if the entrances are two-way.

Mr. Sepulveda replied in the affirmative.

Judge Hinojosa asked how long the construction process will take.

Mr. Sepulveda responded that there are (2) phases to the plan.

Commissioner Garza suggested that the detention center parking area be done first.

Mr. Sepulveda informed the Court that a traffic control plan will have to be implemented.

Judge Hinojosa suggested waiting until December to begin as the traffic congestion slows during that time of the year.

Commissioner Garza pointed out that the month of December is typically a rainy one and might hinder the construction time.

Mr. Xavier Villarreal, Budget Officer, stated that funding for the project is covered as there was a CO in 2002 and 2004 totaling \$200,000 for this project.

Judge Hinojosa suggested designating a parking area for jurors only.

Commissioner Garza asked how many entrances are there in the current parking lot.

Mr. Sepulveda replied that there are (3) entrances at the present time.

Upon motion by Commissioner Wood, seconded by Commissioner Garza and carried unanimously, the Courthouse Parking Lot Layout was approved.

The Parking Lot Layout is as follows:

SUPPLEMENTAL AGENDA

ACTION ITEMS

(1) CONSIDERATION AND POSSIBLE ACTION RELATING TO PROJECT ARCHITECT'S DETERMINATION OF SUBSTANTIAL COMPLETION AND ACCEPTANCE OF THE DANCY BUILDING. (COMM. COURT)

Mr. Roberto J. Ruiz, Dancy Building Renovation Project Architect, informed the Court that he has met with the contractors to review time schedules and advised the Court that the County can begin moving in as early as 5 p.m. this afternoon. He added that everything will be complete on September 22, 2006, except installation of the romanesk glass. He recommended accepting the Dancy Building as substantially complete, pending the items listed.

Mr. Ruiz stated that the Dancy Building is equipped with the chill water system, which no other County has. He added that the contractor and the subcontractor have maintained the building and the Maintenance Department has been given seminars on how to maintain the chill water system. He suggested that one person be thoroughly trained on the system.

Judge Hinojosa stated that he spoke with the Maintenance Director six months ago on this issue.

Commissioner Garza asked if the furniture in the basement has been moved out.

Mr. Ruiz replied that some of the furniture has been moved.

Commissioner Garza asked when all of the furniture will be been removed.

Mr. Ruiz replied that the damaged furniture has been sold and is currently in the Dancy Building but should be removed shortly.

Mr. Richard Burst, Legal Counsel, advised that there is an offer from the insurance company which addresses that issue that will be discussed in Executive Session.

Commissioner Tamayo expressed her concern for Item No. (7) in the letter from Joe R. Jones Construction to Mr. Roberto Ruiz regarding the outstanding items to be installed at the Dancy Building. She asked for clarification as to what the "major portion of the punch list" involves.

Mr. Ruiz replied that most of the items are complete and he is currently going over the punch list with the contractor.

Commissioner Garza asked about the issue of the chandelier lights.

Mr. Ruiz replied that the bottom portion of the chandelier has yet to be installed.

Commissioner Tamayo expressed unwillingness to accept the Dancy Building as substantially complete until all items are complete.

Commissioner Tamayo moved to **TABLE** this item.

The motion was seconded by Commissioner Garza and carried unanimously.

CONSENT ITEMS

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

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

The motion was seconded by Commissioner Garza and carried unanimously.

- (9) **CONSIDERATION AND APPROVAL OF AMENDED SIGNATURE CARDS WITH FIRST NATIONAL BANK: CAMERON COUNTY SHERIFF, INMATE ACCOUNT. (EG-TREASURER)**
The Documentation is as follows:
- (10) **CONSIDERATION AND APPROVAL OF A CONTRACT BETWEEN CAMERON COUNTY AND SOUTH TEXAS CHAPTER OF THE AMERICAN RED CROSS FOR EMERGENCY PREPAREDNESS COORDINATION. (YS-HEALTH)**
The Contract is as follows:
- (11) **CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS REGIONAL ADVISORY COUNCIL-V (TRAC) FOR EMERGENCY PREPAREDNESS COORDINATION. (YS-HEALTH)**
The Contract is as follows:
- (12) **CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION DEPARTMENT) AND SCOTT E. KEE, D/B/A 34TH ANNUAL RUFFRIDER REGATTA 2006 EVENT. (JM-PARK SYSTEM)**
The Agreement is as follows:
- (13) **CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)**
(A) **ASBESTOS SURVEY – RFQ #0607029 AND SELECTION OF POSSIBLE EVALUATION COMMITTEE BY COMMISSIONERS' COURT**
(B) **LOUISIANA ROAD AND DAKOTA VILLAGE 1 & 2 CONSTRUCTION OF WATER LINES TCDP #725165**
- (14) **CONSIDERATION AND APPROVAL TO ESTABLISH PURCHASE ORDER CUT-OFF DATE ON AUGUST 31, 2006 OR ALTERNATE DATE AS DETERMINED BY COMMISSIONERS' COURT FOR THE FISCAL YEAR WITH THE EXCEPTION OF EMERGENCIES AS APPROVED BY THE COUNTY AUDITOR OR COMMISSIONERS' COURT. (MY-AUDITOR)**
- (15) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR B & G SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**
The Documentation is as follows:
- (16) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
(A) **PRECINCT NO. 1-PARTNERS SUBDIVISION, BEING 44.723 ACRES LOCATED IN LOT FOUR (4), BLOCK TWO HUNDRED TWO (202), EL JARDIN RE-SUBDIVISION, CAMERON**

COUNTY, TEXAS AS RECORDED IN VOLUME 4, PAGE 48 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

The Documentation is as follows:

TRAVEL ITEMS

- (17) CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
- (A) COUNTY EXTENSION AGENT, TO TRAVEL TO SAN ANTONIO, TX, ON 8/2-4/06, TO ATTEND THE 30TH ANNUAL 4-H CONFERENCE.
 - (B) JUVENILE PROBATION SUPPORT STAFF (2), TO TRAVEL TO AUSTIN, TX, ON 7/27-28/06, TO ATTEND "TITLE IV-E TRAINING ON REVISION FOR THE TITLE IV-E CLAIM FROM TJPC."
 - (C) HEALTH ADMINISTRATOR, TO TRAVEL TO CORPUS CHRISTI, TX, ON 8/14-15/06, TO ATTEND THE HEALTH AND MEDICAL PREPAREDNESS WORK GROUP.
 - (D) HEALTH ADMINISTRATOR, TO TRAVEL TO FALFURRIAS, TX, ON 8/9/06, TO ATTEND THE LOCAL HEALTH DEPARTMENT DIRECTOR'S MEETING.
 - (E) HEALTH ADMINISTRATOR, PUBLIC HEALTH RESPONSE PROGRAM SUPERVISOR, PLANNER AND EMERGENCY MANAGEMENT TECHNICIAN, TO TRAVEL TO RIO GRANDE CITY, TX, ON 7/28/06, TO ATTEND THE OPERATION LONE STAR VIP DAY IN STARR COUNTY.
 - (F) WIC DIRECTOR, NUTRITION EDUCATION COORDINATOR AND CERTIFYING AUTHORITY, TO TRAVEL TO AUSTIN, TX, ON 8/27-30/06, TO ATTEND A TEXAS DEPARTMENT OF STATE HEALTH SERVICES TEXAS BREASTFEEDING PROMOTION ACTIVITY (LACTATION COUNSELING AND PROBLEM SOLVING).
 - (G) SHERIFF AND CHIEF JAIL ADMINISTRATOR, TO TRAVEL TO AUSTIN, TX, ON 8/2-3/06, TO ATTEND THE TEXAS COMMISSION ON JAIL STANDARDS MEETING.
 - (H) CONSTABLE PRECINCT NO. 3 AND DEPUTIES (3), TO TRAVEL TO HUNTSVILLE, TX, ON 8/14-16/06, TO ATTEND A L.E.M.I.T. TRAINING COURSE FOR CONSTABLES.
 - (I) SHERIFF'S DEPARTMENT INVESTIGATORS (3), TO TRAVEL TO SAN ANTONIO, TX, ON 8/6-10/06, TO ATTEND TEXAS NARCOTIC OFFICERS CONFERENCE.
 - (J) SHERIFF AND CRIMINAL INVESTIGATIONS DIVISION LIEUTENANT, TO TRAVEL TO LUBBOCK, TX, ON 7/23-26/06, TO ATTEND SHERIFF'S ASSOCIATION OF TEXAS 128TH ANNUAL TRAINING CONFERENCE.
 - (K) UNIFIED NARCOTICS INTELLIGENCE TASK FORCE DIRECTOR, TO TRAVEL TO SAN ANTONIO, TX, ON 8/14-16/06, TO ATTEND THE SOUTH TEXAS HIDTA EXECUTIVE BOARD MEETING.
 - (L) ASSISTANT COUNTY ADMINISTRATOR, TO TRAVEL TO AUSTIN, TX, ON 7/20/06, TO ATTEND A MEETING WITH THE GENERAL LAND OFFICE.
 - (M) DISTRICT ATTORNEY, TO TRAVEL TO SAN ANTONIO, TX, ON 8/14-15/06, TO ATTEND THE SOUTH TEXAS HIDTA EXECUTIVE COMMITTEE MEETING.
 - (N) DISTRICT ATTORNEY'S SPECIAL OPERATIONS GROUP INVESTIGATORS (6), TO TRAVEL TO FALFURRIAS, TX, ON 7/27/06, TO TAKE APPROXIMATELY 5-6 CARS TO AUCTION AT THE BROOKS COUNTY SHERIFF'S OFFICE AUCTION.

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- (11) CONSIDERATION AND APPROVAL OF CONTRACT BETWEEN CAMERON COUNTY AND THE TEXAS REGIONAL ADVISORY COUNCIL-V (TRAC) FOR EMERGENCY PREPAREDNESS COORDINATION. (YS-HEALTH)**
The Contract is as follows:

- (12) CONSIDERATION AND AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT BETWEEN CAMERON COUNTY (PARKS AND RECREATION DEPARTMENT) AND SCOTT E. KEE, D/B/A 34TH ANNUAL RUFFRIDER REGATTA 2006 EVENT. (JM-PARK SYSTEM)
The Agreement is as follows:**

- (15) **CONSIDERATION AND AUTHORIZATION TO INITIATE THE DRAWING PROCESS ON LETTER OF CREDIT FOR B & G SUBDIVISION, PRECINCT NO. 4, FOR UNBUILT SEPTIC SYSTEMS. (PS-DEPT. OF TRANSPORTATION)**

The Documentation is as follows:

- (16) **CONSIDERATION AND AUTHORIZATION FOR PRELIMINARY AND FINAL APPROVAL FOR: (PS-DEPT. OF TRANSPORTATION)**
- (A) **PRECINCT NO. 1-PARTNERS SUBDIVISION, BEING 44.723 ACRES LOCATED IN LOT FOUR (4), BLOCK TWO HUNDRED TWO (202), EL JARDIN RE-SUBDIVISION, CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 4, PAGE 48 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.**

The Documentation is as follows:

EXECUTIVE SESSION

Upon motion by Commissioner Benavides, seconded by Commissioner Garza and carried unanimously, the Court met in Executive Session at 11:08 A.M. to discuss the following matters:

(18) 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) 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.**
- (C) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF RIGHT OF WAY FOR THE WEST RAIL PROJECT, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**
- (D) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING STATUS OF AND THE POSSIBILITY OF AN APPEAL FROM ADMINISTRATIVE ORDER OF THE TEXAS GENERAL LAND OFFICE PERTAINING TO BEACH USER FEES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**
- (E) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DISCUSSION OF SETTLEMENT OFFER FOR WATER DAMAGED FURNITURE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(B).**
- (F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 2, FOR THE REPLACEMENT OF THE BRIDGE AT FM 803 (RESACA DE LOS FRESNOS), PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

NOTE: Commissioner Benavides did not return to the meeting.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Court reconvened into Regular Session at 11:58 A.M. to discuss the following matters:

(19) 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 Tamayo, seconded by Commissioner Garza and carried unanimously, the Status Report by Mr. Pete Sepulveda, Department of Transportation Director, was acknowledged.

- (B) 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 Tamayo, seconded by Commissioner Garza and carried unanimously, the Status Report by Mr. Javier Mendez, Parks Director, was acknowledged.

- (C) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF RIGHT OF WAY 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, the Status Report by Pete Sepulveda, Department of Transportation Director, was acknowledged.

- (D) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING STATUS OF AND THE POSSIBILITY OF AN APPEAL FROM ADMINISTRATIVE ORDER OF THE TEXAS GENERAL LAND OFFICE PERTAINING TO BEACH USER FEES, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(1)(A) & (2).**

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the Status Report by the County Judge was acknowledged.

- (E) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING DISCUSSION OF SETTLEMENT OFFER FOR WATER DAMAGED FURNITURE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(B).**

Commissioner Garza moved to authorize the acceptance of \$103,340.59 from the insurance company of the contractor as per the June 30, 2006 letter.

The motion was seconded by Commissioner Tamayo and carried unanimously.

- (F) **DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 2, FOR THE REPLACEMENT OF THE BRIDGE AT FM 803 (RESACA DE LOS FRESNOS), PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.072.**

Upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, authorization to purchase the property for \$151.00 was approved.

SUPPLEMENTAL AGENDA

EXECUTIVE SESSION

(2) **EXECUTIVE SESSION:**

- (A) **CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARCH 15, 2005 LEASE AGREEMENT ON ISLA BLANCA PARK WITH LAGUNA MADRE ENHANCEMENT GROUP TO CONSIDER TERMINATION OR AMENDMENT OF THE LEASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)(2).**

(3) **ACTION RELATIVE TO EXECUTIVE SESSION:**

(A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING MARCH 15, 2005 LEASE AGREEMENT ON ISLA BLANCA PARK WITH LAGUNA MADRE ENHANCEMENT GROUP TO CONSIDER TERMINATION OR AMENDMENT OF THE LEASE, PURSUANT TO V.T.C.A. GOVERNMENT CODE, SECTION 551.071(A)(2).

Commissioner Tamayo moved to approve the authorization of the contract, subject to the changes recommended by the Commissioners' Court and pending easements from the west and south.

The motion was seconded by Judge Hinojosa.

Judge Hinojosa informed the public that the amended lease removes Isla Blanca Park area in the deed and keeps (27) acres in the lease available for commercial construction.

Commissioner Garza stated that he would like to see the contract before voting and would have no problem to table this item.

Commissioner Wood added that he would prefer to wait as well.

The vote is as follows:

AYE: Commissioner Tamayo and Judge Hinojosa

NAY: Commissioner Wood and Commissioner Garza

The motion dies due to a tie vote of (2) to (2).

Commissioner Garza moved to table this item.

The motion was seconded by Commissioner Wood and carried unanimously.

CONSENT ITEMS

(13) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS/RFP/RFQ FOR: (MF-PURCHASING)

(A) ASBESTOS SURVEY – RFQ #0607029 AND SELECTION OF POSSIBLE EVALUATION COMMITTEE BY COMMISSIONERS' COURT

Mr. Remi Garza, Assistant County Administrator, asked to amend the motion to Consent Item No. 13 (A) to include an evaluation committee for an asbestos survey to include Grace Salinas, Eddie Salazar and Mike Forbes.

Commissioner Garza moved to amend the motion on Consent Item 13 (A) to include the evaluation committee recommended by Mr. Remi Garza.

The motion was seconded by Commissioner Wood and carried unanimously.

There being no further business to come before the Court, upon motion by Commissioner Wood, seconded by Commissioner Tamayo and carried unanimously, the meeting was **ADJOURNED** at 12:07 P.M.

APPROVED this 15th day of **August 2006**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

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